

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
MAY 8, 2020**

(Published May 13, 2020, in *Finance and Commerce*)

CALL TO ORDER

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

Pursuant to Minnesota Statutes Section 13D.021, the meeting was held by electronic means and Council Members participated remotely due to the local public health emergency (novel coronavirus pandemic) declared on March 16, 2020.

Present - Council Members Kevin Reich, Cam Gordon, Steve Fletcher, Phillippe Cunningham, Jeremiah Ellison, Lisa Goodman, Andrea Jenkins, Alondra Cano, Lisa Bender, Jeremy Schroeder, Andrew Johnson, Linea Palmisano.

Jenkins moved to adopt the agenda.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

Jenkins moved to accept the minutes of the regular meeting of May 1, 2020.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

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

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

The following actions, resolutions, and ordinances were signed by Mayor Jacob Frey on May 11, 2020. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

NEW BUSINESS

Mayor Jacob Frey presented a report relating to the local public health emergency resulting from imminent health conditions caused by the presence of the Coronavirus Disease (COVID-19), as set forth in Legislative File No. 2020-00405.

On direction by Council President Bender, the report was received and filed.

REPORTS OF STANDING COMMITTEES

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

COUNCIL ACTION 2020A-00395

The Minneapolis City Council hereby approves an application submitted by Thrive Youth Services for an interim use permit (PLAN10865) to establish a community residential facility for eight children until May 5, 2025, for the property located at 3647 Fremont Ave N.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0396

The Minneapolis City Council hereby grants an appeal submitted by Ross Stiteley, on behalf of Sherman Associates, regarding the City Planning Commission's following conditions of approval to conditional use permit and site plan review applications (PLAN10513) related to a development located at 240 Portland Ave and 500-530 3rd St S, and deletes the following conditions:

1. Condition No. 2 of the conditional use permit for a principal parking facility: The site shall have a maximum of two curb cuts and the 3rd St S curb cut shall be eliminated from the final plans.
2. Condition No. 8 of the site plan review approving a planned unit development that includes a 23-story tower with 238 dwelling units and 5,400 square feet of commercial space, and a seven-story residential building with 90 dwelling units, a fire station, and a principal parking facility: The site shall have a maximum of two curb cuts and the 3rd St S curb cut shall be eliminated from the final plans.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0397

The Minneapolis City Council hereby approves the following applications (4) for Liquor License Renewals, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. Holiday Stationstore #2, 2124 FRANKLIN AVE E Minneapolis, MN, (Ward 6) submitted by Holiday Stationstores LLC, BLBeerOff, LIC361681
2. Holiday Stationstore #25, 5444 NICOLLET AVE Minneapolis, MN, (Ward 11) submitted by Holiday Stationstores LLC, BLBeerOff, LIC361748
3. Holiday Stationstore #335, 1331 INDUSTRIAL BLVD Minneapolis, MN, (Ward 1) submitted by Holiday Stationstores LLC, BLBeerOff, LIC361658
4. Holiday Stationstore #407, 3550 CEDAR AVE S Minneapolis, MN, (Ward 9) submitted by Holiday/Cedar Avenue LLC, BLBeerOff, LIC376086

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0398

The Minneapolis City Council hereby:

1. Approves an application submitted by Clay Dutra to vacate (PLAN10696) part of the public alley located in the area between 1626 E Lake St and 2940 17th Ave S.
2. Passage of Resolution 2020R-124 vacating a portion of the east-west alley in the northwest quadrant of 17th Ave S and E Lake St (Vac-1720).

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2020R-124

By Goodman

Vacating a portion of the east-west alley in the northwest quadrant of 17th Ave S and E Lake St (Vac-1720).

Resolved by The City Council of The City of Minneapolis:

Beginning at the Southeast corner of Lot 4, Block 2, Belle Plain Addition to Minneapolis, thence running South on a line extended from the East line of said Lot 4, a distance of 14.0' feet to a point located 12.04' feet East of the westerly line of Lot 36, Heaton's Addition to Minneapolis; thence, running Westerly 113.46' feet on a line parallel with the south line of Lot 4, Block 2, Belle Plain Addition, thence running

North 14.0' feet to the southerly line of said Lot 4, Block 2, Belle Plain Addition, thence East to the point of beginning. All according to the plats of record, and City of Minneapolis Council proceedings (Street Opening No. 858) dated May 27, 1910. All located in Hennepin County, Minnesota, is hereby vacated.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0399

The Minneapolis City Council hereby:

1. Approves an application submitted by Sister Karen Mohan to rezone (PLAN10633) the properties located at 1619 and 1621 Fremont Ave N from the R2B Multiple-family District to the OR2 High Density Office Residence District to construct a new convent.
2. Passage of Ordinance 2020-024 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

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

ORDINANCE 2020-024

By Goodman

Intro & 1st Reading: 1/8/2018

Ref to: BIZ

2nd Reading: 5/8/2020

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

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

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

Lot 3 and the East 107 feet of Lot 2, all in Block 12, Gale's Subdivision in Sherburne and Beebe's Addition to Minneapolis, according to the recorded plat thereof, Hennepin County, Minnesota (1619 Fremont Ave N and 1621 Fremont Ave N – Plate #12) to the OR2 High Density Office Residence District.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0400

The Minneapolis City Council hereby:

1. Approves an application submitted by Collage Architects to rezone (PLAN10147) the properties located at 187-199 Irving Ave N and 190-198 James Ave N from the R5 Multiple-family District to the OR2 High Density Office Residence District to construct a new six-story mixed-use/office building (LEEF-South Project).
2. Passage of Ordinance 2020-025 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

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

ORDINANCE 2020-025

By Goodman

Intro & 1st Reading: 1/8/2018

Ref to: BIZ

2nd Reading: 5/8/2020

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

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

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

Lots 1, 2, 3, 4, 5, 11, 12, 13 and 14, including adjacent one half vacated alley, Block 7, BYRNES ADDITION TO MINNEAPOLIS (199 Irving Ave N, 195 Irving Ave N, 191 Irving Ave N, 187 Irving Ave N, 190 James Ave N, 194 James Ave N, 196 James Ave N and 198 James Ave N – Plate #12) to the OR2 High-Density Office Residence District.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0401

The Minneapolis City Council hereby:

1. Approves an application submitted by Saoudoun Al-Khigany to rezone (PLAN10624) the property located at 2007 Glenwood Ave from the C1 Neighborhood Commercial District to the C2 Neighborhood Corridor Commercial District to allow a new tobacco shop within an existing building.
2. Passage of Ordinance 2020-026 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

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

ORDINANCE 2020-026

By Goodman

Intro & 1st Reading: 1/8/2018

Ref to: BIZ

2nd Reading: 5/8/2020

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

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

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

PID: 2102924330060

DESCRIPTION OF PROPERTY SURVEYED: Lot 8, Auditor's Subdivision No. 26, Hennepin County, Minn. And Lot 3, Block 1, Berquist's Subdivision of Lot 9, Auditors Subdivision No. 26, Hennepin Co., Minnesota_2007 Glenwood Ave – Plate #12) to the C2 Neighborhood Corridor Commercial District.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0402

The Minneapolis City Council hereby:

1. Approves an application submitted by Double Yellow Line, LLC to rezone (PLAN10698) the property located at 4534 Nicollet Ave from the R2B Multiple-family District to the C2 Neighborhood Corridor Commercial District, retaining the AP Airport Overlay District, to establish a new general retail sales and services use (record shop).
2. Passage of Ordinance 2020-027 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

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

ORDINANCE 2020-027

By Goodman

Intro & 1st Reading: 1/8/2018

Ref to: BIZ

2nd Reading: 5/8/2020

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

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

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

Lot 3, Block 16, Pleasant Park Addition to Minneapolis, Hennepin County, Minnesota (4534 Nicollet Ave – Plate #31) to the C2 Neighborhood Corridor Commercial District, retaining the AP Airport Overlay District.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0403

The Minneapolis City Council hereby:

1. Approves an application submitted by Jane Maiorano to rezone (PLAN10628) the property located at 911 W 24th St from the R2B Multiple-family District to the R3 Multiple-family District to construct an addition containing one new dwelling unit to create a three-unit building.

2. Passage of Ordinance 2020-028 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

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

ORDINANCE 2020-028
By Goodman
Intro & 1st Reading: 1/8/2018
Ref to: BIZ
2nd Reading: 5/8/2020

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

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

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

Lot 14, Block 3, Lyndale Addition to Minneapolis, Hennepin County, Minnesota (911 W 24th St – Plate #18) to the R3 Multiple-Family District.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0404

The Minneapolis City Council hereby:

1. Authorizes a new one-year lease with Community Care Clinics of Minnesota, 2139 44th Ave N, to begin June 1, 2020, with potential rent abatement until the earlier of when the Governor's COVID-19 stay at home order is lifted or the clinic is reopened.
2. Approves the waiving of monthly rent for April and May, 2020, under the existing lease with Community Care Clinics of Minnesota, 2139 44th Ave N, in response to the Governor's COVID-19 stay at home order.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

The POLICY & GOVERNMENT OVERSIGHT Committee submitted the following report:

On behalf of the Policy & Government Oversight Committee, Jenkins offered Ordinance 2020-029 amending Title 16, Chapter 421 of the Minneapolis Code of Ordinances relating to Planning and Development: Housing Improvement Areas, adding a new Article IV entitled "Summit House Housing Improvement Area," to establish the area and impose fees to pay for housing improvements within the area.

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

ORDINANCE 2020-029
By Goodman
Intro & 1st Reading: 2/14/2020
Ref to: POGO
2nd Reading: 5/8/2020

Amending Title 16, Chapter 421 of the Minneapolis Code of Ordinances relating to Planning and Development: Housing Improvement Areas.

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

Section 1. That Chapter 421 of the Minneapolis Code of Ordinances be amended by adding thereto a new Article IV, including new Sections 421.310 through 421.400, to read as follows:

ARTICLE IV. – SUMMIT HOUSE HOUSING IMPROVEMENT AREA

421.310. Summit House Housing Improvement Area. (a) The City has determined a need to establish the Summit House Housing Improvement Area as further defined herein, in order to facilitate certain improvements to property known as the "Summit House Project," all in accordance with the Housing Improvement Act.

