

**OFFICIAL PROCEEDINGS  
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF  
NOVEMBER 17, 2017**

(Published November 25, 2017, in *Finance and Commerce*)

**CALL TO ORDER**

Council President Johnson called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Jacob Frey, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, President Barbara Johnson.

Absent: Cam Gordon, Blong Yang, Abdi Warsame, Linnea Palmisano.

Glidden moved adoption of the agenda.

On motion by Glidden, the agenda was amended to remove the U-Visa ordinance from the Order of Notice of Ordinance Introductions and an ordinance introduction was added to the Order of Introduction & Referral Calendar.

On motion by A. Johnson, the agenda was amended to include under the Zoning & Planning Committee a motion to refer to staff the Exterior Building Materials Ordinance.

On motion by B. Johnson, the agenda was amended to include under the Order of New Business the local government amicus brief in *Janus v. AFSCME Council 31*.

The agenda, as amended, was adopted by unanimous consent.

On motion by Glidden, the minutes of the regular meeting of November 3, 2017, were accepted.

On motion by Glidden, the petitions, communications, and reports were referred to the proper Committees.

The following actions, resolutions, and ordinances were signed by Mayor Betsy Hodges on November 19, 2017. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

**REPORTS OF STANDING COMMITTEES**

**The COMMITTEE OF THE WHOLE submitted the following reports:**

**COUNCIL ACTION 2017A-0824**

The Minneapolis City Council hereby:

1. Approves the Council appointment of Gayle Stedman to the Minneapolis Workplace Advisory Committee, Seat 4, for a two-year term beginning Jan. 1, 2018, and ending Dec. 31, 2019.
2. Approves the following Council reappointments to the Minneapolis Workplace Advisory Committee for two-year terms, beginning Jan. 1, 2018, and ending Dec. 31, 2019:
  1. Molly Glasgow, Seat 1, Ward 4.
  2. Rebecca Lucero, Seat 7, Ward 9.
  3. Wade Luneberg, Seat 8, Ward 3.
  4. Veronica Mendez Moore, Seat 9, Ward 9.
  5. Rod Adams, Seat 11, Ward 5.
  6. Mae Brooks, Seat 15, Ward 5.
3. Confirms the following Mayoral reappointments to the Minneapolis Workplace Advisory Committee for two-year terms, beginning Jan. 1, 2018, and ending Dec. 31, 2019:
  1. Jim Rowader, Seat 3, Ward 10.
  2. Brian Elliot, Seat 13, Ward 11.
4. Waives the residency requirement (Minneapolis Code of Ordinance 14.180) for the appointment of Gayle Stedman to the Minneapolis Workplace Advisory Committee.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0825**

The Minneapolis City Council hereby approves a settlement in the lawsuit of Diane Gavin v. City of Minneapolis by payment of attorney's fees and costs in the amount of \$11,000 to Diane Gavin's attorneys, the Sapientia Law Group, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0826**

The Minneapolis City Council hereby approves a settlement of the lawsuit Derrick A. Revies v. Minneapolis, et al., (Civ. No. 15-4234) by payment in the amount of \$3,023.62 to Derrick Revies, and \$8,851.38 to The Law Office of Zorislav R. Leyderman, and authorizes any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0827**

The Minneapolis City Council hereby approves the settlement of the lawsuit Brian Pfeiffer v. City of Minneapolis by allowing Plaintiff to enroll in City family health benefits during the 2017 open enrollment period.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0828**

The Minneapolis City Council hereby approves the settlement of the lawsuit Donna Geist as Trustee for the Heirs and Estate of Alberta Geist, Decedent v. City of Minneapolis, City of Brooklyn Center & the County of Hennepin (Henn.Cty Court File No. 27-cv-16-18367) by payment in the amount of \$28,000 to Sherrill Law Offices, PLLC, and Donna Geist as Trustee for the Heirs and Estate of Alberta Geist, and authorizes the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0829**

The Minneapolis City Council hereby approves the settlement of the lawsuit Laurence Stewart, et al. v. City of Minneapolis, (U.S. Dist. Ct. File No. 17-CV-0226) by payment in the amount of \$80,000 to Laurence Stewart and his attorneys at Teske Micko Katz Kitzler & Rochel, PLLP, and authorizes any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0830**

The Minneapolis City Council hereby approves the settlement of the lawsuit Lenell McKenzie v. City of Minneapolis, et al., by payment of \$50,000 to Lenell McKenzie and her attorney Zorislav Leyderman and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

(Published 11/22/2017)

**COUNCIL ACTION 2017A-0831**

The Minneapolis City Council hereby approves the settlement of the lawsuit Johanna Beth McDonough v. Al's Auto, et. al. by payment in the amount of \$240,000 to Johanna Beth McDonough and her attorneys Sapentia Law Group, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0832**

The Minneapolis City Council hereby approves the settlement of the property damage claim of Mohamed Ahmed by payment in the amount of \$4,256.05 to Mohamed Ahmed and his attorneys, and authorizes the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0833**

The Minneapolis City Council hereby accepts the low bid of Premier Electrical Corporation, submitted on Official Publication No. 8471, in the amount of \$605,000., to provide all materials, labor, equipment and incidentals for the Convention Center front-of-house exterior lighting replacement project, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0834**

The Minneapolis City Council hereby:

1. Authorizes the acquisition of 2651 University Ave NE- Parcels 1 and 3 (easement), and Parcels 2 and 2A (fee) from the State of Minnesota Commissioner of Transportation for an amount not-to-exceed \$140,600 plus transaction costs, for the East Side Storage & Maintenance Facility Project.
2. Authorizes staff to proceed with Torrens Title Registration or Proceedings Subsequent, if needed, to ensure clear title.
3. Authorizes the Finance Officer to sign a document releasing Hennepin County as administrator of State of Minnesota tax-forfeited properties from liability for claims arising from past activities on 2651 University Ave NE; indemnifying and holding Hennepin County harmless related to environmental contamination and remediation on that property; and acknowledging that the City is buying the property in “as is” condition.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0835**

The Minneapolis City Council hereby authorizes increases to Contract No.s C-40535, C-41150, and C-40686 with the ServiceNow provider pool companies Aeritae, Accenture, and Integrythm in the amount of \$500,000 for a total amount not-to-exceed \$ 1,950,000 for consulting and implementation services for Information Technology’s (IT) expanding ServiceNow environment.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0836**

The Minneapolis City Council hereby authorizes a standard Non-Disclosure Agreement (NDA) for telecommunications services to allow preliminary discussion concerning vendor’s plans within Minneapolis.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0837**

The Minneapolis City Council hereby authorizes an increase to Contract No. C-36677 in the amount of \$103,600 for a new not-to-exceed total of \$333,600, and extending the contract through Dec. 31, 2019,

to allow the Department of Civil Rights to continue to collect and verify compliance with prevailing wage and workforce goals using the LCPTracker application.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0838**

The Minneapolis City Council hereby approves a free trial agreement with Cellco Partnership d/b/a Verizon Wireless (“Verizon”) to provide safety cameras and video monitoring services for the downtown campus through July 31, 2018.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0839**

The Minneapolis City Council hereby authorizes a contract with PowerTeam, LLC, d/b/a PowerObjects, for a term of three (3) years, in a total amount not-to-exceed \$25,000, with PowerObjects liability being capped at the total dollar amount paid on the contract, for de-duplicating services that will merge records used for the CPED Step-Up Program.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0840**

The Minneapolis City Council hereby:

1. Approves a collective bargaining agreement with Minneapolis Foremen’s Association for the period Jan. 1, 2017, through Dec. 31, 2019.
2. Approves the Executive Summary of the agreement.
3. Authorizes a collective bargaining agreement consistent with the terms of the Executive Summary.
4. Authorizes the Labor Relations Director to implement the terms and conditions of the collective bargaining agreement upon ratification by the Association and adoption by the City Council.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0841**

The Minneapolis City Council hereby authorizes a license agreement with the Minneapolis Public Schools, Special School District No. 1, to use space in multiple school sites for providing public health services to the general public for public health emergencies for the period of 2018 to 2025, with the option to extend the agreement for two (2) additional five-year terms.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

(Published 11/22/2017)

**COUNCIL ACTION 2017A-0842**

The Minneapolis City Council hereby:

1. Accepts a grant from ClearWay Minnesota of up to \$30,000 to ensure the smooth implementation of the recently passed menthol tobacco ordinance.
2. Authorizes an agreement with ClearWay Minnesota for the grant.
3. Passage of Resolution 2017R-457 approving appropriation of funds to the Health Department.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

(Published 11/22/2017)

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

**RESOLUTION 2017R-457**

**By Gordon**

**Amending The 2017 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 Health Department in the Grants-Other Fund (01600-8600120) by \$30,000, and increasing the revenue estimate (01600-8600120-Revenue Code 372002) by \$30,000.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

(Published 11/22/2017)

**COUNCIL ACTION 2017A-0843**

The Minneapolis City Council hereby:

1. Accepts the federal Certified Local Government (CLG) grant to prepare a context statement for Minneapolis music history and identify potential historic resources worthy of intensive level evaluation.
2. Authorizes an agreement with the Minnesota Historical Society for the grant.
3. Passage of Resolution 2017R-458 approving appropriation of funds to the Community Planning and Economic Development Department.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

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

**RESOLUTION 2017R-458**

**By Yang & Quincy**

**Amending The 2017 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 Community Planning and Economic Development agency Federal Fund (01300-8900520)) by \$20,000, and increasing the Community Planning and Economic Development agency Federal Fund (01300-8900520-321009) by \$20,000.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

**COUNCIL ACTION 2017A-0844**

The Minneapolis City Council hereby directs staff to report back to an appropriate committee of the City Council by March 1, 2018, regarding next steps related to progress toward identification/evaluation of strategies to broaden pathways to employment for participants in Step Up, Urban Scholars, and other internship programs.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**COUNCIL ACTION 2017A-0845**

The Minneapolis City Council hereby approves the 2017 transition schedule as set forth in Legislative File No. 2017-01410 on file in the Office of City Clerk.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

Pursuant to City Charter Article IV § 4.4., this act does not require Mayor's signature.

**COUNCIL ACTION 2017A-0846**

The Minneapolis City Council hereby:

1. Directs the Human Resources Department, Ethics Officer, and City Attorney to review the City's policies relating to respect, anti-harassment, retaliation, and conduct in the workplace, and reporting and investigation procedures, for the purpose of identifying modifications and improvements, with special focus on how policies apply to and are utilized for elected officials, political appointed positions, and department heads. Such review shall include potential updates to the ethics ordinance, options for enhancing desired organizational culture, increasing ongoing awareness of reporting options, and independence of investigation and discipline mechanisms from actual or perceived influence by high level leadership, including elected officials, political appointed positions, and department heads who may be the subject of complaints. Such review shall also seek feedback and input from employee resource groups and labor/board of business agents. Findings and recommendations shall be reported to the Mayor and City Council no later than March 1, 2018.
2. Directs staff to review and update City policies and procedures relating to safety and security for elected officials by January 1, 2018, with ongoing assessment as needed. The City Clerk and City Coordinator shall coordinate such review, with leadership and participation from Human Resources, Police Department, Municipal Building Commission, Communications, and others as necessary.

On roll call, the result was:

Ayes: Reich, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (7)

Noes: (0)

Absent: Gordon, Frey, Yang, Warsame, Bender, Palmisano (6)

Adopted.

**The COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:**

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-459 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of abating nuisance conditions in accordance with Chapter 227 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-459**

**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of abating nuisance conditions in accordance with Chapter 227 of the Minneapolis Code of Ordinances.**

Whereas, the Director of Regulatory Services is authorized under Chapter 227 of the Minneapolis Code of Ordinances to abate nuisances relating to offensive matter on private premises including rubbish, long grass and weeds, brush and plant growth and dead trees; and

Whereas, the City Charter of the City of Minneapolis provides that costs incurred in the removal of nuisance conditions shall be levied and collected as a special assessment against the properties;

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

That the costs incurred in the removal of offensive matter are hereby approved and that such costs are assessed against the properties.

Be It Further Resolved that Levy Numbers 1080 (Rubbish Removal) and 1084 (Hazardous Tree Removal) be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to defray the costs of work performed under authorization of the Inspections Division to abate nuisances on private properties.

Be It Further Resolved that Levy Number 1080 be payable in a single installment with interest thereon at eight percent (8%) and that Levy Number 1084 be paid in five (5) equal annual installments with interest thereon at eight percent (8%) per annum, as set forth in Legislative File No. 2017-01353 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-460 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-460**

**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter.

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be it Further Resolved that Levy Number 1089 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2017-01353 on file at the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-461 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for Building Demolition properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-461**  
**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for Building Demolition properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 249.80 that defines a vacant property and were authorized by the Director of Inspections to have the fee levied against the property in cases where property owners failed to pay the required yearly fee; and

Whereas, Chapter 249 provides that the cost of building demolition property as defined by Chapter 249.80 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances when the property owner fails to meet the requirement for fee payment;

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

That the costs incurred for Building Demolition properties are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1095 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2017-01353 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-462 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for registering vacant properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-462**  
**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for registering vacant properties in accordance with Chapter 249 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis did determine that certain buildings met the criteria stated in Chapter 249.80 that defines a vacant property and were authorized by the Director of Inspections to have the fee levied against the property in cases where property owners failed to pay the required yearly fee; and

Whereas, Chapter 249 provides that the cost of registering a vacant property as defined by Chapter 249.80 shall be levied and collected as a special assessment against the property as provided for in Chapter 227 of the Minneapolis Code of Ordinances when the property owner fails to meet the requirement for fee payment;

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

That the costs incurred for registering vacant properties are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1096 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2017-01353 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

November 17, 2017

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On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-463 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-463**

**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1120 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be payable in a single installment with interest thereon at eight percent (8%) per annum, as set forth in Legislative File No. 2017-01353 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

November 17, 2017

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On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-464 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-464**  
**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1121 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2017-01353 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

November 17, 2017

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On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-465 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-465**  
**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1125 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2017-01353 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

November 17, 2017

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On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-466 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-466**

**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter;

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1126 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2017-01353 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

November 17, 2017

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On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-467 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-467**

**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter.

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be it Further Resolved that Levy Number 1165 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2017-01353 on file at the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

November 17, 2017

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On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-468 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing any building or structure rendered uninhabitable or unoccupied and open to trespass as a result of lawful police action in accordance with Chapter 171 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-468**

**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing any building or structure rendered uninhabitable or unoccupied and open to trespass as a result of lawful police action in accordance with Chapter 171 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis is empowered to secure uninhabitable or unoccupied buildings in accordance with Minnesota Statutes Section 463.251; and

Whereas, the Chief of Police did secure such buildings under the authority of the City Council of the City of Minneapolis; and

Whereas, this law provides that the cost of securing such buildings shall be charged against the real estate as provided in Minnesota Statutes, Section 463.21;

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

That the costs of securing unoccupied or uninhabitable buildings open to trespass under the authority of the Chief of Police are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1098 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2017-01353 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

November 17, 2017

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On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-469 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing abandoned buildings in accordance with Chapter 227 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-469**  
**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost of securing abandoned buildings in accordance with Chapter 227 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis is empowered to secure vacant buildings in accordance with Minnesota Statutes Section 463.251; and

Whereas, the Director of Inspections did secure such buildings under the authority of the City Council of the City of Minneapolis; and

Whereas, this law provides that the cost of securing such buildings shall be charged against the real estate as provided in Minnesota Statutes, Section 463.21;

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

That the costs of securing abandoned buildings under the authority of the Director of Inspections are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1099 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2017-01353 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

November 17, 2017

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On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-470 directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.

