

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
APRIL 16, 2021**

(Published April 24, 2021, in *Finance and Commerce*)

CALL TO ORDER

Council President Bender called the meeting to order at 9:30 a.m., 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, Phillipe Cunningham, Jeremiah Ellison, Jamal Osman, Lisa Goodman, Andrea Jenkins, Alondra Cano, Lisa Bender, Jeremy Schroeder, Andrew Johnson, Linea Palmisano.

Bender moved to adopt the agenda, including the following amendments under the Order of New Business:

1. A staff direction creating an unarmed Traffic Safety Division in a department outside of the Police Department.
2. A resolution opposing the use of "less lethal" weapons in the City of Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted, as amended.

Jenkins moved to accept the minutes of the regular meeting of March 26, 2021.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

The following actions, resolutions, and ordinances were signed by Mayor Jacob Frey on April 20, 2021. 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 written 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. 2021-00102, on file in the Office of City Clerk.

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

On direction by Council President Bender, the Mayor's Declaration of Local Emergency – April 12, 2021, and Emergency Regulations 2021-2-1 and 2021-2-2 resulting from civil disturbance and threat to public health, safety, and welfare, were received and filed, as set forth in Legislative File No. 2021-00471 and Clerk File No. 2021-00004 on file in the Office of City Clerk.

CITY OF MINNEAPOLIS MAYORAL DECLARATION OF LOCAL EMERGENCY April 12, 2021 - Civil Disturbance

Whereas, on April 11, 2021, in the aftermath of the death of an African American man that occurred during a traffic stop initiated by Brooklyn Center law enforcement in Brooklyn Center, Minnesota, rioting and demonstrations broke out in Brooklyn Center and in the City of Minneapolis, resulting in civil disturbance which has put residents, business owners, visitors, and public safety personnel, at risk of significant injury or death, as well as the potential for further damage to public and private property and area businesses and the chance for further civil unrest or disturbance to a degree requiring extraordinary measures be taken to protect the public health, safety, and welfare; and

Whereas, it is my obligation as Mayor of the City of Minneapolis to restore and keep order within the City of Minneapolis to mitigate against and avoid risks to further damage to life and property, to reduce disruption to essential public services, to assure continued local governmental operations, to protect the general health and safety of the community, and to organize and direct an orderly recovery and restoration of peace;

NOW, THEREFORE, I, Jacob Frey, Mayor of the City of Minneapolis, do hereby declare a Local Emergency pursuant to Minnesota Statutes, Ch. 12.29, and Minneapolis Code of Ordinances (MCO), Section 128.50.

I further declare that:

1. The emergency exists on the date of this declaration as indicated below and shall continue and remain in effect pending initial ratification by official act of the Minneapolis City Council within seventy-two (72) hours of this declaration. Pursuant to MCO Section 128.50(a), the City Council retains the ability to disapprove of the declaration at any time.
2. Such declaration provides the authority to immediately issue emergency regulations pursuant to MCO Section 128.50 to protect the public health, safety, and welfare.

3. The Director of Emergency Management for the City of Minneapolis shall immediately request and coordinate the appropriate aid and resources from surrounding city and county jurisdictions, the State of Minnesota, and the United States Federal Government.
4. The emergency executive authority section of the Minneapolis Emergency Operations Plan, and all other applicable sections of the Plan, is immediately invoked.
5. Emergency regulations promulgated by mayoral proclamation to protect the public health, safety, and welfare during this emergency are subject to rescission by the City Council at any time. If not sooner rescinded, every such regulation shall expire at the end of thirty (30) days after its effective date or at the end of the declared emergency, whichever occurs first.

This declaration of local emergency, the associated curfew regulation, and any further emergency regulations of any kind, as well as any additions or changes to this declaration, and the eventual termination of this declaration, and all official communications pertaining to same, shall be posted by the City Clerk on the City's website for public notice and access.

Jacob Frey, Mayor of Minneapolis

EMERGENCY REGULATION

Issued pursuant to MCO Section 128.60

I, Jacob Frey, Mayor of the City of Minneapolis, subject to the authority granted to me pursuant to Minnesota Statutes, Ch. 12.29, and Minneapolis Code of Ordinances (MCO), Sections 128.50 and 128.60 do hereby proclaim the following Emergency Regulation:

**PROCLAMATION OF THE MAYOR
Emergency Regulation No. 2021-2-1**

Whereas, on April 12, 2021, pursuant to the provisions of Minnesota Statutes, Ch. 12.29, and Minneapolis Code of Ordinances (MCO), Section 128.50, I did declare a state of local emergency in response to the civil disturbance and unrest in multiple areas throughout the City of Minneapolis; and

Whereas, pursuant to the emergency declaration, the Mayor is authorized to promulgate emergency regulations pursuant to MCO Section 128.60 to protect the public health, safety, and welfare; and

Whereas, it is my obligation as Mayor of the City of Minneapolis to restore and keep order within the City of Minneapolis to mitigate against and avoid risks of further potential damage to life and property, to reduce disruption to essential public services, to assure continued local governmental operations, to protect the general health and safety of the community, and to organize and direct an orderly recovery and restoration of peace.

NOW, THEREFORE, I, Jacob Frey, Mayor of the City of Minneapolis, do hereby declare pursuant to this emergency regulation that:

1. That a nighttime curfew is hereby imposed in all public places within the City of Minneapolis, including streets, from 7:00 p.m. on Monday, April 12, until 6:00 a.m. on Tuesday, April 13, and during the hours of curfew, all persons must not travel on any public street or in any public place.

2. All law enforcement, fire, medical personnel, and clearly identified media, as well as other personnel authorized by the City of Minneapolis are exempt from the curfew. Individuals traveling directly to and from work, and those that are seeking care, fleeing dangerous circumstances, or experiencing homelessness are also exempt.
3. The Office of the Mayor of the City of Minneapolis shall designate the additional Minneapolis personnel that are exempt from the curfew pursuant to Paragraph 2 above.
4. The following City-contracted groups and their members are exempt from the curfew: A Mother's Love, Center for Multicultural Mediation, NACDI (Native American Community Development Institute), Corcoran Neighborhood Organization and T.O.U.C.H. Outreach, C.E.O. (Change Equals Opportunity), Restoration Inc. and We Push for Peace.
5. For purposes of this emergency regulation, "travel" includes, without limitation, travel on foot, bicycle, skateboard, scooter, motorcycle, automobile, or public transit, or any other mode of transporting a person from one location to another.
6. For purposes of this emergency regulation, "public place" means any place, whether on privately or publicly owned property, accessible to the general public, including but not limited to public streets and roads, alleys, highways, driveways, sidewalks, parks, vacant lots, and unsupervised property.
7. A violation of this emergency regulation is a misdemeanor offense and is punishable by a fine not to exceed \$1,000.00 or imprisonment for not more than 90 days, pursuant to Minnesota Statutes, Section 12.45, and MCO Section 1.30.

Jacob Frey, Mayor of Minneapolis

EMERGENCY REGULATION

Issued pursuant to MCO Section 128.60

I, Jacob Frey, Mayor of the City of Minneapolis, subject to the authority granted to me pursuant to Minnesota Statutes, Ch. 12.29, and Minneapolis Code of Ordinances (MCO), Sections 128.50 and 128.60 do hereby proclaim the following Emergency Regulation:

PROCLAMATION OF THE MAYOR

Emergency Regulation No. 2021-2-2

Whereas, on April 12, 2021, pursuant to the provisions of Minnesota Statutes, Ch. 12.29, and Minneapolis Code of Ordinances (MCO), Section 128.50, I did declare a state of local emergency in response to the civil disturbance and unrest in multiple areas throughout the City of Minneapolis; and

Whereas, pursuant to the emergency declaration, the Mayor is authorized to promulgate emergency regulations pursuant to MCO Section 128.60 to protect the public health, safety, and welfare; and

Whereas, it is my obligation as Mayor of the City of Minneapolis to restore and keep order within the City of Minneapolis to mitigate against and avoid risks of further potential damage to life and property, to reduce disruption to essential public services, to assure continued local governmental operations, to protect the general health and safety of the community, and to organize and direct an orderly recovery and restoration of peace; and

Whereas, despite an ordered curfew during the evening of Monday, April 12, 2021 and the morning of Tuesday, April 13, 2021, there occurred several incidents of civil unrest including numerous curfew violations and the destruction of property in the City of Minneapolis.

