

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
SEPTEMBER 7, 2023**

(Published September 15, 2023, in *Finance and Commerce*)

CALL TO ORDER

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

Present – Council Members Elliott Payne, Michael Rainville, LaTrisha Vetaw, Jamal Osman, Andrea Jenkins, Jason Chavez, Aisha Chughtai, Emily Koski, Andrew Johnson, Linea Palmisano.

Absent – Council Members Robin Wonsley, Jeremiah Ellison, Lisa Goodman.

[Council Member Payne joined the meeting at the beginning of the closed session.]

Palmisano moved to adopt the agenda.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

Palmisano moved to accept the minutes of the regular meeting of August 17, 2023, and the adjourned meetings of August 15 and 21, 2023.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

Palmisano moved to refer the petitions, communications, and reports to the proper Committees.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

The following official acts were signed by Mayor Jacob Frey on September 11, 2023. 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 resolution is available for public inspection in the Office of City Clerk.

REPORTS OF STANDING COMMITTEES

The BUDGET Committee submitted the following report:

On behalf of the Budget Committee, Koski offered Resolution 2023R-255 amending the 2023 General Appropriation Resolution by transferring the temporary American Rescue Plan Act funding for the Community Relations Specialist position supporting the Green Cost Share project from the Regulatory Services Department to the Health Department.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2023R-255

By Koski

Amending the 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

1. Decreasing the appropriation to the Regulatory Services Department in the American Rescue Plan Act Fund (01330-8350400) by \$90,000.
2. Increasing the appropriation to the Health Department in the American Rescue Plan Act Fund (01330-8600155) by 90,000.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

The BUSINESS, INSPECTIONS, HOUSING & ZONING Committee submitted the following report:

On behalf of the Business, Inspections, Housing & Zoning Committee, Osman offered Resolution 2023R-256 approving the term sheet and authorizing a purchase agreement with East Phillips Neighborhood Institute (EPNI) or an affiliated entity for the disposition of real estate located at 1860 28th Street E and 2717 Longfellow Ave as excess property.

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

RESOLUTION 2023R-256

By Goodman

Authorizing sale of the Roof Depot property located at 1860 28th Street E and 2717 Longfellow Avenue to East Phillips Neighborhood Institute.

Whereas, the City of Minneapolis, on behalf of its Waterworks Fund, acquired the property located at 1860 28th Street E and 2717 Longfellow Avenue and legally described on the attached Exhibit A, commonly known as the Roof Depot site, containing approximately 7.6 acres of land and a building of approximately 300,000 square feet (the "Roof Depot"), in 2016 for development of a Public Works facility; and

Whereas, East Phillips Neighborhood Institute, a Minnesota nonprofit corporation (“EPNI”), opposed development of a Public Works facility on the Roof Depot site and advocated acquisition of the site for an urban farm; and

Whereas, City staff negotiated proposed terms for EPNI’s acquisition, including a fair market value purchase price of \$11.4 million (the “Term Sheet”); and

Whereas, EPNI obtained financial support from legislators in the Minneapolis delegation for its acquisition efforts, including a \$2 million appropriation to the City in 2023 toward the purchase price; a \$4.5 million appropriation to the City in 2023 toward costs of development of the Public Works facility on an alternative site; and a pledge to provide \$5.7 million to the City in the 2024 legislative session toward the balance of the purchase price; and

Whereas, as provided in Minneapolis Code of Ordinances, section 14. 120 and related policies, the Finance Officer and City Engineer determined that the Roof Depot is not needed for municipal operations purposes, the valuation of the real estate as determined by an independent appraisal has been reported to the City Council, the City’s Planning Commission determined that the disposition is consistent with the Comprehensive Plan, and the BIHZ Committee of the City Council held a public hearing on the disposition, notice of which was published at least 10 days before the public hearing date;

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

That the Term Sheet is approved and the Finance Officer is authorized to execute a Purchase Agreement and related documents consistent with the Term Sheet to sell the Roof Depot to EPNI or an affiliated entity.

Be It Further Resolved that the related transaction costs are to be paid from the Public Works Waterworks Fund (Fund 01490 Department 9010923) and net revenue from the sale shall be deposited into the Public Works Waterworks Fund (Fund 01490 Department 9010923).

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

Approved by Mayor Jacob Frey 9/8/2023.

(Published 9/9/2023)

COUNCIL ACTION 2023A-0577

The Minneapolis City Council hereby authorizes execution of an access agreement with the Minnesota Pollution Control Agency for environmental assessment work on behalf of East Phillips Neighborhood Institute (EPNI), as set forth in Legislative File 2023-00736 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

Approved by Mayor Jacob Frey 9/8/2023.

(Published 9/9/2023)

On behalf of the Business, Inspections, Housing & Zoning Committee, Osman offered Resolution 2023R-257 authorizing host approval for the issuance of tax-exempt bonds by the City of Mendota to Stonebridge Building Company to finance improvements to its building located at 4530 Lyndale Ave S by tenant Stonebridge World School, refinance outstanding debt, and pay costs of issuing bonds.

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

RESOLUTION 2023R-257

By Goodman

Granting host approval for the issuance by the City of Mendota, Minnesota, of one or more series of revenue bonds for charter school projects.

Whereas, the City of Minneapolis, (the “City”) is a municipal corporation and a political subdivision created and existing under the laws of the State of Minnesota and its City Charter, and the Mayor and Council of the City (the “Governing Body”) are the elected governing officials of the City; and

Whereas, under Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and under Treasury Regulation Section 1.147(f)-1(b)(3), the City must approve the qualified 501(c)(3) bonds (as defined in Section 145 of the Code) for charter school educational facilities (the “Bonds”) to be issued in one or more series by the City of Mendota, Minnesota, a municipal corporation and a political subdivision created and existing under the laws of the State of Minnesota (the “Issuer”), because the City is the governmental unit whose geographic jurisdiction contains the site of the project expected to be financed from the proceeds of the Bonds; and

Whereas, the Governing Body has been advised that pursuant to Minnesota Statutes, Section 471.656, Subdivision 2(2), the Issuer may not issue the Bonds to finance a capital improvement project within the boundaries of the City unless the Governing Body has approved the financing of such project; and

Whereas, on August 22, 2023, at 1:30 p.m., in Room 317 in the Minneapolis City Hall, at 350 South 5th Street in the City, the City, through its designated public hearing body, the Business, Inspections, Housing and Zoning Committee, conducted a public hearing on the proposed issue of the Bonds and on the location and nature of the proposed project to be financed with the proceeds of the Bonds, notice of which was published in the Star Tribune and Finance and Commerce on August 5, 2023, and the affidavits of the publishers of such newspapers have been submitted to Bond Counsel for the Project (as defined below);

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

That the City hereby approves the Bonds:

- (a) the proceeds of which may be loaned to Stonebridge Building Company (the “Borrower”), a Minnesota nonprofit corporation and an organization described in Section 501(c)(3) of the Code, and used to (i) finance certain improvements to one or more charter school facilities located at 4530 Lyndale Avenue South in the City, owned by the Borrower, and leased to Stonebridge World School (the “Charter School”), a Minnesota nonprofit corporation and an organization described in Section 501(c)(3) of the Code, (ii) refinance certain outstanding debt of the Borrower, and (iii) pay costs of issuing the Bonds (the “Project”);
- (b) the maximum aggregate stated principal amount of which is expected to be \$3,200,000; and

(c) the initial owner of the Project expected to be financed from the proceeds of which will be the Borrower, and the initial lessee and operator of the Project will be the Charter School.

Be It Further Resolved that this approval is solely for the purpose of complying with, and is to be construed in accordance with, the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended, and, as applicable, Minnesota Statutes, Section 471.656, Subdivision 2(2), and shall not result in or impose any pecuniary liability upon or constitute a lien upon the property of or a claim against the City, the State of Minnesota, or any political subdivision thereof.

Be It Further Resolved that this resolution shall take effect and be in force from and after its approval and publication. In accordance with the terms of Article IV, Section 4.4(d), 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 newspaper of the City.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Koski, Johnson, Palmisano (7)

Noes: Chavez, Chughtai, Payne (3)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0578

The Minneapolis City Council hereby denies an appeal submitted by John Thomason and Brittany Vickers regarding the decision of the Zoning Board of Adjustment (PLAN16005) denying the following land use applications for construction of a proposed single-family dwelling for the property located at 2110 4th Street Northeast; and adopts Findings of Fact as originally prepared by the Department of Community Planning & Economic Development:

1. Variance to increase the maximum floor area ratio (FAR) from 0.5 to 0.663.
2. Variance to increase the maximum width of an attached, front-facing garage from 60% to 74.1% of the entire structure.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0579

Osman moved to deny an appeal submitted by David Asselstine, on behalf of City Homes on Park Avenue, regarding the decision of the City Planning Commission approving the site plan review application (PLAN16607) for a new five-story, mixed-use building at 2432 Chicago Ave without a condition requiring the applicant to install a perimeter fence along the rear of the property, and adopt Findings of Fact as originally prepared by the Department of Community Planning & Economic Development.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0580

The Minneapolis City Council hereby approves the following applications (56) for Liquor License Renewal, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. BULL'S HORN FOOD AND DRINK, 4563 34TH AVE S Minneapolis, MN, submitted by MINNEAPOLIS HOCKEY, BLGeneral, LIC358726
2. Eagles Aries #34, 913 CEDAR AVE S Minneapolis, MN, submitted by Eagles Aries #34, BLGeneral, LIC400334
3. Edison Community & Sports Foundation, 3675 MINNEHAHA AVE Minneapolis, MN, submitted by EDISON COMMUNITY & SPORTS FOUNDATION, BLGeneral, LIC391777
4. Edison Community & Sports Foundation, 3675 MINNEHAHA AVE Minneapolis, MN, submitted by J & S Realty Rail Station LLC, BLGeneral, LIC379197
5. Firefighters for Healing, 1368 LASALLE AVE Minneapolis, MN, submitted by Firefighters for Healing, BLGeneral, LIC393044
6. Firefighters for Healing, 606 WASHINGTON AVE N Minneapolis, MN, submitted by Firefighters for Healing, BLGeneral, LIC393154
7. Firefighters for Healing, 817 5TH AVE S Minneapolis, MN, submitted by Firefighters for Healing, BLGeneral, LIC394763
8. Firefighters for Healing, 3134 CALIFORNIA ST NE Minneapolis, MN, submitted by Firefighters for Healing, BLGeneral, LIC396377
9. FIREFIGHTERS FOR HEALING, 2923 GIRARD AVE S Minneapolis, MN, submitted by FIREFIGHTERS FOR HEALING, BLGeneral, LIC377469
10. Fraternal Order of Eagles Arie #34, 965 CENTRAL AVE NE Minneapolis, MN, submitted by Fraternal Order of Eagles Arie #34, BLGeneral, LIC391488
11. Jun, 730 WASHINGTON AVE N Minneapolis, MN, (Ward 3) submitted by Jun's LLC, BLLiquor, LIC80193
12. KNIGHT CAP BAR, 1500 4TH ST NE Minneapolis, MN, submitted by Eagles Aries #34, BLGeneral, LIC69593
13. LIONS CLUB OF NORTHEAST MINNEAPOLIS, 729 MARSHALL ST NE Minneapolis, MN, submitted by LIONS CLUB OF NORTHEAST MINNEAPOLIS, BLGeneral, LIC107933
14. LIONS CLUB OF NORTHEAST MINNEAPOLIS, 1029 MARSHALL ST NE Minneapolis, MN, submitted by LIONS CLUB OF NORTHEAST MINNEAPOLIS, BLGeneral, LIC66406
15. Los Iconos, 2937 LYNDAL AVE S Minneapolis, MN, (Ward 10) submitted by IC Enterprises LLC, BLLiquor, LIC395036
16. LUSH, 990 CENTRAL AVE NE Minneapolis, MN, submitted by THE ALIVENESS PROJECT, BLGeneral, LIC67272
17. Lush Lounge & Theater, 990 CENTRAL AVE NE Minneapolis, MN, submitted by THE ALIVENESS PROJECT INC, BLGeneral, LIC397368
18. McDonalds Liquor Store, 5010 34TH AVE S Minneapolis, MN, (Ward 12) submitted by McDonalds Liquor Inc, BLLiqOff, LIC53911
19. Minneapolis Firefighters Local 82 Charities, 617 CENTRAL AVE NE Minneapolis, MN, submitted by Minneapolis Firefighters Local 82 Charities, BLGeneral, LIC373145

