

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF JUNE 18, 2010

(Published June 26, 2010, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
June 18, 2010 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, Goodman, Hodges, Samuels, Gordon, President Johnson.

Absent – Council Member Glidden.

Lilligren moved adoption of the agenda. Seconded.

Schiff moved to amend the agenda to include under “New Business” the introduction of the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code re to revise regulations related to the hours that businesses may be open to the public. Seconded.

Adopted by unanimous consent.

Absent - Glidden.

The agenda, as amended, was adopted upon a voice vote 6/18/2010.

Absent - Glidden.

Lilligren moved acceptance of the minutes of the regular meeting and the adjourned session of May 28, 2010. Seconded.

Adopted upon a voice vote 6/18/2010.

Absent - Glidden.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 6/18/2010.

Absent - Glidden.

PETITIONS AND COMMUNICATIONS

COMMITTEE OF THE WHOLE:

CIVIL RIGHTS (274296)

1st Quarter 2010 Contract Compliance Quarterly Report.

INTERGOVERNMENTAL RELATIONS (274296.1)

2010 Legislative Summary: Draft.

COMMITTEE OF THE WHOLE (See Rep):

ATTORNEY (274297)

INTERGOVERNMENTAL RELATIONS:

Friendly House, et al. v. Whiting, et al: Authorization to join friend of the court brief.

INTERGOVERNMENTAL RELATIONS (274298)
Metropolitan Council Work Group: Purpose Statement.
Draft letter to Metro Cities re Daycares and Sewer Availability Charges.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (274299)
RECOVERY, Inc: Preliminary & final approval to issue bonds.
Land Sales:
2215-4th St N (Urban Homeworks, Inc);
3015-6th St N (Project for Pride in Living, Inc);
2640 Colfax Ave N (PRG, Inc).
Heading Home Hennepin Opportunity Centers: Approval of multi-jurisdictional program.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

NEIGHBORHOOD REVITALIZATION PROGRAM (NRP) (274300)
NRP Final Allocation for Neighborhoods.
PURCHASING (274301)
Bid:
Carl Bolander & Sons Co to demolish 1900 & 2010 W Broadway & 2324 Lyndale Ave N.

PUBLIC SAFETY AND HEALTH:

COORDINATOR (274302)
2010 Living Well Sustainability Report.

PUBLIC SAFETY AND HEALTH (See Rep):

COORDINATOR (274303)
Minneapolis Emergency Communications Center: Transfer Minneapolis Emergency Communications Center (911) from the City Coordinator's Office to the Department of Regulatory Services & Emergency Preparedness.
HEALTH AND FAMILY SUPPORT SERVICES (274304)
Senior Citizen Advisory Committee: Approve appointment of Raymond M. Olson, Ward 4.
Minneapolis Advisory Committee on People with Disabilities: Approve appointment of Bonnie Jean Smith, Ward 4.
Community Development Block Grant (CDBG) Public Service Funds:
Approve reallocation of 2008 and 2009 funds, as follows: \$74,859 for low income and uninsured families health services subsidies in 2010; and \$74,859 to be held as part of the 2011 funding allocation overseen by the Public Health Advisory Committee.

PUBLIC SAFETY AND HEALTH and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (274305)
Heat Prevention Project: Accept \$5,000 from Department of Health and Human Services for promotion and printing expenses for a heat incident response; and Approve appropriation.
POLICE DEPARTMENT (274306)
COPS Technology Program: Accept \$400,000 and execute contract with United States Department of Justice, COPS Office, to purchase additional in-squad digital cameras and technology to support the camera video storage and retrieval system; and Approve appropriation.

REGULATORY, ENERGY AND ENVIRONMENT (See Rep):

LICENSES AND CONSUMER SERVICES (274307)
Licenses: Applications.

LICENSES AND CONSUMER SERVICES (274308)

Slice of Chicago (1600 W Broadway): Approve License Settlement Conference recommendations relating to Food Manufacturer License.

El Pollo Loco de los Santos (331 E Lake St): Approve License Settlement Conference recommendations relating to Restaurant License.

Favor Cafe (913 W Lake St): Approve License Settlement Conference recommendations relating to Catering License.

APX Alarm (4931 North 300 West, Provo, Utah): Approve Business License Operating Conditions relating to Solicitor - Company License.

REGULATORY SERVICES (274309)

Environmental Health Delegation Agreement: Execute Delegation Agreement between the Minneapolis Board of Health and the Minnesota Department of Health relating to Well, Pools and Lodging and Food Programs.

REGULATORY SERVICES (274310)

Property at 2729 Cedar Av: Approve demolition of structure.

REGULATORY SERVICES (274311)

Property at 2926 12th Av S: Deny rental license to be held by Tommy Dao.

REGULATORY SERVICES (274312)

Property at 636 Ontario St SE: Approve demolition of structure.

REGULATORY SERVICES (274313)

Rental Dwelling License at 1309 W Franklin Av: Approve revocation of license held by Azzam Sabri.

REGULATORY SERVICES (274314)

Rental Dwelling License at 2606 University Av NE: Approve revocation of license held by Roland Gerken.

REGULATORY SERVICES (274315)

Rental Dwelling License at 3123 James Av N: Approve revocation of license held by Alan Kwong.

REGULATORY SERVICES (274316)

Rental Dwelling License at 3200 2nd St N: Recommendation of Director of Inspections to revoke the license held by Bashir Moghul.

REGULATORY SERVICES (274317)

Rental Dwelling License at 3345 20th Av S: Approve revocation of license held by Elizabeth Soll.

REGULATORY SERVICES (274318)

Rental Dwelling License at 3424 Girard Av N: Approve revocation of license held by Joseph Yang.

REGULATORY SERVICES (274319)

Rental Dwelling License at 3654 Girard Av N: Approve revocation of license held by Oluwaseun Omutosho.

REGULATORY SERVICES (274320)

Rental Dwelling License at 3715 Lyndale Av N: Approve revocation of license held by Cesar Bravo Sebastian.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (274321)

National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit: Public hearing to receive comments and adopt annual report.

Draft National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Language: Approve comments.

Public Works Special Assessment Rolls: Changes to assessment rolls for payable 2010 and subsequent years.

Nicollet Mall Advisory Board: Resignation of current members and appointment of Minneapolis Downtown Business Improvement Special Service District Governance Board.

Pump Station #4 Renovation Project: Increase contract with Sebesta Blomberg and Associates.

Special Boulevard Permit Application: Approve application for 1621-1625 Hennepin Ave; Comments.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (274322)

Dowling Ave N (Thomas Ave N to I-94) Street Resurfacing Project No 2950: Project approval and assessment public hearing; Comments.

Shingle Creek Pkwy (Humboldt Ave N to 45th Ave N) and 45th Ave N (44th Ave N to Lyndale Ave N) Street Resurfacing Project No 5210: Project approval and assessment public hearing.

2010 Alley Resurfacing Program No FS10#1: Project approval and assessment public hearing; Comments.

Franklin Ave / E River Pkwy Intersection Improvements: Increase appropriation for traffic signal system.

Bryn Mawr Neighborhood Lighting Project: Neighborhood requested lighting at Penn Ave and Cedar Lake Rd intersection; Appropriate funds.

Bicycling Infrastructure Best Practices Workshop in Boulder, Colorado: a) Accept donation of travel expenses; and b) Authorize city representation at workshop.

Routine Maintenance Agreement: Agreement between City of Minneapolis and Department of Transportation.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (274323)

Legal Settlements: a) Laurie Bakken; b) Lynda Gronberg; and c) Giovanni Veliz.

Court Reporting Services: 3 year contract with Kirby A. Kennedy & Associates and Depo International.

Administrative Hearing Officer and Enforcement Services Panel: Establish new panel for a three (3) year period.

BUSINESS INFORMATION SERVICES (BIS) (274324)

Citation Writers: Amend contract with Advanced Public Safety for an increase in scope for additional citation writers and associated software.

311 ECM Workstations: Authorize: a) Increase contract C-24950 with Lagan Technologies for 3 year support and maintenance; b) add new functionality and modules within the application; c) assign City representative for user board; and d) Accept donation of travel and lodging.

CITY COUNCIL (274325)

Minneapolis City Clerk Position: Council to elect Mr. Casey Carl.

COMMUNICATIONS (274326)

July 2010 Utility Billing Insert: Public Works asking water customers to take online survey on water use.

HUMAN RESOURCES (274327)

Appointed Positions: Inactivate three (3) existing budgeted positions in the Civil Rights Department; and establish the following appointed positions: a) Assistant Director Civil Rights, Civilian Review Authority; b) Assistant Director Civil Rights, Contract Compliance; and c) Assistant Director Civil Rights, Complaint Investigation.

Early Retiree Reinsurance Program: Authorize application and receipt of reimbursement funds under the Patient Protection and Affordable Care Act (PPACA).

POLICE DEPARTMENT (274328)

2010 Edward Byrne Memorial Justice Assistance Grant: Accept United States Department of Justice grant funding through Hennepin County for City Attorney and the Police Department; and Passage of Resolution approving appropriation.

PUBLIC WORKS AND ENGINEERING (274329)

Stormwater Utility Fees: Approve agreement between the City of Minneapolis and the Minneapolis Park & Recreation Board.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (274330)

Appeal:

Textile Partners, LLC (119 North 4th Street)

MAYOR (274331)

Heritage Preservation Commission appointment of Susan Hunter Weir

PLANNING COMMISSION/DEPARTMENT (274332)

Rezoning:

Hawthorne Neighborhood Council (2944 Emerson Ave N)

MPHA Memory Care Facility and Community Center (901 4th Ave N)

FILED:

COUNCIL MEMBER HOFSTEDE (274333)

City of Minneapolis News Release on Hiring of new Internal Auditor-provided to Council Members at Committee of the Whole

HUMAN RESOURCES (274334)

Severance Pay: Authorized three (3) months of severance pay to Michael Jordan.

MATCOM, MARK MATASOVSKY (274335)

Vacate rounded corner of Spring Street NE and Central Ave NE

WATSON, JEFF AND PEGGY (274336)

Vacate portion of triangular piece of property located behind 1008 E. 51st Street.

FILED (See Rep):

CHARTER COMMISSION (274337)

Redistricting Process: a) Correspondence from City Council; and b) Comments.

The following reports were signed by Mayor Rybak on June 22, 2010, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following reports:

Comm of the Whole - Your Committee, having under consideration a purpose statement for the Metropolitan Council Work Group as submitted and on file in the Office of City Clerk, now recommends approval of that statement.

Adopted 6/18/2010.

Absent - Glidden.

Comm of the Whole - Your Committee, having under consideration a draft letter prepared and submitted by staff and on file in the Office of the City Clerk regarding the subject matter of daycares and Sewer Availability Charges, now recommends approval of submitting said letter to Metro Cities with the signatures of Council Members Glidden and Colvin Roy.