NOW, THEREFORE, I, Jacob Frey, Mayor of the City of Minneapolis, do hereby declare pursuant to this emergency regulation that:

1. That a nighttime curfew is hereby imposed in all public places within the City of Minneapolis, including streets, from 10:00 p.m. on Tuesday, April 13, until 6:00 a.m. on Wednesday, April 14, and during the hours of curfew, all persons must not travel on any public street or in any public place.
2. All law enforcement, fire, medical personnel, and clearly identified media, as well as other personnel authorized by the City of Minneapolis are exempt from the curfew. Individuals traveling directly to and from work or religious services, and those that are seeking care, fleeing dangerous circumstances, or experiencing homelessness are also exempt. All individuals, whether exempt or not, must comply with lawful orders from law enforcement.
3. The Office of the Mayor of the City of Minneapolis shall designate the additional Minneapolis personnel that are exempt from the curfew pursuant to Paragraph 2 above.
4. The following City-contracted groups and their members are exempt from the curfew: A Mother's Love, Center for Multicultural Mediation, NACDI (Native American Community Development Institute), Corcoran Neighborhood Organization and T.O.U.C.H. Outreach, C.E.O. (Change Equals Opportunity), Restoration Inc. and We Push for Peace.
5. For purposes of this emergency regulation, "travel" includes, without limitation, travel on foot, bicycle, skateboard, scooter, motorcycle, automobile, or public transit, or any other mode of transporting a person from one location to another.
6. For purposes of this emergency regulation, "public place" means any place, whether on privately or publicly owned property, accessible to the general public, including but not limited to public streets and roads, alleys, highways, driveways, sidewalks, parks, vacant lots, and unsupervised property.
7. A violation of this emergency regulation is a misdemeanor offense and is punishable by a fine not to exceed \$1,000.00 or imprisonment for not more than 90 days, pursuant to Minnesota Statutes, Section 12.45, and MCO Section 1.30.

Jacob Frey, Mayor of Minneapolis

REPORTS OF STANDING COMMITTEES

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

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Ordinance 2021-016 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, amending provisions related to occupancy.

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

ORDINANCE 2021-016
By Bender
Intro & 1st Reading: 2/9/2018
Ref to: BIHZ
2nd Reading: 4/16/2021

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

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

Section 1. That the definition for “family” contained in Section 244.40 of Chapter 244, Maintenance Code, be amended to read as follows:

Family: A "family" is an individual or two (2) or more persons ~~related by blood, marriage, domestic partnership as defined in Chapter 142 of the Minneapolis Code of Ordinances, or adoption, including foster children and bona fide domestic servants employed on a full-time basis by the family in the dwelling unit, intending upon residing and living together as a single household and housekeeping unit in a dwelling unit and also including roomers, provided that the family plus the roomers shall not exceed a total of five (5) persons; provided further that the limit of five (5) persons shall not apply where the entire group living in the dwelling unit consists of persons related by blood, marriage or adoption including foster children and domestic servants for thirty (30) days or more and not for short-term, tourist or transient use.~~

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Ordinance 2021-017 amending Title 1, Chapter 2 of the Minneapolis Code of Ordinances relating to General Provisions: Administrative Enforcement and Hearing Process, adding and amending provisions related to administrative hearing procedures.

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

ORDINANCE 2021-017
By Goodman
Intro & 1st Reading: 2/12/2021
Ref to: BIHZ
2nd Reading: 4/16/2021

Amending Title 1, Chapter 2 of the Minneapolis Code of Ordinances relating to General Provisions: Administrative Enforcement and Hearing Process.

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

Section 1. That Section 2.10 of the above-entitled ordinance be amended to read as follows:

2.10. Purpose. ~~Pursuant to City Charter Chapter 4, Section 5, the~~ The city council enacts this Article of the Minneapolis Code of Ordinances to provide an administrative enforcement and hearing process for the resolution of certain violations of the Minneapolis Code of Ordinances. The council finds that an administrative enforcement and hearing process will facilitate compliance with certain provisions of this Code and avoid unnecessary delay in the enforcement of the Minneapolis Code of Ordinances.

Section 2. That Section 2.50 of the above-entitled ordinance be amended to read as follows:

2.50. Orders to correct; administrative citations. Upon the reasonable belief that an offense detailed in section 2.40 of this chapter has occurred, the city officials listed in section 2.20 of this chapter may serve on the violator an order to correct the violation or may issue a citation for the violation. If compliance is not achieved by an order to correct, the official is authorized to issue an administrative citation pursuant to this chapter of the Code. An administrative citation must be served on the alleged violator, or, in the case of citations issued for parking violations under to the traffic code, the citation may be issued in the same manner as a traffic tag pursuant to section 478.480. The administrative citation must state the date, ~~time,~~ and nature of the offense, the name of the official issuing the citation, or designee, the amount of the scheduled civil fine, and the manner for paying the fine or appealing the citation by requesting a mediation and hearing.

Section 3. That Section 2.100 of the above-entitled ordinance be amended to read as follows:

2.100. - Administrative hearing procedures. (a) *Service; Minnesota Rules of Civil Procedure.* The Minnesota Rules of Civil Procedure govern with regard to service of process and calculation of time.

(b) *Hearing officers.* The city attorney will periodically approve a list of lawyers from which the city attorney or designee will select a hearing officer to mediate and hear a matter for which a hearing is requested. The alleged violator requesting a hearing will have the right to request, no later than five (5) days before the date of the hearing, that the assigned hearing officer be removed from the case. One request for removal for each case will be granted automatically by the city attorney or designee. A subsequent request will be directed to the assigned hearing officer, who will decide whether the hearing officer cannot fairly and objectively review the case. If such a finding is made, the hearing officer will remove himself or herself from the case, and the city attorney or designee will assign another hearing officer. The hearing officer is not a judicial officer, but is a public officer as defined by Minnesota Statutes, Section 609.415. The hearing officer must not be a current employee of the City of Minneapolis.

(c) *Subpoenas.* Upon the hearing officer's own initiative or upon written request of an interested party demonstrating the need, the hearing officer may issue an administrative subpoena for the attendance of a witness or the production of books, papers, records or other documents that are material to the matter being heard.

(1) The party requesting the administrative subpoena shall make a written request to the hearing officer within seven (7) days of the hearing. If the alleged violator is the party making the request, they shall submit the request to the city attorney or designee.

(2) The city attorney or designee shall forward the request to the hearing officer for their consideration, and the hearing officer shall make a decision with regard to the request in a timely manner.

(3) If the request is granted, the hearing officer shall draft the administrative subpoena and, when it is completed, notify the city attorney or designee. If the alleged violator is the party requesting the administrative subpoena, the city attorney or designee will notify the alleged violator that the subpoena has been approved and make appropriate arrangements for the alleged violator to receive the administrative subpoena for service.

The party requesting the administrative subpoena ~~will~~ shall be responsible for serving the subpoena and for paying the statutory fees and expenses of any witness. A person served with an administrative subpoena may file an objection with the hearing officer no later than the date specified in the administrative subpoena for compliance. The hearing officer may cancel or modify any portion of the administrative subpoena deemed unreasonable or oppressive. Any person who, without just cause, fails or refuses to comply with an administrative subpoena may be guilty of a misdemeanor. In the alternative, the party requesting the administrative subpoena may seek an order from district court directing compliance with the administrative subpoena.

(d) *Notice of hearing.* A notice of the hearing must be served on the alleged violator within sixty (60) days of the appeal being filed. The notice must be served at least ten (10) days in advance of the scheduled hearing unless a shorter time is accepted by all parties. Notice may be served pursuant to section 1.130.

(e) *Mediation.* Immediately prior to any hearing, with the agreement of all parties, the hearing officer may attempt to mediate the dispute. If the dispute is settled as a result of mediation, the hearing will be canceled. Any mediated settlement must be commemorated by the hearing officer in writing and signed by the person responsible for the violation. A mediated settlement that calls for formal action by the city council is contingent on final city council approval and will be presented as a recommendation to the city council from the hearing officer.

(f) *Hearing procedure.* If a mediated settlement cannot be reached, the matter will proceed to a hearing, which may be conducted in person, online, or over the telephone. At the hearing, the parties will have the opportunity to present testimony and question witnesses, but strict compliance with the Minnesota Rules of Evidence will not be required. ~~The hearing officer city attorney or designee will tape~~ audio record the hearing and receive testimony and exhibits into evidence. The hearing officer will receive and give weight to evidence, including hearsay evidence, that possesses probative value commonly accepted by reasonable and prudent people in the conduct of their affairs. The city will have the burden of proof to demonstrate by a preponderance of the evidence that a violation occurred and that the required corrective action, if applicable, is reasonable. The determination by the applicable department director or designee as to the need for the required corrective action shall be accorded substantial weight by the hearing officer in determining the reasonableness of the required corrective action.

(g) *Authority of hearing officer.* The hearing officer will have the authority to:

- (1) Mediate and enforce a settlement of the dispute;
- (2) Hear an appeal of the issuance of a notice of noisy or unruly assembly under section 389.65 and either uphold or rescind the issuance of the notice;
- (3) Determine whether a violation occurred;
- (4) Dismiss the administrative citation;

(5) Impose the scheduled fine;

(6) Reduce, stay, or waive a scheduled fine upon compliance with appropriate conditions; or

(7) Increase the scheduled fine when the actual costs of enforcement are shown by a preponderance of the evidence to be greater than the amount of the scheduled fine.

(h) *Imposition of civil fine by hearing officer.* When imposing a fine for a violation, the hearing officer may consider any or all of the factors listed below:

(1) The duration of the violation;

(2) The frequency or recurrence of the violation;

(3) The seriousness of the violation;

(4) The history of the violation;

(5) The violator's conduct after issuance of the ~~notice of hearing~~ administrative citation;

(6) The good faith effort by the violator to comply;

(7) The economic impact of the fine on the violator;

(8) The impact of the violation upon the community;

(9) Prior record of city code violations; or

(10) Any other facts appropriate to a just result.