20. Minneapolis Firefighters Local 82 Charities, 2911 HENNEPIN AVE Minneapolis, MN, submitted by Minneapolis Firefighters Local 82 Charities, BLGeneral, LIC381619
21. Minneapolis Firefighters Local 82 Charities, 1528 UNIVERSITY AVE NE Minneapolis, MN, submitted by Minneapolis Firefighters Local 82 Charities, BLGeneral, LIC384068
22. Minneapolis Firefighters Local 82 Charities, 511 WASHINGTON AVE N Minneapolis, MN, submitted by Minneapolis Firefighters Local 82 Charities, BLGeneral, LIC384197
23. Minneapolis Firefighters Local 82 Charities, 1400 LAGOON AVE Minneapolis, MN, submitted by Minneapolis Firefighters Local 82 Charities, BLGeneral, LIC390688
24. Minneapolis Hockey, 14 5TH ST N Minneapolis, MN, submitted by Minneapolis Hockey Association Inc, BLGeneral, LIC394428
25. Minneapolis Hockey, 2901 27TH AVE S Minneapolis, MN, submitted by Minneapolis Hockey, BLGeneral, LIC396762
26. Minneapolis Hockey Association Inc, 307 WASHINGTON AVE N Minneapolis, MN, submitted by Minneapolis Hockey Association Inc, BLGeneral, LIC399784
27. Minneapolis Hockey Association Inc, 1201 WASHINGTON AVE S Minneapolis, MN, submitted by Minneapolis Hockey Association Inc, BLGeneral, LIC401842
28. Minneapolis Riverview Lions, 310 HENNEPIN AVE E Minneapolis, MN, submitted by Minneapolis Riverview Lions, BLGeneral, LIC391183
29. Minneapolis Riverview Lions, 400 HENNEPIN AVE E Minneapolis, MN, submitted by Minneapolis Riverview Lions, BLGeneral, LIC392909
30. MINNEAPOLIS RIVERVIEW LIONS, 2920 38TH ST E Minneapolis, MN, submitted by Riverview Lions Club Inc., BLGeneral, LIC67386
31. MINNEAPOLIS RIVERVIEW LIONS, 106 3RD ST N Minneapolis, MN, submitted by Riverview Lions Club Inc., BLGeneral, LIC69716
32. MN Youth Athletic Services, 700 WASHINGTON AVE SE Minneapolis, MN, submitted by MN YOUTH ATHLETIC SERVICES, BLGeneral, LIC391615
33. MN YOUTH ATHLETIC SERVICES, 126 5TH ST N Minneapolis, MN, submitted by MN YOUTH ATHLETIC SERVICES, BLGeneral, LIC68634
34. MN Youth Athletics Services, 6042 NICOLLET AVE Minneapolis, MN, submitted by MN Youth Athletics Services, BLGeneral, LIC399385
35. MN Youth Athletics Services, 2550 NICOLLET AVE Minneapolis, MN, submitted by MN Youth Athletics Services, BLGeneral, LIC402518
36. MN/ USA Wrestling Inc, 3126 LAKE ST W Minneapolis, MN, submitted by MN/ USA Wrestling Inc, BLGeneral, LIC396892
37. MN/USA Wrestling Inc, 4601 LYNDAL AVE N Minneapolis, MN, submitted by MN/USA Wrestling Inc, BLGeneral, LIC387867
38. MPLS RIVERVIEW LIONS, 207 WASHINGTON AVE N Minneapolis, MN, submitted by Riverview Lions Club Inc., BLGeneral, LIC68168
39. RED DRAGON, 2116 LYNDAL AVE S Minneapolis, MN, submitted by THE ALIVENESS PROJECT, BLGeneral, LIC359624

40. Riverview Lions Club Inc., 2024 WASHINGTON AVE N Minneapolis, MN, submitted by Riverview Lions Club Inc., BLGeneral, LIC366368
41. Riverview Lions Club Inc., 4155 CEDAR AVE S Minneapolis, MN, submitted by Riverview Lions Club Inc., BLGeneral, LIC367706
42. SCHOONER BAR, 2901 27TH AVE S Minneapolis, MN, submitted by MINNEAPOLIS HOCKEY, BLGeneral, LIC67571
43. Sphere, 100 5TH ST S Minneapolis, MN, (Ward 7) submitted by Sphere LLC, BLLiquor, LIC358141
44. St. Maron Church, 2200 COMO AVE SE Minneapolis, MN, submitted by St. Maron Church, BLGeneral, LIC402673
45. Sticks, 708 1ST ST N Minneapolis, MN, (Ward 3) submitted by Lee Consultants Ltd, BLLiquor, LIC78364
46. TED WILLIAMS MUSEUM AND HITTERS HALL OF, 1 TWINS WAY Minneapolis, MN, submitted by TED WILLIAMS MUSEUM AND HITTERS HALL OF FAME, BLGeneral, LIC66843
47. Ted Williams Museum and Hitters Hall of Fame Inc, 401 CHICAGO AVE Minneapolis, MN, submitted by Ted Williams Museum and Hitters Hall of Fame Inc, BLGeneral, LIC395229
48. THE ALIVENESS PROJECT, 603 WASHINGTON AVE SE Minneapolis, MN, submitted by THE ALIVENESS PROJECT, BLGeneral, LIC68861
49. The Hewing Hotel, 300 WASHINGTON AVE N Minneapolis, MN, (Ward 3) submitted by AHG Hewing Licensee LLC, BLLiquor, LIC75822
50. THE OFFICE, 307 WASHINGTON AVE N Minneapolis, MN, submitted by MINNEAPOLIS HOCKEY, BLGeneral, LIC68956
51. TWIN CITIES WRESTLING CLUB INC, 328 WEST BROADWAY Minneapolis, MN, submitted by TWIN CITIES WRESTLING CLUB INC, BLGeneral, LIC353583
52. Venn Brewing Company, 3550 46TH ST E Minneapolis, MN, submitted by Venn Brewing Company LLC, BLBrewery, LIC353839
53. Venn Brewing Company, 3550 46TH ST E Minneapolis, MN, submitted by Venn Brewing Company LLC, BLBrewery, LIC353846
54. VFW POST 246, submitted by VFW POST 246, BLGeneral, LIC66382
55. VFW POST 246, submitted by VFW POST 246 AUX MINNEAPOLIS, BLGeneral, LIC68343
56. Market Bar-B-Que, 220 LOWRY AVE NE Minneapolis, MN, (Ward 3) submitted by Market Bar-B-Que Corporation, BLLiquor, LIC368477

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0581

The Minneapolis City Council hereby approves the following applications (2) for Gambling License, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. All God's Children Met Comm Church, 3100 PARK AVE Minneapolis, MN, submitted by All God's Children Met Comm Church, BLGeneral, LIC410062
2. Minneapolis Hockey Association, 6031 PILLSBURY AVE Minneapolis, MN, submitted by Minneapolis Hockey Association Inc, BLGeneral, LIC410063

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0582

The Minneapolis City Council hereby approves the Business License Operating Conditions for Students Co-op, 1721 UNIVERSITY AVE SE Minneapolis, MN, (Ward 2) submitted by Students Co-op Inc, BLAmend, LIC410382, allowing the licensee to retain the Board and Lodging license, subject to adherence with the following conditions:

1. The licensee hereby agrees to allow inspections by city staff and abate all outstanding violations prior to occupancy.
2. The licensee agrees to schedule a security review with the Minneapolis Police Department's 2nd Precinct within 30 days of signing this agreement and comply with all aspects of the plan at all times.
3. The licensee agrees that at least 75% of the tenants shall be students or staff at an accredited college or university.
4. The licensee agrees to conduct background checks on all potential tenants before executing a lease agreement.
5. The licensee agrees that no person without a signed lease agreement shall reside in the premises for longer than one (1) week or seven (7) consecutive days within the same month.
6. The licensee agrees to evict tenants found violating terms of the lease.
7. The licensee shall post "No Trespassing" signs on the exterior of the property.
8. The licensee shall be required to respond to inquiries from city staff within seven (7) business days and shall include a duty to attend in person meetings when requested by city staff.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Osman offered Resolution 2023R-258 authorizing application for and acceptance of a General Obligation Bond-funded grant from the Minnesota Department of Employment and Economic Development in the amount of \$550,000 for the Cowles Capital Improvement project.

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

RESOLUTION 2023R-258

By Goodman

Authorizing application for and acceptance of a \$550,000 grant from the State of Minnesota through its Department of Employment and Economic Development for the Cowles Capital Improvement Project.

Whereas, Minn. Stat. §§ 471.15-471.191 and other laws authorize the City of Minneapolis to construct and operate a performing arts and education center for dance, music and other performances, and including other related and ancillary functions; and

Whereas, pursuant to Resolution 2009R-502, the City of Minneapolis established a governmental program (the “Governmental Program”) to be achieved through construction and operation of the Minnesota Shubert Performing Arts and Education Center, now known as the Cowles Center, at 516 Hennepin Avenue in Minneapolis (the “Cowles Center”); and

Whereas, the City of Minneapolis has determined to seek assistance from the State of Minnesota through its Department of Employment and Economic Development (“DEED”) for construction of additional capital improvements to the Cowles Center (the “Project”); and

Whereas, pursuant to Laws 2019, First Special Session, Chap. 13, Sec. 4 (the “Special Appropriation Law”), the State of Minnesota awarded a grant in the amount of up to \$550,000 (“Grant”) to the City of Minneapolis for improvements and betterments of a capital nature in the Cowles Center; and

Whereas, DEED requires certain approvals and designations in order to award and disburse such financial assistance;

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

That the City of Minneapolis (the “City”) will act as the legal sponsor for the project contained in the Special Appropriation Law and entitled the Cowles Capital Improvement Project.