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

**RESOLUTION 2017R-470**  
**By Quincy**

**Directing the Director of the Hennepin County Property Taxation Department to place assessments against certain properties to defray the cost for unpaid administrative citations and civil fines issued in accordance with Chapter 2 of the Minneapolis Code of Ordinances.**

Whereas, the City Council of the City of Minneapolis did determine that certain properties were in violation of the Minneapolis Code of Ordinances and met the criteria stated in Chapter 2 to issue administrative citations and were authorized by the Director of Inspections to have the penalties levied against the property in cases where property owners failed to pay the required administrative citation penalty; and

Whereas, Chapter 2 provides that the unpaid penalties associated with an administrative citation as defined by Chapter 2 shall be levied and collected as a special assessment against the property as provided for in Chapter 10 of the Minneapolis Charter.

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

That the costs incurred for unpaid administrative citations are hereby approved and that such costs be assessed against the properties.

Be It Further Resolved that Levy Number 1090 be approved and transmitted to the Hennepin County Taxation Department and that the Director of Hennepin County Property Taxation Department be directed to place assessments against the specified properties to be paid in a single installment with interest thereon at eight percent (8%), as set forth in Legislative File No. 2017-01353 on file at the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

November 17, 2017

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On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-471 consenting to and approving the expenditure of sale proceeds from the sale of a skilled nursing and assisted living campus facility in Chisago City, Minnesota.

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

**RESOLUTION 2017R-471**  
**By Goodman**

**Consenting to and approving the expenditure of sale proceeds for a project in Minneapolis.**

Whereas, CDL Homes, LLC, a Minnesota limited liability company whose sole member is Ecumen, a Minnesota nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), plans to sell portions of its skilled nursing and assisted living campus in Chisago City, Minnesota, that has been financed in part by tax-exempt bonds. Proceeds of the sale in the amount of approximately \$4,000,000 (the "Sale Proceeds") are planned to be expended to (i) pay-off part of a taxable loan incurred by Ecumen to finance capital expenditures for the Project (defined below) and (ii) make capital improvements to the Project, principally consisting of combining smaller Project units into larger units; and

Whereas, the project is the approximately 134-unit senior housing development (with independent living units and memory care units) located at 428 Second Street South in the City of Minneapolis (the "City") that is known as Abiitan Mill City (the "Project"). The Project is owned by Ecumen Mill City Quarter, LLC, a Minnesota limited liability company, the sole member of which is Ecumen; and

Whereas, because the Sale Proceeds are being expended in the City with respect to the Project, it is necessary under federal tax law rules for the City to hold a public hearing and approve such expenditure; and

Whereas, a notice of public hearing was published at least fourteen (14) days before the regularly scheduled meeting of the Community Development & Regulatory Services Committee of the Minneapolis City Council in *Finance and Commerce*, the official newspaper, and the *Star Tribune*, a newspaper circulating generally in the City, with respect to the required public hearing under Section 147(f) of the Code; and

Whereas, on November 13, 2017, the Community Development and Regulatory Services Committee of the City Council conducted a duly noticed public hearing on the expenditure of the Sale Proceeds for the Project; and

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

That the City Council hereby consents to the expenditure of the Sale Proceeds with respect to the Project as described above.

That Ecumen will pay and upon demand, reimburse the City for payment of, any and all costs incurred by the City in connection with this resolution.

Be It Further Resolved that this resolution shall take effect and be in force from and after its approval and publication. Pursuant to Chapter 4, Section 9, of the Charter of the City, only the title of this resolution and a

summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official paper of the City.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0847**

The Minneapolis City Council hereby:

1. Passage of Resolution 2017R-472 approving the Tax Increment Financing (TIF) Plan and Housing Development Plan for Green on Fourth Apartments at 2901 4th St SE.
2. Passage of Resolution 2017R-473 authorizing the issuance of a "Pay-As-You-Go" TIF note to G4 Partners LLC in a principal amount not to exceed \$3,965,000.
3. Authorizes a redevelopment contract and other necessary documents related to the recommended actions with G4 Partners LLC or affiliated entity.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

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

**RESOLUTION 2017R-472**

**By Goodman**

**Approving the Green on Fourth Apartments Housing Development Plan and Green on Fourth Apartments Tax Increment Financing Plan.**

Whereas, pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing ("TIF") districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.1799, as amended, and other laws enumerated therein (collectively, the "Project Laws"); and

Whereas, it has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, the Green on Fourth Apartments Housing Development Plan (the "Housing Development Plan") and the Green on Fourth Apartments Tax Increment Financing Plan (the "TIF Plan") (collectively, the "Plans"). The Housing Development Plan establishes a new housing development project and identifies its boundary, redevelopment objectives and land use provisions (the "Green on Fourth Apartments Housing Development Project" or "Project Area"). The TIF Plan creates a new housing TIF District (the "TIF District") within the Green on Fourth Apartments Housing Development

Project, designates property to be included in the TIF District, states the City's objectives, describes proposed development activity, and establishes a budget for the use of tax increment revenue generated by the TIF District. These actions are all pursuant to and in accordance with the Project Laws; and

Whereas, the City has performed all actions required by law to be performed prior to the adoption of the Plans including, but not limited to, a review of the proposed Plans by the affected neighborhood groups and the City Planning Commission, transmittal of the proposed Plans to the Hennepin County Board of Commissioners and the Board of Education of Special School District No. 1 for their review and comment, and the holding of a public hearing upon published notice as required by law;

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

That the objectives and actions authorized by the Plans are all pursuant to and in accordance with the Project Laws.

Be It Further Resolved that the Green on Fourth Apartments Housing Development Project is a housing development project pursuant to Minnesota Statutes Section 469.002, Subdivision 15 and that the project is necessary to alleviate a shortage of decent, safe, and sanitary housing for persons of low and moderate income and their families.

Be It Further Resolved that the TIF District is a housing district pursuant to Minnesota Statutes, Section 469.174, Subdivision 11.

Be It Further Resolved that the Plans conform to the general plan for the development or redevelopment of the city as a whole. Written comments of the City Planning Commission with respect to the Plans were issued on October 30, 2017, are incorporated herein by reference, and are on file in the office of the City Clerk.

Be It Further Resolved that the Plans will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the redevelopment of the Project Area and TIF District by private enterprise.

Be It Further Resolved that the land in the Project Area and the TIF District would not be made available for redevelopment without the financial aid and public assistance to be sought.

Be It Further Resolved that the proposed development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future.

Be It Further Resolved that the reasons and facts supporting the findings in this resolution are described in the Plans.

Be It Further Resolved that the Council elects the method of computation provided in Minnesota Statutes, Section 469.177, Subdivision 3, Paragraph (a). The Council acknowledges that, by making this election, the entire fiscal disparity contribution required of the City for development occurring within this TIF District will be taken from outside the TIF District.

Be It Further Resolved that it is necessary and in the best interests of the City at this time to approve the Plans.

November 17, 2017

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Be It Further Resolved that the Plans presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Be It Further Resolved that after passage and publication of this Resolution, the officers and staff of the City and the City's consultants and counsel are authorized and directed to proceed with the implementation of the Green on Fourth Apartments Housing Development Plan and Green on Fourth Apartments Tax Increment Financing Plan.

Be It Further Resolved that as provided under Minnesota Statutes, Section 469.178, Subdivision 7, this Council hereby authorizes the advance of revenues from other available development revenues of the City in the principal amount needed to offset any negative fund balances incurred with respect to administrative costs related to this TIF District as a result of expenditures incurred prior to or in excess of the collection of tax increment revenue. The interest rate paid on such advances shall be equal to the rate of interest those revenues would have generated in their fund. In no event will the rate of interest charged on the advance exceed the statutory maximum set forth at Minnesota Statutes, Section 469.178, Subdivision 7. The term of this advance shall end upon the termination of the TIF District, although as revenues are available in the fund for the TIF District, the advance shall be offset by such amounts.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**RESOLUTION 2017R-473**

**By Goodman**

**Authorizing issuance of a tax increment limited revenue note in a principal amount not exceeding \$3,695,000 in connection with the Green on Fourth Apartments Project at 2901 4th St SE.**

Whereas, the City of Minneapolis (the "City"), acting pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, has certain powers, including without limitation the powers set forth in Minnesota Statutes, Sections 469.001 through 469.047, as amended (the "HRA Act") and Minnesota Statutes, Sections 469.174 through 469.1799, as amended (the "TIF Act"); and

Whereas, in furtherance of the objectives of the HRA Act, the City has undertaken programs for the clearance and reconstruction or rehabilitation of blighted, deteriorated, deteriorating, vacant, unused, underused or inappropriately used, areas of the City, and the development of housing for persons of low and moderate incomes, and in this connection the City is carrying out a housing development project known as the Green on Fourth Apartments Housing Development Project (the "Project") pursuant to the Green on Fourth Apartments Housing Development Plan adopted contemporaneously with this resolution on November 17, 2017 (the "Development Plan"); and

Whereas, in furtherance of the Development Plan, the City is concurrently approving a housing tax increment financing district pursuant to the Green on Fourth Apartments Tax Increment Financing Plan (the "TIF Plan"); and

November 17, 2017

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Whereas, pursuant to the TIF Act, and specifically Minnesota Statutes, Section 469.178, subd. 4, the City is authorized to issue its tax increment limited revenue note(s) to finance the public redevelopment costs of the Project; and

Whereas, the City has entered or will enter into a redevelopment contract (the "Redevelopment Contract") with G4 Partners, LLC, a Minnesota limited liability company (the "Developer"), pursuant to which the Developer will develop a 243-unit apartment project with underground parking and related site and public realm improvements in the Project area and the City will provide tax increment financing assistance consistent with the TIF Plan;

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

That it is desirable that the City issue a tax increment limited revenue note (the "Note") in substantially the form attached hereto as Exhibit A.

Be It Further Resolved that the form of the Note is hereby approved and shall be executed by the Finance Officer in substantially the form on file, with such changes therein not inconsistent with law as the Finance Officer may approve, which approval shall be conclusively evidenced by the execution thereof.

Be It Further Resolved that all actions of the members, employees and staff of the City heretofore taken in furtherance of the issuance of the Note are hereby approved, ratified and confirmed.

Be It Further Resolved that the sale of said Note to the Developer is hereby approved, and the Note is hereby directed to be sold to the Developer upon the terms and conditions set forth in the Redevelopment Contract.

Be It Further Resolved that the Finance Officer is hereby authorized and directed to execute such other documents, agreements and certificates as may be required in connection with the Note.

Be It Further Resolved that no provision, covenant or agreement contained in the aforementioned documents, the Note or in any other document related to the Note, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the tax increment revenues which are to be applied to the payment of the Note, as provided therein and in the Redevelopment Contract. The Note shall not constitute a charge, lien or encumbrance, legal or equitable upon any property or funds of the City except that revenue and proceeds pledged to the payment thereof, nor shall the City be subject to any liability thereon. The holders of the Note shall never have the right to compel any exercise of the taxing power of the City to pay the outstanding principal on the Note or the interest thereon, or to enforce payment hereon against any property of the City. The Note shall not constitute a debt of the City within the meaning of any constitutional or statutory limitation.

Be It Further Resolved that the Note, when executed and delivered, shall contain a recital that it is issued pursuant to the TIF Act, and such recital shall be conclusive evidence of the validity of the Note and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Note and to

the execution of the aforementioned documents to happen, exist and be performed precedent to and in the enactment of this resolution, and precedent to issuance of the Note and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

Be It Further Resolved that this resolution shall be in full force and effect from and after its date of publication.

EXHIBIT A  
[Form of Note]

UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
CITY OF MINNEAPOLIS

**TAX INCREMENT LIMITED REVENUE NOTE  
(Green on Fourth Apartments Project)**

The City of Minneapolis (the "City"), hereby acknowledges itself to be obligated and, for value received, promises to pay to the order of G4 Partners, LLC, a Minnesota limited liability company (the "Developer"), solely from the source, to the extent and in the manner hereinafter provided, the principal amount of this Note, being Three Million Six Hundred and Ninety-Five Thousand and no/100 Dollars (\$3,695,000.00) or such lesser amount as may equal the certified Public Redevelopment Costs, with interest at the Note Rate, in the installments specified in this Note, on the Payment Dates.

Capitalized terms not defined elsewhere in this Note shall have the meanings below:

***"Available Tax Increment"*** means the Tax Increment received by the City during the period preceding each Payment Date, less (i) the amount of Tax Increment, if any, which the City must pay to the school district, the county and the state pursuant to *Minnesota Statutes*, Sections 469.177, Subds. 9, 10, and 11; 469.176, Subd. 4h; and 469.175, Subd. 1a, as the same may be amended from time to time; and (ii) actual administrative costs of the City in an amount not to exceed 10% of the Tax Increment.

***"Certificate of Completion"*** means a certificate issued by the City to the Developer pursuant to Section 5.04 of the Contract upon substantial completion of the Minimum Improvements.

***"Contract"*** means that certain Redevelopment Contract between the City and the Developer dated *[insert date at closing]*.

***"District"*** means the Green on Fourth Apartments (Housing) Tax Increment Financing District within the Project.

***"Maturity Date"*** means the earlier of (i) February 1 of the year following the final year of Tax Increment collection from the District; and (ii) the date when the principal and interest amount of this Note has been paid in full.

**"Minimum Improvements"** means new construction of an approximately 243-unit apartment project with 191 underground parking stalls and related site and public realm improvements as described in the Contract.

**"Note Rate"** means 4.3% per annum, compounded semi-annually.

**"Payment Date"** means August 1 of the year of first increment collection from the District and each August 1 and February 1 thereafter until the Maturity Date; provided however that in no event will payments commence before the issuance of the Public Redevelopment Costs Certification and the Certificate of Completion.

**"Project"** means the Green on Fourth Apartments Housing Development Project.

**"Property"** means the real property legally described in the attached **Exhibit A**, upon which the Minimum Improvements will be constructed.

**"Public Redevelopment Costs"** means actual Public Redevelopment Costs in an amount not to exceed \$3,695,000, as defined in and approved pursuant to the Contract.

**"Public Redevelopment Costs Certification"** means a certificate in substantially the form attached to the Contract, by which the City certifies the Public Redevelopment Costs pursuant to the terms of the Contract.

**"Tax Increment"** means that portion of the property taxes generated by the Property and Minimum Improvements that is actually remitted to the City as tax increment under the Tax Increment Act.

**"Tax Increment Act"** means *Minnesota Statutes*, Section 469.174-469.1799, as amended, or any successor statutes applicable to the District.

On each Payment Date, the City shall pay the Developer an installment equal to the lesser of (i) the Available Tax Increment or (ii) the amount necessary to pay the accrued unpaid interest and the unpaid principal amount of this Note in full. To the extent that there is insufficient Available Tax Increment on any Payment Date to make a scheduled payment, such failure to make a scheduled payment shall not constitute a default under the Note. If an Event of Default by the Developer has occurred under the Contract, then the City may suspend payment on this Note until (a) the Event of Default has been cured or (b) prior to the issuance of the Certificate of Completion, the Contract and the City's obligations under this Note have been terminated. If the City suspends payments due under this Note, the City shall make the suspended payments to the Developer within ten (10) business days after the Developer has cured the Event of Default. The City is not obligated to pay interest on the amount of the suspended payments between the date the payment is suspended and the last date on which the City is obligated to make the suspended payments to the Developer. If the Developer (or other owner of the Property or Minimum Improvements) fails to pay all or a portion of the property taxes due and owing on the Property and Minimum Improvements, then upon such failure to pay, no interest as required by this Note shall accrue on an amount equal to the amount of the Available Tax Increment that would have been paid to the City had such property tax amounts been paid.