(i) *Fines for continuing violations.* The hearing officer may exercise discretion to impose a fine for more than one (1) day of a continuing violation but only upon a finding that:

(1) The violation caused a threat of harm to the public health, safety, or welfare; or

(2) The violator unreasonably refused to comply with the code requirement. The hearing officer's decision and supporting reasons for continuing violations must be in writing.

(j) *Decision of the hearing officer.*

(1) The hearing officer must determine whether the city has established by a preponderance of the evidence that a violation has occurred and that the required corrective action is reasonable and must affirm, vacate or modify the city's decision regarding the alleged violation or corrective action.

(2) The hearing officer must issue a written decision and order to the alleged violator that contains the following information:

a. The decision regarding the alleged violation including findings of fact and conclusions thereon in support of the decision.

- b. The required corrective action, if any.
- c. The date and time by which corrective action must be completed.
- d. The monetary penalty assessed based on the criteria set forth herein.

(3) The decision of the hearing officer must be served on the alleged violator by the city attorney or designee within fourteen (14) days of the date of the decision.

(k) *Finality of decision.* The decision of the hearing officer shall be final without any further right of administrative appeal.

Section 4. That Section 2.120 of the above-entitled ordinance be amended to read as follows:

2.120. Assessment of civil fines and fees for property related violations. (a) *Civil fines and fees subject to assessment.* ~~In accordance with chapter 10 of the Minneapolis City Charter, unpaid~~ Unpaid civil fines and fees imposed for property-related violations may be assessed against property that was the subject matter of the civil fines and fees in accordance with Minnesota Statutes, Chapter 429. Such unpaid fees and fines may include:

(1) Administrative citations;

(2) Reinspection fees;

(3) Vacant Building Registration fees;

(4) Nuisance abatement fees; and

(5) Other civil fines and fees as determined by ordinance.

~~(b) *Prior voluntary payment.* Prior to any assessment for unpaid fines, the city shall seek voluntary payment of the fines by notifying the owner of the property in writing of the fine imposed.~~

Prepayment. Prior to any assessment of unpaid fines and fees, the city shall seek voluntary payment by notifying the owner of the property of the proposed assessment in writing. For the purposes of this section, this notice may be sent to the owner, property taxpayer, or contact person on the current rental licensing application on file with the City.

~~(c) *Assessment procedure.* The following information relating to property having unpaid civil fines will be certified to the county auditor and collected in the same manner as taxes and special assessments against the property:~~

When unpaid fines and fees are to be assessed against a property pursuant to this chapter, the following procedures shall be followed:

~~(1) The unpaid civil fine and late fees, including the administrative charge due under subdivision (d) of this section.~~ *Notice of hearing.* A notice of intent to assess shall be mailed to the owner of the property. Such notice shall state:

a. The amount of the proposed assessment;

b. The basis for the proposed assessment;

c. The time, date, and location of the hearing to dispute the proposed assessment;

d. The process by which an appeal of the proposed assessment may be filed;

e. The date on which the City Council will hold a public hearing for the annual assessment levy and the date of adoption by the full City Council;

f. Any information required by Minnesota Statutes 429.061, including but not limited to the right of appeal to district court, the right of the property owner to prepay the proposed assessment, the rate of interest on the proposed assessment, and the existence of the property tax deferment procedure.

(2) Interest at the maximum lawful rate permitted under Minnesota Statutes, Chapter 429. *Hearing procedure.* The owner and the city will have the opportunity to present testimony and question witnesses, but strict compliance with the Minnesota Rules of Evidence will not be required. The city attorney or designee will audio record the hearing and receive testimony and exhibits into evidence. The hearing officer will receive and give weight to evidence, including hearsay evidence, that possesses probative value commonly accepted by reasonable and prudent people in the conduct of their affairs. The city will have the burden of proof to demonstrate by a preponderance of the evidence that the proposed assessment is valid, notice was sent to the correct party, and, in the case of an unpaid administrative citation, that the owner was given the right to appeal the underlying violation and fine. The determination by the applicable department director or designee as to the need for the required corrective action shall be accorded substantial weight by the hearing officer in determining the validity of the proposed assessment.

(3) A description of the premises. Any owner, who objected prior to or at the assessment hearing, may appeal by serving a notice upon the mayor or the city clerk within thirty (30) days after the city council has adopted the assessments and by filing the notice with the clerk of the district court within ten (10) days after its service. The court shall either affirm the assessment or set it aside and order a reassessment. If appellant does not prevail upon the appeal, the costs incurred shall be taxed by the court and judgment entered therefor. All objections to the assessment shall be deemed waived unless presented on such appeal. This section provides the exclusive method of appeal from a special assessment levied pursuant to this chapter.

(4) The name of the owner of the property.

The assessed unpaid civil fine will be a perpetual lien on the premises until paid. Prior to the certification to the county auditor, the owner must be given written notice of the proposed assessment and be provided an opportunity to be heard before the city council.

~~(d) Administrative charge for assessment. An administrative charge of eight dollars (\$8.00) is due upon the mailing of the notice of the proposed assessment.~~

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Ordinance 2021-018 amending Title 4, Chapters 63 and 65 of the Minneapolis Code of Ordinances relating to Animal Care and Control: Licenses and Permits and Public Health Considerations, adding and amending provisions related to lifetime license applications and rabies procedures.

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

ORDINANCE 2021-018
By Goodman
Intro & 1st Reading: 2/12/2021
Ref to: BIHZ
2nd Reading: 4/16/2021

Amending Title 4 of the Minneapolis Code of Ordinances relating to Animal Care and Control.

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

Section 1. That Section 63.70 contained in Chapter 63, Licenses and Permits, be amended to read as follows:

63.70. License applications and restrictions. (a) Every person required to obtain a license pursuant to this title shall submit an application on a form or in a format approved by MACC. If relating to a dog, cat, or ferret, applicants shall certify that the animal has been vaccinated by a licensed veterinarian against rabies in conformance with the requirements of this title. MACC shall provide each dog, cat, or ferret licensed with a metallic tag upon which shall be stamped or engraved the registration number of the pet. The annual fee shall be determined in the license fee schedule and may include the following:

- (1) Yearly, individual license unsterilized;
- (2) Yearly, individual license sterilized;
- (3) Three (3) year individual license unsterilized;
- (4) Three (3) year individual license sterilized;
- (5) Lifetime (sterilized and microchipped only);
- (6) Senior owner (age sixty-five (65) and above) discount individual sterilized;

(7) Senior owner (age sixty-five (65) and above) discount individual unsterilized;

(8) Low income (proof of income required), yearly license unsterilized; and

(9) Low income (proof of income required), yearly license sterilized.

(b) Sterilization requirements shall be considered to be met when the owner presents a rabies vaccination certificate from a veterinarian stating the animal is sterilized.

(c) A lifetime license requires that the animal be currently vaccinated by a license veterinarian, sterilized, and microchipped. The owner shall cause to be maintained a current rabies vaccination on file with MACC at all times.

(d) There shall be no reimbursement or refund of any license fee, including lifetime, upon the death or removal of the animal from the city and fees shall not be prorated.

(e) Animals declared dangerous and potentially dangerous are not eligible for lifetime licenses.

(f) Dogs in training with or trained by a recognized program with an established curriculum for training dogs for service to persons with disabilities under the Americans with Disabilities Act or other applicable law, and dogs, cats, and ferrets awaiting adoption in foster homes for six (6) months or less under a recognized pet adoption program, shall be exempt from the license fees in this section. To qualify for an exemption, such programs shall be approved by MACC.

(g) Licenses obtained under this title are not transferable from any owner to another owner or transferable from any animal to another animal.

(h) Any animal found to be unvaccinated against rabies by a licensed veterinarian or which vaccination has expired against rabies, shall also be deemed to be unlicensed for purposes of this title.

(i) MACC may contract with veterinary clinics, pet stores, animal day care centers, and other businesses or entities as approved by MACC to receive pet license applications and to remit the license tags.

(j) No license shall be issued or renewed until all outstanding fees, fines, or other financial claims of the city have been remitted to MACC.

(k) A provisional license may be issued, at a reduced rate as determined by MACC, for any dog or cat between four (4) and six (6) months of age that is not yet sterilized. The provisional license shall remain in effect until the animal reaches the age of twelve (12) months and/or is properly sterilized by a licensed veterinarian. Fees collected may be applied towards the cost of lifetime license or other applicable license provided the owner submits written proof of sterilization by a licensed veterinarian occurring on or before the date the dog or cat reaches the age of eight (8) months. Provisional license fees for animals remaining unsterilized after reaching the age of eight (8) months shall not be eligible to be applied to a subsequent sterilized licensed fee. In all cases, the reduced fee provisional license shall expire upon the animal's sterilization and/or the date the animal reaches the age of twelve (12) months. No fees shall be prorated.