(b) The City has consulted with the Summit Homes Association (the "Association") and with residents in the Summit House Housing Improvement Area regarding the establishment of such area and the housing improvements to be constructed and financed under this ordinance.

421.320. Findings. (a) The Council finds that, in accordance with Section 428A.12 of the Housing Improvement Act and the City's Housing Improvement Area Policy, owners of at least seventy-five (75) percent of the housing units within the Summit House Housing Improvement Area have filed a petition with the City Clerk requesting a public hearing regarding establishment of such housing improvement area.

(b) The Council has conducted a public hearing, duly noticed in accordance with the Housing Improvement Act, regarding adoption of this ordinance at which all persons, including owners of property within the Summit House Housing Improvement Area were given an opportunity to be heard.

(c) The Council finds that, without establishment of the Summit House Housing Improvement Area, the Housing Improvements (as hereinafter defined) could not be made by the Association or the housing unit owners.

(d) The Council further finds that designation of the Summit House Housing Improvement Area is needed to maintain and preserve the housing units within such area.

(e) For the purpose of providing full disclosure of public expenditures and financing arrangements for the Summit House Housing Improvement Area (as required under Section 428A.13, subd. 1a(1) of the Housing Improvement Act), the Council determines that the City expects to finance Housing Improvements by either a capital advance of available City funds or by issuing general obligation bonds primarily secured by the housing improvement fee imposed on unit owners within the Summit House Housing Improvement Area, and also secured by the City's full faith and credit and taxing powers, as further described in Section 421.350 hereof.

(f) In accordance with Section 428A.13, subd. 1a(2) of the Housing Improvement Act, the Council determines that the Association will contract for construction of the Housing Improvements.

421.330. Housing Improvement Area Defined. (a) The Summit House Housing Improvement Area is hereby defined as the area of the City legally described as follows: Common Interest Community Number 0222, according to the recorded plat thereof, on file and of record in the Office of the Registrar of Titles in and for Hennepin County, Minnesota.

(b) The Summit House Housing Improvement Area contains two hundred ninety-seven (297) housing units as of the date of adoption of this ordinance, along with common areas.

421.340. Housing Improvements Defined. (a) For the purposes of this ordinance and the Summit House Housing Improvement Area, the term "Housing Improvements" shall mean the following improvements to housing units and common areas within the Summit House Housing Improvement Area:

- (1) Replace equipment for heating, cooling and ventilation, including completing related structural and electrical work;
- (2) Replace building roofs;
- (3) Install new emergency generators; and
- (4) Renovation of parking garages.

(b) Housing Improvements shall also be deemed to include:

- (1) All costs of architectural and engineering services, overhead, and all similar soft costs in connection with the activities described in Section 421.340 (a), including without limitation costs of a professional construction manager.

(2) All administration, legal and consultant costs in connection with the Summit House Housing Improvement Area.

(3) Costs of financing the Housing Improvements under the Housing Improvement Act, whether through issuance of bonds or lending available City funds, including the amount of any debt service reserve fund and City process expenses or other expenses deemed reasonable and necessary by the City in connection with such bonds and the financing described herein.

421.350. Housing Improvement Fee. (a) The City may, by resolution adopted in accordance with the petition, hearing, and notice procedures required under the Housing Improvement Act, impose a fee on the housing units within the Summit House Housing Improvement Area, at a rate, term or amount sufficient to produce revenues required to finance the Housing Improvements (hereinafter referred to as the "Housing Improvement Fee"), subject to the terms and conditions set forth in this Section.

(b) Any Housing Improvement Fee shall be imposed on the basis of each unit's share, exclusive of parking ownership, of common expenses as defined in the Bylaws of Common Interest Community Number 0222, as amended to date (the "Declaration"). The Council specifically finds that such allocation is more fair and reasonable than a fee based upon the tax capacity or square footage of each housing unit, because the Association and unit owners themselves have determined that the percentage share for each unit set forth in the Declaration, exclusive of parking ownership, is an equitable means of allocating common costs such as the Housing Improvements.

(c) The Housing Improvement Fee shall be imposed and payable for a period of nineteen (19) years beginning with the first year fees are due and payable.

(d) Any Housing Improvement Fee shall not be prepayable except as otherwise specified in the resolution imposing the Housing Improvement Fee.

(e) The resolution imposing the Housing Improvement Fee may provide that any fee not prepaid by the housing unit owner shall be deemed to include interest on unpaid Housing Improvements costs at a rate to be calculated at the time the City finances the Housing Improvements by the City Finance Officer.

(f) The Housing Improvement Fee shall be collected at the same time and in the same manner as provided for payment and collection of ad valorem taxes, in accordance with Section 428A.15 of the Housing Improvement Act and Minnesota Statutes, Section 428A.05. As set forth in Section 428A.14, subd. 2 of the Housing Improvement Act, the Housing Improvement Fee is not included in the calculation of levies or limits on levies imposed under any law or charter.

(g) The Housing Improvement Fee shall not exceed the maximum annual amount specified in the notice of public hearing regarding the approval of such fee; provided, however, that the Housing Improvement Fee may be reduced after approval of the resolution setting the Housing Improvement Fee, based on the actual financing terms in the manner specified in such resolution.

421.360. Issuance of Bonds. At any time after the effective date of this ordinance and after the Association completes construction of the Housing Improvements as determined by the City, the Council may issue bonds or make a capital advance of available City funds in the principal amount necessary to finance the cost of the Housing Improvements to the extent the City has agreed that all financial interest of First Service Residential Minnesota, Inc., Dunbar Strandness, Inc., Cost Planning & Management International,

Inc., Gilbert Mechanical Contractors, Inc. and L.S. Black Constructors, Inc. are reasonable and further, to the extent such costs have not been prepaid together with up to two million seven hundred sixty thousand (\$2,760,000) of financing costs including a debt service reserve, costs of issuance of the bonds, city processing fee and underwriter's discount, provided that the principal amount of the financing will not exceed eighteen million five hundred sixty thousand dollars (\$18,560,000). Such financing shall be issued pursuant to and in accordance with Section 428A.16 of the Housing Improvement Act.

421.370. Annual Reports. (a) On August 15, 2020, and each August 15 thereafter until the Housing Improvement Fee and all interest thereon is paid in full and all Housing Improvement Fee revenues have been expended, the Association (and any successor in interest) shall be required to submit to the Minneapolis Department of Community Planning and Economic Development a copy of the Association's audited financial statements.

(b) The Association (and any successor in interest) shall also submit to the City any other reports or information at the times and as required by any contract entered into between that entity and the City.

421.380. Notice of Right to File Objections. Within five (5) days after the adoption of this ordinance, the Minneapolis Finance and Property Services Department is authorized and directed to mail to the owner of each housing unit in the Summit House Housing Improvement Area:

(1) A summary of this ordinance;

(2) Notice that owners subject to the proposed Housing Improvement Fee have a right to veto this ordinance if owners of at least forty-five (45) percent of the housing units within the Summit House Housing Improvement Area file an objection with the City Clerk before the effective date of this ordinance; and

(3) Notice that a copy of this ordinance is on file in the office of the City Clerk for public inspection.

421.390. Amendment. This ordinance may be amended by the Council upon compliance with the public hearing and notice requirements set forth in Section 428A.13 of the Housing Improvement Act.

421.400. Effective Date. This ordinance shall be effective forty-five (45) days after the date of publication of this ordinance, subject to the veto rights of housing unit owners under Section 428A.18 of the Housing Improvement Act and Section 421.380 hereof.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Policy & Government Oversight Committee, Jenkins offered Resolution 2020R-125 approving a Housing Improvement Fee for the Summit House Housing Improvement Area.

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

RESOLUTION 2020R-125

By Fletcher

Approving a Housing Improvement Fee for the Summit House Housing Improvement Area.

Whereas, the City of Minneapolis (“City”) is authorized under Minnesota Statutes, Section 428A.11 to 428A.21 (the “Housing Improvement Act”) to establish by ordinance a housing improvement area within which housing improvements are made or constructed and the costs of the improvements are to be financed by the City and paid in whole or in part from fees imposed within the area; and

Whereas, by Ordinance No. 2020-029 adopted concurrently with this Resolution (the “Enabling Ordinance”), the Council established the Summit House Housing Improvement Area (the “Housing Improvement Area”) in order to facilitate certain improvements to property known as the “Summit House,” all in accordance with the Housing Improvement Act; and

Whereas, in accordance with Section 428A.12 of the Housing Improvement Act and the City’s housing assistance policy, owners of at least 75 percent of the housing units within the Housing Improvement Area have filed a petition with the City Clerk requesting a public hearing regarding imposition of a housing improvement fee for the Housing Improvement Area (the “Petition”); and

Whereas, the Council has on May 6, 2020, conducted a public hearing, duly noticed in accordance with the Housing Improvement Act, regarding adoption of this Resolution at which all persons, including owners of property within the Housing Improvement Area, were given an opportunity to be heard; and

Whereas, prior to the date hereof, Summit Homes Association (the “Association”) has submitted to the City a financial plan prepared by an independent third party, acceptable to the City and the Association, that provides for the Association to finance maintenance and operation of the common elements in the Housing Improvement Area and a long-range plan to conduct and finance capital improvements therein, all in accordance with Section 428A.14 of the Housing Improvement Act; and

Whereas, for the purposes of this Resolution, the terms “Housing Improvement Area” and “Housing Improvements” have the meanings provided in the Enabling Ordinance;

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

That the City hereby imposes a fee on each housing unit within the Housing Improvement Area (the “Housing Improvement Fee” or “HI Fee”) in an amount not to exceed the maximum annual amount shown in Exhibit A hereto. The Housing Improvement Fee is imposed on the basis of each unit’s ownership percentage as attached to the Petition. The Council specifically finds that such allocation is more fair and reasonable than a fee based upon the tax capacity or square footage of each housing unit because the Association and unit owners themselves have determined that the percentage share for each unit set forth in the Declaration of Common Interest Community Number 0222, as amended to date is an equitable means of allocating common costs such as the Housing Improvements.