November 17, 2017

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Interest shall accrue on the initial principal amount of this Note from the date of issue of the Public Redevelopment Costs Certification. Each payment under this Note, whether a scheduled payment or any other payment, shall be applied first to current interest, then to accrued unpaid interest and then to the unpaid principal amount of this Note.

On the Maturity Date, this Note shall be deemed paid in full and the City shall have no further obligation under this Note even if the aggregate of the Available Tax Increment that has actually been paid to the Developer on the Payment Dates is less than the full principal and interest amount of this Note. The obligation of the City to make any scheduled payment shall terminate if and to the extent that the full principal and interest amount of this Note has been paid in full. This Note may be prepaid in full or in part at any time without penalty.

Each payment on this Note is payable in any coin or currency of the United States of America which on the date of such payment is legal tender for public and private debts and shall be made by wire transfer pursuant to written wire instructions provided by the Developer or by check or draft made payable to the Developer and mailed to the Developer at [*insert address at closing*], or such other address as the Developer shall provide in writing to the City's notice address as set forth in the Contract.

The Note is a special and limited obligation and not a general obligation of the City, which has been issued by the City pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including *Minnesota Statutes*, Section 469.178, subdivision 4, to aid in financing a "project", as therein defined, of the City consisting generally of defraying certain public redevelopment costs incurred by the Developer within and for the benefit of the Project.

**THE NOTE IS NOT A DEBT OF THE STATE OF MINNESOTA (THE "STATE"), OR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY OF MINNEAPOLIS, MINNESOTA, EXCEPT THAT THE CITY SHALL BE OBLIGATED TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, AND NEITHER THE STATE NOR ANY POLITICAL SUBDIVISION THEREOF, INCLUDING THE CITY, SHALL BE LIABLE ON THE NOTE, EXCEPT FOR THE CITY'S OBLIGATION TO MAKE PAYMENTS FROM AVAILABLE TAX INCREMENT AS SET FORTH HEREIN, NOR SHALL THE NOTE BE PAYABLE OUT OF ANY FUNDS OR PROPERTIES OTHER THAN AVAILABLE TAX INCREMENT AS SET FORTH HEREIN.**

This Note shall not be transferred to any person, unless the City has been provided with an opinion of counsel acceptable to the City that such transfer is exempt from registration and official statement delivery requirements of federal and applicable state securities law and an investment letter reasonably acceptable to the City.

This Note shall not be payable from or constitute a charge upon any funds of the City, and the City shall not be subject to any liability hereon or be deemed to have obligated itself to pay hereon from any funds except the Available Tax Increment, and then only to the extent and in the manner herein specified.

The Developer shall never have or be deemed to have the right to compel any exercise of any taxing power of the City or of any other public body, and neither the City nor any person executing or registering this Note shall be liable personally hereon by reason of the issuance of registration thereof or otherwise.

November 17, 2017

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**IT IS HEREBY CERTIFIED AND RECITED** that all acts, conditions and things required by the Constitution and the laws of the State of Minnesota to be done, to have happened, and to be performed precedent to and in the issuance of this Note have been done, have happened, and have been performed in regular and due form, time, and manner as required by law; that this Note is issued pursuant to the Tax Increment Act; and that this Note together with all other indebtedness of the City outstanding on the date hereof and on the date of its actual issuance and delivery, does not cause the indebtedness of the City to exceed any constitutional or statutory limitation thereon.

**IN WITNESS WHEREOF**, the City of Minneapolis, by action of its Mayor and City Council, has caused this Note to be executed by the manual signature of its Finance Officer, and has caused this Note to be dated \_\_\_\_\_, 20\_\_.

**CITY OF MINNEAPOLIS**

By \_\_\_\_\_  
Mark T. Ruff  
Its Finance Officer

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

Developer's Federal Tax Id. No. [*insert number at closing*]

**EXHIBIT A TO NOTE**

[*insert legal description at closing*]

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0848**

The Minneapolis City Council hereby:

1. Approves the application for The Fillmore, 525 5th St N, submitted by Fillmore Minneapolis Corp., for an On-Sale Liquor with Sunday Sales, Class A (LIC359952 new business), subject to final inspection and compliance with all provisions of applicable codes and ordinances.
2. Approves the application for The Fillmore, 525 5th St N, submitted by Fillmore Minneapolis Corp., for a Theatre license (LIC359972 new business), subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

(Published 11/22/2017)

**COUNCIL ACTION 2017A-0849**

The Minneapolis City Council hereby approves the application for Lucky Oven Bakery, 5401 Penn Ave S, submitted by Lucky Oven Bakery Inc, On-Sale Wine with Strong Beer, Class C-2 License, LIC352222 (new business), subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

(Published 11/22/2017)

**COUNCIL ACTION 2017A-0850**

The Minneapolis City Council hereby approves the application for Mortimer's Bar, 2001 Lyndale Ave S, submitted by Slow Play, LLC, for an On-Sale Liquor, Class C-1, with Sunday Sales License (LIC360006 upgrade), subject to final inspection and compliance with provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

(Published 11/22/2017)

**COUNCIL ACTION 2017A-0851**

The Minneapolis City Council hereby:

1. Approves the application for Armory, 500 6th St S, submitted by Armory Hospitality, LLC, for an On-Sale Liquor, Class A, with Sunday Sales license (LIC355552 new business), subject to final inspection and compliance with provisions of applicable codes and ordinances.
2. Adopts the Business License Operating Conditions Agreement for Armory, 500 6th St. S, negotiated between the City of Minneapolis and Armory Hospitality, LLC allowing the licensee to obtain the On-Sale Liquor, Class A, Sunday Sales license, subject to adherence with the conditions contained therein.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

(Published 11/22/2017)

November 17, 2017

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Goodman offered Ordinance 2017-069 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, adding provisions for a fee during pending adverse licensing action.

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

**ORDINANCE 2017-069**  
**By B. Johnson**  
**Intro & 1st Reading: 10/6/2017**  
**Ref to: CDRS**  
**2nd Reading: 11/17/2017**

**Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.**

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

Section 1. That Section 244.1810 of the above-entitled ordinance be amended to read as follows:

**244.1810. License required.** (a) No person shall allow any dwelling unit to be occupied, or let or offer to let to another any dwelling unit for occupancy, or charge, accept or retain rent for any dwelling unit unless the owner has a valid license, administrative registration or provisional license under the terms of this article. The practice of pre-leasing new rental construction shall be exempt from the provisions of this section.

(b) During the pendency of any adverse license proceeding instituted against any rental dwelling license, no such license may be renewed. Whenever such a rental dwelling license is due for renewal, the director may issue, in lieu of a rental dwelling license, a rental dwelling administrative registration. Such administrative registration shall allow for the continued occupancy and operation of the rental dwelling pending the completion or cessation of the pending adverse license action, subject to all valid court orders and to any requirements imposed by this article or other applicable law, ordinance, statute, rule or requirement. The fee for any such administrative registration shall be equal to the amount that would be authorized for the issuance of a rental dwelling license pursuant to section 244.1890. Should the pending adverse license action result in a full and final revocation, withdrawal, or denial of the subject rental dwelling license after the administrative registration fee has been paid, a refund of any prorated quarter-annual portions shall be provided if more than three (3) months remain in the annual registration period.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0852**

The Minneapolis City Council hereby approves the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling Licenses as recommended in the Licenses and Consumer Services Agenda for November 13, 2017, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

(Published 11/22/2017)

**COUNCIL ACTION 2017A-0853**

The Minneapolis City Council hereby:

1. Adopts the Business License Operating Conditions Agreement for 10/10 Taxi, 618 Industrial Blvd, negotiated between the City of Minneapolis and 10/10 Taxi, LLC allowing the licensee to retain the Taxi Company license, subject to adherence with the conditions contained therein.

2. Rescinds the Business License Operating Conditions Agreement related to the Taxi Company License held by 10/10 Taxi, LLC, 9201 East Bloomington Freeway, Bloomington, MN 55420, approved by the Minneapolis City Council on Sept. 11, 2015.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

(Published 11/22/2017)

**COUNCIL ACTION 2017A-0854**

The Minneapolis City Council hereby authorizes the Licensing Official to establish a Designated Large Event Zone during Super Bowl LII, including procedures for processing associated permits.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0855**

The Minneapolis City Council hereby approves the reinstatement of the Rental Dwelling License for the property at 3459 Oliver Ave N, formerly held by Gregg Johnson, to be held by new owners Don and Julie Vang, based on submittal of an acceptable management plan and verification that said property is now in compliance with rental licensing standards.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0856**

The Minneapolis City Council hereby approves the reinstatement for the Rental Dwelling License for the property at 1604 27th Ave N, formerly held by Mahmood Khan, to be held by new owner Dameon Henderson, based on submittal of an acceptable management plan and verification that said property is now in compliance with rental licensing standards.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0857**

The Minneapolis City Council hereby:

1. Approves an amendment to the Grow North Down Payment Assistance Program guidelines as set forth in Legislative File 2017-01344 on file in the Office of City Clerk.

2. Authorizes a contract with BuildWealth MN, in an amount not to exceed \$100,000, to administer the Grow North Down Payment Assistance Program on behalf of the City, at an administration fee of \$1,200 per closed loan.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0858**

The Minneapolis City Council hereby approves an administrative fee to reimburse City Staff costs for administering State of Minnesota General Obligation Bond-funded grants awarded to development projects located in Minneapolis.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0859**

The Minneapolis City Council hereby directs staff to work with the Norway House on an agreement regarding the \$5,000,000 General Obligation Bond grant from the State of Minnesota to the City for the Norway House development project located at 913 E Franklin Ave, and ensure that the City's administrative fee is paid after the bond proceeds have been issued.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-474 consenting to the issuance of revenue obligations by the City of Independence, Minnesota to refinance revenue bonds Series 2005A and 2005C for the Augustana Chapel View Homes, Inc. project located at 615 Minnetonka Mills Rd, Hopkins, Minnesota.

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

**RESOLUTION 2017R-474**  
**By Goodman**

**Consenting to the issuance of revenue obligations by the City of Independence to refinance revenue obligations issued by the City of Minneapolis for the Augustana Chapel View Homes, Inc. project at 615 Minnetonka Mills Road, Hopkins, MN.**

Whereas, that pursuant to Minnesota Statutes, Sections 469.152 through 469.1655, as amended (the "Industrial Development Act"), the City of Minneapolis (the "City") is authorized to carry out the public purposes described in the Industrial Development Act by providing for the issuance of revenue bonds to provide funds to finance or refinance revenue-producing enterprises located within the City, whether or not operated for profit, engaged in providing health care services, including, without limitation, hospitals and related medical facilities; and

Whereas, that pursuant to Minnesota Statutes, Chapter 462C, as amended (the "Housing Act"), the City is authorized to issue revenue obligations to finance or refinance multifamily housing developments (including nursing and assisted living facilities); and

Whereas, that on February 24, 2005, in accordance with the provisions of the Industrial Development Act, the Housing Act, and Minnesota Statutes, Sections 471.59 and 471.656, as amended (the "Joint Powers Act"), the City issued its Health Care Facilities Refunding Revenue Bonds (Augustana Chapel View Homes, Inc. Project), Series 2005A (the "Series 2005A Bonds"), in the original aggregate principal amount of \$3,310,000, for the benefit of Augustana Chapel View Homes, Inc., a Minnesota nonprofit corporation (the "Borrower"), in order to refinance the skilled nursing and senior housing facilities of the Borrower located at 615 Minnetonka Mills Road in Hopkins, Minnesota (the "Facilities"); and

Whereas, that on May 31, 2005, in accordance with the provisions of the Industrial Development Act, the Housing Act, and the Joint Powers Act, the City issued its Health Care Facilities Revenue Bonds (Augustana Chapel View Homes, Inc. Project), Series 2005C (the "Series 2005C Bonds"), in the original aggregate principal amount of \$2,160,000, for the benefit of the Borrower, in order to refinance the Facilities and finance the construction of improvements to the Facilities; and

Whereas, that the Borrower has proposed that the City consent to the issuance by the City of Independence, Minnesota or another political subdivision of the State of Minnesota (the "Issuer") of one or more series of revenue obligations (the "Bonds") in an aggregate principal amount not to exceed \$5,500,000; and

Whereas, that the Bonds will be issued in accordance with the terms of the Industrial Development Act, the Housing Act, and the Joint Powers Act; and

Whereas, that the Borrower intends to apply a portion of the proceeds of the Bonds to refinance the outstanding principal amount of the Series 2005A Bonds and the Series 2005C Bonds, and as required by Section 469.155, subdivision 12 of the Industrial Development Act, the City must first consent to the issuance of the Bonds by the Issuer to refinance the Series 2005A Bonds and the Series 2005C Bonds of the City; and

Whereas, that the Borrower will pay and upon demand, reimburse the City for payment of, any and all costs incurred by the City in connection with the refinancing of the City's outstanding Series 2005A Bonds and Series 2005C Bonds and the issuance of the Bonds, whether or not the Bonds are issued;

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

That the City Council consents to the issuance of the Bonds by the Issuer to, among other things, refinance the City's outstanding Series 2005A Bonds and Series 2005C Bonds, subject to final approval by the governing body of the Issuer, following the preparation of bond documents and a determination by the Issuer to issue the Bonds.

Be It Further Resolved that this Resolution shall be in full force from and after its approval and publication.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0860**

The Minneapolis City Council hereby authorizes an amendment to Redevelopment Option Contract No. C-40063 with Homes at Humboldt Greenway II LLC that revises the take down schedule and readjusts the related property management costs with respect to the sale of Parkside at Humboldt Greenway Phase 3 Lots, as set forth in Legislative File 2017-01351 on file in the Office of City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0861**

The Minneapolis City Council hereby:

1. Passage of Resolution 2017R-475 authorizing submission of and acknowledging support for certain projects that submitted applications to the 2017 Fall Hennepin County Transit-Oriented Development Grant Programs.
2. Authorizes cooperative agreements for the recommended County funded projects.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

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

**RESOLUTION 2017R-475**

**By Goodman**

**Authorizing submission of and acknowledging support for certain projects that submitted applications to the 2017 Fall Hennepin County Transit-Oriented Development Grant Program.**

Whereas, Hennepin County has established a transit-oriented development loan/grant program (TOD Program) which it intends to undertake as a multi-jurisdictional reinvestment program under Minnesota Statutes, section 383B.79, and housing development or redevelopment project under Minnesota Statutes, section 383B.77; and

Whereas, seventeen applications were submitted to the Hennepin County Housing and Redevelopment Authority (HRA) for projects located within the City of Minneapolis (City) in response to the 2017 Fall TOD Program solicitation; and

Whereas, the City has reviewed the applications and supports Hennepin County HRA consideration of the projects located in the City for funding under the 2017 Fall TOD Program; and

Whereas, City approval is necessary in order to satisfy the requirements of a multijurisdictional reinvestment program and authorize Hennepin County or the Hennepin County HRA to undertake project activities within the jurisdiction of the City;

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

That pursuant to Minnesota Statutes, sections 383B.77 and 383B.79, the City supports the transit-oriented development loan/grant application submitted to the Hennepin County HRA for each of the following projects:

Plymouth Christian Youth Center, for Capri Theatre Renaissance at 2027 W Broadway Ave;

G4 Partners, LLC, for Green on Fourth Project at 2901 4th St SE;

Project for Pride in Living, for Maya Commons (Bunge Apartments) at 937 13th Ave SE;

Alliance Housing, Inc., for Minnehaha Commons at 3001 E Lake St;

Red Lake Band of Chippewa Indians, for Mino-bimaadiziwin at 2105 Cedar Ave S;

Indian Neighborhood Club on Alcohol and Drugs, for New Vision, Inc. at 2101 5th Ave S;

Community Housing Development Corporation, for Olson Towne Homes at 461 Girard Terrace;

Northside Partners GP, LLC, for Penn Ave Union at 2200 Golden Valley Road;

Project for Pride in Living, for Greenbelt Homes at 3020, 3024 6th Ave N, and 429, 427, 419, 415, and 409 31st Ave N;

Community Housing Development Corporation, for House of Charity at 615 S 7th St;

Lupe Development Partners, LLC, for Lake Street Housing at 510 W Lake St;

Wellington Management Inc., for Midtown Center at 2601 E 29th St;

Alliance Housing, Inc., for Sanquist Apartments at 3301 Nicollet Ave S;

Oppidan, The Capp (46th and Hiawatha) at 3939 and 3941 E 46th St;

Minneapolis Leased Housing Associates IX, LLLP (Dominium), for 1500 Nicollet at 1500 Nicollet;

City of Lakes Community Land Trust, for CLCLT Site Acquisition at 1918 Glenwood Ave; and

Doran-CSM SE I, LLC, for The Expo at 200 University Ave SE, 215 and 229 2nd St SE, and 223 3rd Ave SE.