Be It Further Resolved that the City has the legal authority to apply for the above-described financial assistance and the institutional, managerial and financial capability to ensure adequate project administration.

Be It Further Resolved that no local match is required and any non-DEED sources and amounts identified in the development proposal are committed to the project identified.

Be It Further Resolved that to the actual knowledge of the City Council, no officers of the City have violated any Federal, State or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

Be It Further Resolved that upon approval of its development proposal by the State, the Finance Officer on behalf of the City may enter into an agreement with the State of Minnesota for the above-referenced project, and that the City certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

Be It Further Resolved that the term of the previously established Governmental Program shall be extended to facilitate the Grant.

Be It Further Resolved that the City Council continues the existing delegation to the Community Planning & Economic Development Director of the authority to approve and certify to the State of Minnesota the annual reports submitted by the Cowles Center under the contracts with the City, provided that the Community Planning & Economic Development Director finds that a) the forecast revenues (including program and other revenue) for the current fiscal year and next three fiscal years equal or exceed the forecast expenses, and b) the Governmental Program continues to be achieved.

Be It Further Resolved that the Finance Officer is hereby authorized to execute such additional agreements as are necessary to implement the project on behalf of the City, including but not limited to amendments to the existing ground lease and lease/use agreement and a disbursing agreement.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Osman offered Resolution 2023R-259 approving appropriation of funds to the Department of Community Planning & Economic Development for the Cowles Capital Improvement project.

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

RESOLUTION 2023R-259

By Goodman

Amending The 2023 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 (CPED) Development Department in the Other Grants State and Local Fund [01600-8900320] by \$550,000, and increasing the CPED Department revenue estimate in the Other Grants State and Local Fund [01600-8900900-321515] by \$550,000.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0583

The Minneapolis City Council hereby approves a reduced City administrative fee of \$13,000 for the State bond-funded Cowles Capital Improvement Project, as set forth in Legislative File 2023-00799 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0584

The Minneapolis City Council hereby:

1. Authorizes a grant agreement with the Minneapolis Public Housing Authority (MPHA), or related affiliated entity, in the amount of \$3,700,000 for following projects:
 1. Rehabilitation of 3536 27th Ave S, 3552 Minnehaha Ave S, 3347 Minnehaha Ave S, and 4319 Snelling Ave S;
 2. Redevelopment of 5656 Blaisdell Ave S; and
 3. Exterior rehab of 16 Minneapolis Public Housing Authority (MPHA) scattered site houses.
2. Authorizes the Director of the Department of Community Planning & Economic Development to make amendments to the agreement to ensure compliance with federal guidelines.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0585

The Minneapolis City Council hereby:

1. Authorizes exclusive development rights to The 927 Building LLC, or its assigns, for 1828 Dupont Ave N for a period of 9 months to complete a redevelopment project.
2. Authorizes staff to negotiate business terms with The 927 Building LLC for a land sale redevelopment agreement, subject to future review and approval by the City Council.
3. Authorizes the extension of the construction completion date for the 927 W Broadway Project to December 31, 2024, and the amendment of existing project contracts with The 927 Building LLC, as necessary.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Osman offered Resolution 2023R-260 approving the Hennepin County Housing and Redevelopment Authority (HCHRA) to provide financial assistance to the following projects and programs: 1301 West Lake (1301 Lake St W), 901 Cedar (901 Cedar Ave S), Agra (901 27th Ave S), NACC-H (1213 Franklin Ave E), Olson Court/Park Plaza (525 Humboldt Ave N), Bottineau Commons & Lofts (1808 University Ave NE and 1929 2nd St NE), Little Earth (2501 Cedar Ave S), Sabathani Family Housing (310 38th St E), Snelling Yards Family Housing (3601 44th St E), Portland Place (505 27th St E), Homebuyer Initiated Program (scattered-sites), Harrison Townhomes (219-223, 225-237 James Ave N and 162-172 Cedar Lake Rd N), Minneapolis Tax-forfeit Lots (1020 Newton Ave N, 3950 Sheridan Ave N, 3851 6th St N, 2727 Fremont Ave N), Perpetually Affordable Homeownership Project (scattered-sites) and Northside Homes, LLC (scattered-sites).

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

RESOLUTION 2023R-260

By Goodman

Approving the participation of the Hennepin County Housing and Redevelopment Authority in fifteen affordable housing projects.

Whereas, the Hennepin County Housing and Redevelopment Authority (“HCHRA”) has allocated funds from its housing programs to provide financial assistance to fifteen affordable housing projects in the City of Minneapolis: 1301 West Lake (1301 Lake St W), 901 Cedar (901 Cedar Ave S), Agra (901 27th Ave S), NACC-H (1213 Franklin Ave E), Olson Court/Park Plaza (525 Humboldt Ave N), Bottineau Commons & Lofts (1808 University Ave NE and 1929 2nd St NE), Little Earth (2501 Cedar Ave S), Sabathani Family Housing (310 38th St E), Snelling Yards Family Housing (3601 44th St E), Portland Place (505 27th St E), Homebuyer Initiated Program (scattered-sites), Harrison Townhomes (219-223, 225-237 James Ave N and 162-172 Cedar Lake Rd N), Minneapolis Tax-forfeit Lots (1020 Newton Ave N, 3950 Sheridan Ave N, 3851 6th St N, 2727 Fremont Ave N), Perpetually Affordable Homeownership Project (scattered-sites) and Northside Homes, LLC (scattered-sites)(collectively, the “Projects”); and

Whereas, proposed housing or redevelopment projects undertaken by the HCHRA pursuant to authority established at Minnesota Statutes, Section 383B.77, subdivision 3 and other laws (collectively, the “Statutes”) require approval of the local governing body where the projects will be located; and

Whereas, the HCHRA intends to rely on the Statutes to assist the Projects;

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

That the City of Minneapolis hereby grants its approval of the Projects under the Statutes.

Be It Further Resolved that nothing in this Resolution shall create a pecuniary obligation of the City to assist the Projects, nor shall the City be in any way responsible for any financing obligation or agreement of the HCHRA with respect to its provision of financial assistance to the Projects.

Be It Further Resolved that this Resolution shall neither serve to endorse the Projects nor operate as a substitute for any other required City approvals required for the Projects.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0586

The Minneapolis City Council hereby:

1. Approves up to \$320,000 of 2023 Emergency Solutions Grant funds for shelter operations costs for Winter Warming Center Services.
2. Authorizes a joint powers agreement with Hennepin County for Emergency Solutions Grant shelter operations funds for up to two years.
3. Approves up to \$306,288 of 2023 Emergency Solutions Grant funds for rapid rehousing use.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0587

The Minneapolis City Council hereby authorizes an amendment to the Coronavirus Aid, Relief, and Economic Security (CARES) Act Community Development Block Grant (CDBG) Joint Powers Agreement with Hennepin County for Avivo Village operations to extend the spending deadline from December 2024 to December 2025.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0588

The Minneapolis City Council hereby:

1. Accepts grants from the Metropolitan Council's Tax Base Revitalization Account (TBRA) and Seeding Equitable Economic Development (SEED) program, in the total amount of \$760,000, for the following projects: 753 Washington Ave N Project, 753 Washington Ave N (\$35,500); Agate Housing, 2800 – 2817 27th Ave S (\$213,500); East Plymouth Heights, 1014 and 1016 Plymouth Ave N (\$30,100); Kyle Garden Square, 700 10th Ave S (\$172,000); The Nicollet Project, 3246 Nicollet Ave (\$12,400); and Unity Building, 401-405 E Lake St (\$296,500).
2. Accepts grants from Hennepin County's Environmental Response Fund (ERF), in the total amount of \$838,252, for the following projects: 1301 W Lake Apartments, 1301 W Lake St (\$54,081); Agate Housing, 2800 – 2817 27th Ave S (\$177,900); Envision Community Penn Avenue, 2100, 2106 and 2110 Penn Ave N (\$86,551); Fare Game Restaurant, 2900 and 2910 Johnson St NE (\$34,370); Snelling Yards Family Housing, 3601 E 44th St (\$315,000); Stinson Apartments, 1714 E Hennepin Ave (\$93,950); and Unity Building, 401-405 E Lake St (\$76,400).
3. Authorizes contracts or agreements with the Metropolitan Council and Hennepin County for the aforesaid grants.
4. Authorizes execution of one or more funding agreements with each of the sub-recipients (or an affiliated entity) and/or disbursement and related agreements for these grants.
5. Passage of Resolution 2023R-261 approving appropriation of funds to the Department of Community Planning & Economic Development.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

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

RESOLUTION 2023R-261

By Goodman

Amending the 2023 General Appropriation Resolution.

Resolved by The City Council of the City of Minneapolis:

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

1. Increasing the appropriation for Community Planning & Economic Development Department Fund 01600- Other Grants-State and Local (01600-8900220) by \$1,155,482.
2. Increasing the appropriation for Community Planning & Economic Development Department Fund 01600- Other Grants-State and Local (01600-8900320) by \$442,770.
3. Increasing the revenue estimate for Community Planning & Economic Development Department Fund 01600-Other Grants-State and Local (01600-8900900-322503) by \$760,000.
4. Increasing the revenue estimate for Community Planning & Economic Development Department Fund 01600-Other Grants-State and Local (01600-8900900-322002) by \$838,252.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0589

The Minneapolis City Council hereby:

1. Approves program guidelines for the Cultural Market Small Business Support program, as set forth in Legislative File 2023-00800 on file in the Office of the City Clerk.
2. Passage of Resolution 2023R-262 authorizing form documents and delegating authority to the Department of Community Planning & Economic Development Director or their designee, to make and execute grant agreements with eligible applicants consistent with the Cultural Market Small Business Support Program guidelines.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

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

RESOLUTION 2023R-262

By Osman

Adopting form documents and delegating authority to make and execute Funding Agreements consistent with City Council approved guidelines for the Cultural Market Small Business Support Program.

Whereas, the City has determined to develop a Cultural Market Small Business Support Program;

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

That pursuant to Minneapolis Code of Ordinances §17.30, authority is delegated by the City Council to the Director of the Department of Community Planning and Economic Development (CPED) or their designee, the Director of Economic Policy & Development, for CPED to make and execute Funding Agreements in a form approved by the City Attorney’s Office for grants and disbursement of funds for eligible expenses consistent with the program guidelines adopted by Council for the Cultural Market Small Business Support Program.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Osman offered Resolution 2023R-263 approving the local historic landmark designation (PLAN16638) of the Wayne & Gertrude Kelly House located at 2901 Brookwood Terrace.