Section 2. That Section 65.10 contained in Chapter 65, Public Health Considerations, be amended to read as follows:

65.10. Rabies control. (a) No person shall keep, harbor, or maintain care, custody, or control over any dog, cat, or ferret over four (4) months of age unless it has been vaccinated in accordance with the terms of this section.

(1) After three (3) months of age and before four (4) months of age the dog, cat, or ferret shall be first vaccinated with an approved rabies vaccine by a licensed veterinarian.

(2) Within twelve (12) months after its original vaccination, the dog, cat, or ferret shall receive a booster vaccination with an approved rabies vaccine by a licensed veterinarian.

(3) Thereafter, the dog, cat, or ferret shall receive booster vaccinations every twelve (12) to thirty-six (36) months, depending on the prescribed frequency of booster vaccinations in the manufacturer's specifications for the vaccine previously used.

(4) All rabies vaccinations shall be performed by or under the direct supervision of a licensed veterinarian.

(5) The dog, cat, or ferret owner shall obtain a certificate of vaccination that shall be produced by the owner when requested by an animal control officer or representative of MACC.

It shall be a defense for any person charged with a violation of this section, to show by way of a certificate of vaccination from a veterinarian that the dog, cat, or ferret had been vaccinated for rabies in conformance with the provisions of this chapter on the day prior to the day of the alleged violation.

(b) Impoundment of rabies suspects.

(1) Any dog, cat, or ferret not vaccinated in accordance with this section which has bitten any person and caused an abrasion or puncture of the skin of such person ~~shall be seized and impounded~~ may, at the discretion of the investigating officer, be seized and impounded, provided the officer has reasonable cause to believe the owner is unable or unwilling to adequately confine the animal, under the supervision of a licensed veterinarian or at MACC for a period of not less than ten (10) days. If, after a complete examination by a veterinarian or a designee of the veterinarian trained in the recognition of the clinical signs and symptoms of rabies, the dog, cat, or ferret has no clinical signs of rabies, it may be released to the owner upon the condition that the owner has the animal vaccinated and licensed as required by this Code and pays all kennel fees and fines associated with the quarantine.

(2) Alternately, MACC may authorize the owner of an animal under investigation to quarantine the animal at home provided the animal is currently vaccinated against rabies by a licensed veterinarian and the owner and property meet acceptable standards as defined by MACC. Any animal control officer having reason to believe that the owner of any animal potentially exposed to rabies will not or cannot effectively quarantine the animal may seize the animal for the purpose of proper quarantine at MACC. The costs associated with any quarantine shall be charged to and payable by the owner of the animal.

(3) In the case of a stray, the animal shall be disposed of in accordance with applicable laws.

(4) It shall be unlawful for any owner or person having custody or control of any dog, cat, or ferret, whether or not it is vaccinated against rabies in accordance with this section, which has bitten any person, to refuse to release such dog, cat, or ferret and make it immediately available to MACC for the purpose of quarantine or any other lawful purpose.

(5) It shall be unlawful for any owner or person in custody or control of any dog, cat, or ferret that has bitten any person to refuse or fail to quarantine such dog, cat, or ferret as required by this section or other applicable law.

(6) MACC shall seize any dog, cat, or ferret not quarantined in accordance with this section or other applicable law.

a. Any dog, cat, or ferret vaccinated in accordance with this section which has bitten any person shall be confined by the owner or other responsible person in such manner as the ~~Minneapolis Health Department~~ Minnesota Department of Health or MACC may direct and for a period of not less than ten (10) days. The ~~Minneapolis Health Department~~ Minnesota Department of Health or MACC shall conduct any necessary examinations of the animal. If no signs of rabies are observed, the animal may be released from confinement.

b. Any other animal which has bitten any person and caused an abrasion or puncture of the skin of such person shall be seized and impounded under the supervision of a licensed veterinarian or at the MACC facility for a period of not less than ten (10) days. If, after a complete examination by a veterinarian, the animal has no clinical sign of rabies, the animal may, with the approval of the ~~Minneapolis Health Department~~ Minnesota Department of Health or MACC, be released to the owner. In the case of an unclaimed animal, it shall be disposed of in accordance with applicable laws. It shall be unlawful for any owner or person in custody or control of any animal which has bitten any person to refuse to release such animal and make it immediately available to MACC for the purpose of quarantine.

c. Any rabies suspect impounded or confined under this section which is found to be sick or diseased shall be reported immediately in writing to the ~~Minneapolis Health Department~~ Minnesota Department of Health and MACC by the attending veterinarian or operator of the quarantine facility. MACC shall then take possession of such animal for the purpose of determining if it is suffering from rabies.

d. ~~The Minneapolis Health Department~~ or MACC may, for good cause, order the immediate euthanasia and testing for rabies of any animal: that has bitten one (1) or more individuals; that is showing active symptoms of rabies; that is not currently vaccinated against rabies and has been exposed to any animal who has rabies or is suspected of having rabies that cannot be confirmed by testing; or for any wild, exotic, or hybrid animal that has bitten a human. Any animal subject to the provisions of this section is also subject to any lawful order issued by the Minnesota Department of Health and MACC may enforce the terms of any such order.

1. The owner of the animal that is to be tested is entitled to a hearing as set forth in this title.
2. The time periods set forth in this title do not apply to requests for immediate testing of an owned animal.
3. A hearing must be requested by the owner of the animal within twenty-four (24) hours of notification of the owner of the intent to test the animal for rabies.

4. If a hearing is not requested by the owner within twenty-four (24) hours of notification of intent to test for rabies, MACC shall make appropriate order to test the animal for rabies.

5. If a hearing is requested, the owner must be available to attend the hearing and the hearing completed within twenty-four (24) hours of the time that the hearing was requested or the hearing will be deemed to have been waived.

6. The owner shall immediately make the animal available to MACC for rabies testing if no hearing is requested or if the order for testing is upheld.

7. In determining whether good cause exists to order rabies testing of an owned animal, the ~~Minneapolis Health Department~~ Minnesota Department of Health or MACC may consider:

i. The physical location of the bite on the body of the victim.

ii. The medical condition of the victim.

iii. The medical necessity of immediate testing of the animal for rabies.

iv. The age and health of the victim.

v. The vaccination records of the animal for which testing is sought.

vi. Potential harm to the victim of the bite by delays in the testing procedure.

vii. Potential harm to the victim of the bite by engaging in the course of post exposure rabies shots.

viii. The requests of qualified medical personnel.

ix. Any other factors bearing on the necessity for immediate testing of the suspect animal.

(7) Nothing in this section shall be read so as to conflict with the requirements of this title as they pertain to destruction of dangerous animals.

(c) Handling of domestic animals bitten by rabid animals. For the purposes of this section, any wild animal that bites a dog, cat, or ferret shall be deemed to be a rabid animal. In the case of dogs, cats, or ferrets which have been bitten by a rabid animal, the following rules shall apply. Any refusal to comply with this section shall result in the immediate seizure of quarantined animal and may result in the immediate destruction of the animal by MACC. Any cost associated with the seizure, destruction, or fines and fees shall be paid by the owner:

(1) In the case of a bitten (exposed) dog, cat, or ferret which has not been vaccinated in accordance with this title and which has been bitten by a rabid animal, said bitten (exposed) animal shall be immediately destroyed.

a. If the owner is unwilling to destroy the bitten (exposed) animal, said animal may be placed under strict quarantine ~~if the quarantine is advisable after review by the Minnesota Board of Animal Health or other appropriate entity~~ for a period up to one hundred eighty (180) days.

b. The place and manner of quarantine shall be by order of the ~~Minneapolis Health Department~~ Board of Animal Health of the Minnesota Department of Health or MACC.

c. The quarantined animal shall be confined in strict isolation in a kennel for ~~six (6) months~~ the period of time as ordered by MACC or the Board of Animal Health of the Minnesota Department of Health under the supervision of a veterinarian. ~~Before release of the dog, cat, or ferret to its owner, it shall be vaccinated for rabies~~ The quarantined animal shall be vaccinated for rabies upon intake and one (1) month prior to its release to its owner, or at any times as ordered by MACC or the Board of Animal Health of the Minnesota Department of Health.

(2) In the case of a bitten (exposed) animal which has been vaccinated in accordance with the provisions of this title, the animal shall be immediately revaccinated and confined for a period of forty-five (45) days following vaccination.

(d) *Reports of bite cases.* It shall be the duty of every physician or any person to report to the ~~Minneapolis Health Department~~ Minnesota Department of Health or MACC the names and addresses of persons treated for bites inflicted by animals within the city, together with such other information as will be helpful in rabies control.

(e) *Responsibilities of veterinarians.* It shall be the duty of every licensed veterinarian to report to the ~~Minneapolis Health Department~~ Minnesota Department of Health or MACC the diagnosis of any animal within the city observed by such veterinarian to be a rabies suspect or any rabies vaccinations information when requested by MACC.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2021R-097 approving the Border Avenue Extension Redevelopment Plan.

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

RESOLUTION 2021R-097

By Goodman

Approving the Border Avenue Extension Redevelopment Plan.