Be It Further Resolved that the owner of any housing unit against which a Housing Improvement Fee is to be imposed may, at any time prior to August 1, 2021, pay to the Association all of the Allocated Housing Improvement Area Project Costs imposed against such housing unit as shown on the attached Exhibit A. It is currently anticipated that any further prepayments will not be permitted. However, the City's Finance Officer may permit prepayments under terms and conditions determined by the Finance Officer in his sole discretion.

Be It Further Resolved that if not prepaid in accordance with terms stated above, the allocated Housing Improvement Fee (which includes the allocated Housing Improvement Area Project Costs as well as the allocated financing costs, including interest, debt service reserve, underwriter's discount/premium, costs of issuance and the city processing fee) shall be payable in equal annual installments over 19 years following project completion of the Housing Improvements.

Be It Further Resolved that after the closing date on the City financing, the City will calculate the Annual Housing Improvement Fee for each housing unit that has not timely prepaid. This annual fee will include both a principal and interest component. Interest will be calculated based on an imputed interest rate that will be computed by the City after issuance of the City financing. This imputed interest rate will take into account the true interest rate of the City financing as well as other related financing costs and annual debt service coverage. The maximum Annual Housing Improvement Fee for each unit is shown on Exhibit A.

Be It Further Resolved that the Housing Improvement Fee, unless timely prepaid, shall be payable at the same time and in the same manner as provided for payment and collection of ad valorem taxes, as provided in Sections 428A.14 and 428A.15 of the Housing Improvement Act.

Be It Further Resolved that within five days after the adoption of this Resolution, the Department of Finance and Property Services is authorized and directed to mail to the owner of each housing unit in the Housing Improvement Area a summary of this Resolution; notice that owners subject to the Housing Improvement Fee have a right to veto this Resolution if owners of at least 45 percent of the housing units within the Housing Improvement Area file an objection with the City Clerk before the effective date of this Resolution; and notice that a copy of this Resolution is on file with the City Clerk for public inspection.

Be It Further Resolved that this Resolution shall be effective 45 days after adoption and publication hereof, subject to (a) the veto rights of housing unit owners under Section 428A.18 of the Housing Improvement Act; and (b) execution in full of a financing agreement between the City and the Association providing for financing construction of the Housing Improvements.

Be It Further Resolved that after the effective date of this Resolution, but by no later than November 30, 2022, the Department of Finance and Property Services shall file a certified copy of this Resolution with the Hennepin County Auditor to be recorded on the property tax lists of the county.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

EXHIBIT A

Unit # (1)	Ownership % Per Bylaws (Units Only) (2)	Unit's Share (%) of Total Unit Ownership (85.2040%) (3)	Unit's Share of HIA Project Costs (\$15,800,000) (4)	Maximum Annual HI Fee (5)
101	0.3035%	0.35620393%	56,280.22	5,912.99
102	0.3035%	0.35620393%	56,280.22	5,912.99
103	0.2214%	0.25984696%	41,055.82	4,313.46
104	0.3041%	0.35690813%	56,391.48	5,924.67
105	0.2973%	0.34892728%	55,130.51	5,792.19
106	0.2214%	0.25984696%	41,055.82	4,313.46
107	0.3543%	0.41582555%	65,700.44	6,902.70
108	0.2406%	0.28238111%	44,616.22	4,687.53
109	0.3145%	0.36911413%	58,320.03	6,127.29
110	0.2191%	0.25714755%	40,629.31	4,268.65
111	0.3386%	0.39739918%	62,789.07	6,596.83
112	0.2413%	0.28320267%	44,746.02	4,701.16
113	0.3184%	0.37369138%	59,043.24	6,203.28
114	0.2442%	0.28660626%	45,283.79	4,757.66
201	0.3035%	0.35620393%	56,280.22	5,912.99
202	0.3035%	0.35620393%	56,280.22	5,912.99
203	0.2214%	0.25984696%	41,055.82	4,313.46
204	0.3041%	0.35690813%	56,391.48	5,924.67
205	0.2973%	0.34892728%	55,130.51	5,792.19
206	0.2214%	0.25984696%	41,055.82	4,313.46
207	0.3543%	0.41582555%	65,700.44	6,902.70
208	0.2406%	0.28238111%	44,616.22	4,687.53
209	0.3145%	0.36911413%	58,320.03	6,127.29
210	0.2191%	0.25714755%	40,629.31	4,268.65
211	0.3386%	0.39739918%	62,789.07	6,596.83
212	0.2413%	0.28320267%	44,746.02	4,701.16
213	0.3184%	0.37369138%	59,043.24	6,203.28
214	0.2442%	0.28660626%	45,283.79	4,757.66
301	0.3035%	0.35620393%	56,280.22	5,912.99
302	0.3035%	0.35620393%	56,280.22	5,912.99
303	0.2214%	0.25984696%	41,055.82	4,313.46
304	0.3041%	0.35690813%	56,391.48	5,924.67
305	0.2973%	0.34892728%	55,130.51	5,792.19

Unit # (1)	Ownership % Per Bylaws (Units Only) (2)	Unit's Share (%) of Total Unit Ownership (85.2040%) (3)	Unit's Share of HIA Project Costs (\$15,800,000) (4)	Maximum Annual HI Fee (5)
306	0.2214%	0.25984696%	41,055.82	4,313.46
307	0.3543%	0.41582555%	65,700.44	6,902.70
308	0.2406%	0.28238111%	44,616.22	4,687.53
309	0.3145%	0.36911413%	58,320.03	6,127.29
310	0.2191%	0.25714755%	40,629.31	4,268.65
311	0.3386%	0.39739918%	62,789.07	6,596.83
312	0.2413%	0.28320267%	44,746.02	4,701.16
313	0.3184%	0.37369138%	59,043.24	6,203.28
314	0.2442%	0.28660626%	45,283.79	4,757.66
401	0.3035%	0.35620393%	56,280.22	5,912.99
402	0.3035%	0.35620393%	56,280.22	5,912.99
403	0.2214%	0.25984696%	41,055.82	4,313.46
404	0.3041%	0.35690813%	56,391.48	5,924.67
405	0.2973%	0.34892728%	55,130.51	5,792.19
406	0.2214%	0.25984696%	41,055.82	4,313.46
407	0.3543%	0.41582555%	65,700.44	6,902.70
408	0.2406%	0.28238111%	44,616.22	4,687.53
409	0.3145%	0.36911413%	58,320.03	6,127.29
410	0.2191%	0.25714755%	40,629.31	4,268.65
411	0.3386%	0.39739918%	62,789.07	6,596.83
412	0.2413%	0.28320267%	44,746.02	4,701.16
413	0.3184%	0.37369138%	59,043.24	6,203.28
414	0.2442%	0.28660626%	45,283.79	4,757.66
501	0.3035%	0.35620393%	56,280.22	5,912.99
502	0.3035%	0.35620393%	56,280.22	5,912.99
503	0.2214%	0.25984696%	41,055.82	4,313.46
504	0.3041%	0.35690813%	56,391.48	5,924.67
505	0.2973%	0.34892728%	55,130.51	5,792.19
506	0.2214%	0.25984696%	41,055.82	4,313.46
507	0.3543%	0.41582555%	65,700.44	6,902.70
508	0.2406%	0.28238111%	44,616.22	4,687.53
509	0.3145%	0.36911413%	58,320.03	6,127.29
510	0.2191%	0.25714755%	40,629.31	4,268.65
511	0.3386%	0.39739918%	62,789.07	6,596.83

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512	0.2413%	0.28320267%	44,746.02	4,701.16
513	0.3184%	0.37369138%	59,043.24	6,203.28
514	0.2442%	0.28660626%	45,283.79	4,757.66
601	0.3035%	0.35620393%	56,280.22	5,912.99
602	0.3035%	0.35620393%	56,280.22	5,912.99
603	0.2214%	0.25984696%	41,055.82	4,313.46
604	0.3041%	0.35690813%	56,391.48	5,924.67
605	0.2973%	0.34892728%	55,130.51	5,792.19
606	0.2214%	0.25984696%	41,055.82	4,313.46
607	0.3543%	0.41582555%	65,700.44	6,902.70
608	0.2406%	0.28238111%	44,616.22	4,687.53
609	0.3145%	0.36911413%	58,320.03	6,127.29
610	0.2191%	0.25714755%	40,629.31	4,268.65
611	0.3386%	0.39739918%	62,789.07	6,596.83
612	0.2413%	0.28320267%	44,746.02	4,701.16
613	0.3184%	0.37369138%	59,043.24	6,203.28
614	0.2442%	0.28660626%	45,283.79	4,757.66
701	0.3035%	0.35620393%	56,280.22	5,912.99
702	0.3035%	0.35620393%	56,280.22	5,912.99
703	0.2214%	0.25984696%	41,055.82	4,313.46
704	0.3041%	0.35690813%	56,391.48	5,924.67
705	0.2973%	0.34892728%	55,130.51	5,792.19
706	0.2214%	0.25984696%	41,055.82	4,313.46
707	0.3543%	0.41582555%	65,700.44	6,902.70
708	0.2406%	0.28238111%	44,616.22	4,687.53
709	0.3145%	0.36911413%	58,320.03	6,127.29
710	0.2191%	0.25714755%	40,629.31	4,268.65
711	0.3386%	0.39739918%	62,789.07	6,596.83
712	0.2413%	0.28320267%	44,746.02	4,701.16
713	0.3184%	0.37369138%	59,043.24	6,203.28
714	0.2442%	0.28660626%	45,283.79	4,757.66
801	0.3035%	0.35620393%	56,280.22	5,912.99
802	0.3035%	0.35620393%	56,280.22	5,912.99
803	0.2214%	0.25984696%	41,055.82	4,313.46
804	0.3041%	0.35690813%	56,391.48	5,924.67