Adopted 6/18/2010.

Absent - Glidden.

Lilligren moved to find under Council Rule 4 that the regular Council cycle is not adequate, and to consider the action of the Committee of the Whole from June 17, 2010, regarding authorizing the City of Minneapolis to join in a friend of the court brief in support of the plaintiffs in the case of *Friendly House, et al., v. Whiting, et al.*, at this meeting. Seconded.

Adopted 6/18/2010.

Absent - Glidden.

Comm of the Whole - Your Committee, having under consideration the recommendation of staff to authorize the City of Minneapolis to join in a friend of the court brief in support of the plaintiffs in the case of *Friendly House, et al., v. Whiting, et al.*, in the U.S. District Court for the District of Arizona, now recommends granting that authorization.

Adopted 6/18/2010.

Absent - Glidden.

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the Minneapolis Economic Recovery Strategy and the request for the issuance of revenue bonds on behalf of RESOURCE, Inc. for a project consisting of the refunding of previously issued revenue obligations in respect to the company's facilities at 900 20th Ave S, 1825 and 1826 Chicago Ave; refinancing bank indebtedness for the 1825 Chicago Ave facility; the potential purchase of a building at 1906 Chicago Ave; renovations to 1900 Chicago Ave; and financing of miscellaneous renovations, now recommends passage of the accompanying resolution giving preliminary and final approval to the issuance of up to \$3,400,000 in Bank Qualified Bank Direct Tax-Exempt 501(c)(3) Minneapolis Community Development Agency Revenue Bonds, Series 2010, for said project.

Your Committee further recommends that the subject matter be forwarded to the Minneapolis Community Development Agency Board of Commissioners.

Adopted 6/18/2010.

Absent - Glidden.

Approved by Mayor Rybak 6/18/2010.

(Published 6/22/2010)

Resolution 2010R-279, giving preliminary and final approval to and authorizing the financing of a project on behalf of RESOURCE, Inc. (relating to properties at 900 20th Ave S, 1825, 1826, 1900 and 1906 Chicago Ave) and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefore, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-279

By Goodman

Giving preliminary and final approval to and authorizing the financing of a project on behalf of RESOURCE, Inc. (the "Company"), and authorizing the issuance of a revenue bond of the Minneapolis Community Development Agency therefor.

Whereas, pursuant to Laws of Minnesota 1980, Chapter 595, as amended ("Chapter 595"), the City Council of the City of Minneapolis, Minnesota (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, it has been proposed that the Agency issue a revenue bond on behalf of the Company in the amount of up to \$3,400,000 (the "Bond"), for a project consisting of the refinancing and/or renovation of the Company's existing properties located at 900 20th Avenue South, 1825 Chicago Avenue, 1826 Chicago Avenue and 1900 Chicago Avenue in the City of Minneapolis, as well as financing the acquisition and renovation of a building located at 1906 Chicago Avenue in the City of Minneapolis, all of which buildings are or will be used by the Company and by clients of the Company's human service programs, including disability, chemical dependency, mental health and employment programs; and

Whereas, the Agency expects to give final approval to the issuance of the Bond by a resolution to be adopted on the date hereof; and

Whereas, the Bond shall bear interest at an initial interest rate expected to not exceed 5.00% per annum, shall have a final maturity date not later than December 31, 2030, and shall have such other terms as required or permitted by the Agency's resolution, which terms are to be incorporated herein by reference;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council hereby gives preliminary and final approval to the issuance by the Agency of the Bond in a principal amount of up to \$3,400,000 with respect to the project described above.

Be It Further Resolved that the Bond is hereby designated as a "Program Bond" and is determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R 402 of the City adopted December 12, 1997.

Adopted 6/18/2010.

Absent - Glidden.

Approved by Mayor Rybak 6/18/2010.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2215 - 4th St N to Urban Homeworks, Inc for \$18,000 plus reimbursement of City acquisition costs of \$9,058.46, subject to the following conditions:

a) Land sale closing must occur on or before 30 days from date of City Council approval;

b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-280, authorizing sale of land Neighborhood Stabilization Program Disposition Parcel No PR-064 at 2215 - 4th St N, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-280

By Goodman

Authorizing sale of land Neighborhood Stabilization Program Disposition Parcel No PR-064 at 2215 - 4th Street North.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel PR-064 in the Neighborhood Stabilization Program, from Urban Homeworks, Inc., hereinafter known as the Redeveloper, the Parcel(s) PR-064, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of PR-064; 2215 - 4th Street N: Lot 7, Block 2, Nickels and Smith's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$18,000, for Parcel PR-064; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, May 28, 2010, a public hearing on the proposed sale was duly held on June 8, 2010, at the Minneapolis

City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value, for uses in accordance with the Neighborhood Stabilization Program plan, as amended, is hereby estimated to be the sum of \$18,500, for Parcel PR-064; however, in accordance with public purpose consideration and federal Neighborhood Stabilization Program guidelines, the City is selling Parcel PR-064 for the sum of \$18,000.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 6/18/2010.

Absent - Glidden.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 3015 - 6th St N to Project for Pride in Living, Inc for \$35,000 plus reimbursement of City acquisition costs of \$9,090.30, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-281, authorizing sale of land Neighborhood Stabilization Program Disposition Parcel No PR-066 at 3015 - 6th St N, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-281

By Goodman

Authorizing sale of land Neighborhood Stabilization Program Disposition Parcel No PR-066 at 3015 - 6th Street North.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel PR-066 in the Neighborhood Stabilization Program, from Project for Pride in Living, Inc., hereinafter known as the Redeveloper, the Parcel(s) PR-066, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of PR-066; 3015 - 6th Street N: Lot 6, Duryea & Wilson's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$35,000, for Parcel PR-066; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, May 28, 2010, a public hearing on the proposed sale was duly held on June 8, 2010, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value, for uses in accordance with the Neighborhood Stabilization Program plan, as amended, is hereby estimated to be the sum of \$35,500, for Parcel PR-066; however, in accordance with public purpose consideration and federal Neighborhood Stabilization Program guidelines, the City is selling Parcel PR-066 for the sum of \$35,000.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 6/18/2010.

Absent - Glidden.

Comm Dev - Your Committee recommends passage of the accompanying resolution authorizing sale of the property at 2640 Colfax Ave N to PRG, Inc for \$15,000 plus reimbursement of City acquisition costs of \$9,699.43, subject to the following conditions:

- a) Land sale closing must occur on or before 30 days from date of City Council approval;
- b) Payment of holding costs of \$150 per month from the date of City Council approval to the date of closing if land sale closing does not occur on or before 30 days from date of approval.

The sale conditions may be waived or amended with the approval of the Director of the Department of Community Planning & Economic Development.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-282, authorizing sale of land Neighborhood Stabilization Program Disposition Parcel No. PR-049 at 2640 Colfax Ave N, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-282

By Goodman

Authorizing sale of land Neighborhood Stabilization Program Disposition Parcel No. PR-049 at 2640 Colfax Avenue North.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel PR-049 in the Neighborhood Stabilization Program, from PRG, Inc., hereinafter known as the Redeveloper, the Parcel PR-049, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of PR-049; 2640 Colfax Avenue N: Lot 11, Block 11, Fairmount Park Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$15,000, for Parcel PR-049; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

Whereas, the Redeveloper has submitted to the City a statement of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, May 28, 2010, a public hearing on the proposed sale was duly held on June 8, 2010, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the re-use value, for uses in accordance with the Neighborhood Stabilization Program plan, as amended, is hereby estimated to be the sum of \$15,500, for Parcel PR-049; however, in accordance with public purpose consideration and federal Neighborhood Stabilization Program guidelines, the City is selling Parcel PR-049 for the sum of \$15,000.

Be It Further Resolved that the acceptance of the offer and proposal is hereby determined to be in accordance with the City's approved disposition policy and it is further determined that the Redeveloper possesses the qualifications and financial resources necessary to acquire and develop the Parcel in accordance with the Redevelopment Plan and/or Program.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land. Furthermore, that the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

Be It Further Resolved that upon publication of this Resolution, the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a conveyance of the land to the Redeveloper in accordance with the provisions of the executed contract and upon payment to the City for the purchase price thereof; provided, however, that this Resolution does not constitute such a conveyance and no such conveyance shall be created until executed by the Finance Officer or other appropriate official of the City.

Adopted 6/18/2010.

Absent - Glidden.

Comm Dev - Your Committee recommends approval of the multi-jurisdictional program for two Heading Home Hennepin Opportunity Centers in Minneapolis, Youthlink (41 12th St N) and Catholic Charities (740 E 17th St), to prevent homelessness and that the proper City officers be authorized to enter into cooperative agreements for these Hennepin County funded projects.

Adopted 6/18/2010.

Absent - Glidden.

The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee recommends acceptance of the low responsible bid submitted to the Departments of Community Planning & Economic Development and Procurement on OP No. 7290 from Carl Bolander and Sons Company in the amount of \$62,600, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the demolition and site clearance of the following structures per the bid specifications: 1900 and 2010 W Broadway and 2324 Lyndale Ave N.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with City specifications.

Adopted 6/18/2010.

Absent - Glidden.

Comm Dev & W&M/Budget - Your Committee, having under consideration the report of the Neighborhood Revitalization Program (NRP) as to final neighborhood allocation and complete NRP funding support of neighborhoods and their neighborhood improvement efforts, now recommends:

a) Passage of the accompanying resolution increasing the Department of Community Planning and Economic Development (CPED) appropriation in the NRP Fund by \$3,214,802 from existing fund balance to increase the amount available to 100% for approved Phase II Neighborhood Action Plans;

b) That the proper City officers be authorized to reserve the remaining un-obligated balance for NRP, Neighborhood Revitalization Policy and NRP Non-TI Funds for future years expenditures on NRP Policy Board approved activities, and to enter into any contracts or agreements necessary to implement the activities above.

Adopted 6/18/2010.

Absent - Glidden.

**RESOLUTION 2010R-283
By Goodman and Hodges**

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development NRP Fund (01CNR-8900800) by \$3,214,802.

Adopted 6/18/2010.

Absent - Glidden.

The PUBLIC SAFETY & HEALTH Committee submitted the following reports:

PS&H - Your Committee recommends concurrence with the recommendation of the Mayor and City Council President to appoint Raymond M. Olson, Ward 4, to the Senior Citizen Advisory Committee for a two-year term to expire December 31, 2011.

Adopted 6/18/2010.

Absent - Glidden.

PS&H - Your Committee recommends concurrence with the recommendation of the Mayor to appoint Bonnie Jean Smith, Ward 4, to the Minneapolis Advisory Committee on People with Disabilities for a two-year term to expire December 31, 2011.

Adopted 6/18/2010.

Absent - Glidden.