Whereas, pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the “City”), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the “Project Laws”); and

Whereas, it has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, the Border Avenue Extension Redevelopment Plan (the “Plan”). The Plan identifies the boundary of a new redevelopment project area (the “Project Area”), states the City’s objectives, and describes proposed land uses and development activity, including property that may be acquired within the Project Area, all pursuant to and in accordance with the Project Laws; and

Whereas, the City has performed all actions required by law to be performed prior to the approval of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood group and the City Planning Commission, and the holding of a public hearing after published notice as required by law;

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

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

Be It Further Resolved that the land in the Project Area would not be redeveloped by private enterprise or made available for redevelopment without the potential methods of financial aid and public assistance identified in the Plan or to be sought after approval of the Plan.

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

Be It Further Resolved that the Plan conforms to the general plan for the development or redevelopment of the city as a whole. A written opinion of the City Planning Commission with respect to the Plan was issued on March 22, 2021, and is incorporated herein by reference, and is on file in the office of the City Clerk.

Be It Further Resolved that the Border Avenue Extension Redevelopment Project is a “redevelopment project” pursuant to Minnesota Statutes, Section 469.002, Subdivision 14.

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

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

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

Be It Further Resolved that after passage and publication of this Resolution, the officers and staff of the City and the City’s consultants and counsel are authorized and directed to proceed with the implementation of the Plan.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2021R-098 approving Modification No. 129 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan.

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

RESOLUTION 2021R-098
By Goodman

Approving Modification No. 129 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan.

Whereas, pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the “City”), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the “Project Laws”); and

Whereas, it has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, Modification No. 129 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan (the “Plan”). The Plan identifies the boundary of a new redevelopment project area (the “Project Area”), states the City’s objectives, and describes proposed land uses and development activity, including property that may be acquired within the Project Area, all pursuant to and in accordance with the Project Laws; and

Whereas, the City has performed all actions required by law to be performed prior to the approval of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood group and the City Planning Commission, and the holding of a public hearing after published notice as required by law;

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

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

Be It Further Resolved that the land in the Project Area would not be redeveloped by private enterprise or made available for redevelopment without the potential methods of financial aid and public assistance identified in the Plan or to be sought after approval of the Plan.

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

Be It Further Resolved that the Plan conforms to the general plan for the development or redevelopment of the city as a whole. A written opinion of the City Planning Commission with respect to the Plan was issued on Monday, March 22, 2021 and is incorporated herein by reference, and is on file in the office of the City Clerk.

Be It Further Resolved that Modification No. 129 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan is a “redevelopment project” pursuant to Minnesota Statutes, Section 469.002, Subdivision 14.

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

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

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

Be It Further Resolved that after passage and publication of this Resolution, the officers and staff of the City and the City’s consultants and counsel are authorized and directed to proceed with the implementation of the Plan.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2021R-099 approving the Baldwin Square Redevelopment Plan.

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

RESOLUTION 2021R-099

By Goodman

Approving the Baldwin Square Redevelopment Plan.

Whereas, pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the “City”), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the “Project Laws”); and

Whereas, it has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, the Baldwin Square Redevelopment Plan (the “Plan”). The Plan identifies the boundary of a new redevelopment project area (the “Project Area”), states the City’s objectives, and describes proposed land uses and development activity, including property that may be acquired within the Project Area, all pursuant to and in accordance with the Project Laws; and

Whereas, the City has performed all actions required by law to be performed prior to the approval of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood group and the City Planning Commission, and the holding of a public hearing after published notice as required by law;

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

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

Be It Further Resolved that the land in the Project Area would not be redeveloped by private enterprise or made available for redevelopment without the potential methods of financial aid and public assistance identified in the Plan or to be sought after approval of the Plan.

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

Be It Further Resolved that the Plan conforms to the general plan for the development or redevelopment of the city as a whole. A written opinion of the City Planning Commission with respect to the Plan was issued on Monday, March 22, 2021 and is incorporated herein by reference, and is on file in the office of the City Clerk.

Be It Further Resolved that the Baldwin Square Redevelopment Project is a “redevelopment project” pursuant to Minnesota Statutes, Section 469.002, Subdivision 14 and that the Project Area is a “blighted area” pursuant to Minnesota Statutes, Section 469.002, Subdivision 11.

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

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

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

Be It Further Resolved that after passage and publication of this Resolution, the officers and staff of the City and the City’s consultants and counsel are authorized and directed to proceed with the implementation of the Plan.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2021R-100 approving Modification No. 130 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan.

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

RESOLUTION 2021R-100

By Goodman

Approving Modification No. 130 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan

Whereas, pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the “City”), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the “Project Laws”); and

Whereas, it has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, Modification No. 130 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan (the “Plan”). The Plan identifies the boundary of a new redevelopment project area (the “Project Area”), states the City’s objectives, and describes proposed land uses and development activity, including property that may be acquired within the Project Area, all pursuant to and in accordance with the Project Laws; and

Whereas, the City has performed all actions required by law to be performed prior to the approval of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood group and the City Planning Commission, and the holding of a public hearing after published notice as required by law;

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

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

Be It Further Resolved that the land in the Project Area would not be redeveloped by private enterprise or made available for redevelopment without the potential methods of financial aid and public assistance identified in the Plan or to be sought after approval of the Plan.

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

Be It Further Resolved that the Plan conforms to the general plan for the development or redevelopment of the city as a whole. A written opinion of the City Planning Commission with respect to the Plan was issued on Monday, March 22, 2021 and is incorporated herein by reference, and is on file in the office of the City Clerk.

Be It Further Resolved that Modification No. 130 to the Common Development and Redevelopment Plan and Common Tax Increment Financing Plan is a “redevelopment project” pursuant to Minnesota Statutes, Section 469.002, Subdivision 14 and that the Project Area is a “blighted area” pursuant to Minnesota Statutes, Section 469.002, Subdivision 11.

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

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

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

Be It Further Resolved that after passage and publication of this Resolution, the officers and staff of the City and the City’s consultants and counsel are authorized and directed to proceed with the implementation of the Plan.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0261

The Minneapolis City Council hereby:

1. Approves the following Council reappointments to the Zoning Board of Adjustment for three-year terms beginning January 1, 2021, and ending December 31, 2023: Matt Perry, Seat 3, Ward 13; Jacob Saufley, Seat 2, Ward 10; and Taylor Smrikarova, Seat 1, Ward 6.
2. Approves the Council appointment of Jasmine Frias, Seat 7, Ward 1, to the Zoning Board of Adjustment to fill an unexpired term beginning January 1, 2020, and ending December 31, 2022.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 4/19/2021.

(Published 4/20/2021)

Goodman moved to withdraw from the agenda the appeal submitted by Anthony Bender, on behalf of REEF Kitchens, regarding the decision of the Zoning Board of Adjustment denying a variance to the enclosed building requirement for the property located at 519 Cedar Ave.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0262

The Minneapolis City Council hereby approves the following application (1) for Liquor License Renewal, subject to final inspections and compliance with all provisions of applicable code and ordinances:

THE LOOP, 606 WASHINGTON AVE N Minneapolis, MN, (Ward 3) submitted by Loop Mpls LLC, BLLiquor, LIC78406.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0263

The Minneapolis City Council hereby:

1. Adopts the Business License Operating Conditions for StormKing Brewpub and Barbeque, 618 5th St N, negotiated between the City of Minneapolis and StormKing Brewpub and Barbeque, LLC allowing the licensee to obtain the On Sale Liquor, Limited Entertainment License, LIC393291, subject to adherence with the conditions contained therein.
2. Adopts the Business License Operating Conditions for StormKing Brewpub and Barbeque, 618 5th St N, negotiated between the City of Minneapolis and StormKing Brewpub and Barbeque, LLC allowing the licensee to obtain the Off Sale Malt Liquor (Growler) License, LIC393293, subject to adherence with the conditions contained therein.

The Business Licensing Operating Conditions for the afore-mentioned licenses (2) shall read as follows:

1. Approval is conditional upon completion of a Police financial review.
2. Should a recommendation to deny come forward following completion of the Police financial review, Applicant agrees that the Licensing Official has discretion to consider the above listed licenses withdrawn pending resolution of the Police review process.
3. Applicant further agrees to cease all licensed operations with immediate effect when notified by the Licensing Official of the recommendation to deny.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0264

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0002373 with Aloha Landscaping, Inc., in the amount of \$125,000 for a total amount not to exceed \$275,000, and an extension through Dec 31, 2021, for additional yard maintenance services, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0265

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0002147 with Metro Lawns, LLC, in the amount of \$125,000 for a total amount not to exceed \$275,000, and an extension through Dec 31, 2021, for additional yard maintenance services, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2021R-101 approving the Historic District designation (PLAN12253) of the Mary Lochren Student Rooming Homes Historic District which includes the following three (3) properties: 1103 4th St SE, 406 11th Ave SE, and 410 11th Ave SE.

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

RESOLUTION 2021R-101

By Goodman

Approving the Historic District designation of the Mary Lochren Student Rooming Homes Historic District.