Unit # (1)	Ownership % Per Bylaws (Units Only) (2)	Unit's Share (%) of Total Unit Ownership (85.2040%) (3)	Unit's Share of HIA Project Costs (\$15,800,000) (4)	Maximum Annual HI Fee (5)
805	0.2973%	0.34892728%	55,130.51	5,792.19
806	0.2214%	0.25984696%	41,055.82	4,313.46
807	0.3543%	0.41582555%	65,700.44	6,902.70
808	0.2406%	0.28238111%	44,616.22	4,687.53
809	0.3145%	0.36911413%	58,320.03	6,127.29
810	0.2191%	0.25714755%	40,629.31	4,268.65
811	0.3386%	0.39739918%	62,789.07	6,596.83
812	0.2413%	0.28320267%	44,746.02	4,701.16
813	0.3184%	0.37369138%	59,043.24	6,203.28
814	0.2442%	0.28660626%	45,283.79	4,757.66
901	0.3035%	0.35620393%	56,280.22	5,912.99
902	0.3035%	0.35620393%	56,280.22	5,912.99
903	0.2214%	0.25984696%	41,055.82	4,313.46
904	0.3041%	0.35690813%	56,391.48	5,924.67
905	0.2973%	0.34892728%	55,130.51	5,792.19
906	0.2214%	0.25984696%	41,055.82	4,313.46
907	0.3543%	0.41582555%	65,700.44	6,902.70
908	0.2406%	0.28238111%	44,616.22	4,687.53
909	0.3145%	0.36911413%	58,320.03	6,127.29
910	0.2191%	0.25714755%	40,629.31	4,268.65
911	0.3386%	0.39739918%	62,789.07	6,596.83
912	0.2413%	0.28320267%	44,746.02	4,701.16
913	0.3184%	0.37369138%	59,043.24	6,203.28
914	0.2442%	0.28660626%	45,283.79	4,757.66
1001	0.3035%	0.35620393%	56,280.22	5,912.99
1002	0.3035%	0.35620393%	56,280.22	5,912.99
1003	0.2214%	0.25984696%	41,055.82	4,313.46
1004	0.3041%	0.35690813%	56,391.48	5,924.67
1005	0.2973%	0.34892728%	55,130.51	5,792.19
1006	0.2214%	0.25984696%	41,055.82	4,313.46
1007	0.3543%	0.41582555%	65,700.44	6,902.70
1008	0.2406%	0.28238111%	44,616.22	4,687.53
1009	0.3145%	0.36911413%	58,320.03	6,127.29
1010	0.2191%	0.25714755%	40,629.31	4,268.65
1011	0.3386%	0.39739918%	62,789.07	6,596.83

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1012	0.2413%	0.28320267%	44,746.02	4,701.16
1013	0.3184%	0.37369138%	59,043.24	6,203.28
1014	0.2442%	0.28660626%	45,283.79	4,757.66
1101	0.3035%	0.35620393%	56,280.22	5,912.99
1102	0.3035%	0.35620393%	56,280.22	5,912.99
1103	0.2214%	0.25984696%	41,055.82	4,313.46
1104	0.3041%	0.35690813%	56,391.48	5,924.67
1105	0.2973%	0.34892728%	55,130.51	5,792.19
1106	0.2214%	0.25984696%	41,055.82	4,313.46
1107	0.3543%	0.41582555%	65,700.44	6,902.70
1108	0.2406%	0.28238111%	44,616.22	4,687.53
1109	0.3145%	0.36911413%	58,320.03	6,127.29
1110	0.2191%	0.25714755%	40,629.31	4,268.65
1111	0.3386%	0.39739918%	62,789.07	6,596.83
1112	0.2413%	0.28320267%	44,746.02	4,701.16
1113	0.3184%	0.37369138%	59,043.24	6,203.28
1114	0.2442%	0.28660626%	45,283.79	4,757.66
1201	0.3035%	0.35620393%	56,280.22	5,912.99
1202	0.3035%	0.35620393%	56,280.22	5,912.99
1203	0.2214%	0.25984696%	41,055.82	4,313.46
1204	0.3041%	0.35690813%	56,391.48	5,924.67
1205	0.2973%	0.34892728%	55,130.51	5,792.19
1206	0.2214%	0.25984696%	41,055.82	4,313.46
1207	0.3543%	0.41582555%	65,700.44	6,902.70
1208	0.2406%	0.28238111%	44,616.22	4,687.53
1209	0.3145%	0.36911413%	58,320.03	6,127.29
1210	0.2191%	0.25714755%	40,629.31	4,268.65
1211	0.3386%	0.39739918%	62,789.07	6,596.83
1212	0.2413%	0.28320267%	44,746.02	4,701.16
1213	0.3184%	0.37369138%	59,043.24	6,203.28
1214	0.2442%	0.28660626%	45,283.79	4,757.66
1301	0.3035%	0.35620393%	56,280.22	5,912.99
1302	0.3035%	0.35620393%	56,280.22	5,912.99
1303	0.2214%	0.25984696%	41,055.82	4,313.46
1304	0.3041%	0.35690813%	56,391.48	5,924.67

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1401	0.3035%	0.35620393%	56,280.22	5,912.99
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1909	0.3145%	0.36911413%	58,320.03	6,127.29
1910	0.2191%	0.25714755%	40,629.31	4,268.65
1911	0.3386%	0.39739918%	62,789.07	6,596.83
1912	0.2413%	0.28320267%	44,746.02	4,701.16
1913	0.3184%	0.37369138%	59,043.24	6,203.28
1914	0.2442%	0.28660626%	45,283.79	4,757.66
2001	0.3035%	0.35620393%	56,280.22	5,912.99
2002	0.3035%	0.35620393%	56,280.22	5,912.99
2003	0.2214%	0.25984696%	41,055.82	4,313.46
2004	0.3041%	0.35690813%	56,391.48	5,924.67
2005	0.2973%	0.34892728%	55,130.51	5,792.19
2006	0.2214%	0.25984696%	41,055.82	4,313.46
2007	0.3543%	0.41582555%	65,700.44	6,902.70
2008	0.2406%	0.28238111%	44,616.22	4,687.53
2009	0.3145%	0.36911413%	58,320.03	6,127.29
2010	0.2191%	0.25714755%	40,629.31	4,268.65
2011	0.3386%	0.39739918%	62,789.07	6,596.83

Unit # (1)	Ownership % Per Bylaws (Units Only) (2)	Unit's Share (%) of Total Unit Ownership (85.2040%) (3)	Unit's Share of HIA Project Costs (\$15,800,000) (4)	Maximum Annual HI Fee (5)
2012	0.2413%	0.28320267%	44,746.02	4,701.16
2013	0.3184%	0.37369138%	59,043.24	6,203.28
2014	0.2442%	0.28660626%	45,283.79	4,757.66
2107	0.4868%	0.57133468%	90,270.88	9,484.16
2108	0.2406%	0.28238111%	44,616.22	4,687.53
2109	0.3145%	0.36911413%	58,320.03	6,127.29
2110	0.2191%	0.25714755%	40,629.31	4,268.65
2112	0.5757%	0.67567250%	106,756.26	11,216.16
2113	0.4262%	0.50021126%	79,033.38	8,303.51
2207	0.4868%	0.57133468%	90,270.88	9,484.16
2208	0.2406%	0.28238111%	44,616.22	4,687.53
2209	0.3145%	0.36911413%	58,320.03	6,127.29
2210	0.2191%	0.25714755%	40,629.31	4,268.65
2212	0.5760%	0.67602460%	106,811.89	11,222.01
2213	0.4262%	0.50021126%	79,033.38	8,303.51
2307	0.5382%	0.63166049%	99,802.36	10,485.56
2309	0.4744%	0.55678137%	87,971.46	9,242.57
2310	0.2191%	0.25714755%	40,629.31	4,268.65
2312	0.5760%	0.67602460%	106,811.89	11,222.01
2313	0.4262%	0.50021126%	79,033.39	8,303.56
	85.2040%	100.00000000%	\$15,800,000.00	\$1,660,000.00

On behalf of the Policy & Government Oversight Committee, Jenkins offered Resolution 2020R-126 authorizing the issuance and sale of Taxable General Obligation Housing Improvement Area Bonds (Summit House Project); establishing the forms, terms, and security of such obligations; and making findings and providing covenants and directions relating to the issuance of such obligations.

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

**RESOLUTION 2020R-126
By Fletcher**

Authorizing the issuance and sale of Taxable General Obligation Housing Improvement Area Bonds (Summit House Project); establishing the forms, terms, and security of such obligations; and making findings and providing covenants and directions relating to the issuance of such obligations.

Resolved by The City Council of The City of Minneapolis:

That pursuant to the provisions of Minnesota Statutes, Sections 428A.11 through 428A.21, as amended (the “Housing Improvement Areas Act”), the City of Minneapolis (the “City”) is authorized to (i) establish housing improvement areas within the City; (ii) assist in the provision of housing improvements, including improvements to common elements of a condominium or other common interest community, within a housing improvement area; (iii) issue general obligation bonds to finance, in whole or in part, the expenses incurred and estimated to be incurred in making the housing improvements in a housing improvement area; and (iv) impose housing improvement fees on the housing units within a housing improvement area to provide revenues sufficient to pay the principal of, premium, if any, and interest on the general obligation bonds issued to finance the housing improvements with respect to such housing units.

Be It Further Resolved that on September 3, 2010, the Council of the City directed the Finance Officer of the City (the “Finance Officer”) to draft a housing improvement area policy and related procedures in accordance with the terms and conditions of the Housing Improvement Areas Act. On February 11, 2011, the Council approved a Housing Improvement Area Policy (the “HIA Policy”), which established the conditions under which housing improvement areas may be approved by the Council and provided a framework within which requests for the establishment of housing improvement areas will be considered.

Be It Further Resolved that the City has received an application from Summit Homes Association, a Minnesota nonprofit corporation (the “Association”), on behalf of the owners of the condominium units in Summit House, a 297-unit multifamily housing development located at 400 and 410 Groveland Avenue in the City (the “Summit House”), for public assistance pursuant to the terms of the Housing Improvement Areas Act and the HIA Policy. The application was accompanied by a petition signed by at least seventy-five percent (75%) of the condominium owners requesting a public hearing on the imposition of housing improvement fees on the owners of the condominium units in Summit House.