PS&H - Your Committee recommends passage of the accompanying resolution transferring the Minneapolis Emergency Communications Center (911) from the City Coordinator's Office to the

Department of Regulatory Services & Emergency Preparedness.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-284, transferring the Minneapolis Emergency Communications Center (911) from the City Coordinator's Office to the Department of Regulatory Services & Emergency Preparedness, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-284

By Samuels

Transferring the Minneapolis Emergency Communications Center (911) from the City Coordinator's Office to the Department of Regulatory Services & Emergency Preparedness.

Whereas, the Minneapolis Emergency Communications Center (911) completed its transfer from the Police Department to an agency reporting to the City Coordinator in 2003; and

Whereas, Minneapolis Charter Chapter 3, Section 3 provides that the City Council shall prescribe by ordinance or resolution the general duties of the City Coordinator; and

Whereas, with the separation of the Minneapolis Emergency Communications Center (911) and Minneapolis 311, the City Coordinator has reviewed the placement of each function in the organizational structure for the City of Minneapolis; and

Whereas, the Department of Regulatory Services currently manages several key emergency preparedness operations including: Continuity of Operations Planning (COOP), Emergency Operations Plan (EOP), Port Security Plan (PSP), All Hazards Communications Plan, Urban Area Security Initiative (UASI) grants and programming, and Metropolitan Emergency Medical Grant Planning; and

Whereas, Regulatory Services and the Minneapolis Emergency Communications Center (911) each perform key roles in the coordination of emergency services response; and

Whereas, the newly constructed Emergency Operations and Training Facility (EOTF) and Strategic Information Center (SIC) is designed to provide proactive, early intervention in criminal activity and hazardous conditions, thus requiring seamless integration with Minneapolis Emergency Communications Center (911) business processes; and

Whereas, consolidating emergency service operations, including the Minneapolis Emergency Communications Center (911) operations under the Department of Regulatory Services is consistent with internal business planning initiatives as well as being a main component of the City's Emergency Management Business Plan; and

Whereas, formally aligning emergency communications and emergency preparedness will ensure that the City maximizes coordination of key public safety communication activities; and

Whereas, this transfer will simplify the distribution of grant dollars to support the training, technology, and systems needed to efficiently dispatch public safety resources to local or regional situations.

Now Therefore Be It Resolved, by the City Council of the City of Minneapolis:

That effective upon the date of the passage of this Resolution, the Minneapolis Emergency Communications Center (911), with its User Board remaining as governing entity, will be transferred from the City Coordinator to become an agency reporting to the Director of the Department of Regulatory Services, and further, that Minneapolis 311 will remain the physical backup center for 911 operations and will also remain as an agency reporting to the City Coordinator.

Adopted 6/18/2010.

Absent - Glidden.

PS&H - Your Committee, having under consideration the allocation of Community Development Block Grant (CDBG) public service funds, now recommends approval to reallocate 2008 and 2009 funds as follows:

a. \$74,859 allocated to the Neighborhood Health Care Network to be used as low income and uninsured families health services subsidies in 2010.

b. \$74,859 to be held as part of the 2011 funding allocation overseen by the Public Health Advisory Committee.

Adopted 6/18/2010.

Absent - Glidden.

The PUBLIC SAFETY & HEALTH and WAYS & MEANS/BUDGET Committees submitted the following reports:

PS&H & W&M/Budget - Your Committee, having under consideration the City's participation in a Centers for Disease Control and Prevention pilot project to use and evaluate a communications campaign related to extreme heat events, now recommends that the proper City officers be authorized to accept \$5,000 from the Department of Health and Human Services for promotion and printing expenses for a heat incident response. Further, passage of the accompanying resolution appropriating \$5,000 to the Department of Health & Family Support.

Adopted 6/18/2010.

Absent - Glidden.

**RESOLUTION 2010R-285
By Samuels and Hodges**

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Department of Health & Family Support Agency in the Grants – Federal Fund (01300-8600150) by \$5,000 and increasing the Revenue Source (01300-8600150 - Source 321014) by \$5,000.

Adopted 6/18/2010.

Absent - Glidden.

PS&H & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept \$400,000 and execute a contract with the United States Department of Justice, COPS Office, for the Police Department to purchase additional in-squad digital cameras and technology to support the camera video storage and retrieval system. Further, passage of the accompanying resolution appropriating \$400,000 to the Police Department.

Adopted 6/18/2010.

Absent - Glidden.

**RESOLUTION 2010R-286
By Samuels and Hodges**

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Federal Fund (01300-4004110) by \$400,000 and increasing the Revenue Source (01300-4004110 - Source 321010) by \$400,000.

Adopted 6/18/2010.

Absent - Glidden.

The REGULATORY, ENERGY & ENVIRONMENT Committee submitted the following reports:
RE&E - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.
Adopted 6/18/2010.
Absent - Glidden.

Resolution 2010R-287, granting applications for Liquor, Wine and Beer Licenses, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-287
By Glidden

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petn No 274307):

Off-Sale Liquor, to expire July 1, 2011

Metro Liquor Warehouse Inc, dba Lake Wine & Cheese, 404 W Lake St
Philmik Inc, dba Hennepin Lake Liquors, 1200 W Lake St
KJM Enterprises Inc, dba Lowry Hill Liquors, 1922 Hennepin Av, 1st floor
E & M Franklin Nicollet Inc, dba Franklin Nicollet Liquor Store, 2012 Nicollet Av, 1st floor
Michalaur, LLC, dba Hum's Liquor Store, 2126 Lyndale Av S

Off-Sale Malt Liquor, to expire October 1, 2010

Moto-i Inc, dba Moto-i Inc, 2940 Lyndale Av S (new business)

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 2011

Wolfgang Puck Catering and Events LLC, dba Wolfgang Puck Catering, 1750 Hennepin Av
(permanent expansion of premises)

On-Sale Liquor Class A with Sunday Sales, to expire July 1, 2011

Rail Minneapolis LLC, dba Brass Rail, 422 Hennepin Av
Minneapolis Branch American Association of University Women, dba Gale Mansion, 2115 Stevens Av

On-Sale Liquor Class B with Sunday Sales, to expire June 27, 2010

OJS LLC, dba Loring Kitchen & Bar, 1359 Willow St (temporary expansion of premises, June 24 - 27, 2010, 11:00 a.m. to 10:00 p.m.)

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2011

Sirian Enterprises, dba Lee's Liquor Bar, 101 Glenwood Av
Brothers of Minneapolis Inc, dba Brothers, 430 1st Av N
Hard Rock Cafe International (USA) Inc, dba Hard Rock Cafe, 600 Hennepin Av #100
Tanner Madison Entities LLC, dba Legends Cafe, 825 E Hennepin Av
D'Amico Holding Company Inc, dba D'Amico Kitchen, 901 Hennepin Av
Joint/Caboose Operations LLC, dba Joint/Caboose, 913 Cedar Av S
T M Entities LLC, dba Mayslacks Polka Lounge, 1428 4th St NE
Hexagon Inc, dba Hexagon, 2600 27th Av S
D'Amico Catering LLC, dba D'Amico Catering at Calhoun Beach Club, 2925 Dean Pkwy

On-Sale Liquor Class C-2 with Sunday Sales, to expire July 1, 2011

Donny Dirk's Inc, dba Donny Dirk's, 2027 2nd St N
Empire Eight LLC, dba Five Event Center, 2917 Bryant Av S

On-Sale Liquor Class D with Sunday Sales, to expire July 1, 2011

101 Blu LLC, dba Aura Restaurant, 3001 Hennepin Av

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 2011

Oceanaire Minneapolis Restaurant, dba Oceanaire Minneapolis Restaurant, 1300 Nicollet Mall, Hyatt Regency (corporate stock purchase/new corporate officer)
NE Palace, Inc, dba NE Palace, 2500 4th St NE

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2011

Goodsports Bar and Grill, dba Goodsports Bar and Grill, 200 W Broadway
Atlas Restaurants LLC, dba Atlas Restaurant, 200 S 6th St, 1st floor
Complete Beverage Service Inc, dba J J's Dry Dock Cafe, 401 3rd St N
Tuttle Inc, dba Elsie's, 729 Marshall St NE
Parker Investments Inc, dba NE Yacht Club, 801 Marshall St NE
Philip Wong Inc, dba Red Dragon, 2116 Lyndale Av S
Thao Brothers LLC, dba Sushi Tango, 3001 Hennepin Av
G & A Fa Da Inc, dba Wakame Sushi & Asian Bistro, 3070 Excelsior Blvd, #206

On-Sale Wine Class E with Strong Beer, to expire April 1, 2011

La Gran Columbia Inc, dba La Gran Columbia Inc, 2205 Central Av NE (amended business plan and permanent expansion)

Be-Wiched Deli Inc, dba Be-Wiched Deli, 800 Washington Av N #101
Chindian Inc, dba Chindian Cafe, 1500 E Hennepin Av
Lucky Dragon Riverside Restaurant Inc, dba Lucky Dragon Restaurant, 1827 Riverside Av
Clean Plate LLC, dba Corner Table, 4257 Nicollet Av

On-Sale Beer Bottle Club, to expire April 1, 2011

Vincent L Giantvalley Post #234, dba American Legion, 3751 Minnehaha Av
Wold Chamberlain American Legion, dba Post #99, 5600 34th Av S.
Adopted 6/18/2010.
Absent - Glidden.

RE&E - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 6/18/2010.
Absent - Glidden.