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

RESOLUTION 2023R-263

By Goodman

Approving the local historic landmark designation of the Wayne & Gertrude Kelly House located at 2901 Brookwood Terrace.

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on August 8, 2023 and recommended to the Standing Committee on Business, Inspections, Housing & Zoning (BIHZ) that the Wayne & Gertrude Kelly House be designated as a Landmark; and

Whereas, the recommended Landmark designation of the Wayne & Gertrude Kelly House applies to the exterior of the building; and

Whereas, the Wayne & Gertrude Kelly House meets Heritage Preservation Regulation criterion #4 (the property embodies the distinctive characteristics of an architectural or engineering type or style, or method of construction) as described in the designation study that is part of the record for this matter and is expressly incorporated herein by reference; and

Whereas, prior to such recommendation, and in compliance with Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation Regulations, the HPC did refer the subject matter to the City Planning Commission (CPC) for review and comment, such comment being made on July 20, 2023; and further did refer the subject matter to the Minnesota State Historic Preservation Office for review and comment, such comment being made in a letter dated July 18, 2023; and

Whereas, On August 22, 2023, the Standing Committee on Business, Inspections, Housing & Zoning recommended designation as a Landmark;

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

That the Wayne & Gertrude Kelly House is hereby designated as a Landmark.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

Osman moved to postpone to the City Council meeting of September 21, 2023, the matter of a rezoning of the properties located at 625, 629, 641, 643, 649, 653, 655, 659, 705, 711, 715, 719, 723, 727, 733, 737, 741, 747, and 751 Van Buren St NE, and 901 Summer St NE from the BFC6 Corridor 6 Built Form Overlay District to the BFI3 Interior 3 Built Form Overlay District, retaining the UN2 Urban Neighborhood District.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

The COMMITTEE OF THE WHOLE submitted the following report:

Palmisano moved to refer to the Committee of the Whole meeting of September 19, 2023, consideration of the amendment to the Purchase Agreement, Parking Lease, Reciprocal Easement and Operating Agreement and related agreements with 1111 Partners, LLC, to include 3rd Precinct police operations space in the facility located at 1101 3rd Ave S.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

The POLICY & GOVERNMENT OVERSIGHT Committee submitted the following report:

On behalf of the Policy & Government Oversight Committee, Chavez offered Resolution 2023R-264 accepting a gift of registration fee, lodging, and travel expenses from Everlaw for City Attorney staff to attend the Everlaw Summit 2023 in San Francisco, CA.

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

RESOLUTION 2023R-264

By Ellison

Accepting donation from Everlaw for the Everlaw Summit conference registration fee, travel and hotel expenses to the conference for Jodi Hanslick and accepting donation from Everlaw for the Everlaw Summit conference registration fee for Andy Sposeto.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes, Section 465.03, for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes, Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

Name of Donor – Everlaw

Gift – Everlaw Summit conference registration fee, hotel and travel expenses for Jodi Hanslick; and

Gift – Everlaw Summit conference registration fee for Andy Sposeto.

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in continuing education, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

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

That the donations described above are hereby accepted and shall be used for continuing education.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

On behalf of the Policy & Government Oversight Committee, Chavez offered Resolution 2023R-265 accepting donation from the National American Planning Association for Planning Director Meg McMahan to travel to Washington D.C.

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

RESOLUTION 2023R-265

By Ellison

Accepting donation from National American Planning Association for travel expenses to Washington, DC.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes, Section 465.03, for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes, Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set forth below to the city:

Name of Donor – National American Planning Association

Gift – Travel expenses to Washington, DC including airfare, hotel and meals from September 19-21, 2023.

Whereas, no goods or services were provided in exchange for said donation; and

Whereas, all such donations have been contributed to assist the city in participating in the APA's Congressional Fly-in and Housing Supply Accelerator convening, as allowed by law; and

Whereas, the City Council finds that it is appropriate to accept the donation offered;

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

That the donations described above are hereby accepted and shall be used for Planning Director Meg McMahan's travel expenses and accommodations to Washington, DC to participate in the APA Congressional Fly-in and Housing Supply Accelerator convening.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0590

The Minneapolis City Council hereby:

1. Accepts a scholarship from the Minnesota State Historic Preservation Office, in a total amount not to exceed \$2300, for up to five Heritage Preservation Commissioners and/or Department of Community Planning & Economic Development Staff to attend the PreserveMN conference in September 2023.
2. Authorizes a scholarship agreement with the Minnesota State Historic Preservation Office for the scholarship funds.
3. Passage of Resolution approving the appropriation of funds to the Department of Community Planning & Economic Development.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

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

RESOLUTION 2023R-266

By Ellison

Amending The 2023 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 Department of Community Planning & Economic Development (CPED) appropriation in the Federal Fund [01300-8900440] by \$2,300 and increasing the CPED revenue estimate in the Federal Fund [01300-8900440] by \$2,300.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0591

The Minneapolis City Council hereby authorizes a collective bargaining agreement with Local 82 Fire Fighters for the periods of Jan 1, 2022, through Dec 31, 2022, and Jan 1, 2023, through Dec 31, 2025, consistent with the terms of the Executive Summary; and authorizes the Labor Relations Director to implement the terms and conditions of the agreement.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0592

The Minneapolis City Council hereby accepts the second low bid of Robb Phillip Willman, submitted on Bid Event 2557, in the annual amount of \$193,000, to provide all materials, labor, equipment and incidentals necessary for Snow Plowing and Removal at Minneapolis Convention Center, and authorizes a contract, all in accordance with City specifications, for the 2023-2024 and 2024-2025 Winter seasons, with contract term beginning on Oct 10, 2023, through Apr 30, 2025.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0593

The Minneapolis City Council hereby accepts the low bid of Ramsey Excavating Company, Inc., submitted on Bid Event 2653, in the amount of \$244,838, to provide all materials, labor, equipment and incidentals necessary for the Debris Removal at 2312 Lyndale Ave S, and authorizes a contract, all in accordance with City specifications.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

Chavez moved to delete from the agenda the acceptance of the second low bid of Van Meter, Inc., submitted on Bid Event 2544.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

COUNCIL ACTION 2023A-0594

The Minneapolis City Council hereby accepts the low bid of Crawford Door Sales Co of Twin Cities, submitted on Bid Event 2212, in the amount of \$2,178,540, to provide all materials, labor, equipment and incidentals necessary for the Bi-Fold Doors for multiple facilities, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0595

The Minneapolis City Council hereby accepts the sole bid of Institutorm Technologies, USA, LLC., submitted on Bid Event 2541, in the amount of \$2,708,766.09, to provide all materials, labor, equipment and incidentals necessary for the Public Works Large Diameter Cured-In-Place Pipe Lining, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0596

The Minneapolis City Council hereby authorizes a contract with ImageTrend, for a total amount not to exceed \$1,227,624.17, for a five-year term, starting Oct 1, 2023, through Sep 31, 2028, for a reporting and time management software solution for the Fire Department.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0597

The Minneapolis City Council hereby authorizes a contract with Microsoft Corporation, for a total amount not to exceed \$509,958, for a three-year term starting Oct 1, 2023, through Sep 30, 2026, for Microsoft Unified Support Services.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0598

The Minneapolis City Council hereby:

1. Authorizes a contract with Clare Housing for Clare Terrace Tenant-Based Rental Assistance with Supportive Housing Services, for an annual amount not to exceed \$247,323, for a one-year period starting Jun 1, 2023, with the option to renew for four additional one-year periods, dependent upon performance and grant funding availability.
2. Authorizes a contract with Metropolitan Council Housing and Redevelopment Authority (HRA) for Tenant-Based Rental Assistance with Supportive Housing Services, for an annual amount not to exceed \$675,692, for a one-year period starting Jun 1, 2023.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0599

The Minneapolis City Council hereby authorizes an increase to contract COM0006719 with Arts Midwest, Inc., in the amount of \$131,525 for a total amount not to exceed \$306,525, for fiscal management services.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0600

The Minneapolis City Council hereby authorizes an increase to contract COM0003809 with Midwest Art Conservation Center, in the amount of \$25,000 for a total amount not to exceed \$250,000, for public art maintenance.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0601

The Minneapolis City Council hereby approves the settlement of the matter of Keith N. Alexander v. James Morgan, et al., 22-CV-365 WMW/DJF, by payment of \$45,000 to the Magna Law Firm client trust account, in exchange for a full and complete release of all claims against the City of Minneapolis, the named officers, and the City's employees, agents, and representatives and authorizes the City Attorney's Office to execute any and all documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

The PUBLIC HEALTH & SAFETY Committee submitted the following report:

COUNCIL ACTION 2023A-0602

The Minneapolis City Council hereby:

1. Accepts a grant from the DWI Court-State of Minnesota, Fourth Judicial District Court, in the amount of \$53,900, for a police liaison to the DWI Court and DWI defendant monitoring services, for a one-year period beginning Oct 1, 2023.
2. Authorizes an agreement with the DWI Court - State of Minnesota, Fourth Judicial District Court for the grant through Sep 30, 2024.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0603

The Minneapolis City Council hereby:

1. Authorizes a contract with the East Bde Maka Ska, in the amount of \$15,000, to provide administrative support and oversight in the planning and implementation of a shared resources and collaboration grant with the neighborhood organizations East Bde Maka Ska and East Isles Neighborhood Association, as part of the Neighborhoods 2020 Shared Resources and Collaborations Fund.
2. Authorizes a contract with the Central Area Neighborhood Development Organization (CANDO), in the amount of \$15,000, to provide administrative support and oversight in the planning and implementation of a shared resources and collaboration grant with the neighborhood organizations Central Area Neighborhood Development Organization and Bryant Neighborhood Organization, as part of the Neighborhoods 2020 Shared Resources and Collaborations Fund.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0604

The Minneapolis City Council hereby amends Council Action No. 2023A-0443, passed June 15, 2023, to read as follows:

1. Authorizes a contract with Strong Mind Strong Body Foundation, in partnership with Lowry Hill East Neighborhood Association, in the amount of \$19,911, to develop youth programming to address community problems through workshops and conversations.
2. Authorizes a contract with Twin Cities Healing Justice, in partnership with Corcoran Neighborhood Organization (CNO), in the amount of \$20,000, to provide workshops on community engagement, leadership, and systematic racism for young people.
3. Authorizes a contract with the Whittier Alliance, in partnership with Fortune Relief And Youth Empowerment Organization (FRAYEO), in the amount of \$25,000, to support community events in the Whittier and Lyndale neighborhoods.
4. Authorizes a contract with Corcoran Neighborhood Organization (CNO), in collaboration with ManUcan, in the amount of \$20,000, to create a restorative-centered program for ex-felons.
5. Authorizes a contract with Project DIVA International, in partnership with Corcoran Neighborhood Organization (CNO), in the amount of \$25,000, to provide programming for South Minneapolis female-identifying youth.
6. Authorizes a contract with Roots Connect, in partnership with Phillips West Neighborhood Organization (PWNO), in the amount of \$20,000, to provide programming for youth on self-care, positive mental health coping strategies, and conflict resolution.
7. Authorizes a contract with the Cedar-Riverside Community Council (CRCC), in partnership with Support & Empowerment of People With Disabilities, in the amount of \$26,620, to provide programming for people with disabilities.
8. Authorizes a contract with Taurus Moon, in partnership with Webber-Camden Neighborhood Organization (WCNO), in the amount of \$25,000, to provide holistic health and wellness programming to the North Minneapolis community.