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on March 16, 2021 and recommended to the Standing Committee on Business, Inspections, Housing & Zoning (BIHZ) that the Mary Lochren Student Rooming Homes Historic District be designated as a Historic District; and

Whereas, the recommended Mary Lochren Student Rooming Homes Historic District includes the following properties: 1103 4th Street Southeast, 406 11th Avenue Southeast, and 410 11th Avenue Southeast; and

Whereas, the recommended Historic District designation of the Mary Lochren Student Rooming Homes Historic District applies to the exterior of the buildings; and

Whereas, the Mary Lochren Student Rooming Homes Historic District meets Heritage Preservation Regulations criterion #1 (The property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic, or social history); criterion #3 (The property contains or is associated with distinctive elements of city or neighborhood identity); and criterion #6 (The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects), as described in the designation study that is part of the record for this matter and is expressly incorporated herein by reference; and

Whereas, prior to such recommendation, and in compliance with Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation Regulations, the HPC did refer the subject matter to the City Planning Commission (CPC) for review and comment, such comment being made on February 25, 2021; and further did refer the subject matter to the Minnesota State Historic Preservation Office for review and comment, such comment being made in a letter dated February 22, 2021; and

Whereas, On March 30, 2021, the Standing Committee Business, Inspections, Housing & Zoning recommends designation as a Historic District;

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

That the Mary Lochren Student Rooming Homes Historic District is hereby designated as a Historic District.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0266

The Minneapolis City Council hereby:

1. Accepts a grant from the Minnesota Historical Society, in the amount of \$10,000, to complete a local historic designation study for 4501 Hiawatha Ave.
2. Authorizes a grant agreement with the Minnesota Historical Society for the grant.
3. Passage of Resolution 2021R-102 approving appropriation of funds to the Community Planning & Economic Development Department.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2021R-102

By Fletcher

Amending The 2021 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the Department of Community Planning & Economic Development (CPED) appropriation in State & Local Fund [01600-8900520] by \$10,000, and increasing the CPED revenue estimate in the State & Local Fund [01600-8900520-321518] by \$10,000.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2021R-103 authorizing application for and acceptance of a General Obligation Bond-funded grant from the Minnesota Department of Employment and Economic Development in the amount of \$5,000,000 for the Norway House Project, approving the Governmental Program to be achieved through construction and operation of the Norway House Project, and delegating authority to the Department of Community Planning and Economic Development Director to review and approve annual program and budget reports for the Norway House Project.

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

RESOLUTION 2021R-103

By Goodman

Authorizing Application for and Acceptance of a \$5,000,000 Grant from the State of Minnesota Through its Department of Employment and Economic Development for the Norway House Project, Establishing the Governmental Program to be Achieved through the Norway House Project and Delegating Authority to the Director of Community Planning and Economic Development to Review and Approve Annual Program and Budget Reports for the Norway House Project.

Whereas, Minn. Stat. §§ 471.15-471.191 authorize the City to construct and operate a conference and event center; and

Whereas, the City of Minneapolis has determined to seek such assistance from the State of Minnesota through its Department of Employment and Economic Development (“DEED”) for construction of an approximately 16,000 square foot conference and event center to celebrate the culture of Norway and Norwegian Americans on the land located adjacent to the existing Norway House Education Center building at 913 E. Franklin Avenue in Minneapolis (the “Project”); and

Whereas, pursuant to 2017 Minn. Law Chap. 8, Sec. 20, subd. 15 (“Special Law”) the State of Minnesota awarded a grant in the amount of up to \$5,000,000 (“Grant”) to the City of Minneapolis to acquire land and predesign, design, construct, furnish and equip a conference and event center at 913 East Franklin Avenue and adjacent property to celebrate the culture of Norway and American Norwegians subject to the State’s Commissioner of Minnesota Management and Budget determining that an amount sufficient to complete the Project is committed from nonstate sources ; and

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

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

That the City of Minneapolis act as the legal sponsor for the project contained in the Special Law entitled the Norway House.

Be It Further Resolved that the Finance Officer of the City be designated the City’s authorized representative for purposes of applying to DEED for funding of the Norway House project on behalf of the City.

Be It Further Resolved that the Finance Officer of the City has the legal authority to apply for the above-described financial assistance and that the City’s Director of Community Planning and Economic Development (“CPED Director”) has the institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

Be It Further Resolved that to the actual knowledge of the City Council, the Finance Officer and the CPED Director have not violated any Federal, State or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

Be It Further Resolved that upon approval of its application by the State, the Finance Officer may enter into an agreement with the State of Minnesota accepting \$5,000,000 for the costs of constructing an approximately 16,000 square foot conference and event center addition to the existing Norway House campus and that the City of Minneapolis will comply with all applicable laws and regulations as stated in all contract agreements.

Be It Further Resolved that the governmental program to be achieved by the City’s sponsorship of the Norway House Project is a conference and event center to celebrate the culture of Norway and Norwegian Americans (“Governmental Program”).

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

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0267

The Minneapolis City Council hereby:

1. Authorizes execution of a Construction Grant Agreement with the State of Minnesota for the Norway House Project.
2. Authorizes a Construction Funding Agreement, Ground Lease, Use Agreement, and other necessary documents with the Norway House or an affiliated entity (“Norway House”) to implement the Norway House Project.
3. Passage of Resolution 2021R-104 amending 2021 General Appropriation Resolution to increase the appropriation in Fund 01600-8900320 (Other Grants State and Local Fund) by \$5,000,000.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2021R-104

By Fletcher

Amending the 2021 General Appropriation Resolution

That the above-entitled resolution, as amended, be further amended by increasing the Department of Community Planning & Economic Development (CPED) appropriation in Other Grants State & Local Fund [01600-8900320] by \$5,000,000 and increasing the CPED revenue estimate in Other Grants State & Local Fund [01600-8900900-321515] by \$5,000,000.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0268

The Minneapolis City Council hereby:

1. Approves appropriation of program income generated through the U.S. Department of Housing and Urban Development (HUD) HOME program of \$3,887,078.35.
2. Approves appropriation of program income generated through the Neighborhood Stabilization Program of \$122,305.76.
3. Passage of Resolution 2021R-105 approving appropriation of funds to the Community Planning & Economic Development Department.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2021R-105

By Fletcher

Amending The 2020 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

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

1. Increasing the appropriation for the Community Planning and Economic Development Department in the HOME Fund (01500-8900230) by \$904,091.43
2. Increasing the Community Planning and Economic Development Department revenue estimate in the HOME Fund (01500-8900900-321008) by \$904,091.43

3. Increasing the appropriation for the Community Planning and Economic Development Department in the HOME Fund (01500-8900220) by \$2,982,986.92
4. Increasing the Community Planning and Economic Development Department revenue estimate in the HOME Fund (01500-8900900-321008) by \$2,982,986.92
5. Increasing the appropriation for the Community Planning and Economic Development Department in the Neighborhood Stabilization Program Fund (01400-8900230) by \$10,022.73
6. Increasing the Community Planning and Economic Development Department revenue estimate in the Neighborhood Stabilization Program Fund (01400-8900900-321008) by \$10,022.73
7. Increasing the appropriation for the Community Planning and Economic Development Department in the Neighborhood Stabilization Program Fund (01300-8900230) by \$112,283.03
8. Increasing the Community Planning and Economic Development Department revenue estimate in the Neighborhood Stabilization Program Fund (01300-8900900-321008) by \$112,283.03

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2021R-106 identifying the need for and authorizing the submittal of pre-development grant applications to the Metropolitan Council Livable Communities Demonstration Account (LCDA) program for the Chicago-Lake Rebuild project, located at 810 Lake St E, and the Phoenix project, located at 2941 Chicago Ave S, and to the Metropolitan Council Livable Communities Demonstration Account-Transit Oriented Development (LCDA-TOD) program for the 3030 Nicollet project, located at 3030 Nicollet Avenue S.

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

RESOLUTION 2021R-106

By Goodman

Identifying the need for Livable Communities Demonstration Account and Livable Communities Demonstration Account-Transit Oriented Development funding and authorizing applications for predevelopment grant funds.

Whereas, the City of Minneapolis is a participant in the Livable Communities Act's Local Housing Incentives Account Program for 2021 as determined by the Metropolitan Council, and is therefore eligible to apply for Livable Communities Demonstration Account (LCDA) and Livable Communities Demonstration Account-Transit Oriented Development (LCDA-TOD) funds; and

Whereas, the City has identified proposed projects within the City that meet LCDA and LCDA-TOD purposes and criteria and are consistent with and promote the purposes of the Metropolitan Livable Communities Act and the policies of the Metropolitan Council's adopted metropolitan development guide; and

Whereas, the City has the institutional, managerial and financial capability to ensure adequate grant administration; and

Whereas, the City certifies that it will comply with all applicable laws and regulations as stated in the grant agreements; and

Whereas, the City agrees to act as legal sponsor for the predevelopment activities contained in the grant applications submitted on April 21, 2021; and

Whereas, the City acknowledges LCDA and LCDA-TOD grants are intended to fund projects or project components that can serve as models, examples or prototypes for development or redevelopment projects elsewhere in the region, and therefore represents that the proposed projects or key components of the proposed projects can be replicated in other metropolitan-area communities; and

Whereas, only a limited amount of grant funding is available through the Metropolitan Council’s LCDA and LCDA-TOD during each funding cycle and the Metropolitan Council has determined it is appropriate to allocate those scarce grant funds only to eligible projects that would not occur without the availability of predevelopment grant funding.