Be It Further Resolved that the appropriate City staff may execute one or more cooperative agreements, if necessary, authorizing Hennepin County or the Hennepin County HRA to undertake the foregoing multijurisdictional reinvestment program projects in Minneapolis.

Be It Further Resolved that nothing in this resolution shall create a pecuniary obligation of the City to assist any of the foregoing projects nor shall the City be in any way responsible for any financing obligation or agreement of Hennepin County or the Hennepin County HRA with respect to their provision of financial assistance such projects.

Be It Further Resolved that the support expressed herein extends only to the powers of Hennepin County or the Hennepin County HRA with respect to the financial assistance the County or the HRA proposes to provide to the respective projects and the City shall retain all other powers and jurisdiction over matters relating to the City and the projects.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0862**

The Minneapolis City Council hereby authorizes a Second Amended and Restated Option Fee Agreement, extending the exclusive rights of United Properties Development, LLC (“UP”) for its development project at 30 3rd St S to Jan. 30, 2018, consistent with the terms of the request as set forth in Legislative File 2017-01373 on file in the Office of City Clerk; and that a request for an extension beyond Jan. 31, 2018, would be subject to City Council approval.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**The INTERGOVERNMENTAL RELATIONS Committee submitted the following reports:**

Glidden offered Resolution 2017R-476 supporting the United States National Park Service.

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

**Resolution 2017R-476  
By Glidden**

**Supporting the United States National Park Service.**

Whereas, America's National Park System is a living testament to our citizens' valor, our nation's hardships, our victories, and our traditions as Americans, and has been called "America's Best Idea"; and

Whereas, the National Park System preserves the culture, diversity, and heritage of all Americans, and serves as a living classroom for future generations; and

Whereas, in 2016, the National Park Service celebrated its centennial and currently manages more than 400 nationally significant sites and an invaluable collection of more than 75,000 natural and cultural assets that span 84 million acres across all 50 states, the District of Columbia, and several U.S. territories and insular areas; and

Whereas, Minnesota is blessed with five national park sites, including the incredible Mississippi National River and Recreation Area, and 72 miles of river way which provide families and individuals a chance to hike, boat, fish, swim, camp, and enjoy; and

Whereas, one of Minneapolis's key community objectives in our Comprehensive Plan is to preserve, protect, and restore our community's natural areas and embrace the Mississippi River as a regional asset with national significance because of its cultural, economic and recreational benefits; and

Whereas, in 2016, the National Park System had more than 325 million visits nationally with Minnesota seeing 975,192 visitors to its five national park sites; and

Whereas, in 2016, National Park Service estimates indicate that park visitors spent more than \$56 million in Minneapolis and other gateway communities in Minnesota; and

Whereas, visitor spending in gateway communities in Minnesota directly supported 897 jobs, contributed to local community tax base, and helped grow our economy; and

Whereas, the National Park Service has the duty to preserve our nation's history; promote access to national parks for all citizens; stimulate revenue to sustain itself and nearby communities; educate the public about America's natural, cultural, and historical resources; and provide safe facilities and environs to enjoy these resources; and

Whereas, despite a mission to make parks open and accessible, because of Congressional underfunding the National Park Service has a backlog in Minnesota of \$21 million needed for infrastructure repairs to aging historical structures, trails, sewers, drainage, hundreds of miles of roads, tunnels, bridges, and other vital infrastructure; and

Whereas, it is the responsibility of Congress to maintain America's national parks to ensure our natural places and our history is preserved and documented for future generations and for the adjacent communities that rely on the direct and indirect economic benefits generated by visits to national park sites;

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

That the City Council strongly encourages Congress to create a reliable, predictable stream of resources to address deferred maintenance needs in America's National Park System.

Be It Further Resolved that the City of Minneapolis recognizes that entry fees to enter selected National Parks are a significant revenue source and supports reasonable fee increases but opposes the National Parks Service proposed fee increases that could double the existing entry fees.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0863**

The Minneapolis City Council hereby approves the 2018 Legislative Policy Positions as set forth in Legislative File No. 2017-01262 on file in the Office of City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

Glidden offered Resolution 2017R-477 withdrawing from the Red Rock Corridor Commission Joint Powers Agreement.

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

**Resolution 2017R-477**

**By Gordon**

**Withdrawing from the Red Rock Corridor Commission Joint Powers Agreement.**

Whereas, the Red Rock Corridor Commission was founded in 1998 as a joint powers board to address multimodal transportation needs along Highway 61 connecting the Twin Cities' southeastern suburbs to St. Paul and Minneapolis; and

Whereas, in late 2001, a Red Rock Corridor Commission study identified the need to extend the Red Rock Corridor from St. Paul to Minneapolis, and amended and restated the Red Rock Corridor Joint Powers Agreement to allow new members, including the City of Minneapolis, to join the commission; and

Whereas, in 2005, the Minneapolis City Council authorized entering into an Amended and Restated Joint Powers Agreement with the Red Rock Corridor Commission; and

Whereas, the Implementation Plan completed in 2016 recommends a phased approach with near-term and long-term strategies to build transit ridership towards the build out of rapid bus transit service, first from St. Paul to Cottage Grove and eventually to Hastings; and

Whereas, a commuter rail project terminating in Downtown Minneapolis is no longer an objective of the Red Rock Corridor Commission, but rather is now focusing on bus improvements which will terminate in St. Paul, and its plans do not include a proposed alignment or station in the City of Minneapolis for either local bus or rapid bus transit service;

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

That the City will withdraw as a member of the Red Rock Corridor Commission effective 90 days after the passing of this resolution, as permitted by Article 9 of the Red Rock Corridor Commission Joint Powers Agreement.

Be It Further Resolved that the City Clerk is hereby directed to forward a copy of the signed resolution to the Chair of the Red Rock Corridor Commission in compliance with the 90-day notice of intent to withdraw.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0864**

The Minneapolis City Council hereby approves a short list of 2018 legislative agenda items as set forth in Legislative File No. 2017-01467 on file in the Office of City Clerk.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT Committee submitted the following report:**

**COUNCIL ACTION 2017A-0865**

The Minneapolis City Council hereby authorizes a revenue agreement for \$95,000 with the Minnesota Timberwolves for Minneapolis Police Department to provide two (2) Bomb Unit technicians and one (1) Police Officer K-9 handler, for bomb detection security services at Target Center for approximately fifty-five (55) large scale events.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:**

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-478 adopting the assessments, levying the assessments, and adopting the assessment roll for the 2018 Street Light Operations Assessment, Project 1337L.

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

**RESOLUTION 2017R-478**

**By Reich**

**Adopting the assessments, levying the assessments, and adopting the assessment roll for the 2018 Street Light Operations Assessment, Project 1337L.**

Whereas, a public hearing was held on Nov 13, 2017, in accordance with the provisions of Minneapolis Code of Ordinances, Chapter 431, to consider the proposed assessments as shown on the proposed assessment roll on file in the City Engineer's Special Assessment Office and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessments in the total amount of \$111,662 for the 2018 Street Light Operations Assessment, Project 1337L, as prepared by the City Engineer, and on file in the City Engineer's Special Assessment Office, be and hereby are adopted and levied against the benefited properties.

Be It Further Resolved that the assessments be collected in their entirety on the 2018 real estate tax statements without interest.

Be It Further Resolved that certified copies of said assessment roll be transmitted to the Hennepin County Auditor.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-479 adopting the assessments, levying the assessments, and adopting the assessment roll for the 2018 Street Maintenance Assessment, Project 1337M.

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

**RESOLUTION 2017R-479**

**By Reich**

**Adopting the assessments, levying the assessments, and adopting the assessment roll for the 2018 Street Maintenance Assessment, Project 1337M.**

Whereas, a public hearing was held on Nov 13, 2017, in accordance with the provision of Laws 1969, Ch 499, as amended by Laws 1994, Ch 587, Art 9, Laws 1973, Ch 393, as amended by Laws 1974, Ch 153, and Laws 2008, Ch 154, and the procedures set out in Minnesota Statutes, Section 429.061, to consider the proposed assessments as shown on the proposed assessment roll on file in the City Engineer's Special Assessment Office and to consider all written and oral objections and statements regarding this matter;

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

That the proposed assessments in the total amount of \$557,525 for the 2018 Street Maintenance Assessment, Project 1337M, as prepared by the City Engineer, and on file in the City Engineer's Special Assessment Office, be and hereby are adopted and levied against the benefited properties.

Be It Further Resolved that the assessments be collected in their entirety on the 2018 real estate tax statements without interest.

Be It Further Resolved that certified copies of said assessment roll be transmitted to the Hennepin County Auditor.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

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**COUNCIL ACTION 2017A-0866**

The Minneapolis City Council hereby authorizes an interagency agreement with Metropolitan Council Environmental Services (MCES) for cooperation in the maintenance, repair, planning, and study of the interconnected sanitary sewer system.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-480 delegating authority for the Director of Public Works to make and execute contracts with Metropolitan Council on an on-going basis for expedited joint sewer maintenance or repair for amounts less than or equal to \$100,000.

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

**RESOLUTION 2017R-480**

**By Reich**

**Delegating authority for the Director of Public Works to make and execute contracts with Metropolitan Council on an on-going basis for expedited joint sewer maintenance or repair for amounts less than or equal to \$100,000.**

Whereas, pursuant to Minneapolis Code of Ordinances, Section 17.60, and Minneapolis City Charter, the City Council is permitted to adopt a resolution providing for a city form contract for professional, technical, and service contracts that are anticipated to be less than or equal to one hundred thousand dollars (\$100,000) delegating authority to the respective department heads or designees to execute contracts; and

Whereas, the City has previously delegated authority to the Director of Public Works for certain specific subjects and amounts in Resolutions 2005R-166 and 2009R-006; and

Whereas, the City and Metropolitan Council both have responsibility for operating parts of the sewer system within the City of Minneapolis; and

Whereas, the City and Metropolitan Council both have regulatory responsibilities for their respective and connected sewer systems in the City of Minneapolis pursuant to Clean Water Act permits issued by the Minnesota Pollution Control Agency (MPCA); and

Whereas, the City and Metropolitan Council may both need to respond to maintenance or repair issues in regard to the sewers in the City of Minneapolis on an expedited or emergency basis; and

Whereas, in some cases it will make sense for the work to be jointly accomplished on behalf of both parties by a contractor or one of the parties; and

Whereas, the City desires to enter into an agreement with Metropolitan Council providing that in the event that maintenance or repair of sewer systems of the City and Metropolitan Council is required on an expedited basis, under circumstances involving both the City and Metropolitan Council and in a manner requiring coordination of activities, the City and Metropolitan Council, through their respective representatives, shall decide which party shall assume responsibility for coordination with MPCA and other affected parties, engage a contractor on behalf of both parties, and lead public outreach and permitting activities. Each party under such agreement, entered into by their representatives, shall submit documented expenses to the other party, and shall reimburse the other party based on documented expenses; and

Whereas, the City Council desires to delegate the authority to make and execute contracts for expedited joint sewer maintenance or repair with Metropolitan Council for amounts less than or equal to \$100,000 as outlined below;

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

That pursuant to Minneapolis Code of Ordinances, Section 17.60, and pursuant to the authority of Minneapolis City Charter, the City Council hereby delegates authority to make and execute contracts for expedited joint sewer maintenance or repair with the Metropolitan Council for amounts less than or equal to \$100,000 as follows:

Title: Joint Sewer Maintenance or Repair Contract for expedited repairs with the Metropolitan Council.

Usage: Sewer Maintenance or Repair Services provided for the City and Metropolitan Council.

Required City Signatures: Director of Public Works.

Maximum Dollar Amount: \$100,000.

Maximum Term: Two years, but terminable without cause upon 30 days' notice.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0867**

The Minneapolis City Council hereby authorizes execution of University of Minnesota Agreement No. 2222017 relating to ownership, operations, and maintenance of two traffic signals at the intersections of Harvard/Beacon Streets and Pleasant/Pillsbury Streets on the University of Minnesota campus.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

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**COUNCIL ACTION 2017A-0868**

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-41585 with Rice Lake Construction Group, increasing the contract by \$197,137, for a revised contract total of \$4,215,337, for additional services associated with the Fridley Softening Plant Recarbonation Improvements Project.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0869**

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-41714 with Toole Design Group, increasing the contract by \$9,800, for a revised contract total of \$59,750, for the completion of work not included in the original scope of the contract for the Winter Maintenance Study.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0870**

The Minneapolis City Council hereby:

1. Passage of Resolution 2017R-481 authorizing execution of a Limited Use Permit with the Minnesota Department of Transportation (MnDOT) for a new trail segment within the right-of-way of Trunk Highway 35W at Industrial Blvd.
2. Authorizes a cooperative agreement with MnDOT for cost participation associated with the project.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

(Published 11/22/2017)

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

**RESOLUTION 2017R-481**

**By Reich**

**Authorizing execution of a Limited Use Permit with the Minnesota Department of Transportation for a new trail segment within the right-of-way of Trunk Highway 35W at Industrial Blvd.**

Whereas, the City of Minneapolis is a political subdivision, organized and existing under the laws of the State of Minnesota; and

Whereas, the City of Minneapolis intends to negotiate an agreement with the State of Minnesota, Department of Transportation (MnDOT) for cost participation in the construction of a pedestrian and bicycle trail in the right-of-way of Trunk Highway I-35W at Industrial Blvd to promote the orderly and safe crossing of the highway; and

Whereas, upon execution of said agreement, MnDOT intends to construct the aforementioned pedestrian and bicycle trail within MnDOT and City of Minneapolis right-of-way; and

Whereas, the City of Minneapolis intends to own and operate the aforementioned trail; and

Whereas, the Minneapolis Park and Recreation Board intends to provide routine maintenance for the aforementioned trail; and

Whereas, the State of Minnesota, Department of Transportation requires a Limited Use Permit for the utilization of said bicycle and pedestrian trail;

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

That The City of Minneapolis will enter into a Limited Use Permit with the State of Minnesota, Department of Transportation, to operate and maintain the portion of a bicycle and pedestrian trail within the right-of-way of Trunk Highway 35W of the State of Minnesota along Industrial Blvd. The City of Minneapolis shall operate and maintain said trail in accordance with the Limited Use Permit granted by the Minnesota Department of Transportation.