9. Authorizes a contract with ~~Hawthorne Neighborhood Council, in collaboration with the Chocolate Milk Club~~ the Chocolate Milk Club, in collaboration with the Hawthorne Neighborhood Council, in the amount of \$26,620, to provide childbirth education and breastfeeding support to new families.
10. Authorizes a contract with Seeds Worth Sowing, in partnership with the Whittier Alliance, in the amount of \$25,000, to create a community space for people with disabilities.
11. Authorizes a contract with The ANIKA Foundation, in partnership with the Webber-Camden Neighborhood Organization (WCNO), in the amount of \$50,000, to create youth employment and entrepreneurship programming.
12. Authorizes a contract with the Whittier Alliance, in partnership with Minnesota Immigrant Rights Action Committee (MIRAC), in the amount of \$15,000, to provide English classes, taught by licensed educators, utilizing the Freire’s Popular Education model.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0605

The Minneapolis City Council hereby amends Council Action No. 2023A-0511, passed July 20, 2023, to read as follows:

1. Authorizes a contract with Circle of Discipline, in partnership with Marcy-Holmes Neighborhood Association (MHNA), in the amount of \$25,000, to provide music, poetry, mentorship, and career exploration to community members.
2. Authorizes a contract with Corcoran Neighborhood Organization (CNO), in partnership with Carmen Incaroca, in the amount of \$20,000, to provide Spanish language emergency preparedness training.
3. Authorizes a contract with Corcoran Neighborhood Organization (CNO), in partnership with William Martinez, in the amount of \$20,000, to provide Spanish language training and leadership development for young people.
4. Authorizes a contract with Corcoran Neighborhood Organization (CNO), in partnership with Patricia Santos, in the amount of \$20,000, to provide Spanish language support to families dealing with a cancer diagnosis.
5. Authorizes a contract with Phillips West Neighborhood Organization (PWNO), in partnership with Alley Communications Incorporated, in the amount of \$20,000, to provide journalism trainings and publishing opportunities for residents.
6. Authorizes a contract with Midtown Phillips Neighborhood Association Incorporated (MPNAI), in partnership with New Americans Youth Soccer Club, in the amount of \$18,000, to create a youth leadership development program.
7. Authorizes a contract with Webber-Camden Neighborhood Organization (WCNO), in partnership with Jun Yang, in the amount of \$50,000, to create a civic leadership program for community members, especially from underrepresented communities.
8. Authorizes a contract with Webber-Camden Neighborhood Organization (WCNO), in partnership with The Barber Ranch LLC, in the amount of \$20,000, to provide barber training to young people.
9. Authorizes a contract with Listen Media Community Fund, in partnership with Central Area Neighborhood Development Organization (CANDO), in the amount of \$25,000, to invest in the creation of a community-focused photography gallery in George Floyd Square.

10. Authorizes a contract with Foundations Church, in partnership with the Central Area Neighborhood Development Organization (CANDO), in the amount of \$46,000, to provide mentorship to youth in community.
11. Authorizes a contract with Fawkes Alley Coffee, in partnership with Citizens for Loring Park Community (CLPC), in the amount of \$19,910, to support a development program that provides life skills training and career support.
12. Authorizes a contract with Corcoran Neighborhood Organization (CNO), in partnership with Biking with Baddies, in the amount of \$25,000, to promote cycling to underrepresented community members through community events.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0606

The Minneapolis City Council hereby:

1. Accepts a grant from the UCare Foundation, in the amount of \$49,000, from Sep 1, 2023, to Aug 31, 2024, to pilot on-site substance use disorder (SUD) groups for residents living in six Minneapolis Public Housing Authority (MPHA) high rises.
2. Authorizes an agreement with UCare Foundation for the grant.
3. Passage of Resolution 2023R-267 approving appropriation of funds to the Health Department.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

Approved by Mayor Jacob Frey 9/8/2023.

(Published 9/9/2023)

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

RESOLUTION 2023R-267

By Vetaw

Amending The 2023 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 (01600-8600120) revenue code (372002) by \$49,000 and increasing the revenue estimate (01600-8600120) by \$49,000.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

Approved by Mayor Jacob Frey 9/8/2023.

(Published 9/9/2023)

The PUBLIC WORKS & INFRASTRUCTURE Committee submitted the following report:

COUNCIL ACTION 2023A-0607

The Minneapolis City Council hereby authorizes a 20 year contract with the Joint Water Commission for the sale of water, as further set forth in Legislative File No. 2023-00778 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0608

The Minneapolis City Council hereby authorizes negotiation with private property owners to acquire easements and additional right-of-way, if needed, for the 2025 resurfacing of ADA pedestrian ramps, ADA Pedestrian Ramp Program, and the 2024 Parkway Paving Program.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0609

The Minneapolis City Council hereby adopts a report designating that in accordance with procedures set out at Minnesota State Statutes, Section 429.101, and authority derived from special legislation applying to the City of Minneapolis, the City finds it to be in the interest of all citizens that the maintenance of the city street system promotes the general health, safety, and well-being of the citizenry and provides a benefit to each and every parcel within the City, and further that the cost of street maintenance should be offset by imposing a street maintenance assessment upon benefited parcels that are otherwise exempt from ad valorem taxation. Further, that the City Engineer has presented the details required by Minnesota State Statutes, Section 429, in connection with Street Maintenance District No. 1 for assessment of the maintenance costs on Minneapolis streets for the convenience and safety of the whole City of Minneapolis area.

A summary of the facts relative to this assessment is as follows:

Approximate number of assessable parcels in the City of Minneapolis: 1,212.

Approximate combined assessable area: 27,631,947 sq ft.

Annual cost per square foot: \$0.01957.

Further, a public hearing is scheduled for Oct 12, 2023, in accordance with the provisions of Minnesota State Statutes, Section 429, to consider the establishment of said proposed Street Maintenance District No.1.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0610

The Minneapolis City Council hereby adopts a report designating that in accordance with Minneapolis Code of Ordinances, Chapter 431, passed Aug 14, 2009, relating to imposing a street lighting fee upon benefited parcels that are otherwise exempt from ad valorem taxation (said Chapter 431.20 determining the City finds it to be in the interest of all citizens that the establishment, construction, operation, and maintenance of street lighting promotes the general health, safety, and well-being of the citizenry and provides a benefit to each and every parcel within the City, and further that the cost of street lighting operations should be offset by imposing a street lighting fee upon benefited parcels that are otherwise exempt from ad valorem taxation), and that the City Engineer has presented the details required by said Chapter 431 in connection with proposed Street Lighting Project No. 1337L for assessment of the operation costs of street lighting for the convenience and safety of the whole City of Minneapolis area.

A summary of the facts relative to this assessment is as follows:

Approximate number of assessable parcels in the City of Minneapolis: 1,212.

Approximate combined assessable area: 27,631,947 sq ft.

Annual cost per square foot: \$0.00392.

Further, a public hearing is scheduled for Oct 12, 2023, in accordance with the provisions of Minneapolis Code of Ordinances, Chapter 431, to consider the establishment of said proposed Street Lighting Project No. 1337L.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

On behalf of the Public Works & Infrastructure Committee, Johnson offered Resolution 2023R-268 adopting revisions to the 2001 Litter Container Placement and Servicing Policy to clarify Policy guidelines and align the Policy with current litter container placement and servicing best practices.

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

RESOLUTION 2023R-268

By Johnson

Adopting revisions to the 2001 Litter Container Placement and Servicing Policy to clarify Policy guidelines and align the Policy with current litter container placement and servicing best practices.

Whereas, the City Council adopted Council Action 2001A-0742 on June 8, 2001, which established the Litter Container Placement and Servicing Policy, titled “Downtown and High Traffic Option”; and

Whereas, the adopted Policy limited uniform container placement through quantity thresholds; and

Whereas, the adopted Policy limited flexibility in container servicing through set service frequency; and

Whereas, the adopted Policy did not provide an avenue to continue uniform placement citywide as area designations expanded; and

Whereas, the adopted Policy did not provide clear guidelines for litter container placement and servicing in the event of overlapping area designations, services, or existing non-City container(s); and

Whereas, the adopted Policy did not provide funding resources or stipulations within itself; and

Whereas, Solid Waste and Recycling, to the best of its ability, supported a clean and livable city through efficient litter container placement and servicing within the bounds of the adopted Policy; and

Whereas, Solid Waste and Recycling utilized temporary funding resources to place and service litter containers within the city's Cultural Districts, independent from the adopted Policy; and

Whereas, Policy revisions will remove container quantities; and

Whereas, Policy revisions will set minimum service frequency; and

Whereas, Policy revisions will incorporate existing funding sources; and

Whereas, Policy revisions will provide clear guidelines for container placement and servicing; and

Whereas, Policy revisions will allow for container placement and servicing in the City's Cultural Districts to continue;

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

That the following revised Litter Container Placement and Servicing Policy is hereby adopted:

Litter Container Placement and Servicing Policy

Litter Container Locations

1. One litter container per intersection in each Convention Center Taxing district, citywide.
2. One litter container per bus stop in each established Cultural District, citywide.
3. One litter container per bus shelter, citywide.

Litter Container Servicing

1. All litter containers placed under this Policy shall be serviced not less than two times per week, year round, with specific service schedules set by department staff.

Funding

1. Operating expenses for litter containers placed under this Policy shall be funded by the Public Works Parking Fund by annual recurring transfer to the Solid Waste Enterprise Fund.
2. Capital costs for litter containers placed under this Policy shall be funded by the Solid Waste Enterprise Fund at no cost to the Public Works Parking Fund.
3. Litter containers placed under this Policy that are also located within an area defined as an established Special Service District shall be placed and serviced at no cost to the district.