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

That the City of Minneapolis finds that it is in the best interests of the City and in furtherance of its development goals and priorities for the proposed projects to occur at the particular sites and at this particular time.

Project Name	Request Amount (up to)	Funding Source
Chicago-Lake Rebuild	\$75,000	LCDA Predevelopment
Phoenix	\$75,000	LCDA Predevelopment
3030 Nicollet	\$150,000	LCDA-TOD Predevelopment

Be It Further Resolved that the project components for which LCDA or LCDA-TOD predevelopment funding is sought will not occur solely through private or other public investment within the reasonably foreseeable future; and will occur within two years after a grant award only if LCDA or LCDA-TOD predevelopment funding is made available for these projects at this time.

Be It Further Resolved that the Director of the Department of Community Planning and Economic Development is authorized to submit on behalf of the City applications for Metropolitan Council LCDA and LCDA-TOD predevelopment grant funds for the project components identified in the applications and, upon acceptance of any awards by the City Council, the Finance Officer or designee is authorized to execute such agreements as may be necessary to implement the predevelopment activities on behalf of the City.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0269

The Minneapolis City Council hereby authorizes a \$750,000 Great Streets Gap Financing Loan to Juxtaposition Arts, Inc., or an affiliate entity, for its arts campus expansion at 2015 Emerson Ave N and 1100, 1108 and 1110 West Broadway.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0270

The Minneapolis City Council hereby consents to a first mortgage refinance with subordination of existing City debt and loan modifications for Broadway Flats Affordable Housing at 2505 Penn Avenue North, which loan modifications include a loan term extension to 2061 on City debt; and the execution of all agreements and documents necessary to facilitate such actions.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2021R-107 approving the budget and the continued operation of the Governmental Program at the MacPhail Center for Music at 501 2nd St S.

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

RESOLUTION 2021R-107

By Goodman

Approving the budget and the continued operation of the Governmental Program at the MacPhail Center for Music, 501 2nd St S.

Whereas, Minnesota Laws 2006, Chapter 258, Article 1, Section 4, Subdivision 4, authorizes the City of Minneapolis to undertake the design, construction and operation of the MacPhail Center for Music facility; to establish the MacPhail Center for Music facility as a governmental program providing music education, music therapy, and music education programming in public and private schools and in partnership with other organizations; and to appropriate funds for such purposes; and

Whereas, in 2006 the City accepted a \$5,000,000 bond grant from the State of Minnesota to design, construct, furnish and equip the MacPhail Center for Music facility in the City of Minneapolis; and

Whereas, to satisfy conditions of the State bond grant, the City must own or ground lease the MacPhail Center for Music facility, and enter into a use/lease agreement with MacPhail Center for Music under which it will take on the responsibility for the operation of the musical institution and the governmental program at the facility; and

Whereas, on July 21, 2006, the City Council adopted the governmental program to be achieved by the City's sponsorship of the MacPhail Center for Music facility to construct, equip and operate a music education center that includes studios, classrooms, and a performance hall, together with education programming, other cultural performances, and related and ancillary uses in the City of Minneapolis, pursuant to which the City expects to support cultural participation and encourage economic development and tourism; and

Whereas, pursuant to the State bond grant the City is required to annually report to the State on the operation of the MacPhail Center for Music facility and approve its continued use for the governmental program; and

Whereas, pursuant to the use/lease agreement MacPhail Center for Music has submitted annual current and projected budgets for the operation of the governmental program at the MacPhail Center for Music facility to the City; and

Whereas, the City's Department of Community Planning and Economic Development (CPED Department) Director or authorized designee has reviewed and approved the budgets for the operation of the governmental program at the MacPhail Center for Music facility submitted by MacPhail Center for Music to the City and found (i) that the current governmental program budget forecast for the 2019-2020 fiscal year shows revenues that are equal to or exceed expenses; (ii) that the projected governmental program budgets for the next 3 fiscal years (2021, 2022 and 2023) forecast revenues that are equal to or exceed forecast expenses; and (iii) that the operation of the MacPhail Center for Music facility by MacPhail Center for Music continues to meet the requirements of the governmental program;

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

That based on the reports and documents submitted by MacPhail Center for Music, the review performed by City staff and the findings of the CPED Department Director, the City Council finds (i) that the current MacPhail Center for Music facility governmental program budget forecast for the 2019-2020 fiscal year shows revenues that are equal to or exceed expenses; (ii) that the projected MacPhail Center for Music facility governmental program budgets for the next 3 fiscal years (2021, 2022 and 2023) forecast revenues that are equal to or exceed forecast expenses; and (iii) that the operation of the MacPhail Center for Music facility by MacPhail Center for Music continues to meet the requirements of the governmental program.

Be It Further Resolved that the City Council hereby approves and authorizes the continued use of the governmental program at the MacPhail Center for Music facility by MacPhail Center for Music for the fiscal year 2020-2021.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0271

The Minneapolis City Council hereby confirms the following Mayoral appointment to the Arts Commission for a three-year term beginning Jan 1, 2021, and ending Dec 31, 2023: Lucy Thompson, Seat 10, Ward 10.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0272

The Minneapolis City Council hereby:

1. Approves an application submitted by Jorj Ayaz, on behalf of Aspen Builders, to rezone (PLAN11692) the property located at 3840 Minnehaha Ave from the R1A Multiple-family District to the OR2 High-density Office Residence District to construct a new mixed-use building with one dwelling unit and 1,265 square feet of commercial space.
2. Passage of Ordinance 2021-019 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

ORDINANCE 2021-019

By Goodman

Intro & 1st Reading: 1/8/2018

Ref to: BIHZ

2nd Reading: 4/16/2021

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 7, Block 23, Palmer’s Addition to Minneapolis, Hennepin County, Minnesota (3840 Minnehaha Avenue – Plate #27) to the OR2 High-Density Office Residence District, retaining the BFC4 Corridor 4 Built Form Overlay District.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0273

The Minneapolis City Council hereby:

1. Approves an application submitted by Tony LaCroix-Dalluhn, on behalf of Allina Health, to rezone (PLAN12059) the property located at 2855 Chicago Ave from the R1A Multiple-family District to the OR3 Institutional Office Residence District to construct a new 8-story addition to an existing principal parking facility.
2. Passage of Ordinance 2021-020 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 4/19/2021.

(Published 4/20/2021)

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

ORDINANCE 2021-020

By Goodman

Intro & 1st Reading: 1/8/2018

Ref to: BIHZ

2nd Reading: 4/16/2021

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:

Tract A and Tract B, Registered Land Survey No. 1752.

(2855 Chicago Avenue – plate #26) to OR3 Office Residence District, retaining the BFT10 Built Form Overlay District

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 4/19/2021.

(Published 4/20/2021)

COUNCIL ACTION 2021A-0274

The Minneapolis City Council hereby:

1. Approves program guidelines and terms for a George Floyd Square/38th & Chicago Ave forgivable loan program.
2. Approves the spending of City funds for this new program that have already been appropriated for small business lending.
3. Authorizes Community Planning & Economic Development staff to originate loans consistent with the program guidelines.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

The POLICY & GOVERNMENT OVERSIGHT Committee submitted the following report:

On behalf of the Policy & Government Oversight Committee, Jenkins offered Resolution 2021R-108 amending the 2021 General Appropriation Resolution to roll over funds from 2020 to 2021 for items that were delayed or not completed during the 2020 budget year for several operating departments.

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

RESOLUTION 2021R-108

By Fletcher

Amending the 2021 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended to reflect the following rollover of 2020 funds:

General Fund Appropriation Rollover Requests: 2020 to 2021				
Fund	Department Number	Department Name	Description	Amount Approved
00100 - General Fund	8900160	CPED	Salesforce Project	1,519,455
00100 - General Fund	8900110	CPED	George Floyd Memorial	100,000
00100 - General Fund	8900320	CPED	CPDF Loan for HWJ Property LLC	155,000
00100 - General Fund	1400100	City Attorney	Domestic Violence Prevention Program	100,000
00100 - General Fund	8320100	311	Recording System Repair	92,389
00100 - General Fund	8320100	311	Replacement Costs for Damaged Equipment	44,451

Fund	Department Number	Department Name	Description	Amount Approved
00100 - General Fund	6020100	PW - TPP	Street Design Guide	25,761
00100 - General Fund	6020100	PW - TPP	Street Design Guide	28,171
00100 - General Fund	8400110	City Coordinator	MPD Staffing/Efficiency and PNC Study	170,383
00100 - General Fund	8400320	City Coordinator	Minimum Wage Study	86,000
00100 - General Fund	8400120	City Coordinator	Rent Stability Study	59,777
00100 - General Fund	8400400	City Coordinator	Qmatic	85,000
00100 - General Fund	2600114	City Clerk	LIMS	260,000
00100 - General Fund	2600116	City Clerk	Ward Budgets	97,713
00100 - General Fund	2600500	City Clerk	Elections Priorities	1,118,887
00100 - General Fund	8200300	Finance & Property Services	EnQuesta Utility Billing Software	950,000
00100 - General Fund	8200400	Finance & Property Services	Automated AP Invoicing Project	100,000
00100 - General Fund	4000100	Minneapolis Police Department	Temporary Third Precinct at Convention Center	218,665
00100 - General Fund	8300100	911	911 Backup Facility Replacement	392,500
00100 - General Fund	8600123	Health	Food action plan	20,897
00100 - General Fund	8600155	Health	Green Cost Share	9,842
			TOTAL GENERAL FUND	5,634,890

In addition to the amounts listed above, the General Fund 00100 will transfer \$27,000,000 to the Self-Insurance Fund 06900 Fund to support the George Floyd settlement payment.