Resolution 2010R-288, granting applications for Business Licenses, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-288
By Glidden**

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of June 18, 2010 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 274307):

Dancing School; Place of Entertainment; All Night Special Food; Boarding House; Caterers; Confectionery; Food Distributor; Farm Produce Permits; Grocery; Food Manufacturer; Food Market Manufacturer; Mobile Food Vendor; Restaurant; Food Shelf; Restaurant; Short-Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Wholesale Sausage Manufacturer & Distributor; Motor Vehicle Dealer - Used Only; Pet Shop; Plumber; Precious Metal Dealer; Public Market; Rental Halls; Residential Specialty Contractor; Secondhand Goods Class A; Antique Dealer Class B; Solicitor - Company; Steam & Hot Water Systems Installer; Swimming Pool - Public; Tattooist/Body Piercer;

Tattooist/Body Piercer Establishment; Theater Zone I; Theater Zone III; Tobacco Dealer; Combined Trades; Valet Parking; and Wrecker of Buildings Class B.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-289, granting applications for Gambling Licenses, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-289

By Glidden

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances

(Petn No 274307):

Gambling Class A

Church of St. Joan of Arc, dba Church of St. Joan of Arc, 4537 3rd Av S (Bingo June 4, 2010)

Gambling Class B

Church of St. Maron, dba Church of St. Maron, 600 University Av NE (Site: Arones Bar, 500 Central Av SE)

Twin Cities Wrestling, dba Twin Cities Wrestling, 2217 22nd Av NE

Washburn Amateur Hockey Association, dba Washburn Amateur Hockey Association, 1624 E 57th St

American Legion Post 234, dba American Legion Post 234, 3751 Minnehaha Av (Site: American Legion Post 234, 3751 Minnehaha Av)

Minnesota/USA Wrestling Inc, dba Minnesota/USA Wrestling, 3327 Hennepin Av

Minnesota/USA Wrestling Inc, dba Minnesota/USA Wrestling, 1422 Emerson Av N (Site: Knight Cap Bar, 1500 4th St NE)

Minnesota/USA Wrestling Inc, dba Minnesota/USA Wrestling, 3346 Hennepin (Site: Rachaels Club 46, 4601 Lyndale Av N)

Minnesota/USA Wrestling Inc, dba Minnesota/USA Wrestling, 3006 Lyndale Av S (Site: Country Bar & Grill, 3006 Lyndale Av S)

Minnesota/USA Wrestling Inc, dba Minnesota/USA Wrestling, 3327 Hennepin Av (Site: Cardinal Restaurant & Bar, 2920 E 38th St)

Edison Community Sports Foundation, dba Edison Community Sports Foundation, 8421 Lyndale Av

Edison Community Sports Foundation, dba Edison Community Sports Foundation, 700 22nd Av NE (Site: Vegas Lounge, 965 Central Av NE)

Edison Community Sports Foundation, dba Edison Community Sports Foundation, 8421 Lyndale Av

Windom Park Citizens in Action, dba Windom Park Citizens in Action, 2250 Garfield St NE (Bingo June 4, 2010, Windom Park, 2251 Hayes St NE)

Gambling Exempt

LF Bud Johnson Harrington Mansion, dba LF Bud Johnson Harrington Mansion, 2540 Park Av (Raffle July 28, 2010, Zuhrah Shrine Center)

Church of St. Cyril of Minneapolis, MN, dba Church of St. Cyril of Minneapolis, MN, 1315 2nd St NE (Bingo, Raffle, Paddlewheels, Pulltabs August 14 & 15, 2010)
Temple Israel, dba Temple Israel, 2324 Emerson Av S (Raffle October 24, 2010).
Adopted 6/18/2010.
Absent - Glidden.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Food Manufacturer License held by Slice of Chicago, 1600 W Broadway.
Adopted 6/18/2010.
Absent - Glidden.

Resolution 2010R-290, approving License Settlement Conference recommendations relating to the Food Manufacturer License held by Slice of Chicago, 1600 W Broadway, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-290
By Glidden

Approving License Settlement Conference recommendations relating to the Food Manufacturer License held by Slice of Chicago, 1600 W Broadway.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on March 17, 2010 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee failed to comply with Environmental Health Codes in Title 10 of the Minneapolis Code of Ordinances;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. Nidal Mustafa, as sole proprietor of Slice of Chicago, agrees that the Food Manufacturer License at 1600 W Broadway is hereby withdrawn and the license certificate surrendered effective Midnight July 31, 2010. Mr. Mustafa will pay two quarters of his 2010 license fee and submit a fully executed withdrawal request form in a good faith effort to comply with this agreement. Mr. Mustafa understands that if he does not close his business on the agreed upon date and time, the business will be deemed unlicensed and the City of Minneapolis will proceed with all available legal remedies, including but not limited to the immediate placarding and closure of the business.

2. Mr. Mustafa understands that this agreement is in lieu of an adverse license hearing before an administrative law judge and the Minneapolis City Council.

3. Mr. Mustafa understands that the business operating conditions are in effect for the entire duration of his license. He agrees that he will comply with the Minneapolis Code of Ordinances Section 259.250 (4). It shall be the responsibility of the licensee to provide adequate security to prevent criminal activity, loitering, lurking and disorderly conduct on the business premises, including parking areas. Further documented violations of the business license operating conditions or Minneapolis Code of Ordinances 259.250 (4) will result in an immediate scheduling of an adverse license hearing at the Minneapolis City Council and could result in the revocation of his business license.

4. Mr. Mustafa understands that the citation 09-0736607 will be considered for continuance of dismissal provided there are no same or similar violations prior to the surrender of his business license.

Adopted 6/18/2010.
Absent - Glidden.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Restaurant License held by El Pollo Loco De Los Santos, 331 E Lake St.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-291, approving License Settlement Conference recommendations relating to the Restaurant License held by El Pollo Loco De Los Santos, 331 E Lake St, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-291
By Glidden**

Approving License Settlement Conference recommendations relating to the Restaurant License held by El Pollo Loco de los Santos, 331 E Lake St.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on February 4, 2010 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee

a. failed to comply with Environmental Health Codes in Title 10 of the Minneapolis Code of Ordinances;

b. failed to pay administrative citations in violation of Section 259.15 of the Minneapolis Code of Ordinances; and

c. operated beyond their legal hours of operation on January 25, 2008 in violation of Section 548.300 of the Zoning Code;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. Any future violations regarding the storage, preparation and service of food at an unapproved site shall be immediate cause for revocation of the business license.

2. The \$2,800 in unpaid administrative citations must be paid as follows: \$1,000 will be due on April 1, 2010; \$1,000 will be due on May 1, 2010; \$800 will be due on June 1, 2010. Payment shall be made to the Minneapolis Finance Department in the form of check or money order addressed to Minneapolis Environmental Health, 250 S 4th St, Room 414, Minneapolis, MN 55415.

3. Any future changes to the restaurant equipment shall be sent through the Food Plan Review procedures in Environmental Health before the equipment is purchased.

4. A written plan shall be devised concerning the closure of the business at the approved business hours. The written plan shall be turned in to the Business License Division at the time this document is signed by the licensee. The current hours of operation are Sunday through Thursday 6 a.m. to 10 p.m. and Friday and Saturday from 6 a.m. to 11 p.m. A conditional use permit is required for any additional change to the hours of operation.

5. For a period of one year (February 2010 to February 2011), a certified food manager shall be in the restaurant at any time food is present. The food manager is to ensure that all employees of El Pollo Loco de los Santos shall follow all Environmental Health regulations. At this time, Mr. Angel Demetrio De Los Santos G. and his wife are certified food managers. A new certified food manager can be added with the approval of the Environmental Health Division.

6. The Environmental Health Division shall conduct an unscheduled inspection on a quarterly basis for a period of one year and pay a fee of \$100 per inspection. The licensee understands that if he fails to meet environmental health codes resulting in critical violations and/or repeat violations, adverse license action could result. Payment shall be made to the Minneapolis Finance Department in the form

of check or money order addressed to Minneapolis Environmental Health, 250 S 4th St, Room 414, Minneapolis, MN 55415.

7. Angel Demetrio De Los Santos G., as owner of El Pollo Loco de los Santos, shall enroll and fully participate in the Minneapolis food safety self-inspection program.

8. Angel Demetrio De Los Santos G., as owner of El Pollo Loco de los Santos, must implement a food protection system and monitor food safety. The licensee must train all employees in food safety and provide documentation at the request of the City. It is recommended that the licensee and his employees attend monthly community food safety training meeting offered by the City.

9. Angel Demetrio De Los Santos G., as owner of El Pollo Loco de los Santos, shall be the person in charge or shall designate a person in charge and shall ensure that a person in charge is present at the food establishment during all hours of operation. Based on the risks of food borne illness inherent to the food operation, during inspections and upon request by the regulatory authority, the person in charge shall demonstrate to the regulatory authority knowledge of food borne disease prevention. The person in charge shall ensure that:

a. employees and other persons, including delivery and maintenance persons and pesticide applicators, entering the food preparation, food storage, and ware washing areas comply with the Code.

b. employees effectively clean their hands by routinely monitoring the employees' hand washing.

c. employees visibly observe foods as they are received to determine that they are from approved sources, delivered at the required temperatures, protected from contamination, unadulterated, and accurately presented, by routinely monitoring the employees' observations and periodically evaluating foods upon their receipt.

d. employees properly cook potentially hazardous food, being particularly careful in cooking those foods known to cause severe food borne illness and death, including eggs and comminuted meats, through daily oversight of the employees' routine monitoring of the cooking temperatures.

e. employees use proper methods to rapidly cool potentially hazardous foods that are not held hot or are not for consumption within four hours, through daily oversight of the employees' routine monitoring of food temperatures during cooling.

f. employees properly sanitize cleaned multi-use equipment and utensils before they are reused, through routine monitoring of solution temperature and exposure time for hot water sanitizing, and chemical concentration, pH, temperature and exposure time for chemical sanitizing.

g. employees implement and maintain food safety standards in the facility.

10. The entire facility must be immediately thoroughly cleaned, including all walls, floors, ceilings, equipment, and under all equipment, furniture, dining areas, restrooms, storerooms and installations. All unused equipment and other items must be removed. The physical facilities shall be cleaned as often as necessary to keep them clean. Repairs need to be made to floors, walls and ceilings.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee recommends passage of the accompanying resolution approving License Settlement Conference recommendations relating to the Catering License held by Favor Cafe, 913 W Lake St.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-292, approving License Settlement Conference recommendations relating to the Catering License held by Favor Cafe, 913 W Lake St, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-292

By Glidden

Approving License Settlement Conference recommendations relating to the Catering License held by Favor Cafe, 913 W Lake St.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on November 10, 2009 with the licensee; and

Whereas, the Regulatory, Energy & Environment Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee violated Section 259.250 (2) of the Minneapolis Code of Ordinances and Minnesota Statute 340A.504 (7), as well as conditions of their license;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following recommendations be adopted, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference:

1. The Favor Cafe shall create and employ a noise mitigation plan to control noise levels emanating from the premises, and shall submit such plan in writing to the Licensing Division within three weeks of the signing of this document.

2. The Favor Cafe shall create and employ an established policy regarding last call and closing time, and shall submit such policy in writing to the Licensing Division within three weeks of the signing of this document.

3. The Favor Cafe shall pay a sanction of \$3,000, of which \$2,000 shall be stayed for a period of two years from the date of signing of this document, upon condition there are no further violations of City of Minneapolis Ordinances or State of Minnesota Statutes. The Favor Cafe shall make payment of \$500 to the Minneapolis Finance Department within 30 days of the signing of this document, and shall completely fulfill their donation to the Domestic Abuse Project in lieu of the remainder \$500 due.