Be It Further Resolved that the City Engineer is authorized to execute the Limited Use Permit and any amendments to the Permit.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

(Published 11/22/2017)

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-482 amending Resolution 2017R-096 entitled "Ordering the work to proceed and adopting special assessments for the 42nd Ave N (Municipal State Aid Street 262) Street Reconstruction Project, Special Improvement of Existing Street No. 6756," passed Feb 24, 2017, and amended by Resolution 2017R-219, passed May 12, 2017, to reduce the assessments for properties that paid for the repair of sidewalks in 2015 that are now being removed and replaced as part of the 42nd Ave N Street Reconstruction Project.

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

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**RESOLUTION 2017R-482**

**By Reich**

**Amending Resolution 2017R-096 entitled “Ordering the work to proceed and adopting special assessments for the 42nd Ave N (Municipal State Aid Street 262) Street Reconstruction Project, Special Improvement of Existing Street No. 6756,” passed Feb 24, 2017, and amended by Resolution 2017R-219, passed May 12, 2017, to reduce the assessments for properties that paid for the repair of sidewalks in 2015 that are now being removed and replaced as part of the 42nd Ave N Street Reconstruction Project.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended to read as follows to reduce the assessments for the properties that paid for sidewalk repair work in 2015 that are now being removed and replaced as part of the 42nd Ave N Street Reconstruction Project:

“Whereas, a public hearing was held on Feb. 14, 2017, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2017R-014 passed Jan. 13, 2017, to consider the proposed special assessments as on file in the City Engineer’s Special Assessment Office, 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 2017R-014 passed Jan. 13, 2017.

Be It Further Resolved that the proposed special assessment for the property located at 3800 Penn Ave N, owned by Crystal Lake Cemetery Association, Property ID No. 04-029-24-31-0003, be reduced from \$700,621.74 to \$274,096.08 due to a City easement for a holding pond.

Be It Further Resolved that the special assessments for the 22 properties listed below that paid for sidewalk repair work in 2015 that are now being removed and replaced as part of the 42nd Ave N Street Reconstruction Project, each be reduced from their original amount based on the table below, for a total reduction of \$12,436.83:

PROPERTY ID	ST NO.	STREET NAME	ORIGINAL ASSESSMENT	PROPOSED ASSESSMENT
05-029-24-14-0123	2505	42ND AVE N	\$10,787.84	\$9,582.92
05-029-24-12-0186	2606	42ND AVE N	\$12,455.22	\$11,575.63
05-029-24-11-0149	4201	PENN AVE N	\$5,235.25	\$4,608.29
05-029-24-14-0030	4158	QUEEN AVE N	\$3,458.04	\$2,981.74
05-029-24-14-0031	4159	QUEEN AVE N	\$3,631.70	\$3,012.45
05-029-24-11-0150	4200	QUEEN AVE N	\$3,632.55	\$3,363.88
05-029-24-11-0137	4201	QUEEN AVE N	\$3,741.82	\$3,111.37
05-029-24-11-0138	4200	RUSSELL AVE N	\$3,769.84	\$2,824.02
05-029-24-11-0113	4201	RUSSELL AVE N	\$3,709.73	\$2,783.94

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05-029-24-14-0085	4158	SHERIDAN AVE N	\$3,646.20	\$2,820.83
05-029-24-11-0114	4200	SHERIDAN AVE N	\$3,679.44	\$2,965.64
05-029-24-11-0090	4201	SHERIDAN AVE N	\$3,631.68	\$3,508.67
05-029-24-14-0108	4160	THOMAS AVE N	\$17,707.72	\$17,400.98
05-029-24-11-0091	4200	THOMAS AVE N	\$5,819.55	\$4,641.27
05-029-24-13-0144	4159	UPTON AVE N	\$3,634.82	\$3,359.66
05-029-24-13-0022	4147	VINCENT AVE N	\$4,360.57	\$4,164.97
05-029-24-12-0051	4200	VINCENT AVE N	\$4,279.10	\$3,559.66
05-029-24-12-0065	4201	VINCENT AVE N	\$4,275.81	\$4,033.77
05-029-24-13-0046	4145	WASHBURN AVE N	\$4,287.77	\$3,688.25
05-029-24-12-0066	4200	WASHBURN AVE N	\$4,330.57	\$4,264.14
05-029-24-12-0097	4201	WASHBURN AVE N	\$4,235.80	\$4,087.36
05-029-24-12-0098	4200	XERXES AVE N	\$5,761.37	\$5,296.13
Totals			\$120,072.39	\$107,635.56.

Be It Further Resolved that the proposed special assessments in the total amount of \$1,771,218.70 for the 42nd Ave N (Municipal State Aid Street 262) Street Reconstruction Project (Levy 01026, Project 6756C, CPV096), as on file in the City Engineer's Special Assessment Office, be reduced by \$426,525.66 to \$1,344,693.04, and be further reduced by \$12,436.83 to \$1,332,256.21, 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 twenty (20) with the interest charged at the rate of 4.8%, with collection of the special assessments to begin on the 2018 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) with the interest charged at the rate of 2.8%, with collection of the special assessments to begin on the 2018 real estate tax statements."

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-483 amending Resolution 2017R-097 entitled "Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,771,220 for certain purposes other than the purchase of public utilities," passed Feb 24, 2017, and amended by Resolution 2017R-220, passed May 12, 2017, to reduce the amount of bonds requested to be sold for the project.

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

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**RESOLUTION 2017R-483**

**By Reich**

**Amending Resolution 2017R-097 entitled “Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$1,771,220 for certain purposes other than the purchase of public utilities,” passed Feb 24, 2017, and amended by Resolution 2017R-220, passed May 12, 2017, to reduce the amount of bonds requested to be sold for the project.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended to read as follows to reduce the bonds requested to be sold for the 42nd Ave N Street Reconstruction Project No. 6756 (CPV096) due to the reduction of assessments for properties that paid for sidewalk repair work in 2015 that are now being removed and replaced as part of the 42nd Ave N Street Reconstruction Project:

**“Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of ~~\$1,344,695~~ \$1,332,260 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 authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 42nd Ave N (Municipal State Aid Street 262) Street Reconstruction Project, Special Improvement of Existing Street No. 6756 (CPV096), to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.”

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-484 directing the Hennepin County Auditor to remove the special assessments for the payable 2017 and subsequent years' tax files for the Nicollet Mall Street Reconstruction Project for Minnesota Department of Transportation right-of-way parcels.

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

**RESOLUTION 2017R-484**

**By Reich**

**Directing the Hennepin County Auditor to remove the special assessments for the payable 2017 and subsequent years' tax files for the Nicollet Mall Street Reconstruction Project for Minnesota Department of Transportation right-of-way parcels.**

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Whereas, in accordance with Minneapolis City Charter, Article IX, the City Council of the City of Minneapolis passed resolutions in 2016 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 2017 real estate tax statements; and

Whereas, there are the following described assessments that are being carried on the real estate tax statement;

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

That pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c)(4)(C), the Hennepin County Auditor is hereby directed to remove the following levied 1-year and 20-year term special assessments from the 2017 and subsequent years tax statements:

<u>LEVY</u>	<u>PROJECT</u>	<u>PROPERTY ID</u>	<u>ORIGINAL AMOUNT</u>
01034	9916C	22-029-24-34-0109	\$631.32
01034	C9916	22-029-24-34-0115	\$23.67
01034	9916C	22-029-24-41-0078	\$243.37
01034	9916C	22-029-24-42-0067	\$594.95
01034	9916C	22-029-24-43-0009	\$815.65
01034	9916C	27-029-24-21-0174	\$151.71
01034	9916C	27-029-24-21-0208	\$738.66
01034	C9916	27-029-24-22-0039	\$131.48
01034	C9916	27-029-24-22-0041	\$40.98
01034	C9916	27-029-24-22-0043	\$28.83.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

### **COUNCIL ACTION 2017A-0871**

The Minneapolis City Council hereby authorizes issuance of a Request for Proposals (RFP) for construction management services for the Hennepin Ave (12th St S to Washington Ave) Street Reconstruction Project.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

### **COUNCIL ACTION 2017A-0872**

The Minneapolis City Council hereby authorizes issuance of a Request for Proposals (RFP) for engineering design and construction services for a new water transmission main crossing the Mississippi River at 10th Ave SE.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

(Published 11/22/2017)

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-485 amending the 2017 Capital Improvement Appropriation Resolution to increase the 2017 appropriation for the Public Works Department in the Water Fund by \$1,500,000 for the Columbia Heights Campus Upgrades.

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

**RESOLUTION 2017R-485**

**By Reich**

**Amending The 2017 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 Public Works Department in the Water Fund for the Columbia Heights Campus Upgrades (07400-9010950-CWTR29) by \$1,500,000.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-486 amending the 2017 Capital Improvement Appropriation Resolution to increase the 2017 appropriation for the Public Works Department in the Water Fund for water distribution improvements by \$3,500,000.

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

**RESOLUTION 2017R-486**

**By Reich**

**Amending The 2017 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 Public Works Department in the Water Fund for water distribution improvements (07400-9010950-CWT1217) by \$3,500,000.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-487 levying various 2017 Public Works Department special assessments and adopting the assessment rolls.

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

**RESOLUTION 2017R-487**

**By Reich**

**Levying various 2017 Public Works Department special assessments and adopting the assessment rolls.**

Resolved by The City Council of The City of Minneapolis:

That the special assessments for the projects and charges listed below be levied upon the benefited properties for the listed number of successive equal annual installments and the interest be charged at the rate as set by City Council (except as noted hereinafter), that the assessment rolls as prepared by the City Engineer be adopted, and that certified copies of the assessment rolls be transmitted to the Hennepin County Auditor for collection to begin on the 2018 real estate tax statements.

1. 26th Ave N Street Reconstruction Project, Special Improvement of Existing Street No. 6752; \$1,871,109.36 principal; 20 installments for assessments of more than \$150 – Levy 01026, Project 6752C; 1 installment for assessments of \$150 or less – Levy 01026, Project C6752.
2. 54th St W Street Reconstruction Project, Special Improvement of Existing Street No. 6735; \$550,380 principal; 20 installments for assessments of more than \$150 – Levy 01026, Project 6735C.
3. Washington Ave (CSA 152) Street Reconstruction Project, Special Improvement of Existing Street No. 6727; \$794,273.40 principal; 20 installments for assessments of more than \$150 – Levy 01026, Project 6727C; 1 installment for assessments of \$150 or less – Levy 01026, Project C6727.
4. 18th Ave NE Street Reconstruction Project, Special Improvement of Existing Street No. 6750; \$648,217.10 principal; 20 installments for assessments of more than \$150 - Levy 01026, Project 6750C; 1 installment for assessments of \$150 or less – Levy 01026, Project C6750.
5. 42nd Ave N (MSA 262) Street Reconstruction Project, Special Improvement of Existing Street No. 6756; \$1,332,256.23 principal; 20 installments of more than \$150 – Levy 01026, Project 6756C.
6. 4th St SE (MSA 447) from 25th Ave SE to 29th Ave SE Street Reconstruction Project, Special Improvement of Existing Street No. 2286; \$449,610.05 principal; 20 installments of more than \$150 – Levy 01026, Project 2286C.

## November 17, 2017

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7. 4th St SE (MSA 447) from 29th Ave SE to Malcolm Ave SE Street Reconstruction Project, Special Improvement of Existing Street No. 2996; \$294,403.29 principal; 20 installments for assessments of more than \$150 - Levy 01026, Project 2996C.
8. 46th Ave S Street Reconstruction Project, Special Improvement of Existing Street No. 2290; \$2,953.05 principal; 20 installments of more than \$150 – Levy 01026, Project 2290C.
9. Essex St SE Sanitary Sewer Project No. 4557; \$155,659 principal; 20 installments of more than \$150 – Levy 01021, Project 4557S.
10. Penn-Oliver Concrete Streets Rehabilitation Program, Project No. 5280; \$96,252.29 principal; 5 installments of more than \$150 – Levy 01027, Project 5280R.
11. 2017 Unpaved Alley Program, Winter St Alley, Alley Construction Project No. 9966; \$39,973.42 principal; 10 installments of more than \$150 – Levy 01014, Project 9966C.
12. Lakewood & Harriet Residential Area Street Resurfacing Project, Special Improvement of Existing Street No. 9964A; \$2,132,682.19 principal; 5 installments of more than \$150 – Levy 01027, Project 9964A; 1 installment for assessments of \$150 or less – Levy 01027, Project A9964.
13. 38th St E Street Resurfacing Project, Special Improvement of Existing Street No. 9964B; \$144,794.32 principal; 5 installments of more than \$150 – Levy 01027, Project 9964B; 1 installment for assessments of \$150 or less – Levy 01027, Project B9964.
14. 13th Ave S and 7th St S Street Resurfacing Project, Special Improvement of Existing Street No. 9964C; \$110,105.70 principal; 5 installments of more than \$150 – Levy 01027, Project 9964C.
15. Washington St NE (17th Ave NE to 27th Ave NE) Street Resurfacing Project, Special Improvement of Existing Street No. 9964D; \$164,862.37 principal; 5 installments of more than \$150 – Levy 01027, Project 9964D, except for Parcel ID 11-029-24-42-0047 in the amount of \$16,039.61 will be 7 installments - Levy 01027 Project 99647; 1 installment for assessments of \$150 or less – Levy 01027, Project D9964.
16. South Hay Area Street Resurfacing Project, Special Improvement of Existing Street No. 9964F; \$770,295.20 principal; 5 installments of more than \$150 – Levy 01027, Project 9964F; 1 installment for assessments of \$150 or less – Levy 01027, Project F9964.
17. 8th St SE (Central Ave NE to 15th Ave NE) Street Resurfacing Project, Special Improvement of Existing Street No. 9964G; \$270,412.93 principal; 5 installments of more than \$150 – Levy 01027, Project 9964G; 1 installment for assessments of \$150 or less – Levy 01027, Project G9964.
18. 2017 Alley Resurfacing Program, Special Improvement of Existing Alleys No. AL017; \$85,396.19 principal; 5 installments of more than \$150 - Levy 01013, Project AL017; 1 installment for assessments of \$150 or less - Levy 01013, Project 017AL.

19. Project No. 2018 Water Service Line Repairs; \$636,939.60 principal (reduced from \$644,289.60 due to prepayments; 5 installments – 5% interest – Levy 01028 – Project 18WTR, except for Property ID 04-029-24-12-0164 in the amount of \$10,850 and Property ID 02-028-24-34-0044 in the amount of \$7,550 shall be collected in 10 installments - 5% interest - Levy 01028 - Project WTR10.
20. Project No. 2018 Sewer Service Line Repairs; \$250,780 principal; 5 installments – 5% interest – Levy 01083 – Project 18SWR, except PID 24-028-24-12-0017 in the amount of \$13,450 shall be collected over 10 years – 5% interest – Levy 01083, Project SLR10.
21. Project No. 2018, Snow and Ice Removals from Public Sidewalks; \$20,080.08 principal (reduced from \$21,036.04 due to prepayments); 1 installment - Levy 01057, Project 18SI1.
22. Project No. 2018, Public Sidewalk Repair and Construction; \$996,986.91 principal (reduced from \$1,110,416.99 due to prepayments); 10 installments for assessments of more than \$1,500 – Levy 01052 - Project 18S10; 5 installments for assessments of more than \$150 up to \$1,500 – Levy 01052 - Project 18S05; 1 installment for assessments \$150 or less – Levy 01052 - Project 18S01.
23. Street Maintenance annual assessments against non-governmental real property exempt from ad valorem taxes: \$0.01957 per square foot for a total assessment roll in the amount of \$552,838 (reduced from \$557,525 due to removal of inactive parcels); 1 installment with no interest charge applied – Levy 01031 – Project 1337M.
24. Street Lighting Operation and Maintenance annual assessment against non-governmental real property exempt from ad valorem taxes; \$0.00392 per square foot for a total assessment roll in the amount of \$110,724 (reduced from \$111,662 due to removal of inactive parcels); 1 installment with no interest charge applied – Levy 01023 – Project 1337L.
25. Sanitary Sewer Service Availability Charge (SAC) unpaid fees for a total assessment roll in the amount of \$7,348.60 principal; 1 installment at 5% interest - Levy 01021, Project 17SAC.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

On motion by Glidden, the matter was reconsidered.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, President Johnson (9)

Noes: (0)

Absent: Gordon, Yang, Warsame, Palmisano (4)

Adopted.