Policy Applicability

1. Litter container placement and servicing applies to the Department of Public Works, Division of Solid Waste and Recycling placed and serviced litter containers.
2. A Department of Public Works, Division of Solid Waste and Recycling placed and serviced litter container is required at designated litter container locations when an authorized and adequately serviced litter container does not already exist.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0611

The Minneapolis City Council hereby approves City of Minneapolis comments to the Minnesota Pollution Control Agency (MPCA) relating to the Metropolitan Solid Waste Management Policy Plan 2022-2042, as further set forth in Legislative File No 2023-00795 on file in the Office of the City Clerk, and directs the submittal of the comments to the MPCA.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0612

The Minneapolis City Council hereby approves the appointment of Allan Klugman to serve as the City's representative to the Metropolitan Council Transit Advantage and Signal Priority Working Group.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0613

The Minneapolis City Council hereby authorizes the submittal of a grant application to the Mississippi Watershed Management Organization (MWMO), in an amount up to \$950,000, to fund green infrastructure design, installation, and maintenance on two transportation projects within the Southside Green Zone.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0614

The Minneapolis City Council hereby:

1. Accepts a grant from the US Department of Transportation, in the amount of \$1,996,000, for a curb management pilot project that is part of their SMART Grant program.
2. Authorizes a grant agreement with the US Department of Transportation for the grant.
3. Passage of Resolution No. 2023R-0269 approving appropriation of funds to the Public Works Department.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

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

RESOLUTION 2023R-269

By Johnson

Amending The 2023 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 and revenue for the Public Works Department, in the amount of \$1,996,000, for the US Department of Transportation SMART grant (01300-6850200).

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

COUNCIL ACTION 2023A-0615

The Minneapolis City Council hereby approves the application submitted by Mercado Central LLC for a large block event permit to allow the El Grito Block Party to be held on Sept 15, 2023, on Bloomington Ave S between E Lake St and E 31st St, and to operate outside the hours permitted under Minneapolis Code of Ordinances, Section 455.35(c)(1).

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

NOTICE OF ORDINANCE INTRODUCTIONS

Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 341 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Taxicabs, amending provisions related to taxicab regulation.

Vetaw gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tobacco Dealers, amending various provisions related to the regulation of tobacco products.

Chughtai and Payne gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 2, Chapter 8 of the Minneapolis Code of Ordinances relating to Administration: City Council, amending Article II – Legislative Department relating to the structure and functions of the Office of City Auditor.

RESOLUTIONS

Chavez moved to adopt Resolution 2023R-270 commemorating Latino Heritage Month.

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

RESOLUTION 2023R-270

**By Chavez, Payne, Wonsley, Rainville, Vetaw, Ellison, Osman,
Goodman, Jenkins, Chughtai, Koski, Johnson, and Palmisano**

Commemorating Latino Heritage Month.

Whereas, the Hispanic Heritage Month is celebrated in the United States from September 15 to October 15, and the City of Minneapolis celebrates it as Latino Heritage Month; and

Whereas, the terms Hispanic, Latino, Latina, Latinx, Latine, Latin@ are inclusive names for the diverse ethnic group recognized during Latino Heritage Month; and

Whereas, during Latino Heritage Month celebration, we recognize the anniversary of independence for several Latino countries in the American continent including September 15 for Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua; September 16 for Mexico; and September 18 for Chile; and

Whereas, many Latinos in the American continent are the descendants of Indigenous groups and their diverse tribes, such as the Arawak (Colombia and Venezuela), Aztecs/Mayans (Mexico and Central America), the Incas (South America), and the Taino (Cuba, Puerto Rico, the Dominican Republic, Haiti, and Jamaica), and many Latinos share additional cultural roots, including African or Afro-Latino and Asian-Latino; and

Whereas, according to United Nations, there are 826 different Indigenous groups in Latin America and the Caribbean; and

Whereas, some Latinos have lost the ability to communicate in ancestral native languages such as Quechua, Quiche, Nahuatl, Aymara, and others as these languages were replaced by the Spanish language during colonialization of present day central, south American and Caribbean countries, and others have lost or never acquired the ability to speak Spanish due to language suppression efforts here in the United States, where Latinos are still told to “speak English” despite the fact that Spanish was the first non-native language spoken on the American continent; and

Whereas, one-third of the United States belonged to Mexico before 1848 with the end of the Mexican American War; before that, Latinos crossed the Rio Grande border freely. Latinos had their land taken away but have won the struggle of cultural survival; and

Whereas, according to 2020 Census data, there are 62.1 million Latinos in the United States or 18.7%; 345,640 in Minnesota or 6%; and 41,659 in Minneapolis or 9.8%; and

Whereas, Latinos play a crucial and growing role in the United States economy; they have demonstrated resourcefulness, hard work, and creativity. While they exist in a white supremacist system, they have been historically excluded and oppressed. Lingering effects of marginalization on the Latino population survive in the form of widespread bias and discrimination, lower paying jobs, less education, and other barriers that limit opportunities for growth and success; and

Whereas, Latinos have risen to the top in a variety of fields of endeavor, and there has been an increase seen in Latinos in positions of leadership in the United States, the state of Minnesota and the City of Minneapolis over the last few decades - the overall underrepresentation of Latinos in such positions substantiates the obstacles they must overcome that those of dominant identities are not subject to; and

Whereas, according to the Latino Leadership Institute, Latinos current purchase power is a \$1.7 trillion market, and their spending power is rising -- 6% compounded annual growth in the last decade, compared to 3% percent for the non-Latino White population; and

Whereas, 2023 Latino accomplishments worth highlighting include that Judge Jeffrey Bryan will be the first Latino federal judge in Minnesota, and this year's Legislature passed numerous proposals led by Latino groups; and

Whereas, many Minneapolis Latino-led groups and the Minnesota Council of Latino Affairs actively supported the passage of bills such as the MinnesotaCare Inclusion Act; Drivers Licenses for All; Working Family Credit; Homestead eligibility; Minnesota Child Credit Tax for Individual Taxpayer Identification Number (ITIN) filers; Personal Finance for High School Students; Minnesota Secure Choice Retirement Program; Increased Funding for English Learner Programming; Community solutions establishment and appropriation for healthy child development grants; Alzheimer's public information program establishment and appropriation; First generation homebuyers down payment assistance fund; and the Creation of the Office of New Americans (ONA) at the Department of Employment and Economic Development (DEED);

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

That the Mayor and City Council do hereby commemorate Latino Heritage Month to protect and uplift the voices, visions, and contributions brought forward by Latinos throughout Minneapolis, the United States, and the world.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

UNFINISHED BUSINESS

Mayor Frey returning with his veto of Ordinance 2023-052 adopted by the Council August 17, 2023, relating to transportation ride share worker protections, and stating his objections thereto, as set forth in Legislative File No. 2023-00044 on file in the Office of the City Clerk.

ORDINANCE 2023-052
By Wonsley, Chavez, and Osman
Intro & 1st Reading: 1/26/2023
Ref to: BIHZ
2nd Reading: 8/17/2023

Amending Title 13, Chapter 343 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Transportation Network Companies.

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

Section 1. That Chapter 343 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 343.125 to read as follows:

343.125. Transportation network company driver rights. (a) *Minimum compensation.* Minimum compensation paid by a TNC to a driver shall be as provided in this subsection. A TNC driver is covered by this subsection if the TNC driver provides TNC services within the geographic boundaries of the City of Minneapolis.

(1) A TNC driver shall be paid at least one dollar forty cents (\$1.40) per mile and fifty-one cents (\$0.51) per minute for the time transporting a rider, subject to annual adjustment as provided by this section, or five dollars (\$5.00), whichever is greater. A TNC driver shall be paid at least one dollar eighty-one cents (\$1.81) per mile and fifty-one cents (\$0.51) per minute for the time transporting a rider if the vehicle is a wheelchair accessible transportation network vehicle, subject to annual adjustment as provided by this section, or five dollars (\$5.00), whichever is greater. Minimum compensation is due only for the portion of the ride that occurs within the city.

(2) The per mile and per minute minimum rates established by this section shall be automatically adjusted on January 1, 2025, and each January 1 thereafter in the same manner as provided for the municipal minimum wage in section 40.390(e) of this Code.

(3) If a cancellation occurs after the driver has already departed to pick up a rider, the TNC must provide eighty percent (80%) of the cancellation fee to the driver.

(4) A TNC shall pay to its TNC drivers all tips and gratuities on or before the driver's next payment. Tips paid to a TNC driver are in addition to, and may not count towards, the TNC driver's minimum compensation as required pursuant to this section.

(5) If a rider is charged any special surcharge such as an event surcharge, the TNC must provide eighty percent (80%) of such surcharge to the driver.

(6) A TNC must pay a driver the compensation required under this section over a reasonable pay period not to exceed seven (7) calendar days.

(7) A TNC that uses its software or collection technology to collect fees or fares must pay a driver the fees and fares earned by the driver, regardless of whether the fees or fares are actually collected.

(b) *Transparency, notice, and posting.* A TNC shall provide notices and information to its drivers as provided in this subsection.

(1) At the time a driver is being offered a potential ride assignment, the TNC must provide the driver with the approximate mileage and time to the pickup location and approximate mileage and time of the requested ride.

(2) Within twenty-four (24) hours of each trip completion, the TNC must transmit a detailed electronic receipt to the driver containing the following information and any other information as required by the city operations officer or designee:

- a. The date, location, total distance traveled, and time spent from acceptance of the assignment to its completion.
- b. The time taken and total distance traveled from pickup to drop-off of the rider.
- c. An itemization of the total fare and fees paid by the rider.
- d. The total compensation paid to the driver specifying the rate or rates of pay, the rate per minute, rate per mile, any applicable price multiplier or variable pricing policy or surcharge in effect, tip compensation, and a specifically itemized list of all costs and reimbursements to, or charged to, the driver and any other information judged necessary to implement this chapter.

(3) On at least a weekly basis a TNC must provide a driver, in a format approved by the city operations officer or designee, a detailed and itemized accounting of all trips and compensation of the driver. The accounting must contain an explanation of how the driver's total compensation is calculated, including the percentage of the total fees and costs collected by the TNC that are allocated to the driver. A TNC must provide notice to drivers of any changes to the drivers' total compensation in writing or electronically at least forty-eight (48) hours prior to the date the changes are effective.

(4) A TNC shall provide each TNC driver with a written notice of rights established by this chapter. The city operations officer may create and distribute a model notice of rights in English and other languages. However, a TNC is responsible for providing TNC drivers with the notice of rights required by this subsection in a form and manner sufficient to inform TNC drivers of their rights under this chapter, regardless of whether the city has created and distributed a model notice of rights. The notice of rights shall provide information on:

- a. The right to the applicable minimum compensation as established by this section;
- b. The right to be protected from retaliation for exercising in good faith the rights protected by this chapter and applicable law; and
- c. The right to bring a complaint to the city or to engage with a driver's resource center or bring a civil action for violation of the requirements of this chapter, including a TNC or any person's failure to pay applicable minimum compensation, and a TNC or other person's retaliation against a TNC driver or other person for engaging in an activity protected by this chapter or applicable law.