Be It Further Resolved that the primary purpose of the proposed housing improvements to the Summit Homes is for the Association to stabilize and enhance the livability of the Summit House property (Common Interest Community Number 0222, according to the recorded plat thereof, on file and of record in the Office of the Registrar of Titles in and for Hennepin County, Minnesota). The housing improvements will be comprised of the following: (i) replacement of equipment for heating, cooling, and ventilation, including completing related structural and electric work; (ii) replacement of building roofs; (iii) installation of new emergency generators; and (iv) renovation of parking garages. The costs of the housing improvements, including the base bid, optional bid alternates, contingencies, and related soft costs, are expected to total \$21,204,669. Construction is proposed to start in early 2020 and end in November 2021.

Be It Further Resolved that the construction of the proposed housing improvements will be payable from the proceeds of taxable general obligation bonds proposed to be issued by the City in a maximum principal amount of \$18,560,000. The proceeds of such bonds will also be applied to the payment of capitalized interest, the funding of a debt service reserve, the payment of the costs of issuing such bonds, and the payment of a City processing fee.

Be It Further Resolved that the Policy and Government Oversight Committee established a date for a public hearing before the Policy and Government Oversight Committee to consider (i) the adoption of an ordinance establishing the Summit House Housing Improvement Area (the “HIA”), authorizing the housing

improvements to Summit House (the “Housing Improvements”), and authorizing the imposition of housing improvement fees on the housing units of Summit House (the “Housing Improvement Fees”); and (ii) the adoption of a resolution (the “HIA Fee Resolution”) imposing the Housing Improvement Fees on the housing units in Summit House.

Be It Further Resolved that on February 14, 2020, the Council conducted a first reading of an ordinance amending Title 16, Chapter 421 of the Minneapolis Code of Ordinances relating to *Planning & Development*, establishing Article IV entitled “Summit House Housing Improvement Area” (the “HIA Ordinance”).

Be It Further Resolved that the public hearing with respect to the HIA Ordinance and the HIA Fee Resolution was conducted before the Policy and Government Oversight Committee.

Be It Further Resolved that the Council conducted a second reading of the HIA Ordinance and adopted the HIA Ordinance and the HIA Fee Resolution.

Be It Further Resolved that there is hereby authorized to be issued by the City its taxable general obligation housing improvement area bonds (the “Bonds”) in order to provide financing for all or a portion of the Housing Improvements and to finance related costs. The Bonds shall be issued in a principal amount not to exceed \$18,560,000. The Bonds shall be issued in accordance with the terms of Minnesota Statutes, Chapter 475, as amended (the “Municipal Debt Act”), except that, consistent with the provisions of the Housing Improvement Areas Act, an election is not required and the amount of the Bonds are not included in the determination of the net debt of the City. The Bonds shall be issued as taxable obligations the interest on which will be includable in gross income for federal income tax purposes and the interest on which will be includable in the net taxable income of individuals, estates, and trusts for State of Minnesota income tax purposes.

Be It Further Resolved that the City is authorized to finance the Housing Improvements, either temporarily or on a permanent basis, with the proceeds of an internal loan (the “Interfund Loan”) in accordance with the City’s policies. The decision to finance the Housing Improvements on a permanent basis with the proceeds of the Bonds or the Interfund Loan (or a combination thereof) is hereby delegated to the Finance Officer.

Be It Further Resolved that the Bonds are authorized to be issued in accordance with the terms of this resolution, as it may be amended and supplemented from time to time (the “Resolution”), and the HIA Ordinance. The Bonds shall be designated “Taxable General Obligation Housing Improvement Bonds (Summit House Project)” or have another designation determined by the Finance Officer. The Bonds shall be issued in one or more series as the Finance Officer may determine and shall be assigned a separate series designation determined by the Finance Officer for each series issued by the City. Any series of Bonds may be designated such other name or names as determined to be appropriate by the Finance Officer. The Bonds shall be dated the date of issue or on such other date as the Finance Officer may determine, shall be issued in denominations of \$5,000 or any integral multiple thereof, and each series shall be numbered from R-1 upwards in order of issuance, or with such other numbering and in such other order as the Finance Officer, in Minneapolis, Minnesota, as the initial bond registrar (the “Bond Registrar”), may determine. The Bonds shall be issued in the original aggregate principal amount not to exceed \$18,560,000, or such lesser amount as the Finance Officer shall determine to be sufficient and appropriate to: (i) provide financing for the Housing Improvements; (ii) pay capitalized interest on the Bonds for a period deemed necessary or appropriate by the Finance Officer, if necessary; (iii) fund a debt

service reserve in an amount deemed necessary or appropriate by the Finance Officer to secure the timely payment of the Bonds; (iv) pay all or a portion of the costs of issuing the Bonds; and (v) pay all or a portion of a City processing fee with respect to the HIA. The Bonds may be issued with an original issue discount or an original issue premium, in the discretion of the Finance Officer. The Bonds shall bear interest at the rates per annum approved by the Finance Officer in connection with the sale thereof but with a true interest cost not to exceed 7.0% per annum. Interest on the Bonds shall be payable semiannually on such months of each year and on the day of such months as determined by the Finance Officer, from the date of the Bonds or the most recent interest payment date to which interest has been paid or duly provided for, computed on the basis of a 360-day year of twelve thirty-day months. The principal of the Bonds shall mature on such dates and in such principal amounts as shall be determined by the Finance Officer, consistent with the requirements of Section 475.54, subdivisions 1 and 17 of the Municipal Debt Act (determined, if necessary, by combining such maturities with those of other obligations of the City). The Finance Officer may determine to designate any portion of the principal of the Bonds to be combined into one or more term Bonds subject to mandatory sinking fund redemptions in the years and amounts determined by the Finance Officer. The Bonds shall mature on or before twenty (20) years from their date of issuance. The authorization to issue the Bonds is effective without any additional action by the Council and shall be undertaken by the Finance Officer on such date or dates and upon the terms and conditions deemed reasonable by the Finance Officer.

Be It Further Resolved that the Finance Officer shall establish a date on and after which all Bonds shall be subject to redemption and prior payment in whole or in part at the option of the City. The redemption price of the Bonds shall be at such redemption prices, with or without premium, as the Finance Officer shall determine necessary to obtain the lowest interest rates for the Bonds consistent with the finance plan pursuant to which the Bonds are to be issued. The Finance Officer may establish a maturity schedule for the Bonds that includes a combination of serial Bonds and term Bonds, as long as Bonds within a single mandatory redemption are not split among term dates. Term Bonds shall be subject to mandatory sinking fund redemption on such dates and in such amounts as shall be determined by the Finance Officer.

Be It Further Resolved that thirty (30) days prior to any redemption date, notice of any such redemption shall be given by mail to the banks (if any) where the Bonds are payable and to the person in whose name a Bond is registered (the "Registered Owners"), in accordance with the terms of the Municipal Debt Act. In the event of a partial redemption by lot of the Bonds, the Bond Registrar shall assign to each Bond then outstanding a distinctive number for each \$5,000 of the principal amount of such Bonds and shall select by lot in the manner it determines the order of numbers, at \$5,000 for each number, for all outstanding Bonds of the maturity to be redeemed. The order of selection of Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected, but only so much of the principal amount of each Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. Upon partial redemption of any Bond, the same shall be surrendered in exchange for one or more new Bonds in authorized form for the unredeemed portion of principal. The method of selecting Bonds for optional redemption may be altered in such manner as the Finance Officer shall determine to be necessary and appropriate in the interests of the City and the Registered Owners of the Bonds.

Be It Further Resolved that the Bonds shall be payable as to principal upon presentation and surrender thereof at the office of the Finance Officer, in Minneapolis, Minnesota, as the initial bond registrar (the "Bond Registrar") and paying agent (the "Paying Agent"), or at the designated offices of such other successor agents as the City may hereafter designate upon sixty (60) days' mailed notice to the Registered Owners at their respective registered addresses. At the written request of the Registered Owner thereof,

or at the direction of the Finance Officer, the payment of at least \$100,000 in principal amount of Bonds shall be made by wire transfer of immediately available funds to any bank in the continental United States upon presentation and surrender of such Bonds at the office of the Paying Agent. Interest shall be paid by check or draft mailed to the Registered Owners of record as of the fifteenth day (whether or not a business day) of the month next preceding the applicable interest payment date at their addresses shown on the registration books or, at the written request of a Registered Owner of at least \$1,000,000 in aggregate principal amount of Bonds or at the direction of the Finance Officer, by wire transfer of immediately available funds to any bank in the continental United States as the Registered Owner may specify.

Be It Further Resolved that the Bonds shall be in substantially the form set forth below, with necessary variations as to name, series designation, number, CUSIP Number, denomination, rate of interest, and date of maturity, the blanks therein to be properly filled in, and with such other additions, deletions, or other changes as the Finance Officer may determine.

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF HENNEPIN

No. R-_____ \$_____

CITY OF MINNEAPOLIS
TAXABLE GENERAL OBLIGATION HOUSING IMPROVEMENT AREA BOND
(SUMMIT HOUSE PROJECT)
SERIES 20____

Interest Rate	Maturity	Date of Original Issue	CUSIP
_____	_____	_____	_____

Registered Owner: CEDE & CO.

Principal Amount: _____ DOLLARS

The City of Minneapolis, Minnesota, a duly organized and existing municipal corporation in Hennepin County, Minnesota (the "City"), acknowledges itself to be indebted and for value received hereby promises to pay to the registered owner specified above or registered assigns (the "Registered Owner") the principal amount stated above, on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above (calculated on the basis of a 360-day year of twelve 30-day months), payable _____ 1 and _____ 1 in each year, commencing _____ 1, 20____, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft of the Paying Agent designated under the Resolution described herein or its

successor. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

This Bond is one of a series of Bonds all of like date and tenor except for number, interest rate, denomination, date of maturity, and redemption privilege, and is issued pursuant to a resolution adopted by the City Council of the City on _____, 2020 (the “Resolution”), for the purpose of providing financing for a portion or all of the costs of housing improvements undertaken with respect to Summit House, a 297-unit multifamily housing development located at 400 and 410 Groveland Avenue in the City, pursuant to and in full conformity with the home rule charter of the City and the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Sections 428A.11 through 428A.21, as amended, and Minnesota Statutes, Chapter 475, as amended (collectively, the “Act”).