(Published 11/22/2017)

**COUNCIL ACTION 2017A-0873**

The Minneapolis City Council hereby approves the application of Minnesota Super Bowl LII Host Committee for a Large Block Event Permit, as required by Minneapolis Code of Ordinances, Title 17, Chapter 455, to allow the Super Bowl LII and its gameday activities to be held Feb 4, 2018, and to

operate outside the hours permitted under Minneapolis Code of Ordinances, Title 17, Section 455.35(c)1.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0874**

The Minneapolis City Council hereby approves the application of Minnesota Super Bowl LII Host Committee for a Large Block Event Permit, as required by Minneapolis Code of Ordinances, Title 17, Chapter 455, to allow the Super Bowl LIVE event to be held from Friday, Jan 26, 2018, to Sunday, Feb 4, 2018, and to operate outside the hours permitted under Minneapolis Code of Ordinances, Title 17, Section 455.35c1.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0875**

The Minneapolis City Council hereby approves the application of Minnesota Super Bowl LII Host Committee for a Large Block Event Permit, as required by Minneapolis Code of Ordinances, Title 17, Chapter 455, to allow the Super Bowl Experience to be held from Saturday, Jan 27, 2018, to Sunday, Feb 4, 2018, and to operate outside the hours permitted under Minneapolis Code of Ordinances, Title 17, Section 455.35c1.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0876**

The Minneapolis City Council hereby authorizes acceptance of the low bid of LS Black Constructors, Inc., submitted on Official Publication No. 8479, in the amount of \$326,231.28, to provide all materials, labor, equipment, and incidentals for the construction of the Fridley Softening Plant Cones and Flume Rehabilitation Project-Phase 5 for the Public Works Department, and authorizing a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0877**

The Minneapolis City Council hereby authorizes the acceptance of the low responsive bid of Lametti and Sons, Inc., submitted on Official Publication No. 8474, in the amount of \$565,300, to furnish and deliver all labor, materials, and incidentals necessary for the construction of the Lyndale Ave Outfall Improvements for the City of Minneapolis, Public Works Department, and authorizing a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0878**

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-41726 with Clear Night Group, LLC in the amount of \$30,000, for a revised contract total of \$80,000, and authorizes extending the current contract through Apr 15, 2018, for additional communication/public relations work for the Nicollet Mall Reconstruction Project.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**The ZONING & PLANNING Committee submitted the following reports:**

**COUNCIL ACTION 2017A-0879**

The Zoning & Planning Committee sent forward without recommendation an appeal submitted by Lee S. Dean, on behalf of the Security Warehouse/5th Avenue Lofts Association, regarding the decision of the Heritage Preservation Commission approving a certificate of appropriateness (PLAN4918) to allow an alteration of an existing structure for an entrance to enclosed parking, landscaping and retaining walls for the property located at 424 Washington Ave N, subject to the following conditions:

1. The replacement brick and mortar shall match the original brick and mortar in material, color, profile, dimension and texture. The applicant shall reuse the existing brick proposed to be removed to infill areas of the wall, where possible.
2. Removal of the existing mortar with power tools shall be done in accordance with the National Park Service Technical Preservation Brief for Repointing Mortar Joints.
3. The landscaping and screening required between the surface parking lot and the street shall include plantings and fencing that comply with Guideline 1.12 and shall enhance the pedestrian realm. Further, the landscaping shall evoke a sense of the volunteer nature of vegetation in an industrial setting. The required screening shall be a 3-foot tall, open, decorative metal fence.
4. By ordinance, approvals are valid for a period of two years from the date of the decision unless required permits are obtained and the action approved is substantially begun and proceeds in a

continuous basis toward completion. Upon written request and for good cause, the planning director may grant up to a one year extension if the request is made in writing no later than September 26, 2019.

5. By ordinance, all approvals granted in this certificate of appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this certificate of appropriateness and may result in termination of the approval.

Frey moved that the appeal be denied.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0880**

The Zoning & Planning Committee recommended granting an appeal submitted by Kelly Doran, on behalf of Doran CSM SE I LLC, regarding the decision, notwithstanding staff recommendation, of the Heritage Preservation Commission denying a certificate of appropriateness application (PLAN5131) to construct a new 26-story, 374-unit residential building in the St. Anthony Falls Historic District for the properties located at 200 University Ave SE; 215 2nd St SE; 223 3rd Ave SE; 229 2nd St SE, subject to the following conditions:

1. Limit the height of the tower to the height of the Red Tile Elevator.
2. Set back the front wall five feet back from the University Ave SE property line.
3. Set back the tower 30 feet from the front wall on University Ave SE.
4. Work with CPED staff to create fewer, but more pronounced, horizontal and vertical articulations on the 2nd St SE and 3rd Ave SE facades of the six-story apartment block.

Frey moved that the appeal be granted, subject to the following amended conditions:

- ~~1. Limit the height of the tower to the height of the Red Tile Elevator.~~
  - ~~2. Set back the front wall five feet back from the University Ave SE property line.~~
  - ~~3. Set back the tower 30 feet from the front wall on University Ave SE.~~
  - ~~4. Work with CPED staff to create fewer, but more pronounced, horizontal and vertical articulations on the 2nd St SE and 3rd Ave SE facades of the six-story apartment block.~~
1. Set back the front wall five feet from the University Ave SE property line.

2. Work with Community Planning & Economic Development (CPED) staff to create fewer, but more pronounced, horizontal and vertical articulations on the 2nd St SE and 3rd Ave SE facades of the six-story apartment block.
3. Relocate the mechanical equipment room along 3rd Ave SE facades to the interior and replace it with an active use.
4. Work with staff to consolidate curb cuts on site.
5. In order to comply with the design guidelines, the project shall utilize one primary material per elevation and no more than two accent materials. The project shall not utilize more than one color of any primary material or two colors of any accent material on each section of the structure and shall not exceed a total of three materials per elevation.
6. By ordinance, approvals are valid for a period of two years from the date of the decision unless required permits are obtained and the action approved is substantially begun and proceeds in a continuous basis toward completion. Upon written request and for good cause, the Planning Director may grant up to a one year extension if the request is made in writing no later than Nov 17, 2019.
7. By ordinance, all approvals granted in this certificate of appropriateness shall remain in effect as long as all of the conditions and guarantees of such approvals are observed. Failure to comply with such conditions and guarantees shall constitute a violation of this certificate of appropriateness and may result in termination of the approval.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted, as amended.

**COUNCIL ACTION 2017A-0881**

The Minneapolis City Council hereby denies an appeal submitted by John Gross, on behalf of 2614 at Harriet, LLC, 2616 at Harriet, LLC, and 2620 at Harriet, LLC, regarding the decision of the City Planning Commission approving the conditional use permit and site plan review applications, subject to conditions (PLAN5128), to allow a new, three-story multiple-family building at the properties located at 2614 1/2, 2616, 2616 1/2, 2620 W 44th St.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0882**

The Minneapolis City Council hereby approves an application submitted by Randy Hedden, on behalf of Minnehaha Academy, for an interim use permit (PLAN5145) to allow a portable office pod on the

Minnehaha Academy campus located at 4200 West River Pkwy for a period lasting until Nov. 17, 2020, subject to the following conditions:

1. The interim use shall expire no later than Nov. 17, 2020.
2. The applicant must apply for and receive a right-of-way encroachment permit from City of Minneapolis Public Works to allow the office pod to extend into the public right-of-way.
3. The applicant shall provide landscaping, to be reviewed and approved by CPED staff, around all four sides of the structure. Shrubs shall be installed no later than April 30, 2018, and shall be not less than two feet in height at the time of planting.
4. The applicant shall apply for building permits to have the office pod reviewed by City of Minneapolis Plan Review.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0883**

The Minneapolis City Council hereby:

1. Approves an application submitted by Berean Missionary Baptist Church to rezone (PLAN5116) the property located at 714 30th Ave N from the R2B Two Family District to the R4 Multiple Family District to construct a 3,273 square foot addition to an existing place of assembly.
2. Passage of Ordinance 2017-070 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

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

**ORDINANCE 2017-070**

**By Bender**

**Intro & 1st Reading: 1/6/2014**

**Ref to: ZP**

**2nd Reading: 11/17/2017**

**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 parcels of land, pursuant to MS 462.357:

Lot 17 of Block 2 in the Oakland Addition to Minneapolis, Hennepin County, Minnesota (714 30th Ave N – Plate #8) to the R4 Multiple-family District.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**COUNCIL ACTION 2017A-0884**

The Minneapolis City Council hereby

1. Approves an application submitted by the Minneapolis Park and Recreation Board to vacate (PLAN5160) an unpaved portion of Cedar Lake Ave adjacent to 3500 Cedar Lake Ave.
2. Passage of Resolution 2017R-488 approving Vac-1677.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

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

**RESOLUTION 2017R-488**

**By Bender**

**Vacating an unpaved portion of Cedar Lake Avenue (VAC-1677).**

Resolved by The City Council of The City of Minneapolis:

That part of Cedar Lake Avenue lying northwesterly of Lot 33, West End Addition to Minneapolis, First Division, according to the recorded plat thereof, Hennepin County, Minnesota and lying southwesterly of the northeasterly line of said Lot 33 extended northwesterly, and lying north of Cedar Lake Boulevard as opened by the City, according to the recorded plat thereof, Hennepin County, Minnesota.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

Bender offered Ordinance 2017-071 amending Title 20, Chapters 530, 549, and 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Site Plan Review; Downtown Districts; and Overlay Districts, amending regulations related to parking garages.

On motion by A. Johnson, Sections 530.120(a) and (b)(1) of the ordinance were amended to reflect formatting changes, to read as follows:

**530.120. Building design.** (a) *Building walls.* ~~Building walls shall provide architectural detail and shall contain windows as required in this section in order to create visual interest and to increase the security of adjacent outdoor spaces by maximizing natural surveillance and visibility.~~ In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections. Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty-five (25) feet in length. ~~Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass. The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building. The use of plain face concrete block as an exterior material shall be prohibited where fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.~~

(b) *Entrances, windows, and active functions.*

~~(1) Residential uses.~~ Principal entrances shall be clearly defined and emphasized through the use of architectural features ~~such as porches and roofs~~ or other details that express the importance of the entrance. Multiple entrances shall be are encouraged. ~~Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:~~

~~a. Windows shall be vertical in proportion.~~

~~b. Windows shall be distributed in a more or less even manner.~~

Minimum window area at the first floor or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.

(1) Residential uses. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows.

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

**ORDINANCE 2017-071**  
**By Frey**  
**Intro & 1st Reading: 8/4/2017**  
**Ref to: ZP**  
**2nd Reading: 11/17/2017**

**Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.**

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

Section 1. That Section 530.120 contained in Chapter 530, Site Plan Review, be amended to read as follows:

**530.120. Building design.** (a) *Building walls.* ~~Building walls shall provide architectural detail and shall contain windows as required in this section in order to create visual interest and to increase the security of adjacent outdoor spaces by maximizing natural surveillance and visibility.~~ In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections. Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty-five (25) feet in length. ~~Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass. The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building. The use of plain face concrete block as an exterior material shall be prohibited where fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.~~

(b) *Entrances, windows, and active functions.*

~~(1) *Residential uses.* Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be are encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:~~

~~a. Windows shall be vertical in proportion.~~

~~b. Windows shall be distributed in a more or less even manner.~~

Minimum window area at the first floor or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.

(1) *Residential uses.* Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows.

(2) *Nonresidential uses.* Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs, or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:

a. Windows shall be vertical in proportion.

b. Windows shall be distributed in a more or less even manner.

c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.

d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of six-tenths (0.6) or higher.

e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.

f. Industrial uses in Table 550-1, Principal Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.

g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.

Minimum window area at the first floor or ground level shall be measured between two (2) and ten (10) feet above the adjacent grade. Minimum window area on walls above the first floor shall be measured between the upper surface of a floor and the upper surface of the floor above.

(3) *Ground floor active functions.* Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.

(c) *Roof lines.* The form and pitch of roof lines shall be similar to surrounding buildings.

~~(d) *Parking garages.* The exterior design of parking garages shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with the minimum window requirements of this article, principal and accessory parking garages shall comply with provisions of this article requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of chapter 549, Downtown Districts, shall apply.~~

(1) *Design.* In addition to compliance with the other standards of this article, parking garages shall comply with the following:

a. In the downtown districts, requirements for active uses between the ground floor of principal and accessory parking garages and any public sidewalk, as required by Chapter 549, Downtown Districts, shall apply. In all other districts, parking garages shall comply with provisions of this article requiring active functions on the ground floor.

b. Above the ground floor, in any structure that includes a principal or accessory parking garage, parking and loading shall be limited to no more than thirty (30) percent of the linear frontage of each floor facing a public street, public sidewalk, or public pathway.

c. Vehicles and internal garage lighting shall be screened as viewed from the public right-of-way and nearby properties.

d. Where two (2) or more levels of parking are provided above ground, the top level of parking garages shall be enclosed or screened as viewed from above.

e. All garage elevations shall use exterior materials to cover and diminish the visibility of any sloping floor.

f. Design features that facilitate future conversion of parking garages to other uses, including flat floors, are encouraged.

(2) Floor area in downtown districts. The combined, above-grade floor area of principal and accessory parking garages in the downtown districts shall not exceed the gross floor area of all other uses located on the same zoning lot.

(e) *Exceptions.* The city planning commission or zoning administrator may approve alternatives to these requirements, subject to section 530.80, provided that the security of the surrounding area is considered and that any adverse effects are mitigated through the use of wall enhancements or architectural features, including display windows, that create visual interest.

Section 2. That Section 549.410 contained in Chapter 549, Downtown Districts, be amended to read as follows:

**549.410. - General district regulations.** The following conditions govern uses in the B4 District:

(1) *Drive-through facilities prohibited.* Drive-through facilities shall be prohibited.

(2) *Outdoor speakers permitted.* Outdoor speakers shall be permitted, provided that speaker boxes shall not be audible from a residence or office residence district boundary or from a permitted or conditional residential use.

(3) *Automobile sales.* Automobile sales shall be limited to new and vintage passenger automobiles only, except that leased automobiles and used automobiles received in trade may be sold as an accessory use. The storage and dispensing of fuels and outdoor display is prohibited.

(4) *Production, processing and storage.* Production, processing, and storage uses shall be limited to five thousand (5,000) square feet of gross floor area.

(5) *Parking garages.* The ground floor of principal and accessory parking garages shall have commercial, residential, office, or hotel uses located between the parking garage and any public sidewalk except where frontage is needed to provide vehicular and pedestrian access to the facility. ~~Principal parking garages shall have all parking spaces located entirely below grade except where the garage includes integrated transit facilities within the structure.~~

Section 3. That Section 549.450 contained in Chapter 549, Downtown Districts, be amended to read as follows:

**549.450. - Building bulk requirements.** The B4S District is divided into two subdistricts for building bulk requirements, the B4S-1 District and the B4S-2 District. The minimum and maximum floor area ratio of all structures in the B4S District shall be as specified in Table 549-5, B4S Downtown Service District Building Bulk Requirements.