4. The Favor Cafe shall perform community service with the Domestic Abuse Project, 204 W Franklin Av, Minneapolis, consisting of providing dining for 9 families, and do so within one year of the signing of this document. Favor Cafe will further provide documentation of this service to the Licensing Division.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee recommends passage of the accompanying resolution approving Business License Operating Conditions relating to the Solicitor - Company License held by APX Alarm, 4931 North 300 West, Provo, Utah.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-293, approving Business License Operating Conditions relating to the Solicitor - Company License held by APX Alarm, 4931 North 300 West, Provo, Utah, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-293

By Glidden

Approving Business License Operating Conditions relating to the Solicitor - Company License held by APX Alarm , 4931 North 300 West, Provo, Utah.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the Solicitor - Company License held by APX Alarm, 4931 North 300 West, Provo, Utah:

1. No solicitation shall be made at residences before 8:00 a.m. or after 8:00 p.m.

2. Each installation shall be conducted by a licensed power limited technician or an unlicensed power limited technician registered with the State of Minnesota and those individuals are bona fide (W-2) employees of your company.

3. For each sale the City "Solicitation Checklist" form shall be completed with one copy returned to the Licenses Office.

4. Assignment of monitoring contracts may only be to companies registered in the State of Minnesota to do business and having a MN Tax ID number.

5. No alarm contract may renew without the signature of the customer.

6. The entire cancellation option statement shall be in 10 point type at a minimum as required by Minnesota Statutes 325G.08 (b) and (c). The "Right to Cancel" section shall be perforated for easy separation from contract.

7. The company shall operate the alarm system in test mode only for the first seven days to assure appropriate installation and use of the system as required by Minneapolis Ordinance Chapter 176. Unless, the customer elects to waive this option by checking the box on the Compliance Checklist stating they currently have an alarm system and do not require training.

Adopted 6/18/2010.

Absent - Glidden.

RE&E – Your Committee recommends that the proper City officers be authorized to execute a Delegation Agreement between the Minneapolis Board of Health and the Minnesota Department of Health relating to Well, Pools and Lodging and Food Programs.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the property located at 636 Ontario St SE, which has been determined by the Department of Regulatory Services to constitute a nuisance under the Minneapolis Code of Ordinances; and a Director's Order to Demolish the property having been issued to the property owner, which was subsequently appealed to the Nuisance Condition Process Review Panel, now recommends concurrence with the recommendation of the Panel that said Order be upheld and that the structure located at 636 Ontario St SE be demolished, in accordance with the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk, which are hereby made a part of this report by reference.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the property located at 2729 Cedar Av S, which has been determined by the Department of Regulatory Services to constitute a nuisance under the Minneapolis Code of Ordinances; and a Director's Order to Demolish the property having been issued to the property owner, which was subsequently appealed to the Nuisance Condition Process Review Panel, now recommends concurrence with the recommendation of the Panel that said Order be upheld and that the structure located at 2729 Cedar Av S be demolished, in accordance with the Findings of Fact, Conclusions and Recommendation on file in the Office of the City Clerk, which are hereby made a part of this report by reference.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Roland Gerken for the property located at 2606 University Av NE, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Sections 244.1910 of the Minneapolis Code of Ordinances relating to delinquent financial obligations owed to the City (unpaid administrative citations), as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Alan Kwong for the property located at 3123 James Av N, and the licensee having been notified of the City's

intent to revoke the license and not having filed an appeal, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Sections 244.1910 of the Minneapolis Code of Ordinances relating to exceeding the maximum number of dwelling units and illegal occupancy of the building, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Elizabeth Soll for the property located at 3345 20th Av S, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Sections 244.1910 of the Minneapolis Code of Ordinances relating to delinquent financial obligations owed to the City (unpaid administrative citations), as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Joseph Yang for the property located at 3424 Girard Av N, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Sections 244.1910 of the Minneapolis Code of Ordinances relating to not allowing inspections of the rental dwelling, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Oluwaseeun Omutosho for the property located at 3654 Girard Av N, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Sections 244.1910 of the Minneapolis Code of Ordinances relating to delinquent financial obligations owed to the City (unpaid administrative citations), as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Cesar Bravo Sebastian for the property located at 3715 Lyndale Av N, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Sections 244.1910 of the Minneapolis Code of Ordinances relating to delinquent financial obligations owed to the City (unpaid property taxes and administrative citations), as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Azzam Sabri for the property located at 1309 W Franklin Av, and the licensee having been notified of the City's

intent to revoke the license and not having filed an appeal, now recommends concurrence with the recommendation of the Director of Inspections that said license be revoked for failure to meet licensing standards pursuant to Sections 244.1910 of the Minneapolis Code of Ordinances relating to delinquent financial obligations owed to the City (unpaid property taxes), as more fully set forth in the Findings of Fact on file in the Office of the City Clerk which are hereby made a part of this report by reference.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the property located at 2926 12th Av S owned by Tommy Dao, and a hearing having been held before an Administrative Hearing Officer who issued Findings of Fact, Conclusions and a Recommendation that Tommy Dao be denied a rental license for said property, now recommends concurrence with the recommendation of the Director of Inspections that said license be denied for failure to meet licensing standards pursuant to Section 244.2020 relating to conduct on licensed premises and failure to submit a written management plan, as more fully set forth in the Findings of Fact on file in the Office of the City Clerk and hereby made a part of this report by reference.

Adopted 6/18/2010.

Absent - Glidden.

RE&E - Your Committee, having under consideration the Rental Dwelling License held by Bashir Moghul for the property located at 3200 2nd St N, and the licensee having been notified of the City's intent to revoke the license and not having filed an appeal, now recommends that the recommendation of the Director of Inspections to revoke the license for failure to meet licensing standards pursuant to Sections 244.1910 of the Minneapolis Code of Ordinances relating to delinquent financial obligations owed to the City (unpaid property taxes) be **sent forward without recommendation**.

Based on the delinquent financial obligations having been paid in full prior to the committee hearing, Gordon moved that the licensing action be dismissed and the license not be revoked. Seconded.

Adopted by unanimous consent.

Absent - Glidden.

The report, as amended, was adopted 6/18/2010.

Absent - Glidden.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration the City of Minneapolis and Minneapolis Park and Recreation Board Annual National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Report on 2010 Minneapolis Stormwater Management Program and 2009 Activities, as set forth in Petn No 274321 and having held a public hearing thereon, now recommends passage of the accompanying resolution adopting the report as the City's Stormwater Management Plan, pursuant to Chapter 2, Section 14, of the City of Minneapolis National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit #MN0061018.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-294, adopting the Annual National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Report on 2010 Minneapolis Stormwater Management Program and 2009 Activities as the City's Stormwater Management Plan, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-294

By Colvin Roy

Adopting the Annual National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Report on 2010 Minneapolis Stormwater Management Program and 2009 Activities.

Whereas, the City of Minneapolis is committed to improving water quality in the lakes, wetlands, streams, and Mississippi River; and

Whereas, on December 1, 2000, the City of Minneapolis was issued National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit #MN0061018 (Permit); and

Whereas, as required under the Permit, a public hearing was held on June 8, 2010; and

Whereas, the Annual NPDES MS4 Report on 2010 Minneapolis Stormwater Management Program and 2009 Activities will now be submitted to the Minnesota Pollution Control Agency;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis City Council hereby adopts the Annual NPDES MS4 Report on 2010 Minneapolis Stormwater Management Program and 2009 Activities as the City's Stormwater Management Plan.

Adopted 6/18/2010.

Absent - Glidden.

T&PW - Your Committee, having under consideration National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) draft permit language, now recommends:

a) Approval of the written comments regarding the draft language for permit reissuance, as set forth in Petn No 274321; and

b) That the proper City officers be directed to submit said comments to the Minnesota Pollution Control Agency by the June 22, 2010 deadline.

Colvin Roy moved that part (b) of the report be amended to read as follows:

"b) That the proper City officers be directed to submit said comments to the Minnesota Pollution Control Agency by the June 22, 2010 deadline and that Public Works be authorized to petition the MPCA for a contested case hearing regarding the terms of the permit." Seconded.

Adopted by unanimous consent.

Absent Glidden.

The report, as amended, was adopted 6/18/2010.

Absent - Glidden.

T&PW - Your Committee recommends passage of the accompanying resolution directing the Hennepin County Auditor to cancel the levied assessments on certain parcels that are erroneously being carried on the real estate tax statements due to full prepayment of the assessments and/or the parcels being governmental tax-exempt properties also exempt from special assessments for taxes payable in 2010 and subsequent years.

Adopted 6/18/2010.

Absent - Glidden.

Approved by Mayor Rybak 6/18/2010.

(Published 6/22/2010)

Resolution 2010R-295, directing the Hennepin County Auditor to cancel the levied assessments on certain parcels due to full prepayment of the assessments and/or the parcels being governmental tax-exempt properties also exempt from special assessments, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-295

By Colvin Roy

CANCELLATION OF MINNEAPOLIS PUBLIC WORKS SPECIAL ASSESSMENTS

Directing the Hennepin County Auditor to cancel the special assessments for certain improvements or service charges for the payable 2010 and subsequent years' tax files as described hereinafter.

Whereas, in accordance with Chapter 10 of the Minneapolis City Charter, the City Council of the City of Minneapolis passed resolutions in 2009 adopting the assessment rolls as prepared by the City Engineer and ordered the transmittal of certified copies of the assessment rolls to the Hennepin County Auditor for collection to begin on the 2010 real estate tax statements; and

Whereas, there are the following described assessments that are erroneously being carried on the real estate tax statements due to full prepayment of the assessments and/or parcels being governmental tax-exempt properties also exempt from special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That pursuant to the provisions of Chapter 10, Section 15 of the Minneapolis City Charter, the Hennepin County Auditor is hereby directed to cancel the following levied special assessments from the 2010 and subsequent years' tax statements:

<u>LEVY</u>	<u>PROJECT</u>	<u>PROPERTY ID</u>	<u>ORIGINAL AMOUNT</u>
01251	2005T	05-029-24-11-0088	\$316.36 (last installment of \$63.27)
01052	10S05	15-028-24-43-0020	\$151.71
01052	10S05	15-028-24-43-0087	\$814.02
01052	10S05	11-118-21-24-0129	\$383.74
01028	10WTR	30-029-23-41-0112	\$3520.00
01035	09DID	23-029-24-33-0876	\$16,524.24
01035	10DID	23-029-24-33-0876	\$34,090.37
01035	10DID	27-029-24-21-0197	\$373.23
01035	10DID	27-029-24-21-0199	\$569.43

Adopted 6/18/2010.

Absent - Glidden.

Approved by Mayor Rybak 6/18/2010.

T&PW - Your Committee, having under consideration the Nicollet Mall Advisory Board, now recommends:

- a) Accepting the resignations of the current members of the Nicollet Mall Advisory Board; and
- b) Appointing the members of the Minneapolis Downtown Business Improvement Special Service District Governance Board to the Nicollet Mall Advisory Board.

Absent - Glidden.

Adopted 6/18/2010.