Subject to the qualifications set forth herein, pursuant to the Resolution the City has pledged to the payment of the principal of, premium, if any, and interest on the Bonds the following revenues (collectively, the “Revenues”): (i) proceeds derived from the sale of the Bonds that are deposited in the Debt Service Account in accordance with the terms of the Resolution; (ii) Housing Improvement Fees imposed under the terms of the HIA Fee Resolution and interest on Housing Improvement Fees not timely paid when due; (iii) prepayments of Housing Improvement Fees to the extent authorized by the Finance Officer to be paid by any owner of a housing unit in Summit House after August 1, 2021, in accordance with the terms of the HIA Fee Resolution, and which are paid by an owner or owners of housing units in Summit House; (iv) revenues derived from a guaranty by the Association pursuant to which the Association will agree to pledge its assets to cover any delinquent Housing Improvement Fees; and (v) earnings derived from the investment of the foregoing. The pledge of the Revenues to the Bonds is qualified by any pledge to any other obligations of the City which may be made on a senior, subordinate, or parity basis and the deposit of such Revenues to the debt service account for the Bonds will be made only to the extent such Revenues are available for such purposes. The City may pledge or apply the Revenues to existing or future obligations of the City on a senior, subordinate, or parity basis with the Bonds and may apply the Revenues to other purposes of the City on a senior, subordinate, or parity basis with the Bonds. Notwithstanding the foregoing, the Finance Officer shall apply the sources of Revenues to the debt service requirements on the Bonds in such amounts and at such times as the Finance Officer determines to be in the best interests of the City. Any capitalized terms used herein that are otherwise not defined shall have the meanings provided in the Resolution.

The full faith and credit of the City has been and is hereby pledged to the full and prompt payment of the principal of and interest on the Bonds and the City Council is obligated to levy ad valorem taxes on all taxable property in the City, without limitation as to rate or amount, if necessary to pay the principal of and interest on the Bonds when due.

Reference is hereby made to the Act and to the Resolution for a description of the Revenues and any other revenues that are expected to pay the debt service on the Bonds of this series. Reference is hereby made to the Act and to the Resolution for a description of the nature of the security thereby created, the rights and limitation of the rights of the City and bondholders with respect thereto, and covenants of the City as to the application of the proceeds of the Bonds of this series and the security for the Bonds and interest thereon.

The City may elect on _____ 1, 20__ and on any day thereafter to prepay Bonds due on or after _____ 1, 20___. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify The Depository Trust Company (“DTC”) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant’s interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Bond Registrar, by the Registered Owner hereof in person or by the Registered Owner’s attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the Registered Owner or the Registered Owner’s attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or Registered Owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee, or governmental charge required to be paid with respect to such transfer or exchange.

The Bonds of this series are issued only as fully registered bonds without coupons in denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount maturing in any one year. As provided in the Resolution and subject to certain limitations therein set forth, the Bonds of this series are exchangeable for a like aggregate principal amount of Bonds of this series of different authorized denominations, as requested by the Registered Owner or the Registered Owner’s duly authorized attorney, upon surrender thereof to the Bond Registrar.

It is hereby certified, recited, and declared that all acts, conditions, and things required to exist, happen, and be performed precedent to and in the issuance of this Bond do exist, have happened, and have been performed in regular and due time, form, and manner as required by law; and that this Bond, and the series of which it is a part, is within every applicable debt and other limit prescribed by the Constitution and laws of the State of Minnesota and the Charter of the City.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Registration and Authentication Certificate hereon has been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Minneapolis, acting by and through its City Council, has caused this Bond to be executed in its name and on its behalf by the facsimile or manual signature of the Finance Officer and its official seal to be affixed or imprinted hereon, all as of the Date of Original Issue specified above.

CITY OF MINNEAPOLIS

(SEAL)

By _____
Its Finance Officer

REGISTRATION AND AUTHENTICATION CERTIFICATE

This is one of the Bonds described in the within mentioned Resolution and has been registered as to principal and interest in the name of the Registered Owner identified above on the registration books of the Finance Officer of the City of Minneapolis.

Finance Officer, as Bond Registrar

Dated: _____

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto _____

(Please Print or Typewrite Name and Address of Transferee)

the Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Please Insert Social Security Number or
Other Identifying Number of Assignee.

Notice: The signature to this assignment must
correspond with the name as it appears on the face
of this Bond in every particular, without alteration
or any change whatever.

Signature Guaranteed:

Signatures must be guaranteed by a national
bank or trust company, or by a brokerage firm
which is a member of a major stock exchange.

[End of Form of Bond]

Be It Further Resolved that as long as any of the Bonds issued hereunder shall remain outstanding, the City shall maintain and keep at the office of the Bond Registrar records as to the payment of the principal and interest on such Bonds, as in this Resolution provided, and for the registration and transfer of such Bonds, and shall also keep at said office of the Bond Registrar books for such registration and transfer. Upon surrender for transfer of any Bond at the office of a Bond Registrar with a written instrument of

transfer satisfactory to the Bond Registrar, duly executed by the Registered Owner or the Registered Owner's duly authorized attorney, and upon payment of any tax, fee, or other governmental charge required to be paid with respect to such transfer, the City shall execute and the Bond Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more fully registered Bonds of the same series, of any authorized denominations, and of a like aggregate principal amount, interest rate, and maturity. Any Bonds, upon surrender thereof at the office of the Bond Registrar at the option of the Registered Owner thereof, may be exchanged for an equal aggregate principal amount of Bonds of the same maturity and interest rate of any authorized denominations. In all cases in which the privilege of exchanging Bonds or transferring fully registered Bonds is exercised, the City shall execute and the Bond Registrar shall deliver Bonds in accordance with the provisions of this Resolution. For every such exchange or transfer of Bonds, the City or the Bond Registrar may make a charge sufficient to reimburse it for any tax, fee, or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. Notwithstanding any other provision of this Resolution, the cost of preparing each new Bond upon each exchange or transfer, and any other expenses of the City or the Bond Registrar incurred in connection therewith (except any applicable tax, fee, or other governmental charge) shall be paid by the City. The City and the Bond Registrar shall not be required to make any transfer or exchange of any Bonds called for redemption, nor be obligated to make any such exchange or transfer of Bonds during the fifteen (15) days next preceding the date of the first publication or the mailing (if there is no publication) of notice of redemption in the case of a proposed redemption of Bonds.

Be It Further Resolved that interest on any Bond which is payable, and is punctually paid or duly provided for, on any interest payment date shall be paid to the person in whose name that Bond (or one or more Bonds for which such bond was exchanged) is registered at the close of business on the fifteenth day of the preceding month. Any interest on any Bond which is payable, but is not punctually paid or duly provided for, on any interest payment date shall cease to be payable to the registered holder on the relevant regular record date solely by virtue of such holder having been such holder; and such defaulted interest may be paid by the City in any lawful manner, if, after notice given by the City to the Bond Registrar of the proposed payment pursuant to this paragraph, such payment shall be deemed practicable by the Bond Registrar. Such payments shall then be made to the persons in whose names the Bonds are registered at the close of business on a special record date established by the Bond Registrar. Subject to the foregoing provisions of this paragraph, each Bond delivered under this Resolution upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond and each such Bond shall bear interest from such date that neither gain nor loss in interest shall result from such transfer, exchange, or substitution.

Be It Further Resolved that in case any Bond shall become mutilated or be destroyed, stolen, or lost, the City shall execute and the Bond Registrar shall authenticate and deliver a new Bond of like maturity and principal amount as the Bond so mutilated, destroyed, stolen, or lost, in exchange and substitution for such mutilated Bond, upon surrender and cancellation of such mutilated Bond, or in lieu of and substitution for the Bond destroyed, stolen, or lost, upon filing with the City evidence satisfactory to the City and the Bond Registrar that such Bond has been destroyed, stolen, or lost and proof of ownership thereof, and upon furnishing the City and the Bond Registrar with indemnity satisfactory to them and complying with such other reasonable regulations as the City and the Bond Registrar may prescribe and paying such expenses as the City and the Bond Registrar may incur in connection therewith. All Bonds so surrendered to the Bond Registrar shall be cancelled by it and, in the event the Bond Registrar is not the Finance Officer of the City, evidence of such cancellation shall be given to the City.