**Table 549-5 B4S Downtown Service District Building Bulk Requirements**

B4S-1 District	B4S-2 District
<p><b>Minimum floor area ratio</b>                      2.0 (Non-residential)                      2.0 (Dwellings &amp; Hotels)  <u>Floor area devoted to parking or loading shall not be counted toward compliance with the minimum floor area ratio</u></p>	<p><b>Minimum floor area ratio</b>                      2.0  <u>Floor area devoted to parking or loading shall not be counted toward compliance with the minimum floor area ratio</u></p>
<p><b>Maximum floor area ratio</b>                      4.0 (Non-residential)                      8.0 (Dwellings &amp; Hotels)</p>	<p><b>Maximum floor area ratio</b>                      8.0</p>

Section 4. That Section 549.460 contained in Chapter 549, Downtown Districts, be amended to read as follows:

**549.460. - General district regulations.** The following conditions govern uses in the B4S District:

- (1) *Drive-through facilities prohibited.* Drive-through facilities shall be prohibited.
- (2) *Outdoor speakers permitted.* Outdoor speakers shall be permitted, provided that speaker boxes shall not be audible from a residence or office residence district boundary or from a permitted or conditional residential use.
- (3) *Automobile sales.* Automobile sales shall be limited to new and vintage passenger automobiles only, except that leased automobiles and used automobiles received in trade may be sold as an accessory use. The storage and dispensing of fuels and outdoor display is prohibited.
- (4) *Production, processing and storage.* Production, processing, and storage uses shall be limited to five thousand (5,000) square feet of gross floor area.
- (5) *Parking garages.* The ground floor of principal and accessory parking garages shall have commercial, residential, office, or hotel uses located between the parking garage and any public sidewalk except where frontage is needed to provide vehicular and pedestrian access to the facility. ~~Principal parking garages shall have all parking spaces located entirely below grade except where the garage includes integrated transit facilities within the structure.~~

Section 5. That Section 549.510 contained in Chapter 549, Downtown Districts, be amended to read as follows:

**549.510. - General district regulations.** The following conditions govern uses in the B4C District:

(1) *Drive-through facilities permitted.* Drive-through facilities shall be permitted, subject to the standards of Chapter 530, Site Plan Review and Chapter 541, Off-Street Parking and Loading.

(2) *Outdoor speakers permitted.* Outdoor speakers shall be permitted, provided speaker boxes shall not be audible from a residence or office residence district boundary or from a permitted or conditional residential use.

(3) *Production, processing and storage.*

a. *In general.* Production, processing and storage uses shall be limited to thirty thousand (30,000) square feet of gross floor area.

b. *Hazardous materials.* Warehousing and distribution uses shall not include the storage of hazardous materials in excess of consumer commodities which are packaged for consumption by individuals for personal care or household use, except as provided in Chapter 535, Regulations of General Applicability, regarding the storage of Class I flammable liquids, flammable gases and flammable liquefied gases.

(4) *Parking garages.* The ground floor of principal and accessory parking garages shall have commercial, residential, office, or hotel uses located between the parking garage and any public sidewalk except where frontage is needed to provide vehicular and pedestrian access to the facility. ~~Principal parking garages shall have all parking spaces located entirely below grade except where the garage includes integrated transit facilities within the structure.~~

Section 6. That Section 549.570 contained in Chapter 549, Downtown Districts, be amended to read as follows:

**549.570. - Building bulk requirements.** The minimum floor area ratio of all structures shall be two (2). Floor area devoted to parking or loading shall not be counted toward compliance with the minimum floor area ratio. There is no maximum floor area ratio in the B4N District.

Section 7. That Section 549.580 contained in Chapter 549, Downtown Districts, be amended to read as follows:

**549.580. - General district regulations.** The following conditions govern uses in the B4N District:

(1) *Drive-through facilities prohibited.* Drive-through facilities shall be prohibited.

(2) *Outdoor speakers prohibited.* Outdoor speakers shall be prohibited.

(3) *Automobile sales.* Automobile sales shall be limited to new and vintage passenger automobiles only, except that leased automobiles and used automobiles received in trade may be sold as an accessory use. The storage and dispensing of fuels and outdoor display is prohibited.

(4) *Production, processing and storage.* Production, processing, and storage uses shall be limited to thirty thousand (30,000) square feet of gross floor area.

(5) *Parking garages.* The ground floor of principal and accessory parking garages shall have commercial, residential, office, or hotel uses located between the parking garage and any public sidewalk except where frontage is needed to provide vehicular and pedestrian access to the facility. ~~Principal parking garages shall have all parking spaces located entirely below grade except where the garage includes integrated transit facilities within the structure.~~

(6) *Maximum floor area.* All retail sales and services shall be limited to a maximum gross floor area of thirty thousand (30,000) square feet per use, except for planned unit developments.

Section 8. That Section 551.930 contained in Chapter 551, Overlay Districts, be amended to read as follows:

**551.930. Building façade.** (a) *In general.* Building façades shall provide architectural detail and shall contain windows at the ground level or first floor in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility. The exterior materials and appearance of the rear and side walls shall be similar to and compatible with the front of the building. The use of plain face concrete block as an exterior material shall be prohibited where visible from a public street or a residence or office residence district.

(b) *Windows.* At least forty (40) percent of the first floor façade that faces the Nicollet Mall or other public street shall be windows or doors of clear or lightly tinted glass, including display windows. Windows shall be distributed in a more or less even manner. Display windows shall be illuminated until at least 1:00 a.m. For purposes of this section, minimum window area shall be measured between the height of two (2) feet and ten (10) feet above the finished level of the first floor.

(c) *Parking garages.* Parking garages shall not include parking or loading frontage facing the Nicollet Mall right-of-way. Parking garages shall be separated from a structure's Nicollet Mall frontage by not less than eighteen (18) feet of commercial, residential, office, or hotel uses.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted, as amended.

Bender offered Ordinance 2017-072 amending Title 20, Chapters 525, 527, and 530 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement; Planned Unit Development; and Site Plan Review, amending land use application fees, regulations affecting uses subject to site plan review, and standards governing changes to approved applications.

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

November 17, 2017

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**ORDINANCE 2017-072**  
**By Bender**  
**Intro & 1st Reading: 8/18/2017**  
**Ref to: ZP**  
**2nd Reading: 11/17/2017**

**Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.**

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

Section 1. That Section 525.100 contained in Chapter 525, Administration and Enforcement, be amended to read as follows:

**525.100. City planning commission.**

(a) *Establishment.* The city planning commission is established by Article VII of the Minneapolis City Charter and shall perform its duties and exercise its powers as provided therein.

(b) *Jurisdiction and authority.* The city planning commission shall have the following powers and duties in connection with the administration of this zoning ordinance:

- (1) To initiate amendments to the text of this zoning ordinance and to the zoning map.
- (2) To hear and make recommendations to the city council on proposed amendments to this zoning ordinance, including rezonings.
- (3) To initiate amendments to the comprehensive plan.
- (4) To hear and make recommendations to the city council on proposed amendments to the comprehensive plan.
- (5) To hear and decide applications for conditional use permit.
- (6) To hear and decide applications for ~~major~~ site plan review, pursuant to the procedures and standards set forth in Chapter 530, Site Plan Review.
- (7) To hear and decide applications for expansion of a nonconforming use and change of nonconforming use, pursuant to the procedures and standards set forth in Chapter 531, Nonconforming Uses and Structures.
- (8) To hear and decide applications for land use reviews, including but not limited to variances and certificates of nonconforming use, as part of concurrent review, pursuant to section 525.20.
- (9) To hear and decide appeals from any order, requirement, decision, determination or interpretation made by the zoning administrator, planning director or other official in the administration or the enforcement of this zoning ordinance with respect to administrative review of permitted communication towers, antennas and base units, travel demand management plans, transfer of

development rights, floor area ratio premiums, and site plan review except those involving single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units.

(10) To recommend to the city council appointments to the board of adjustment.

(c) *Public hearings.* The city planning commission shall schedule public hearings not less than twice per month, except in those months where the chair determines that because of holiday schedules or the number of agenda items, one (1) meeting is sufficient to carry out the commission's duties. Such public hearings shall be noticed and conducted pursuant to the provisions of section 525.150.

(d) *Rules and procedures.* The city planning commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for its proper functioning, and select or appoint officers as it deems necessary. Such policies and procedures shall be consistent with the city charter and this zoning ordinance.

(e) *Compensation of city planning commission members.* The members or the representative of a member of the city planning commission, except those who are paid by the city or any other public body or agency for attending or serving on the commission, shall be paid at the rate of fifty dollars (\$50.00) for each official meeting attended with a limitation of one (1) meeting per day and four (4) meetings per month.

(f) *Membership.* The city planning commission shall consist of ten (10) members. Members shall serve for a term of two (2) years. Four (4) members shall be appointed by the mayor. Each year the mayor shall appoint two (2) members, who are city residents and not members of any body or board otherwise represented on the commission, to serve for terms of two (2) years each commencing on the first day of February of the year of their appointment. The city council shall appoint one (1) member, who is a city resident, in January of each even-numbered year. The city council, park and recreation board, and school board shall each elect one (1) of their own members to serve on the city planning commission in January of each even-numbered year. One (1) member shall be the mayor or their representative. One (1) member shall be a representative selected by the board of county commissioners every two (2) years. Vacancies shall be filled for any unexpired term in the same manner as the appointment or selection is made.

Section 2. That Section 525.140 contained in Chapter 525, Administration and Enforcement, be amended to read as follows:

**525.140. Application procedures.**

(a) *In general.* All applications submitted shall be processed by the zoning administrator, who shall make a preliminary investigation, in accordance with the procedures set forth in this chapter.

(b) *Determination of completeness of application.* The zoning administrator shall review all applications and determine whether such applications are complete. Applications shall not be accepted as complete until the applicant has complied with all of the following:

(1) A pre-application meeting with city staff during which the appropriate application procedures, requirements and applicable zoning ordinance provisions are reviewed and explained.

(2) Submittal of all required application forms relating to the application, including all additional applications, as required in sections 525.20 and 525.30.

(3) Submittal of all supporting information required by city ordinance, the zoning administrator, the planning director, the application forms, or by law, ~~including a list of all owners of record of property located in whole or in part within three hundred fifty (350) feet of the boundaries of the subject property, as identified in the records of the Hennepin County Department of Property Taxation.~~

(4) Submittal of all fees.

(5) Submittal of all required environmental reviews.

(6) Submittal of all required state and federal permits for uses located in the FP Floodplain Overlay District.

(7) For all land use applications requiring a public hearing as set forth in this zoning ordinance, except appeals of decisions of the city planning commission or board of adjustment, submittal of evidence that notification of the application has been mailed or delivered to the ward council office and the neighborhood group(s) for the area in which the property is located. For all applications for administrative site plan review as set forth in Chapter 530, submittal of evidence that notification of the application has been mailed or delivered to the neighborhood group(s) for the area in which the property is located. The neighborhood group(s) to be notified are those organizations that appear on the list maintained by the planning department for this purpose. The notification shall include the following information: a description of the project; the zoning approvals that the applicant is aware are needed for the project; the address of the property for which zoning approval is sought; and the applicant's name, address, telephone number, and e-mail address, if available. Where the property for which zoning approval is sought is located on a public street that acts as a boundary between two (2) neighborhoods, the above information shall also be provided to the neighborhood group(s) representing the adjacent area(s).

(c) *Incomplete applications.* If after the application has been accepted, the zoning administrator determines that the application is not complete, the zoning administrator shall notify the applicant in writing within fifteen (15) business days of receipt, specifying any deficiencies of the application, including any additional information which must be supplied, and that no further action shall be taken by the city on the application until the deficiencies are corrected.

(d) *Remedy of deficiencies.* If the applicant fails to correct the specified deficiencies within thirty (30) days of the notification of deficiency, the application shall be deemed withdrawn and will be returned to the applicant.

(e) *Extensions of time.* Upon written request by the applicant, the zoning administrator may, for good cause shown and without any notice or hearing, grant extensions of any time limit imposed on an applicant by these application procedures.

Section 3. That Section 525.160 contained in Chapter 525, Administration and Enforcement, be amended to read as follows:

**525.160. Fees.** (a) *Established.* In recognition of the cost of services performed and work and materials furnished, persons who desire to avail themselves of the privileges granted them under the zoning ordinance shall pay fees in the amount listed in Table 525-1, Fees.

**Table 525-1 Fees**

Application Type	Fee (dollars)
Administrative reviews of accessory dwelling units	<del>260</del> <u>325</u>
Administrative reviews of communication towers, antennas, and base units	<del>210</del> <u>280</u>
Administrative reviews of donation collection bins	<del>105</del> <u>115</u>
Administrative reviews to increase height or floor area of accessory structures	<del>260</del> <u>200</u>
Administrative reviews to increase height or floor area of single and two-family dwellings	<del>155</del> <u>170</u>
Administrative reviews of plazas	<del>415</del> <u>450</u>
<u>Administrative reviews of skyways</u>	<u>450</u>
Appeals of the ruling of the board of adjustment or city planning commission	<del>365</del> <u>450</u>
Appeals of the ruling of the zoning administrator, planning director or other official involved in the administration or the enforcement of this zoning ordinance	<del>365</del> <u>450</u>
Certificates of nonconforming use	620
Conditional use permits	
0—9,999 square feet of lot area	<del>600</del> <u>650</u>
10,000—43,559 square feet of lot area	<del>825</del> <u>875</u>
43,560 square feet of lot area or more	<del>1,035</del> <u>1085</u>
Conditional use permits for the following uses, <del>regardless of lot area</del>	
Signs	<del>570</del> <u>670</u>
Planned unit developments	<del>2,330</del> <u>2,570</u>
Wind energy conversion systems	<del>570</del> <u>670</u>
Environmental reviews	<del>520</del> <u>615</u> or the actual costs of environmental review processes as determined by the planning director, whichever is greater
Expansion or change of nonconforming use	<del>620</del> <u>720</u>
Floor area ratio premiums	<del>1,035</del> <u>450</u>
Future Land Use Map amendments	<u>1,100</u>
<del>0—9,999 square feet of lot area</del>	<del>675</del>
<del>10,000—43,559 square feet of lot area</del>	<del>930</del>

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43,560 square feet of lot area or more	1,140
Interim uses	780
0—9,999 square feet of lot area	465
10,000—43,559 square feet of lot area	675
43,560 square feet of lot area or more	880
Shared parking	130 <u>260</u>
Site plan review	
0—9,999 square feet of lot area	825 <u>950</u>
10,000—43,559 square feet of lot area	1,245 <u>1,400</u>
43,560, square feet of lot area or more	1,660 <u>1,850</u>
<u>Amendment to approved plan filed within two (2) years of original approval</u>	450
Site plan review, Administrative	
0—9,999 square feet of lot area	440 <u>675</u>
10,000—43,559 square feet of lot area	675 <u>930</u>
43,560 square feet of lot area or more	880 <u>1,150</u>
<u>Amendment to approved plan filed within two (2) years of original approval</u>	300
Site plan review, Administrative, for single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units	440 <u>475</u>
Temporary uses	130 <u>140</u>
Transfer of development rights	365 <u>450</u>
Travel demand management plans	570 <u>620</u>
Variances	
0—9,999 square feet of lot area	440 <u>525</u>
10,000—43,559 square feet of lot area	675 <u>780</u>
43,560 square feet of lot area or more	880 <u>1,000</u>
Variances involving residential uses on reverse corner lots or through lots having less than 10,000 square feet of lot area	155 <u>220</u>
Waiver of restrictions of interim ordinances	365 <u>450</u>
Zoning amendments	
0—9,999 square feet of lot area	725 <u>840</u>
10,000—43,559 square feet of lot area	985 <u>1,110</u>
43,560 square feet of lot area or more	1,245 <u>1,400</u>

~~(b) Postage and publication. For applications requiring notice of a public hearing to affected property owners, the applicant shall pay the cost of first class postage based on the number of property owners to be notified. In addition, for applications requiring publication in a newspaper of general circulation, the applicant shall pay a fee of twenty-five dollars (\$25.00).~~

~~(e)~~ (b) *Continuance.* After notification of a public hearing has taken place, a request by the applicant to continue an application to a subsequent public hearing of the city planning commission or board of adjustment shall be charged a fee totaling one hundred fifty dollars (\$150.00) when such request is granted. The fee shall be applied on a project-by-project basis and only when the continuance was requested by the applicant for the sole benefit of the applicant and when the zoning administrator determines that substantial staff time is required to review the project.