A TNC shall provide the notice of rights required by this subsection in an electronic format that is readily accessible to the TNC driver. The notice of rights shall be made available to the TNC driver via smartphone application and online web portal in English and any language that the TNC knows or has reason to know is the primary language of the TNC driver. The city operations officer or designee may issue rules governing the form and content of the notice of rights, the manner of its distribution, and required languages for its translation.

(5) A TNC may not:

- a. Unilaterally prescribe specific dates, times of day, or a minimum number of hours during which a driver must be logged into the TNC's online-enabled application or platform;
- b. Deactivate or terminate the contract of a driver for not accepting a specific transportation service request;
- c. Prohibit a driver from performing services through other TNCs except while performing services through the TNC's online-enabled application or platform during dispatch platform time and passenger platform time; or

d. Prohibit a driver from working in any other lawful occupation or business.

(c) *Deductions from driver compensation.* Deductions from driver compensation are subject to the requirements of this subsection.

(1) A TNC may deduct any portion of a driver's compensation, without a driver's prior written authorization, only for the following reasons:

a. If the deduction is required by state or federal law; or

b. To satisfy a court order, judgment, wage attachment, trustee process, bankruptcy proceeding, or payroll deduction notice for child support payments.

(2) A mandatory deduction may reduce a driver's compensation below the minimum compensation requirements established by this section.

(3) Except as required by law, a TNC may only deduct compensation when the driver expressly authorizes the deduction in writing and does so in advance and for a lawful purpose. Voluntary deductions may reduce the driver's per trip earnings below the minimum compensation requirements set forth in this section. Any authorization by a driver must be voluntary and knowing. Voluntary deductions that may be authorized by a driver include, but are not limited to, voluntary deductions for a lease or rental car program. A driver's written authorization for deductions is valid if it:

a. Is written in either English or the driver's preferred language;

b. States that the driver authorizes a deduction from the driver's compensation;

c. States the deduction amount(s), interval(s) of deductions, and nature of any deductions;

d. States the effective date(s) of a deduction;

e. States the estimated end date of a deduction, if any;

f. Includes sufficient information to identify the driver;

g. Is submitted in advance of the deduction; and

h. Is submitted by the driver or the driver's authorized representative.

(4) A "voluntary and knowing" deduction means:

a. The driver was informed via an accessible system that the deduction may reduce their compensation below the minimum compensation requirements of this section.

b. The driver was not pressured, manipulated, or coerced into authorizing the deduction.

c. A driver may rescind a voluntary deduction with notice, written in either English or the driver's preferred language, at least ten (10) days before a scheduled deduction.

d. There is no financial benefit for any deduction. A TNC, or any person acting in the interest of the TNC, may not derive any financial profit or benefit from any deduction.

(5) A deduction will be considered for financial profit or benefit if it results in a financial gain. In determining whether a deduction resulted in a financial profit or benefit to the TNC, or any person acting in the interest of the TNC, the department may consider any of the following non-exhaustive factors:

a. The cost of the goods or services incurred by the TNC, including necessary administrative costs to provide the goods or services to the TNC driver; and

b. Whether the deduction resulted in a gain over and above expenditures.

(6) In no case may a transportation network company deduct the cost of damage to or loss of transportation network company equipment, software, intellectual property, or other tangible or intangible property from a driver's compensation.

(7) A transportation network company must not deduct from a driver's tips, unless required by law or expressly authorized under the voluntary deduction provisions of this section.

(d) *TNC to supply required supplies.* If a TNC requires drivers to maintain any specific personal protective equipment, disinfecting supplies, or similar supplies or equipment, including requirements for certain vehicle types or standards that exceed those required by section 343.80, the TNC shall be responsible for providing such equipment or supplies to its drivers without charge.

(e) *Retaliation prohibited; encouragement of more generous policies.* No TNC or any other person shall interfere with, restrain, deny, or attempt to deny the exercise of any right protected under this chapter or applicable law, nor retaliate against any person for attempting to exercise any such right. Nothing in this chapter shall be construed to discourage or prohibit a TNC from the adoption or retention of protections more generous than those required by this chapter.

(f) *Collective bargaining agreements; employment status.* Notwithstanding any law to the contrary, nothing in this chapter prohibits collective bargaining or shall be used as a basis to conclude whether a driver is an employee or independent contractor.

(g) *Deactivation* means the suspension or termination of a driver's ability to receive connections to potential riders from a TNC.

(1) *Deactivation Rules.* A TNC must have clear written rules stating the circumstances under which a driver may be deactivated or sanctioned, either permanently or temporarily, and stating fair, objective, and reasonable procedures for a driver to request a reconsideration of a deactivation. These rules, and any updates, must:

a. Be available both online and in written form to the drivers at least thirty (30) days before they are enforceable.

b. Clearly list the circumstances that constitute minor infractions and major infractions and indicate those infractions that subject a driver to deactivation or other sanction and the corresponding number of days or range of days of deactivation.

c. Provide that a driver must be subject to permanent deactivation if the driver is convicted of or receives a stay of adjudication for any of the following:

1. Felony-level harassment or stalking under Minnesota Statutes Section 609.749, Subdivisions 3, 4, or 5.

2. Murder under Minnesota Statutes Sections 609.185, 609.19, or 609.195.

3. Predatory offender registration requirements under Minnesota Statutes Section 243.166, Subdivision 5.

4. Violating a harassment restraining order under Minnesota Statutes Section 609.748.

5. Possession of pornographic work involving minors under Minnesota Statutes Section 617.247.

6. Criminal sexual conduct under Minnesota Statutes Sections 609.342, 609.343, 609.344, 609.345, or 609.3451.

7. Criminal sexual predatory conduct under Minnesota Statutes Section 609.3453.

8. Carjacking under Minnesota Statutes Section 609.247.

9. Driving while impaired under Minnesota Statutes Section 169A.20.

10. Kidnapping under Minnesota Statutes Section 609.25.

11. Any crime against a rider.

(2) *Deactivation notice and procedures.* The deactivation notice and process provided by this section must occur prior to any deactivation being applied except that a TNC may temporarily deactivate a driver for a major infraction that endangers public safety. In such instances, if the violation is not substantiated, the TNC must immediately reinstate the driver.

a. A TNC must provide to the driver a notice of proposed deactivation which includes:

1. The written basis for any proposed deactivation or other sanction at least five (5) days before the deactivation occurs.
2. The alleged infraction and the rule or rules the TNC alleges have been violated.
3. The right for a driver to request a meeting with the TNC, and to have a representative present to advocate for the driver, in order to reconsider the deactivation.
4. The opportunity for the driver and any representative of the driver to present their position and any other relevant information or witnesses regarding the alleged rule violation.

b. The TNC must consider any information presented by the driver. For a deactivation to be upheld, there must be evidence under the totality of the circumstances to find that it is more likely than not that a rule violation subjecting the driver to deactivation has occurred. A traffic ticket or other traffic or criminal charge alone is not conclusive of a rule violation unless there has been a conviction.

(3) *Deactivation reconsideration meeting.*

a. Except as provided below regarding drivers previously deactivated, a driver must request a deactivation reconsideration meeting within fifteen (15) calendar days of receiving notice of a proposed deactivation.

b. A deactivation reconsideration meeting must occur within seven (7) calendar days of receipt of a driver's request for a deactivation reconsideration meeting.

c. If a deactivation reconsideration meeting does not occur within the required time period, and no continuance is agreed to, the alleged violation must be dismissed and cannot form the basis of any further deactivation or other sanction, unless the driver is later found guilty of a crime that endangers public safety or of a violation that constitutes a major infraction.

d. If a rule violation is not substantiated at the deactivation reconsideration meeting, the TNC must immediately rescind the proposed deactivation, or if deactivation has already occurred, must reinstate the driver's account.

(4) This subsection does not affect deactivations for economic reasons that are not targeted at a particular driver or drivers.

(5) Any driver who has been deactivated by a TNC from January 1, 2021, until December 31, 2023, has the right to reapply for driver status and request a deactivation reconsideration meeting, consistent with the procedures provided in this section, to determine if there is a valid basis to uphold the deactivation, and whether the driver should be reinstated. Any previous deactivation shall not be considered as a basis for a denial of reactivation, although any facts discovered regarding the basis for a previous deactivation may be. If a TNC denies the application to reactivate a driver, it must upon request provide the basis for doing so to the applicant in writing.

(6) By March 1, 2024, a TNC must provide notice of a right to a deactivation reconsideration meeting to all drivers deactivated since January 1, 2021, by contacting the drivers through the following means, in no particular order, until actual contact is made:

- a. Emailing notice to the last known email address;
- b. Texting notice to the last known cell phone number;

- c. Mailing written notice to the last known home address; and
- d. Calling the last known phone number of the deactivated driver.

A deactivated driver notified under this subdivision has ninety (90) days to request a deactivation reconsideration meeting. If a driver requests a deactivation reconsideration meeting, the procedures provided in this section apply.

(h) *Driver resource center.* The City may contract with and/or fund a driver resource center, or an organization providing the services of a driver resource center as described in this chapter, to provide driver resources and resolution services.

(1) Services provided by a driver resource center may include, but are not limited to:

- a. Consultation and/or direct representation for TNC drivers facing deactivation;
- b. Other support for TNC drivers to ensure compliance with applicable labor standards and/or to support their ability to perform TNC services; and
- c. Outreach and education to TNC drivers regarding their rights under this chapter and other applicable federal, state, and local laws and regulations.

(2) A driver resource center shall be a nonprofit organization registered with the Minnesota secretary of state and shall have:

- a. Organizational bylaws giving drivers right to membership in the organization;
- b. Demonstrated experience or capability to provide services to TNC drivers providing rides originating in the City of Minneapolis, including the ability to meaningfully represent drivers in deactivation appeals proceedings; and
- c. Culturally competent driver representation services, outreach, and education.

The administration and formation of the driver resource center may not be funded, influenced, or controlled by a TNC.

(i) *Civil action authorized.* To the fullest extent permitted by law, a driver or a driver's beneficiaries may bring a civil action for damages or other applicable relief for noncompliance with or violation of this chapter against a TNC in district court.

(j) *Severability.* The provisions of this chapter are declared to be separate and severable. If any clause, sentence, paragraph, subdivision, section, subsection, or portion of this chapter, or the application thereof to any TNC, TNC driver, or circumstance, is held to be invalid, it shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances.

Section 2. That Section 343.160 of the above-entitled ordinance be amended to read as follows:

343.160. - Service charges and fare rates. Compensation for service may be charged based on distance traveled and/or time elapsed during service, or a flat prearranged fare. If the rates vary from the normally posted rate on the website and in the application, the TNC application must require that the passenger positively acknowledge on the application device used to summons the TNC driver that they agree to the rate structure being charged for the trip requested. Upon completion of a prearranged ride, a TNC shall transmit to the rider an electronic receipt, either by electronic mail or via text message. The message shall document the point of origin and destination of the ride, the total distance and duration of the ride, the total fare paid including the base fare and any additional charges, the compensation that the driver received for the ride, and the driver's first name and a customer service telephone number and email address.