Be It Further Resolved that as to any Bond, the City and the Bond Registrar, and their respective successors, each in its discretion, may deem and treat the person in whose name such Bond for the time being shall be registered as the absolute owner thereof for all purposes and neither the City nor the Bond Registrar nor their respective successors shall be affected by any notice to the contrary. Payment of or on account of the principal of any such Bond shall be made only to or upon the order of the Registered Owner thereof, but such registration may be changed as above provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Be It Further Resolved that the provisions of this paragraph shall take precedence over the provisions of the previous paragraphs to the extent they are inconsistent with this paragraph: (a) The Depository Trust Company (“DTC”) has agreed to act as securities depository for the Bonds, and to provide a Book-Entry Only System for registering the ownership interests of the financial institutions for which it holds the Bonds (the “DTC Participants”), and for distributing to such DTC Participants such amount of the principal and interest payments on the Bonds as they are entitled to receive, for redistribution to the beneficial owners of the Bonds as reflected in their records (the “Beneficial Owners”); (b) initially, and so long as DTC or another qualified entity continues to act as securities depository, the Bonds shall be issued in typewritten form, one for each maturity in a principal amount equal to the aggregate principal amount of each maturity, shall be registered in the name of the securities depository or its nominee, and shall be subject to the provisions of this paragraph. While DTC is acting as the securities depository, the Bonds shall be registered in the name of DTC’s nominee, CEDE & CO; provided that upon delivery by DTC to the City and the Bond Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of CEDE & CO., the words “CEDE & CO.” in this Resolution shall refer to such new nominee of DTC. With respect to Bonds registered in the name of DTC or its nominee, the City and the Bond Registrar shall have no responsibility or obligation to any DTC Participant or other person with respect to the following: (i) the accuracy of the records of any securities depository or its nominee with respect to any ownership interest in the Bonds; (ii) the delivery to any DTC Participant or other person or any other person, other than DTC, of any notice with respect to the Bonds, including any notice of redemption; or (iii) the payment to any DTC Participant or any other person, other than DTC, of any amount with respect to the principal of, premium, if any, or interest on the Bonds. The Paying Agent shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of DTC, and all such payments shall be valid and effective to fully satisfy and discharge the City’s obligations with respect to the principal, premium, and interest on the Bonds to the extent of the sum or sums so paid. So long as the Book-Entry Only System described in this paragraph is in effect, no person other than DTC shall receive an authenticated Bond; (c) upon receipt by the City and the Bond Registrar of written notice from DTC or any other securities depository to the effect that it is unable or unwilling to discharge its responsibilities under the Book-Entry Only System, the City and the Bond Registrar shall issue, transfer, and exchange Bonds of the initial series as requested by the securities depository in appropriate amounts, and whenever the securities depository requests the City and the Bond Registrar to do so, the City and the Bond Registrar shall cooperate with the securities depository in taking appropriate action after reasonable notice: (i) to arrange for a substitute depository willing and able, upon reasonable and customary terms, to maintain custody of the Bonds; or (ii) to make available Bonds registered in whatever name or names the Beneficial Owner registering ownership, transferring, or exchanging such Bonds shall designate, in accordance with clause (f) or clause (g) below, whichever is applicable; (d) in the event the City determines that it is in the best interests of the Beneficial Owners that they be able to obtain printed Bonds, the City may so notify the securities depository and the Bond Registrar, whereupon the securities depository shall notify the Beneficial Owners of the availability through the securities depository of such printed Bonds. In such event, the City shall cause to be prepared and the Bond Registrar shall issue, transfer, and exchange

printed Bonds, fully executed and authenticated, as requested by the securities depository in appropriate amounts and, whenever the securities depository requests, the City and the Bond Registrar shall cooperate with the securities depository in taking appropriate action after reasonable notice to make available printed Bonds registered on the Bond Register in whatever name or names the Beneficial Owners entitled to receive Bonds shall designate, in accordance with clause (f) or clause (g) below, whichever is applicable; (e) notwithstanding any other provisions of this Resolution to the contrary, so long as any Bond is registered in the name of a securities depository or its nominee, all payments of principal, premium, and interest on the Bond and all notices with respect to the Bond shall be made and given, respectively, to the securities depository as provided in the representation letter given to it by the City. The Blanket Letter of Representations from the City to DTC is confirmed and shall apply to the Bonds; (f) in the event that the Book-Entry Only System established pursuant to this paragraph is discontinued, except as provided in clause (g), the Bonds shall be issued through the securities depository to the Beneficial Owners; and (g) in the event of termination of the Book-Entry Only System, the City shall have the right to terminate, and shall take all steps necessary to terminate, all arrangements with the securities depository described herein, and thereafter shall issue, register ownership of, transfer, and exchange all Bonds as provided herein. Upon receipt by the securities depository of notice from the City, the securities depository shall take all actions necessary to assist the City and the Bond Registrar in terminating all arrangements for the issuance of documents evidencing ownership interests in the Bonds through the securities depository. Nothing herein shall affect the securities depository's rights under clause (e) above.

Be It Further Resolved that authority to negotiate the sale and issuance of the Bonds is hereby delegated to the Finance Officer pursuant to Section 475.60, subdivision 1 of the Municipal Debt Act, and each series of Bonds shall be sold at the prices determined by the Finance Officer acting in accordance with the requirements of the Municipal Debt Act, including Sections 475.56 and 475.60 thereof, and, in such regard, the Finance Officer shall determine the amount of the Bonds authorized to be issued for purposes of the Municipal Debt Act. The Finance Officer is hereby authorized, in his or her discretion, to retain the services of one or more municipal advisors to assist in the structuring, negotiation, sale, and issuance of the Bonds and to assist the Finance Officer with related matters. The Bonds shall bear interest at the rates specified by the successful proposal. In connection with the sale of the Bonds, by one or more certificates or other written instruments or documents, the Finance Officer may make such additional covenants or representations as he or she may deem necessary and expedient, including but not limited to, approval of an Official Statement and of a Continuing Disclosure Certificate. Any original issue premium not applied to the payment of issuance costs shall be deposited in the Debt Service Account (established by this Resolution) or applied to such other purposes as determined to be appropriate by the Finance Officer.

Be It Further Resolved that the Bonds shall be executed by the manual or facsimile signature of the Finance Officer and a facsimile of the corporate seal of the City shall be included as set forth in the form of Bond. The text of the approving legal opinion of Kennedy & Graven, Chartered, of Minneapolis, Minnesota, as bond counsel, may be printed on or accompany the delivery of each Bond. When the Bonds have been duly executed and authenticated by the Bond Registrar in accordance with this Resolution, the Bonds shall be delivered to the purchaser or purchasers (the "Purchaser") in accordance with the terms of the sale upon payment of the purchase price, and the receipt of the Finance Officer to said Purchaser thereof shall be full acquittance; and said Purchaser shall not be bound to see to the application of the purchase money. The Bonds shall not be valid for any purpose until authenticated by the Bond Registrar, who is hereby appointed authenticating agent in accordance with the Municipal Debt Act.

Be It Further Resolved that the Finance Officer shall cause an Official Statement relating to the Bonds and any appropriate addendums to such Official Statement to be prepared (collectively, the “Official Statement”), and the use thereof by the Purchaser is approved. The Finance Officer shall approve all disclosure documents, including the Official Statement, prior to publication of such documents.

Be It Further Resolved that if such officer finds the same to be accurate, the Finance Officer is authorized and directed to furnish to the Purchaser at the closing: (i) a certificate that, to the knowledge of such officer, the Official Statement does not, at the date of closing, and did not, as of its date, contain any untrue statement of a material fact or omit to state any material fact necessary in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading; and (ii) such other certificates as are required as a condition of sale, including a Continuing Disclosure Certificate setting forth the continuing disclosure obligations of the City under applicable law, as approved by the Finance Officer. Unless litigation shall have been commenced and be pending questioning the Bonds or the organization of the City or incumbency of its officers, at the closing the Finance Officer shall deliver the signed approving legal opinion of Kennedy & Graven, Chartered, as to the validity and enforceability of the Bonds.

Be It Further Resolved that the proceeds of the Bonds (including any original issue premium) shall be applied by the Finance Officer to the following purposes: (i) the financing of all or a portion of the costs of the Housing Improvements; (ii) the payment of capitalized interest on the Bonds for a period deemed necessary or appropriate by the Finance Officer, if needed; (iii) the funding of a debt service reserve in an amount deemed necessary or appropriate by the Finance Officer to secure the timely payment of the Bonds; (iv) the payment of all or a portion of the costs of issuing the Bonds; and (v) the payment all or a portion of a City processing fee with respect to the HIA.

Be It Further Resolved that the proceeds of the Bonds are hereby appropriated as follows: (i) any accrued interest shall be deposited in the Debt Service Account; (ii) to the extent that the Finance Officer determines to make such deposits, the original issue premium, unused discount, and unused costs of issuance shall be deposited in the Debt Service Account; (iii) an amount, if any, determined by the Finance Officer to pay capitalized interest on the Bonds shall be set aside and applied to such purpose; (iv) an amount, if any, determined by the Finance Officer to fund a debt service reserve shall be set aside in the Debt Service Account for such purpose; and (v) an amount, if any, determined by the Finance Officer to pay the costs of issuing the Bonds shall be set aside and applied to such purpose. Any remaining proceeds of the Bonds shall be applied to purposes of the City as determined and designated by the Finance Officer.

Be It Further Resolved that upon the issuance of the Bonds, the Finance Officer shall establish a separate Debt Service Account for payment of principal of, premium, if any, and interest on the Bonds. Subject to the qualifications set forth herein, the City hereby pledges to the payment of the principal of, premium, if any, and interest on the Bonds the following revenues (collectively, the “Revenues”): (i) a portion of the proceeds derived from the sale of the Bonds that are deposited in the Debt Service Account in accordance with the terms of this Resolution; (ii) Housing Improvement Fees imposed under the terms of the HIA Fee Resolution and interest on Housing Improvement Fees not timely paid when due; (iii) prepayments of Housing Improvement Fees to the extent authorized by the Finance Officer to be paid by any owner of a housing unit in Summit House after August 1, 2021, in accordance with the terms of the HIA Fee Resolution, and which are paid by an owner or owners of housing units in Summit House; (iv) revenues derived from a guaranty by the Association pursuant to which the Association will agree to pledge its assets to cover any delinquent Housing Improvement Fees; and (v) earnings derived from the investment of the foregoing. The foregoing pledge of the Revenues to the Bonds is qualified by any pledge to any

other obligations of the City which may be made on a senior, subordinate, or parity basis and the deposit of such Revenues to the Debt Service Account for the Bonds shall be made only to the extent such Revenues are available for such purposes. The City may pledge or apply the Revenues to existing or future obligations of the City on a senior, subordinate, or parity basis with the Bonds and may apply the Revenues to other purposes of the City on a senior, subordinate, or parity basis with the Bonds. Notwithstanding the foregoing, the Finance Officer shall apply the sources of Revenues to the debt service requirements on the Bonds in such amounts and at such times as the Finance Officer determines to be in the best interests of the City.