T&PW - Your Committee, having under consideration the Pump Station #4 Renovation Project, now recommends that the proper City officers be authorized to execute Amendment No 3 to Contract C-22605 with Sebesta Blomberg and Associates, increasing the maximum billing amount by \$30,524, for a revised contract total of \$304,860, and extending the contract duration to December 31, 2010. No additional appropriation required.

Absent - Glidden.

Adopted 6/18/2010.

T&PW - Your Committee, having under consideration a Special Boulevard Permit application from OLSON + Co., Inc., requesting authorization to landscape the boulevard in front of 1621 and 1625 Hennepin Ave, as set forth in Petn No 274321, now recommends that said application be approved.
Adopted 6/18/2010.
Absent - Glidden.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Dowling Ave N Street Resurfacing Project (Thomas Ave N to Washington Ave N), Special Improvement of Existing Street No 2950, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Amending Resolution 2010R-240 to reduce the scope of the designated project area on Dowling Ave N from Thomas Ave N to I-94;
- b) Ordering the work to proceed and adopting the special assessments for the project; and
- c) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the project.

Adopted 6/18/2010.
Absent - Glidden.

Resolution 2010R-296, amending Resolution 2010R-240 to reduce the scope of the designated project area in the Dowling Ave N Street Resurfacing Project No 2950, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-296
By Colvin Roy and Hodges**

Amending Resolution 2010R-240 entitled "Designating the improvement of certain existing streets in the 2010 Street Resurfacing Program at the locations described hereinafter", passed May 14, 2010.

Whereas, on May 14, 2010, the City Council of the City of Minneapolis passed Resolution 2010R-240 designating the location and improvements proposed to be made in the Dowling Ave N Street Resurfacing Project No 2950; and

Whereas, the street resurfacing project was designated as Dowling Ave N from Thomas Ave N to Washington Ave N;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Resolution 2010R-240, passed May 14, 2010, be amended by designating the following street to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing improvements as needed:

Dowling Ave N from Thomas Ave N to Highway I-94.

Adopted 6/18/2010.
Absent - Glidden.

Resolution 2010R-297, ordering the work to proceed and adopting special assessments for the Dowling Ave N (Thomas Ave N to Highway I-94) Street Resurfacing Project No 2950, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

JUNE 18, 2010

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-297
By Colvin Roy and Hodges**

**2010 STREET RESURFACING PROGRAM
DOWLING AVE N (THOMAS AVE N TO HIGHWAY I-94)
STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 2950**

Ordering the work to proceed and adopting the special assessments for the Dowling Ave N (Thomas Ave N to Highway I-94) Street Resurfacing Project.

Whereas, a public hearing was held on June 8, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2010R-240 passed May 14, 2010 and as amended by Resolution 2010R-296, passed June 18, 2010, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2010R-240, passed May 14, 2010 and as amended by Resolution 2010R-296, passed June 18, 2010.

Be It Further Resolved that the proposed special assessments in the total amount of \$120,513.33 for the Dowling Ave N (Thomas Ave N to Highway I-94) Street Resurfacing Project as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2011 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2011 real estate tax statements.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-298, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$120,510 for the purpose of paying the assessed cost of street improvements in the Dowling Ave N (Thomas Ave N to Highway I-94) Street Resurfacing Project No 2950, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-298
By Colvin Roy and Hodges**

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$120,510 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the

Dowling Ave N (Thomas Ave N to Highway I-94) Street Resurfacing Project, Special Improvement of Existing Street No 2950, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted 6/18/2010.

Absent - Glidden.

T&PW & W&M/Budget - Your Committee, having under consideration the Shingle Creek Pkwy (Humboldt Ave N to 45th Ave N) and 45th Ave N (44th Ave N to Lyndale Ave N) Street Resurfacing Project, Special Improvement of Existing Street No 5210, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the project.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-299, ordering the work to proceed and adopting special assessments for the Shingle Creek Pkwy and 45th Ave N Street Resurfacing Project No 5210, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-299
By Colvin Roy and Hodges**

**2010 STREET RESURFACING PROGRAM
SHINGLE CREEK PKWY (HUMBOLDT AVE N TO 45TH AVE N) AND
45TH AVE N (44TH AVE N TO LYNDAL AVE N)
STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5210**

Ordering the work to proceed and adopting the special assessments for the Shingle Creek Pkwy and 45th Ave N Street Resurfacing Project.

Whereas, a public hearing was held on June 8, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2010R-241, passed May 14, 2010 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2010R-241, passed May 14, 2010.

Be It Further Resolved that the proposed special assessments in the total amount of \$35,791.59 for the Shingle Creek Pkwy (Humboldt Ave N to 45th Ave N) and 45th Ave N (44th Ave N to Lyndale Ave N) Street Resurfacing Project, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2011 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2011 real estate tax statements.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-300, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$35,790 for the purpose of paying the assessed cost of street improvements in the Shingle Creek Pkwy and 45th Ave N Street Resurfacing Project No 5210, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-300
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$35,790 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Shingle Creek Pkwy (Humboldt Ave N to 45th Ave N) and 45th Ave N (44th Ave N to Lyndale Ave N) Street Resurfacing Project, Special Improvement of Existing Street No 5210, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted 6/18/2010.

Absent - Glidden.

T&PW & W&M/Budget - Your Committee, having under consideration the 2010 Alley Resurfacing Program, Special Improvement of Existing Alleys No FS10#1, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the project.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-301, ordering the work to proceed and adopting special assessments for the 2010 Alley Resurfacing Program No FS10#1, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-301
By Colvin Roy and Hodges

2010 ALLEY RESURFACING PROGRAM
SPECIAL IMPROVEMENT OF EXISTING ALLEYS NO FS10#1

Ordering the work to proceed and adopting the special assessments for the 2010 Alley Resurfacing Program.

Whereas, a public hearing was held on May 4, 2010 and continued to June 8, 2010 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2010R-171, passed April 16, 2010 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work on the alleys as designated in said Resolution 2010R-171, passed April 16, 2010.

Be It Further Resolved that the proposed special assessments in the total amount of \$136,722.68, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments for alley resurfacing of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments to begin on the 2011 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments on the 2011 real estate tax statement.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-302, requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$136,720 for the purpose of paying the assessed cost of alley improvements in the 2010 Alley Resurfacing Program No FS10#1, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-302
By Colvin Roy and Hodges

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis Bonds in the amount of \$136,720 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of alley improvements in the 2010 Alley Resurfacing Program, Special Improvement of Existing Alleys No FS10#1, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted 6/18/2010.

Absent - Glidden.

T&PW & W&M/Budget - Your Committee, having under consideration the installation of a new traffic signal system as part of the Franklin Ave / East River Pkwy Intersection Improvements Project, now recommends passage of the accompanying resolution increasing the appropriation for the project by \$250,000 to be reimbursed in the amount of \$125,000 from Hennepin County and in the amount of \$125,000 from the Central Corridor LRT Project in the Street Paving Capital Fund.

Adopted 6/18/2010.

Absent - Glidden.

JUNE 18, 2010

**RESOLUTION 2010R-303
By Colvin Roy and Hodges**

Amending The 2010 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Capital Improvements Fund (04100-9010943 - Project 943W5315) by \$250,000 and increasing the revenue source by \$250,000, to be reimbursed in the amount of \$125,000 from Hennepin County and in the amount of \$125,000 from the Central Corridor LRT Project in the PW-Street Paving Capital Fund (04100-9010937 - PV060).

Adopted 6/18/2010.

Absent - Glidden.

T&PW & W&M/Budget - Your Committee, having under consideration the request of the Bryn Mawr Neighborhood Association to install pedestrian lights at the intersection of Penn Ave and Cedar Lake Rd, now recommends:

a) That the proper City officers be authorized to enter into an agreement with the Bryn Mawr Neighborhood Association (BMNA) and the Minneapolis Neighborhood Revitalization Program (NRP) to facilitate the installation of four streetlight poles at the intersection of Penn Ave and Cedar Lake Rd, to be 90% funded by a neighborhood-approved and NRP-approved reallocation of NRP funds not to exceed \$40,500, with the BMNA funding the remaining 10% not to exceed \$4,500; and

b) Passage of the accompanying resolution increasing the appropriation for the project by \$45,000.

Adopted 6/18/2010.

Absent - Glidden.

**RESOLUTION 2010R-304
By Colvin Roy and Hodges**

Amending The 2010 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW-Traffic and Parking Services Field Operations Capital Expense Fund (04100-9010943) by \$45,000 and increasing the revenue source (04100-9010943-322502) by \$45,000, to be 100% reimbursed by the Bryn Mawr Neighborhood Association and the Minneapolis Neighborhood Revitalization Program.

Adopted 6/18/2010.

Absent - Glidden.

T&PW & W&M/Budget - Your Committee, having under consideration the Bicycling Infrastructure Best Practices Workshop gathering to be held in Boulder, Colorado, now recommends:

a) Passage of the accompanying resolution authorizing the acceptance of a donation of travel expenses and related events from the Bikes Belong Foundation and the Rails to Trails Conservancy;

b) Authorizing two Public Works employees to represent the City of Minneapolis on the trip; and

c) Authorizing Council Member Lilligren to represent the City on the trip via an invitation from Transit for Livable Communities for the Non-Motorized Transportation Pilot Program.

Adopted 6/18/2010.

Absent - Glidden.

Resolution 2010R-305, accepting the donation of travel expenses for bicycle delegates to attend the Bicycling Infrastructure Best Practices Workshop gathering in Boulder, Colorado, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-305
By Colvin Roy and Hodges**

Accepting the donation of travel expenses for bicycle delegates to attend the Bicycling Infrastructure Best Practices Workshop gathering in Boulder, Colorado.

Resolved by The City Council of The City of Minneapolis:

That the proper City officers be authorized to accept a donation from the Bikes Belong Foundation and the Rails to Trails Conservancy for travel expenses and related events, in the estimated amount of \$2,000, including airfare, ground transportation, bicycle rental, accommodations, meeting materials, event tickets, and meals for the Bicycling Infrastructure Best Practices Workshop gathering in Boulder, Colorado.

Adopted 6/18/2010.

Absent - Glidden.

T&PW & W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the proper City officers to execute Biennial Routine Maintenance Agreement No 94689 between the State of Minnesota, Department of Transportation and the City of Minneapolis, effective July 1, 2009 through June 30, 2011, to provide routine maintenance by the City of state trunk highways within the City limits as defined in said agreement.

Lilligren moved that the report be referred back to the Transportation & Public Works Committee. Seconded.

Adopted 6/18/2010. Yeas, 8; Nays, 4 as follows:

Yeas - Hofstede, Schiff, Lilligren, Tuthill, Quincy, Goodman, Samuels, Gordon.

Nays - Reich, Colvin Roy, Hodges, Johnson.

Absent - Glidden.