Section 3. That Section 343.170 of the above-entitled ordinance be amended to read as follows:

343.170. Records and reports. (a) Every licensee shall keep accurate books and records of account of the licensee's operations at the licensee's place of business in the city for a minimum of three (3) years. Such records shall be submitted for inspection upon the request of the ~~licensing official~~ city operations officer.

(b) Each licensee shall provide the following data to ~~licensing official~~ the city operations officer or designee, at such times and in a format and manner prescribed by the ~~licensing official~~ city operations officer or designee. Data provided pursuant to this subsection shall be deemed to be not public data to the extent permissible under the Minnesota Government Data Practices Act or other applicable law.

(1) The number and percentage of the licensee's customers within the city who requested wheelchair accessible vehicles, and how often the licensee referred such customers to another service provider;

(2) The number of rides requested and accepted by the licensee's drivers within each ~~zip code~~ census tract within the city; and the number of rides that were requested but not accepted by the licensee within each ~~zip code~~ such tract; Data provided pursuant to this subsection shall be deemed to be not public data to the extent permissible under the Minnesota Government Data Practices Act or other applicable law;

(3) Information on any of the licensee's drivers who were alleged to have committed a violation of this chapter or their terms of service or who have been suspended or banned from driving for the licensee, including any zero-tolerance complaints and the outcome of the investigation into those complaints;

(4) The average and mean number of hours and miles each of the TNC endorsed drivers spent driving for the licensee, to be further broken down to include the percentage of drivers who drove within any timeframes as set by and requested by the city, such as less than ten (10) hours per week, more than forty (40) hours per week, or any other requested timeframe;

(5) The licensee must provide upon the request of the ~~licensing official, police chief, or their designees~~ city operations officer or their designee, factual information regarding the licensee's drivers and vehicles so as to determine whether or not a particular TNC driver was active on the TNC dispatch system application, in route to a passenger location, or engaged with a passenger at a specific time and date. Such information shall be provided within eight (8) hours of the request unless otherwise required ~~by the licensing official~~; and

(6) Evidence that the TNC has complied with the background check requirements for all endorsed TNC drivers.

(7) The licensed TNC shall maintain the ability to provide, upon a lawful request of a law enforcement agency or court of law pertaining to an active criminal investigation, factual information and data regarding the identity, home address, telephone number and credit or debit card information of a rider. Data limited solely to the use of a gift card shall not be deemed to satisfy this requirement.

(8) The city operations officer or designee shall have the authority to request and review records from each licensee and may issue rules governing the submission format, security and privacy protocols relating to the submission of such records in accordance with, and to the fullest extent permitted by applicable law. A licensee shall affirmatively transmit any such records as lawfully required by the rules issued by the city operations officer or designee on at least a quarterly basis. Such records may include, but are not limited to:

a. The distance and duration of each trip;

b. The amount of time spent and miles travelled in available platform time, dispatch platform time, and passenger platform time;

c. Per-trip TNC driver compensation;

d. For each trip the date, time, and location of dispatch, passenger pickup, and passenger drop-off;

e. Unique vehicle and driver identifier;

f. Passenger fares for each trip; and

g. Any other records that the city operations officer or designee determines are necessary to effectuate the purposes of this chapter.

Section 4. That Section 343.190 of the above-entitled ordinance be amended to read as follows:

343.190. Violations and penalties. (a) Any licensee who violates this chapter or any rule or regulation promulgated hereunder shall be subject to an administrative penalty as listed in the administrative fine schedule. Each day that any violation shall continue shall be deemed a separate and distinct offense.

(b) Any person other than a licensee who violates this chapter or any rule or regulation promulgated hereunder shall be subject to an administrative penalty as listed in the administrative fine schedule. Each day that any violation shall continue shall be deemed a separate and distinct offense.

(c) Any licensee or person who violates this chapter or any rule or regulation promulgated hereunder, in addition to the penalties provided in subsections (a) and (b), may be subject to any other penalty or adverse license action as authorized or as provided for by this Code.

Section 5. That Section 343.200 of the above-entitled ordinance be amended to read as follows:

343.200. Enforcement, rules and regulations. (a) Upon request, a driver shall display to law enforcement personnel or the licensing official, or other person authorized to enforce this chapter, a physical or electronic record of a ride in progress sufficient to establish that it was a prearranged transportation service. To the extent that trip records are contained on electronic devices, drivers are not required to relinquish custody of the devices in order to make the required display.

(b) If a passenger files a complaint against a licensee or driver with the city, in addition to all other powers and remedies provided under this Code, the licensing official or authorized staff shall have the right to inspect the licensee's records as necessary to investigate and resolve the complaint to the same extent the licensing official and law enforcement personnel are permitted to inspect all other public passenger vehicles.

(c) The ~~licensing official~~ city operations officer or designee is authorized to enforce this chapter, and to adopt rules and regulations for the proper administration and enforcement of this chapter. The city operations officer or designee may use any rulemaking authority granted under this chapter, including any authority otherwise granted to the licensing official, in consultation with appropriate city departments including, but not limited to, the departments of community planning and economic development, civil rights, and public works.

(d) Any fees imposed pursuant to rules authorized by this chapter shall be reasonably related to the city's cost of administration and enforcement, and shall be effective upon approval of the license fee schedule.

Section 6. The effective date of the ordinance amendments herein described shall be January 1, 2024.

The question before the Council being, "Shall the ordinance be enacted notwithstanding the objections of the Mayor?", on roll call, the result was:

Ayes: Osman, Jenkins, Chavez, Chughtai, Payne (5)

Noes: Rainville, Vetaw, Koski, Johnson, Palmisano (5)

Absent: Wonsley, Ellison, Goodman (3)

The vote being less than the two-thirds majority required by the City Charter to enact the ordinance over the objections of the Mayor, said veto was sustained.

CLOSED SESSION

City Attorney Kristyn Anderson stated that the meeting may, upon a proper motion, be closed under the Minnesota Open Meeting Law for the purpose of discussing attorney-client communications.

At 10:45 a.m., Jenkins moved to adjourn to a closed session, pursuant to Minnesota Statutes Section 13D.05, Subdivision 3(b) for the purpose of discussing the litigation matters of Muna Ahmed v. City of Minneapolis, former Minneapolis Police Sergeant Andrew Bittell, Minneapolis Police Sergeant Kevin Angerhofer, and Minneapolis Police Sergeant Ryan McCann; and Amy Julia Bligh v. Defendants Nicholas Anderson and Andrew Ruden.

On roll call, the result was:

Ayes: Rainville, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano, Payne (10)

Noes: (0)

Absent: Wonsley, Ellison, Goodman (3)

Adopted.

At 10:56 a.m., Council Vice-President Palmisano called the closed session to order, a quorum being present.

Present – Council Members Elliott Payne, Michael Rainville (Out at 11:12 a.m.), LaTrisha Vetaw, Jamal Osman, Andrea Jenkins, Jason Chavez, Aisha Chughtai, Emily Koski, Andrew Johnson, Linea Palmisano.

Absent – Council Members Robin Wonsley, Jeremiah Ellison, Lisa Goodman.

Also Present – City Attorney Kristyn Anderson and Assistant City Attorneys Tracey Fussy, Mark Enslin, and Rebekah Murphy, City Attorney's Office; City Clerk Casey Joe Carl and Assistant City Clerk Jackie Hanson, City Clerk's Office.

Enslin summarized the Muna Ahmed v. City of Minneapolis, former Minneapolis Police Sergeant Andrew Bittell, Minneapolis Police Sergeant Kevin Angerhofer, and Minneapolis Police Sergeant Ryan McCann lawsuit from 10:59 a.m. to 11:06 a.m.

Enslin, Anderson, and Fussy summarized the Amy Julia Bligh v. Defendants Nicholas Anderson and Andrew Ruden lawsuit from 11:06 a.m. to 11:19 a.m.

At 11:19 a.m., Palmisano moved that the meeting be opened.

On roll call, the result was:

Ayes: Payne, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano (9)

Noes: (0)

Absent: Wonsley, Rainville, Ellison, Goodman (4)

Adopted.

The closed session of the City Council meeting was recorded with the recording on file in the Office of the City Clerk.

At 11:27 a.m., the meeting was reconvened in open session.

Present – Council Members Elliott Payne, LaTrisha Vetaw, Jamal Osman, Andrea Jenkins, Jason Chavez, Aisha Chughtai, Emily Koski, Andrew Johnson, Linea Palmisano.

Absent – Michael Rainville, Robin Wonsley, Jeremiah Ellison, Lisa Goodman.

COUNCIL ACTION 2023A-0616

Osman moved that all claims against the City of Minneapolis and any of its named or unnamed employees, including claims for attorneys' fees and costs, asserted in the matter of *Muna Ahmed v. City of Minneapolis, Former Minneapolis Police Sergeant Andrew Bittell, Minneapolis Police Sergeant Kevin Angerhofer, and Minneapolis Police Sergeant Ryan McCann*, 22-CV-00751, be settled in the amount of \$245,000; and the City Attorney's Office be authorized to execute all documents necessary to effectuate this settlement.

On roll call, the result was:

Ayes: Payne, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano (9)

Noes: (0)

Absent: Wonsley, Rainville, Ellison, Goodman (4)

Adopted.

COUNCIL ACTION 2023A-0617

Chughtai moved that all claims against the City of Minneapolis and any of its named or unnamed employees, including claims for attorneys' fees and costs, asserted in the matter of *Amy Julia Bligh v. Nicholas Anderson and Andrew Ruden*, Court File No. 23-CV-95, be settled in the amount of \$200,000; and the City Attorney's Office be authorized to execute all documents necessary to effectuate this settlement.

On roll call, the result was:

Ayes: Payne, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano (9)

Noes: (0)

Absent: Wonsley, Rainville, Ellison, Goodman (4)

Adopted.

Payne moved to reconsider all reports and action items in order to record his vote.

On roll call, the result was:

Ayes: Payne, Vetaw, Osman, Jenkins, Chavez, Chughtai, Koski, Johnson, Palmisano (9)

Noes: (0)

Absent: Wonsley, Rainville, Ellison, Goodman (4)

Adopted.

The motion passing, Payne indicated his vote should be recorded as voting aye on all reports and items, with the exception of a no vote on Resolution 2023R-257 relating to the issuance of tax exempt bonds by the City of Mendota to Stonebridge Building Company.

ADJOURNMENT

The meeting was adjourned at 11:45 a.m.

Casey Joe Carl,
City Clerk