Be It Further Resolved that the full faith and credit of the City are irrevocably pledged for the prompt and full payment of the Bonds and the interest thereon, when due. It is hereby estimated that the Revenues and other revenues to be applied to the payment of the Bonds will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Bonds, but the City shall levy, in addition to all other taxes, a direct tax on all taxable property in the City, without limitation as to rate or amount, if necessary to pay such principal and interest when due. Without limiting the foregoing, the City shall levy taxes in each year to the extent estimated collections of Revenues and other revenues to be applied to the payment of the Bonds in the following year, together with available amounts on deposit in the Debt Service Account and other dedicated funds, are insufficient to pay the principal of and interest on the Bonds in such subsequent year and at least five percent (5%) in excess thereof.

Be It Further Resolved that the Housing Improvement Fees shall be imposed and collected at the same time and in the same manner as provided for imposition, payment, and collection of ad valorem taxes, in accordance with Section 428A.15 of the Housing Improvement Areas Act and Minnesota Statutes, Section 428.05, as amended. As provided in Section 428A.14, subdivision 2 of the Housing Improvement Areas Act, the Housing Improvement Fees are not included in the calculation of levies or limits on levies imposed under Minnesota law or the Charter of the City. The Finance Officer shall take all actions deemed necessary or appropriate by the Finance Officer to ensure compliance with the terms of this resolution.

Be It Further Resolved that the Finance Officer is hereby authorized and directed to obtain a certified copy of this Resolution and to cause the same to be filed with the Taxpayer Services Division Manager of Hennepin County, exercising the powers of the County Auditor under Section 475.63 of the Municipal Debt Act, and to obtain a certificate as to registration of the Bonds.

Be It Further Resolved that the City Clerk, the Finance Officer, and other officers and employees of the City are hereby authorized and directed to furnish to the attorneys approving the Bonds, on behalf of the Purchaser, certified copies of all proceedings and certifications as to facts as shown by the books and records of the City, to show the proceedings taken in connection with the Bonds, and the right and authority of the City to issue the Bonds, and all such certified copies and certifications shall be deemed representations of fact on the part of the City.

Be It Further Resolved that all agreements, covenants, and obligations of the City contained in this Resolution and in the documents referenced herein shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their terms. No agreement, covenant, or obligation contained in this Resolution or in the documents referenced herein shall be deemed to be an agreement, covenant, or obligation of any member of the Council, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the Council nor any officer executing the Bonds shall be liable personally on the Bonds or be subject to any personal liability or accountability by reason of the issuance of the Bonds.

Be It Further Resolved that nothing in this Resolution or in the documents referenced herein is intended or shall be construed to confer upon any person (other than as provided in the Bonds and the other agreements, instruments, and documents hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this Resolution or any provision of this Resolution.

Be It Further Resolved that if for any reason the Finance Officer or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall for any reason cease to be an officer, employee, or agent of the City after the execution by such person of any certificate, instrument, or other written document, such fact shall not affect the validity or enforceability of such certificate, instrument, or other written document. If, for any reason, the Finance Officer or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall be unavailable to execute such certificates, instruments, or other written documents for any reason, such certificates, instruments, or other written documents may be executed by an acting or assistant to such officer, or by such other officer of the City as in the opinion of the City Attorney is authorized to sign such certificates, instruments, or other written documents.

Be It Further Resolved that the authority to approve, execute, and deliver future amendments to the documents executed and delivered by the City in connection with the transactions contemplated by this Resolution is hereby delegated to the Finance Officer, subject to the following conditions: (i) such amendments do not require the consent of the holders of the Bonds or, if required, such consent has been obtained; (ii) such amendments do not materially adversely affect the interests of the City as the issuer of the Bonds; (iii) such amendments do not contravene or violate any policy of the City; (iv) such amendments are acceptable in form and substance to the City Attorney, bond counsel, and other counsel retained by the City to review such amendments; and (v) such amendments do not materially prejudice the interests of the Registered Owners of the Bonds. The authorization hereby given shall be further construed as authorization for the execution and delivery of such certificates and related items as may be required to demonstrate compliance with the agreements being amended and the terms of this Resolution. The execution of any instrument by the Finance Officer shall be conclusive evidence of the approval of such instruments in accordance with the terms hereof. In the absence of the Finance Officer, any instrument authorized by this paragraph to be executed and delivered by the Finance Officer may be executed by such other officer of the City as in the opinion of the City Attorney is authorized to execute and deliver such document.

Be It Further Resolved that this Resolution shall be effective forty-five (45) days after the date of its approval and publication; provided that this Resolution shall not be effective in the event that either the HIA Ordinance or the HIA Fee Resolution does not become effective as a result of objections filed by the requisite percentage of owners of housing units in Summit House in accordance with the provisions of Section 428A.18 of the Housing Improvement Areas Act.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0405

The Minneapolis City Council hereby authorizes appropriate agreements with Summit Homes Association and Western Alliance Bank to facilitate Housing Improvement Area financing for the Summit House Housing Improvement Area Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Policy & Government Oversight Committee, Jenkins offered Resolution 2020R-127 ordering the work to proceed and adopting the special assessments for the Sheridan Ave S Alley Construction Project No. 2322.

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

RESOLUTION 2020R-127

By Bender

Ordering the work to proceed and adopting the special assessments for the Sheridan Ave S Alley Construction Project No. 2322 (PV063).

Whereas, a public hearing was held on May 6, 2020, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2020R-089, passed March 27, 2020, to consider the proposed special assessments as on file in the Public Works Special Assessment Office, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2020R-089, passed March 27, 2020.

Be It Further Resolved that the proposed special assessments in the total amount of \$9,823 for the Sheridan Ave S Alley Construction Project No. 2322 (Levy 01014, Project 2319C), as on file in the Public Works Special Assessment Office, are hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at ten (10) and that the interest be charged at an interest rate of 5.0%, with collection of the special assessments to begin on the 2020 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at an interest rate of 4.7%, with collection of the special assessments to begin on the 2020 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Policy & Government Oversight Committee, Jenkins offered Resolution 2020R-128 requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$9,823 for the purpose of paying the assessed cost of street improvements in the Sheridan Ave S Alley Construction Project No. 2322.

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

RESOLUTION 2020R-128

By Fletcher

Requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$9,823 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Sheridan Ave S Alley Construction Project No. 2322, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0406

The Minneapolis City Council hereby approves the Worker's Compensation claim of Kathy Lawler by payment of \$115,000 to Ms. Lawler and her attorneys and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0407

The Minneapolis City Council hereby authorizes an increase to Contract No. C-43358 with Technology Management Corporation, in the amount of \$47,035 for a total amount not to exceed \$454,597, for additional information technology and audio-visual consulting services for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0408

The Minneapolis City Council hereby authorizes an increase to Contract No. C-43204 with Meyer, Scherer & Rockcastle Ltd. (MSR Design), in the amount of \$108,806 for a total amount not to exceed \$11,432,929, for architect and engineer of record design services for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0409

The Minneapolis City Council hereby:

1. Accepts an Emergency Preparedness grant from the Minnesota Department of Health, in the additional amount of \$271,774 (existing Grant Project Agreement SWIFT Contract No. 161418), to provide measurable and sustained progress in the implementation and execution of Public Health Emergency Preparedness and Response Capabilities for the period July 1, 2019, to June 30, 2024.
2. Authorizes an amended agreement with the Minnesota Department of Health for the grant.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0410

The Minneapolis City Council hereby approves amending the Federal Legislative Agenda to include recommendations for federal support to local governments to respond to the COVID-19 pandemic, as further set forth in Legislative File No. 2017-01031 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0411

The Minneapolis City Council hereby authorizes an increase to Contract No. C-43836 with Black & Veatch, in the amount of \$498,000 for a total amount not to exceed \$1,711,776, for additional design and engineering services related to the 10th Ave Bridge Water Main River Crossing Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0412

The Minneapolis City Council hereby authorizes an increase to Contract No. COM000435 with Engineering and Construction Innovations, Inc., in the amount of \$489,058.70 for a total amount not to exceed \$16,088,783.70, for project changes for the 10th Ave Water Main River Crossing Project due to unforeseen conditions.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0413

The Minneapolis City Council hereby:

1. Authorizes the submittal of up to two additional grant applications to the Metropolitan Council for federal transportation funds through Metropolitan Council's 2020 Regional Solicitation Program.
2. Authorizes the commitment of local funds to provide the required local match for the federal funding.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0414

The Minneapolis City Council hereby authorizes the submittal of a grant application to the Minnesota Department of Transportation (MnDOT) for transportation funds through the MnDOT Metro Local Partnership Program.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0415

The Minneapolis City Council hereby authorizes the submittal of a series of grant applications to the Minnesota Department of Transportation Metro District for the 2020 solicitation for federal Highway Safety Improvement Program (HSIP) funds.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0416

The Minneapolis City Council hereby authorizes an agreement with the owner of the property located at 2929 Hennepin Ave for a temporary construction permit in conjunction with the Girard Ave S Street Reconstruction Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2020A-0417

The Minneapolis City Council hereby authorizes the acceptance of the sole bid of Bray Sales, Inc., submitted on Event No. 989, in the estimated amount of \$260,000 for two years, to furnish and deliver butterfly valves and actuators, and authorizes a contract for the service, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Policy & Government Oversight Committee, Jenkins offered Resolution 2020R-129 accepting donation from Xfinity for Airing Census 2020 Public Service Announcements.

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

**RESOLUTION 2020R-129
By Bender and Jenkins**

Accepting a donation from Xfinity for airing Census 2020 Public Service Announcements.

Whereas, the City of Minneapolis is authorized to accept donations of real and personal property pursuant to the provisions of Minnesota Statutes, Section 465.03; and

Whereas, Xfinity has offered to contribute a gift to the City to air public service announcements related to the 2020 Census and thereby to assist the City in promoting general awareness of and increased participation in the decennial census across all segments of the community; and

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

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

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

That the donation of airtime offered by Xfinity related to the 2020 Census is hereby accepted and shall be used for such purposes as expressly authorized under state law.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (12)

Noes: (0)

Absent: (0)

Adopted.

ADJOURNMENT

The meeting was adjourned at 10:37 a.m.

Casey Joe Carl,
City Clerk