The WAYS & MEANS/BUDGET Committee submitted the following reports:

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

Resolution 2010R-306, authorizing settlement of *Laurie Bakken; Linda Gronberg; and Giovanni Veliz*, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2010R-306
By Hodges**

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of:

a) *Laurie Bakken v. City of Minneapolis*, by payment of \$9,000 to Laurie and Tim Bakken, husband and wife, and their attorneys, Steingart, McGrath & Moore, from the Internal Service Self Insurance Fund (06900-1500100-145865);

b) *Lynda Gronberg v. City of Minneapolis*, by payment of \$35,000 to Lynda Gronberg and her attorneys, Schwebel, Goetz & Sieben, from the Internal Service Self Insurance Fund (06900-1500100-145685); and

c) *Giovanni Veliz v. City of Minneapolis*, by settlement of all claims of Mr. Giovanni Veliz, in the amount of \$3,000 from the Internal Service Self Insurance Fund (06900-1500100-145400).

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the settlements.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

W&M/Budget - Your Committee recommends concurrence with the recommendation of the City Attorney that the proper City officers be authorized to enter into three (3) year \$200,000 contracts to provide court reporting services with the following firms:

a) Kirby A. Kennedy & Associates; and

b) Depo International (formerly Pat Carl & Associates).

Adopted 6/18/2010.

Absent - Glidden, Samuels.

W&M/Budget - Your Committee recommends authorizing the proper City officers to establish a new, administrative hearing officer and enforcement services panel for the period of July 1, 2010 through June 30, 2013, with the cost for each agreement not to exceed \$100,000 for the three (3) year period with the following attorneys or law firms:

a) Edward Backstrom III;

b) The Hoffner Firm;

c) John C. Vigoren;

d) James D. Gurovitsch;

e) James C. Selmer & Associates;

f) Fondungallah & Kigham; and

g) Mobley & Associates.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend contract C-23403 with Advanced Public Safety by \$250,000 for an increase in scope to provide citation writers and associated software to the Minneapolis Police Department. No additional appropriation required.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

W&M/Budget - Your Committee, having under consideration the contract with Lagan Technologies, Inc. for support and maintenance of the 311 ECM Workstation (formerly Frontlink) application, now recommends authorizing the proper City officers as follows:

a) Increase contract C-24950 by \$360,000 for a one-time increase in scope to provide support and maintenance of the ECM Workstation application for the next three (3) years;

b) Amend the contract to include new functionality and modules within the application;

c) Assign a City representative to serve on a user board sponsored by Lagan Technologies; and

d) Passage of the accompanying resolution accepting donations of travel and lodging expenses from Lagan Technologies for a City representative to attend the user board meetings.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

RESOLUTION 2010R-307

By Hodges

Accepting donations of travel and lodging expenses from Lagan Technologies.

Resolved by The City Council of The City of Minneapolis:

That proper City officers be authorized to accept donations for associated travel and lodging expenses from Lagan Technologies for a City representative to attend the user board meetings.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

W&M/Budget - Your Committee recommends approval of the July 2010 utility billing insert on behalf of Public Works asking customers to take an online survey about their water use (Petn 274326).

Adopted 6/18/2010.

Absent - Glidden, Samuels.

W&M/Budget – Your Committee, having under consideration the recommendation from the City's search and screening committee of Mr. Casey Carl for the position of Minneapolis City Clerk, for a two (2) year term, and having held a public hearing thereon, now recommends that Mr. Carl be elected by the City Council.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

W&M/Budget - Your Committee recommends concurrence with the Executive Committee in approving establishment of three (3) appointed positions and inactivating three (3) existing, budgeted positions within the Civil Rights Department, effective June 18, 2010 as follows:

a) Inactivate existing positions of:

1. Manager, Civilian Review Authority;
2. Manager, Civil Rights;
3. Director, Outreach and Enforcement.

b) Establish three (3) Assistant Director, Civil Rights positions (Grade 10 with 483 points) with position designators of:

1. Civilian Review Authority;
2. Contract Compliance;
3. Complaint Investigation.

Your Committee further recommends passage of the accompanying Salary Ordinance establishing the salary for said appointed positions (Petn No 274327).

Adopted 6/18/2010.

Absent - Glidden, Samuels.

Approved by Mayor Rybak 6/21/2010.

(Published 6/22/2010)

Ordinance 2010-Or-059 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, approving the salary for the appointed positions of Assistant Director, Civil Rights, was adopted 6/18/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-059

By Hodges

1st & 2nd Readings: 6/18/2010

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

**Appointed Officials (CAP)
Effective: June 18, 2010**

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A	Step B	Step C	Step D
						Start rate	After 1 "A" year	After 2 "B" years	After 3 "C" years
E	1	Assistant Director, Civil Rights	483	10	A	\$72,701	\$76,527	\$78,823	\$80,353

Adopted 6/18/2010.
Absent - Glidden, Samuels.
Approved by Mayor Rybak 6/18/2010.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to apply for and receive reimbursement under the Early Retiree Reinsurance Program that was created under the Patient Protection and Affordable Care Act (PPACA). Funds to be used to offset health care premium costs of the city and medical plan participants (Petrn 274327).

Adopted 6/18/2010.
Absent - Glidden, Samuels.
Approved by Mayor Rybak 6/18/2010.
(Published 6/18/2010)

W&M/Budget – Your Committee recommends that the proper City officers be authorized to accept the United States Department of Justice Bureau of Justice Assistance 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) award for funding through Hennepin County for a total amount of \$580,494. Grant funding will be provided to the City Attorneys Office for two attorney positions that are assigned to police precincts to serve as direct, immediate legal resources to uniformed officers and investigators; and to the Police Department to be used for overtime for targeted patrol and investigation details and various equipment purchases for the investigative and patrol divisions, and other support divisions, to accomplish the following goals:

- Enhance neighborhood livability in the City
- Compliment the City's commitment to the Community Oriented Policing Program
- Enhance community response to crime problems
- Enhance law enforcement system's ability to respond to chronic misdemeanants who terrorize neighborhoods with consistent disorderly behavior.

Further, passage of the accompanying resolution appropriating funds to the City Attorney's Office and Police Department.

Adopted 6/18/2010.
Absent - Glidden, Samuels.

**RESOLUTION 2010R-308
By Hodges**

Amending The 2010 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by:

a) Increasing the appropriation in the Attorney - Criminal Division in the Grants Federal Fund (01300-1400100) by \$259,560;

b) Increasing the appropriation in the Police Department Agency in the Grants - Federal Fund (01300-4002110) by \$320,934; and

c) Increasing the Revenue Source in the Police Department (01300-1400100-321010) by \$580,494.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

W&M/Budget – Your Committee, having under consideration the Stormwater Utility Fee relating to the Minneapolis Park & Recreation Board's billing status, now recommends approval of the agreement between the City of Minneapolis and the Minneapolis Park & Recreation Board regarding Stormwater Utility Fees both past and future, as outlined in the staff report given at the Ways & Means/Budget Committee on June 14, 2010 (Petn No 274329).

Adopted 6/18/2010.

Absent - Glidden, Samuels.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration the appeal filed by Textile Partners, LLC, from the decision of the Heritage Preservation Commission approving with conditions an application for Certificate of Appropriateness relating to the replacement and/or repair of windows for the property at 119 North 4th Street in the Warehouse Historic District, now recommends that the appeal be denied, the Certificates be approved with the conditions recommended by the Heritage Preservation Commission, and the findings of the Heritage Preservation Commission be adopted.

Adopted 6/18/2010. Yeas, 9; Nays, 2 as follows:

Yeas - Reich, Hofstede, Schiff, Lilligren, Colvin Roy, Tuthill, Quincy, Goodman, Hodges.

Nays - Gordon, Johnson.

Absent - Glidden, Samuels.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of the Hawthorne Neighborhood Council (BZZ-4756) to rezone the property at 2944 Emerson Ave N from R2B to the OR1 District to permit the neighborhood offices to continue operating within the existing structure and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

Ordinance 2010-Or-060 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 2944 Emerson Ave N to the OR1 District, was adopted 6/18/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-060

By Schiff

1st & 2nd Readings: 6/18/2010

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Lot 25, Block 16, Silver Lake Addition to Minneapolis, Hennepin County, Minnesota, (2944 Emerson Ave N - Plate 8) to the OR1 District.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of ESG Architects on behalf of Minneapolis Public Housing Authority (BZZ-4766) to rezone the property at 901 4th Ave N from R4 to the OR2 District to permit a 48-unit assisted living facility and community center and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

Ordinance 2010-Or-061 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 901 4th Ave N to the OR2 District, was adopted 6/18/2010 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2010-Or-061
By Schiff
1st & 2nd Readings: 6/18/2010

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Outlot E, City of Minneapolis Heritage Park Plat 4, Hennepin County, Minnesota, (901 4th Ave N - Plate 13) to the OR2 District.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

Z&P – Your Committee recommends concurrence with the recommendation of the Mayor in appointing Susan Hunter Weir (Ward 9) to the Minneapolis Heritage Preservation Commission, for a term of office to run July 1, 2010 - December 31, 2012.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

MOTION

Hodges moved that the regular payrolls for all City employees under City Council jurisdiction for the month of July, 2010, be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

RESOLUTIONS

Resolution 2010R-309, honoring Dr. William D. Green for his service to the Minneapolis Public Schools, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-309

**By Quincy, Reich, Gordon, Hofstede, Johnson, Samuels,
Lilligren, Goodman, Glidden, Schiff, Tuthill, Colvin Roy, and Hodges**

Honoring Dr. William D. Green for his service to the Minneapolis Public Schools.