~~(d)~~ (c) *Forms and payment of fees.* The zoning administrator shall provide applicants with forms, designating therein the amount of fees to be paid. All fees shall be payable to the city finance officer.

~~(e)~~ (d) *Refund of fees.*

(1) *Incomplete applications.* If an applicant fails to provide a complete application and the application is withdrawn by the applicant or is deemed withdrawn and returned pursuant to section 525.140(d), the city shall retain the first one hundred dollars (\$100.00) of the total fees paid for the project. Any sum paid over the amount to be retained shall be refunded.

(2) *Complete applications.* If an applicant withdraws a complete application before the scheduled public hearing, or in the case of an application for administrative review, before the application is decided by the planning director or zoning administrator, the city shall retain the first one hundred dollars (\$100.00) of the total application fees paid for the project, ~~exclusive of postage and publication fees,~~ or such proportion of the fee paid as determined by the costs to the city to process the application up to the time it was withdrawn compared to the costs to completely process the application, whichever is greater. Any sum paid over the amount to be retained shall be refunded. If the scheduled public hearing is held, or if the application is decided by the planning director or the zoning administrator, no fees shall be refunded, whether or not the application is withdrawn, approved or denied.

(3) *Exception.* The city shall refund the total amount of fees paid for any application that was accepted by the zoning administrator in error.

Section 4. That Section 525.360 contained in Chapter 525, Administration and Enforcement, be amended to read as follows:

**525.360. Changes in approved conditional use permit.**

(a) *Minor changes.* The zoning administrator may authorize minor changes in the placement and size of improvements for an approved conditional use permit, ~~if the changes are required because of conditions that were unknown at the time the permit was approved, and if~~ the zoning administrator determines that the changes are consistent with the intent of this chapter and the findings made by the city planning commission in connection with the approval of the conditional use permit.

(b) *Other changes.* Changes to the development plan, ~~affecting uses, bulk regulations, parking and loading, or components of the conditional use permit~~ other than minor changes in the placement and size of improvements, shall require amendment to the conditional use permit by the city planning commission. The requirements for application and approval of a conditional use permit amendment shall be the same as the requirements for original application and approval.

Section 5. That Section 527.90 contained in Chapter 527, Planned Unit Development, be amended to read as follows:

**527.90. - Changes in approved plan.** (a) *Minor changes.* Notwithstanding section 527.80, the zoning administrator may authorize minor changes in the placement and size of improvements, or may authorize the substitution of a substantially similar amenity for an approved amenity, within an approved planned unit development if ~~the changes are required because of conditions that were unknown at the time the development plan was approved,~~ and the zoning administrator determines that the changes are consistent with the intent of this chapter and the findings made by the city planning commission in connection with the approval of the planned unit development.

(b) *Other changes.* Changes to the development plan ~~affecting uses, bulk regulations, parking and loading, or components of the site~~ other than minor changes in the placement and size of improvements shall require amendment to the planned unit development by the city planning commission. The elimination of any amenity, or substitution of any amenity that is not substantially similar to an approved amenity provided for an alternative to the zoning code, as allowed in section 527.120, shall require an amendment to the planned unit development by the city planning commission. The requirements for application and approval of a planned unit development amendment shall be the same as the requirements for original approval. Where only one (1) change to the development is made that is deemed an amendment to the planned unit development, including the addition of a use that is a conditional use permit in the zoning district in which the planned unit development is located, or revisions to the master sign plan, and where staff determines that the change will not require substantial staff time or reevaluation of the planned unit development, then the applicant may be charged the application fee for a conditional use permit, rather than the fee for a conditional use permit for planned unit developments, as listed in Table 525-1, Fees.

(c) *Planned unit developments existing before the adoption of the ordinance.* Notwithstanding the provisions of this chapter, planned unit developments approved before the adoption of this ordinance shall only be required to provide amenities for any alternatives requested as a part of the amendment, or as required as a part of previous approvals.

Section 6. That Section 530.30 contained in Chapter 530, Site Plan Review, be amended to read as follows:

**530.30. Buildings and uses subject to site plan review.** (a) *In general.* Table 530-1, Buildings and Uses Subject to Site Plan Review, lists all buildings and uses subject to site plan review. The site plan review requirements of this chapter shall apply to the establishment or expansion of any building, principal use or freestanding accessory parking garage listed on the table, except as otherwise provided by this section. Site plan review shall not be required where the property has received site plan approval and is in full compliance with such approval, and the establishment or expansion of the use does not alter the approved site plan. Any person with a legal or equitable interest in a property may choose to voluntarily file an application for site plan review for any building or use not listed in Table 530-1, Buildings and Uses Subject to Site Plan Review. Voluntary applications shall be subject to administrative site plan review.

(b) *Downtown districts.* Any building containing fifty thousand (50,000) square feet or more of gross floor area located in the Downtown districts shall be exempt from the general landscaping and screening requirements. The parking and loading landscaping and screening requirements shall apply.

**Table 530-1 Buildings and Uses Subject to Site Plan Review**

<p>Any new principal non-residential or mixed use building.                  The site plan review application may be reviewed administratively if both of the following apply:                  (1) The project or proposal does not include any other land use application requiring a public hearing.                  (2) The building contains less than twenty thousand (20,000) square feet of gross floor area. <sup>4</sup></p>
<p>Any addition to a non-residential or mixed use building that would increase its gross floor area by <del>one thousand (1,000)</del> <u>two thousand five hundred (2,500)</u> square feet or more.                  The site plan review application may be reviewed administratively if each of the following apply:                  (1) The project or proposal does not include any other land use application requiring a public hearing.  <del>(2) The building addition would not face a public street, sidewalk, or pathway.</del>                  (3) <u>(2)</u> The building addition contains less than twenty thousand (20,000) square feet of gross floor area. <sup>1</sup></p>
<p>Any building or use containing five (5) or more new or additional dwelling units or rooming units. <sup>2</sup>                  The site plan review application may be reviewed administratively if both of the following apply:                  (1) The project or proposal does not include any other land use application requiring a public hearing.                  (2) The proposal includes fewer than ten (10) new or additional dwelling units or rooming units.</p>
Any use with a drive-through facility
Automobile services uses
Freestanding accessory parking garages containing thirty (30) or more new or additional parking spaces <sup>3</sup>
Principal parking facilities containing ten (10) or more new or additional parking spaces <sup>4</sup>
Public services and utilities uses
Recycling facility
<p>Single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units                  The site plan review application shall be reviewed administratively and shall be subject to the standards of Article VI, Single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units.</p>
Transportation uses

<sup>1</sup> Additions that total ~~twenty thousand (20,000)~~ two thousand five hundred (2,500) square feet or more in any three (3) year period shall be subject to site plan review.

<sup>2</sup> Additions that total five (5) or more dwelling or rooming units in any three (3) year period shall be subject to site plan review and additions that total ten (10) or more dwelling or rooming units in any three (3) year period shall require a public hearing and shall not be eligible for administrative review.

<sup>3</sup> Additions that total thirty (30) or more parking spaces in any three (3) year period shall be subject to site plan review.

<sup>4</sup> Additions that total ten (10) or more parking spaces in any three (3) year period shall be subject to site plan review.

Section 7. That Section 530.100 contained in Chapter 530, Site Plan Review, be amended to read as follows:

**530.100. Changes in approved site plan.** ~~(a) *Minor changes.* The zoning administrator may authorize minor changes in the placement and size of improvements and the type of exterior materials for an approved site plan, if the changes are required because of conditions that were unknown at the time the permit was approved, and the zoning administrator determines that the changes are consistent with the intent of this chapter and the findings made by the city planning commission or zoning administrator in connection with the approval of the site plan.~~

~~(b) *Other changes.* Changes to the site plan affecting bulk regulations, parking and loading, or components of the site plan other than minor changes in the placement and size of improvements and the type of exterior materials shall require amendment to the site plan. The requirements for application and approval of a site plan amendment shall be the same as the requirements for original application and approval.~~

(a) *Minor changes.* The zoning administrator may authorize minor changes to an approved site plan upon determining each of the following:

(1) The proposed changes would not represent a substantial redesign of the project and are consistent with the intent of this chapter and the findings made by the city planning commission or zoning administrator in connection with the approval of the site plan.

(2) The proposed changes would not create the need for additional alternative compliance or land use applications not previously considered and approved by the city planning commission or zoning administrator.

(3) Where the proposed changes would result in additional building bulk, the increase would not exceed ten (10) percent of the gross floor area of the approved increase, or an additional two thousand five hundred (2,500) square feet, whichever is less. A proposed reduction of floor area compared to the approved site plan may also be considered a substantial change based on criteria (1) and (2) above.

(4) Compared to the approved plan, the changes would not increase the proposed building height greater than five (5) feet or five (5) percent, whichever is less.

(5) Additional building bulk or height shall not be considered a minor change if the approved building bulk or height was authorized through a variance or conditional use permit to exceed maximum floor area or height limitations.

(b) *Other changes.* Changes to the site plan or components of the site plan other than minor changes shall require amendment to the site plan. The requirements for application and approval of a site plan amendment shall be the same as the requirements for original application and approval. However, an amendment to an approved site plan filed within two (2) years of approval shall be subject to a reduced application fee as authorized by Chapter 525, Administration and Enforcement.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Cano, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

On motion by A. Johnson, an ordinance amending Title 20, Chapter 530 of the Minneapolis Code of Ordinances relating to Zoning Code: Site Plan Review, amending regulations related to exterior building materials, which was postponed by the Zoning & Planning Committee on Nov 9, 2017, was referred to staff.

#### **INTRODUCTION & REFERRAL CALENDAR**

On motion by Glidden, the following ordinance was introduced, given its first reading, and referred to the Committee of the Whole:

Amending Title 2, Chapter 19 of the Minneapolis Code of Ordinances relating to Administration: Employee Authority in Immigration Matters, adding a new Section on certification procedures for crime victims in connection with federal immigration laws.

#### **RESOLUTIONS**

Resolution 2017R-489 recognizing the military service of Military Employees Recognition, Influence, Culture and Attitude (MERICA) was adopted.

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

#### **RESOLUTION 2017R-489**

**By Reich, Gordon, Frey, B. Johnson, Yang, Warsame,  
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

#### **Recognizing MERICA, an Employee Resource Group for Service Members and Veterans.**

Whereas, service members and veterans make tremendous sacrifices and take great risks to serve our country; and

Whereas, service members and veterans make up approximately 13 percent of the City's workforce; and

Whereas, MERICA stands for Military Employee Recognition, Influence, Culture and Attitude; and

Whereas, MERICA is a newly formed City of Minneapolis Employee Resource Group created to provide support and comradery to city employees who are service members and veterans; and

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

That the Mayor and City Council of the City of Minneapolis recognize and honor the military service of these employees and the creation of MERICA.

**UNFINISHED BUSINESS**

On motion by Frey, the resolution establishing renewable electricity goals for municipal facilities and operations and the City of Minneapolis was postponed and referred to the Ways & Means Committee to be held in the second cycle of March 2018. Staff from the City Coordinator's Sustainability Office was directed to prepare and present a formal agenda item at the next meetings for both the Energy Vision Advisory Committee (EVAC) and Clean Energy Partnership (CEP) for review and recommendation at the Ways & Means Committee in the second cycle of March 2018.

**NEW BUSINESS**

**COUNCIL ACTION 2017A-0885**

B. Johnson moved that the City Attorney be authorized to provide an amicus curiae brief on behalf of the City in the case pending before the United States Supreme Court of *Janus v. AFSCME Council 31*, in support of the constitutionality of union security provisions that require public employees who decline union membership to pay a fair share fee to cover their *pro rata* cost of union representation, excluding the union's political expenditures.

On roll call, the result was:

Ayes: Reich, Frey, Quincy, Goodman, Glidden, Cano, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Bender, Palmisano (5)

Adopted.

**ADJOURNMENT**

On motion by Glidden, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the litigation matter of Kendall v. City of Minneapolis, et al.

**ADJOURNED SESSION**

Council President Johnson called the adjourned session to order at 10:17 a.m. in Room 315, a quorum being present.

On motion by Glidden, the agenda was amended to include the opioid litigation matter.

City Attorney Susan Segal stated that the meeting may be closed as permitted by the attorney-client privilege under the Minnesota Open Meeting Law to discuss attorney-client communications.

At 10:20 a.m., on motion by Glidden, the meeting was closed pursuant to Minnesota Statutes Section 13D.05, Subdivision 3(b) to discuss the litigation matter of Kendall v. City of Minneapolis, et al., and potential litigation against Opiate manufacturers and distributors.

Present - Council Members Kevin Reich, Jacob Frey, Lisa Goodman, Elizabeth Glidden, Lisa Bender, John Quincy, Andrew Johnson, President Barbara Johnson.

Absent - Council Members Cam Gordon, Blong Yang, Abdi Warsame, Alondra Cano, Linea Palmisano.

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Also Present - Susan Segal, City Attorney, Erik Nilsson (Out at 10:21 a.m.; In at 10:28 a.m.), Deputy City Attorney, Tracey Fussy, Litigation Manager, Assistant City Attorney Sarah McLaren, City Attorney's Office; Scott Benson, Esq. (In at 10:26 a.m.), Briol & Benson, PLLC; Spencer Cronk (In at 10:26 a.m.), City Coordinator; John Fruetel (In at 10:26 a.m.; Out at 10:40 a.m.), Fire Chief; Casey Joe Carl, City Clerk, and Jackie Hanson, City Clerk's Office.

McLaren summarized the Kendall v. City of Minneapolis, et al. lawsuit from 10:20 a.m. to 10:26 a.m.

Segal and Benson summarized the opioid litigation matter from 10:26 a.m. to 10:40 a.m.

At 10:40 a.m., on motion by A. Johnson, the meeting was opened.

**COUNCIL ACTION 2017A-0886**

Goodman moved approval of the following:

1. Authorize the City Attorney to initiate suit on behalf of the City against Opiate manufacturers and distributors to recover monetary damages along with any other relief that may be appropriate.
2. Authorize an agreement with outside legal counsel to represent the City of a contingent fee basis with a maximum fee of 25 percent, and further to provide that outside counsel will be responsible for all costs and expenses incurred regardless of the outcome of the litigation.

On roll call, the result was:

Ayes: Reich, Frey, Goodman, Glidden, Bender, Quincy, A. Johnson, President Johnson (8)

Noes: (0)

Absent: Gordon, Yang, Warsame, Cano, Palmisano (5)

The motion was adopted.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

On motion by Quincy, the meeting was adjourned.

Casey Joe Carl,  
City Clerk