Whereas, William D. Green has served the Minneapolis Public Schools as Board of Education Director for eight years, Chair of the Board of Education for two years, and Superintendent of Schools for four and a half years; and

Whereas, Dr. Green achieved academic success by earning his Bachelor's Degree from Gustavus Adolphus College in 1972, his Masters and Ph. D. degrees from the University of Minnesota in 1976 and, subsequently, his law degree also from the University of Minnesota in 1989; and

Whereas, the Minneapolis Public Schools exist to ensure all students learn and grow into knowledgeable, skilled, and confident citizens capable of succeeding in their work, personal, and family lives into the 21st century; and

Whereas, during Dr. Green's tenure, the Minneapolis Public Schools demonstrated a commitment to closing the racial and economic achievement gaps by adopting an historic Strategic Plan, addressing the needs of students and families, and making every child college ready; and

Whereas, in his work each day, Dr. Green enacted the Minneapolis Public Schools' promise of an inspirational education experience in a safe, welcoming environment for all diverse learners to acquire the tools and skills necessary to confidently engage in the global community; and

Whereas, under the leadership of Dr. Green, the Minneapolis Public Schools built strong relationships with students, families, members of the community, the City of Minneapolis, and public and private partners to promote the safety, well-being, and success of Minneapolis children, regardless of whether they are at school, at home, or in the community; and

Whereas, Dr. Green greatly advanced the financial stability of the Minneapolis Public Schools through his leadership in passing a \$60 million dollar referendum for eight straight years with the backing of more than 70% of voters in order to strengthen the District's work on its academic mission; and

Whereas, Dr. Green has served this community in countless ways, notably among them his service with the City of Minneapolis on the Youth Coordinating Board from 1994 to 1996 and his membership on the Minneapolis Civilian Review Authority from 1989 to 1992; and

Whereas, Dr. Green is a noted author of history books and many, many editorials and articles in both professional and community publications on Minnesota history and current events in the city and state; and

Whereas, through his work at the Minneapolis Public Schools, Dr. Green has served as a visionary leader creating a legacy of community engagement around student achievement; and

Whereas, Dr. Green is now leaving the Minneapolis Public Schools and returning to teaching and writing as a professor of history at Augsburg College;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we thank Dr. William D. Green for his service to the Minneapolis Public Schools and wish him happiness, success, and fulfillment in his future endeavors.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

JUNE 18, 2010

Resolution 2010R-310, honoring Kathy Kullberg for outstanding service to the Lowry Hill East Neighborhood, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-310

**By Tuthill, Reich, Gordon, Hofstede, Johnson, Samuels,
Lilligren, Goodman, Glidden, Schiff, Quincy, Colvin Roy, and Hodges**

Honoring Kathy Kullberg for outstanding service to the Lowry Hill East Neighborhood.

Whereas, Kathy Kullberg initiated efforts to recognize all neighborhood homes and structures aged over 100 years; physically surveyed properties and performed additional research to verify dates; and

Whereas, Kathy Kullberg formed LHENA's Historic Preservation Committee; and

Whereas, Kathy Kullberg collaborated with the Maud Hart Lovelace Society and the Minneapolis Park Board to permanently commemorate the location of prominent author Maud Hart Lovelace's former residence in the Lowry Hill East Neighborhood; and

Whereas, Kathy Kullberg organized, promoted and ran a tour of homes and places Maud Hart Lovelace references in her popular Betsy-Tacy books for the Maud Hart Lovelace Society's recent biannual convention; and

Whereas, Kathy Kullberg coordinated an "Historic Preservation Seminar Series" in conjunction with the Minneapolis Historic Homeowners Association; and

Whereas, Kathy Kullberg has revived LHENA's historic home tour and organizes the tour annually; and

Whereas, Kathy Kullberg has served on and chaired the Neighborhood Revitalization Program (NRP) Steering Committee since 2007; and

Whereas, Kathy Kullberg has organized the neighborhood ice cream social since 2000 (possibly longer); and

Whereas, Kathy Kullberg has authored numerous historic articles for the *Wedge* newspaper;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Kathy Kullberg is commended for her exemplary efforts to research, preserve and nurture the history of the Lowry Hill East Neighborhood on its 40th anniversary.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

Resolution 2010R-311, honoring Peter Teachout for his outstanding service to the Hawthorne and McKinley Neighborhoods, was adopted 6/18/2010 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2010R-311

**By Hofstede, Reich, Gordon, Johnson, Samuels,
Lilligren, Goodman, Glidden, Schiff, Tuthill, Quincy, Colvin Roy, and Hodges**

Honoring Peter Teachout, for his outstanding service to the Hawthorne and McKinley Neighborhoods.

Whereas, Peter Teachout has dedicated 8 years to the City's Northside as a resident of the Hawthorne Neighborhood and Eco-Village; and

Whereas, Peter's commitment to removing criminals from the Hawthorne Eco-Village was courageous and transformative; and

Whereas, Peter displayed bravery and dedication to the Northside when he and his family stayed and continued to fight crime, even after his pickup truck was set on fire; and

Whereas, Peter and other community members would often spend their free time removing shoes from power lines with his truck and two 2 X 4's, as the shoes were often used as an indicators of drug and gang territories; and

Whereas, Peter and his family, worked collaboratively with the 3rd ward office, city staff, other partners and members of the Hawthorne Community to create the turnaround in Eco-Village; and

Whereas, this collaboration ultimately resulted in crime reduction and removal of 27 properties along with the drug dealers, prostitutes and other negative activity that stood so clearly in the way of neighborhood health and revitalization; and

Whereas, Peter and his family stood their ground and became part of a citizenry along with city partners that contributed to the success of the Hawthorne Eco-Village in the remarkable span of 18 months; and

Whereas, Peter enjoys being involved in his community and considers neighborhood meetings his hobby; and

Whereas, Peter's wife, JoyAnne, gave him the courage to endure, as one of the "good guys" in the battle for the neighborhood; and

Whereas, Peter's wife JoyAnne and his four children; Peter Jr., Roslyn, McKenna, and Jack have been partners in creating an atmosphere that will soon welcome 10 new homeowners, families, Jimmy and Roslyn Carter with Habitat for Humanity into the Hawthorne Eco-Village this fall; and

Whereas, Peter is a true representative of the American spirit and displayed the courage and leadership to stand-up for what is right; and

Whereas, Peter will leave for basic training on July 11, 2010 in Fort Benning, Georgia, and plans to serve his country as he has his community;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the city hereby recognizes Peter Teachout as a valuable contributor to the community.

Be It Further Resolved that the city is grateful for his dedication and commitment to the Northside, our City and our Nation.

Adopted 6/18/2010.

Absent - Glidden, Samuels.

UNFINISHED BUSINESS

RE&E & W&M/Budget - Your Committee, having under consideration the low bid received on OP #7284 submitted by BD Construction, LLC, in the amount of \$37,835, to furnish and deliver all labor, materials, equipment and incidentals necessary to accomplish the demolition and site clearance of an apartment building located at 2220 Marshall Street NE for the Department of Regulatory Services, now recommends the following:

RE&E - acceptance of the bid submitted by BD Construction, LLC, all in accordance with City specifications. Further, that the proper City officers be authorized to execute a contract for said project.

W&M/Budget - that the bid submitted by BD Construction, LLC, **be sent forward without recommendation.**

Hofstede moved that the report be amended to approve the Regulatory, Energy & Environment Committee recommendation and to delete the Ways & Means/Budget Committee recommendation. Seconded.

Adopted by unanimous consent.

Absent - Glidden, Samuels.

The report, as amended, was adopted 6/18/2010.

Absent - Glidden, Samuels.

Pursuant to previous notice, Schiff moved to introduce the subject matter of an ordinance amending Title 5, Chapter 108 of the Minneapolis Code of Ordinances relating to *Building Code: Parking Ramps*,

for 1st reading and referral to the Regulatory, Energy & Environment Committee (amending operating requirements and regulations). Seconded.

Adopted upon a voice vote 6/18/2010.

Absent - Glidden, Samuels.

Pursuant to previous notice, Schiff moved to introduce the subject matter of an ordinance amending Title 13, Chapter 319 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Open Air Motor Vehicle Parking Lots*, for 1st reading and referral to the Regulatory, Energy & Environment Committee (amending definitions, requiring a business license, and establishing licensing standards for commercial parking ramps). Seconded.

Adopted upon a voice vote 6/18/2010.

Absent - Glidden, Samuels.

Pursuant to previous notice, Colvin Roy moved to introduce the subject matter of an ordinance amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances relating to *Housing: Vacant Dwelling or Building, Nuisance Condition*, for 1st reading and referral to the Regulatory, Energy & Environment Committee (amending Section 249.80 adding criteria to clarify inclusion of commercial and residential property which is unable to receive a Certificate of Occupancy due to expired permits or demonstrated work stoppage as determined by the Building Official). Seconded.

Adopted upon a voice vote 6/18/2010.

Absent - Glidden, Samuels.

NEW BUSINESS

Lilligren moved to introduce the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, for first reading and referral to the Zoning and Planning Committee (to recognize birth centers as an allowed use in certain zoning districts and to establish standards for this use), as follows:

Amending Chapter 520 relating to *Introductory Provisions*;
Amending Chapter 536 relating to *Specific Development Standards*;
Amending Chapter 541 relating to *Off-Street Parking and Loading*;
Amending Chapter 547 relating to *Office Residence Districts*;
Amending Chapter 548 relating to *Commercial Districts*;
Amending Chapter 549 relating to *Downtown Districts*; &
Amending Chapter 550 relating to *Industrial Districts*. Seconded.

Adopted by unanimous consent 6/18/2010.

Absent - Glidden, Samuels.

Johnson moved to introduce the subject matter of an ordinance amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, for first reading and referral to the Ways & Means/Budget Committee (adding new sections 20.478 and 20.479 to implement a retirement incentive for police officers and fire fighters). Seconded.

Adopted by unanimous consent 6/18/2010.

Absent - Glidden, Samuels.

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 11, Chapter 227 of the Minneapolis Code of Ordinances relating to *Health and Sanitation: Nuisances Generally* (amending Sections 227.90 and 227.100 to exempt native prairie or other purposeful plantings from the definition of offensive conditions and vegetation).

Glidden gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 3, Chapter 48.20 of the Minneapolis Code of Ordinances relating to *Air Pollution and Environmental Protection: Minneapolis Watershed Management Authority* (amending Section 48.20 to add provisions of Minnesota Rules Chapter 4720 to the ordinance).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 10, Chapter 186 of the Minneapolis Code of Ordinances relating to *Food Code: In General* (amending Section 186.50 to regulate institutional food service and define "institutional/congregate food service", "confectionery," "food manufacturer," and "restaurant").

Lilligren gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 14 of the Minneapolis Code of Ordinances relating to *Liquor and Beer*, as follows:

Chapter 360 relating to *In General* (adding a new section 360.30 permitting and regulating off-premises liquor catering); and

Chapter 362 relating to *Liquor Licenses* (repealing section 362.38, State caterer's permit).

Schiff moved to introduce the subject matter of ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, for first reading and referral to the Zoning & Planning Committee (to revise regulations related to the hours that businesses may be open to the public), as follows:

Amending Chapter 525 relating to *Administration and Enforcement*;
Amending Chapter 536 relating to *Specific Development Standards*;
Amending Chapter 546 relating to *Residence Districts*;
Amending Chapter 547 relating to *Office Residence Districts*;
Amending Chapter 548 relating to *Commercial Districts*;
Amending Chapter 549 relating to *Downtown Districts*;
Amending Chapter 550 relating to *Industrial Districts*; and
Amending Chapter 551 relating to *Overlay Districts*. Seconded.
Adopted by unanimous consent 6/18/2010.
Absent - Glidden, Samuels.

Lilligren moved to adjourn. Seconded.
Adopted upon a voice vote 6/18/2010.
Absent - Glidden, Samuels.

Tina Sanz,
Assistant City Clerk.

Unofficial Posting: 6/21/2010
Official Posting: 6/25/2010
Correction: 9/16/2010
1/07/2011