In addition to the amounts listed above, we are requesting that all unexpended balances in the 01300, 01400, 01500 and 01600 grant funds roll forward to 2020.

Non-General Fund Appropriation Rollover Requests: 2020 to 2021				
Fund	Department Number	Department Name	Description	Amount Approved
06110 - Fleet Services	6750400	Fleet Services	2020 Replacement Plan Vehicles	1,204,106
06100 - Fleet Services	6750100	Fleet Services	EMF Fuel Station	20,064
01260 - Target Center	8700200	Target Center	Escalators	22,195

Fund	Department Number	Department Name	Description	Amount Approved
01260 - Target Center	8700200	Target Center	Center Building Refurbishments	393,293
01260 - Target Center	8700200	Target Center	Escalator Lobby Lighting Design	13,030
01260 - Target Center	8700200	Target Center	Smoke Control Panel Installation	29,550
01260 - Target Center	8700200	Target Center	Capital Assessments	29,329
01260 - Target Center	8700200	Target Center	Level 1 Sanitary Sewer Replacement	12,188
01760 - Minneapolis Convention Center	8650123	Convention Center	Terrazo Floor Replacement	135,917
01760 - Minneapolis Convention Center	8650123	Convention Center	Plaza Refurbishing	65,560
01760 - Minneapolis Convention Center	8650123	Convention Center	Lighting - Lobby, Common Spaces, Mtg Rooms	141,432
01760 - Minneapolis Convention Center	8650123	Convention Center	Parking Ramp Restoration	7,560
01760 - Minneapolis Convention Center	8650123	Convention Center	Interior Art	57,392
06400 - Information Technology	8800110	Information Technology	Licenses	893,228
06400 - Information Technology	8800350	Information Technology	Public Website Project	1,245,430
06400 - Information Technology	8800540	Information Technology	Business Continuity Project	360,000
06400 - Information Technology	8800570	Information Technology	Enterprise Hardware	123,981
06400 - Information Technology	8800580	Information Technology	Telecommunications Hardware	442,092
06400 - Information Technology	8800320	Information Technology	IT Customer Funded Projects	471,739
06220 - Property Services	8201350	Finance & Property Services	Asset Preservation Projects	3,902,573

Fund	Department Number	Department Name	Description	Amount Approved
01CHC - PARCEL C TI DISTRICT	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	80,000
01CHD - HISTORIC DEPOT REUSE DIST 93	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	3,250,000
01CHL - HERITAGE LAND APTS	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	200,000
01CHU - EAST HENNEPIN & UNIVERSITY	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	1,713,365
01CIT - IVY TOWER	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	1,240,000
01CON - CONSOLIDATED TIF DISTRICT	Multiple		Capital Projects - AHTF and Minneapolis Homes	10,506,309
01CPQ - NEIMAN MARCUS	8900550	CONSTRUCTION CODE REV ENFRMNT	Rubble Clean Up Effort	750,000
01CS1 - SEMI-PHASE 1	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	1,575,000
01CS2 - SEMI-PHASE 2	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	895,000
01CS3 - SEMI-PHASE 3	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	94,908
01CS5 - SEMI-PHASE 5	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	150,000
01CST - STINSON	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	340,000
01CTE - TOWERS AT ELLIOT PARK	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	1,343,106
01CUN - EAST RIVER / UNOCAL SITE	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	335,000
01CW3 - HSG REPLACE-WATERSHED 3	8900230	SINGLE FAMILY	Housing Replacement Program	725,603
01CWM - WEST SIDE MILLING DISTRICT	8900220	AFFORDABLE FAMILY HOUSING DEV	Affordable Housing Trust Fund	5,315,969
01CWS - HSG REPLACE-WATERSHED 0	8900230	SINGLE FAMILY	Housing Replacement Program	983,727
01CLC - LOCAL CONTRIBUTION FUND	Multiple		CARF, Housing, UTH, Great Streets	756,592
01SCD - COMMUNITY DEVELOPMENT INVEST	Multiple		Residential Loans and Green Homes North	227,918

Fund	Department Number	Department Name	Description	Amount Approved
01SCI - COMMUNITY IMPROVEMENT FUND	Multiple		AHTF, NOAH, Stable Homes Stable Schools, Business Loans, BTAP, Rubble Clean-up	11,692,737
01SDA - DEVELOPMENT ACCOUNT	Multiple		AHTF, Emergency Housing Assist, Loans, Great Streets, CARF, Property Development, and Minneapolis home improvement initiatives.	14,398,193
01SHW - HOME OWNERSHIP WORKS	8900230	SINGLE FAMILY	Home Ownership Works 2020.	275,735
01SRF - RESIDENTIAL HOUSING	Multiple		AHTF, Home improvement	553,746
			TOTAL CPED NON-GENERAL FUND	66,973,567

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0275

The Minneapolis City Council hereby approves the following Council appointments to the Capital Long-Range Improvements Committee for two-year terms beginning January 1, 2021, and ending December 31, 2022: Jake McCormik, Seat 1, Ward 1; Zakaria Aden, Seat 6, Ward 3; Kai Gudmestad, Seat 26, Ward 13.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0276

The Minneapolis City Council hereby approves the Worker's Compensation claim of Shannon Barnette by payment of \$120,000 to Ms. Barnette and her attorneys Meuser Law Firm, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0277

The Minneapolis City Council hereby approves the Worker's Compensation claim of Jeffrey Mercill by payment of \$170,000 over three years to Mr. Mercill and his attorneys, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0278

The Minneapolis City Council hereby approves the Worker's Compensation claim of Justin Churchill by payment of \$150,000 over three years to Mr. Churchill and his attorneys, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0279

The Minneapolis City Council hereby approves the Worker's Compensation claim of Gregory Freeman by payment of \$200,000 over three years to Mr. Freeman and his attorneys, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0280

The Minneapolis City Council hereby approves the worker's compensation claim of Curtis Drew by payment of \$135,000 to Mr. Drew and his attorneys, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0281

The Minneapolis City Council hereby approves the worker's compensation claim of Jason Walters by payment of \$190,000 to Mr. Walters and his attorneys Meuser Law Firm, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0282

The Minneapolis City Council hereby approves the worker's compensation claim of David Peterson by payment of \$175,000 over three years to Mr. Peterson and his attorneys Meuser Law Firm, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0283

The Minneapolis City Council hereby approves the worker's compensation claim of Tammy Werner by payment of \$95,000 to Ms. Werner and her attorneys Meuser Law Firm, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0284

The Minneapolis City Council hereby approves the worker's compensation claim of Maurice King by payment of \$165,000 to Mr. King and his attorneys Meuser Law Firm, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0285

The Minneapolis City Council hereby approves the worker's compensation claim of Kyle Severson by payment of \$175,000 over the course of three years to Mr. Severson and his attorneys Mesuer Law Firm, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0286

The Minneapolis City Council hereby approves the worker's compensation claim of Karl Olson by payment of \$190,000 over three years to Mr. Olson and his attorneys Meuser Law Firm, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0287

The Minneapolis City Council hereby approves the worker's compensation claim of David Mathes by payment of \$200,000 to Mr. Mathes and his attorneys Meuser Law Firm, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0288

The Minneapolis City Council hereby approves the settlement of the claim by Alexandra Gandara Kraemer by payment of \$3,500 to Ms. Gandara Kraemer and her attorneys, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0289

The Minneapolis City Council hereby approves the settlement of the matter of Paul E. Johnson and C. Taren Vang v. City of Minneapolis; Officer Nathan Sundberg, et al. Civil No. 20-CV-2415 (NEB/HB), by payment in the amount of \$15,000 to the plaintiffs and their attorney, in exchange for the dismissal of the City of Minneapolis, Officer Nathan Sundberg, and all named or unnamed City of Minneapolis defendants, and authorizing the City Attorney's Office to execute all documents necessary to effectuate settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0290

The Minneapolis City Council hereby approves the settlement in the special assessment appeal Polzin, et al. v. City of Minneapolis, et al. (Court File No. 27-CV-20-16722), by reduction of the special assessment by \$17,310.46, from the amount of \$22,330.46 to \$5,020, and authorizing 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, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0291

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0002589 with LS Black Constructors, in the amount of \$127,367 for a total amount not to exceed \$8,556,643, for additional light poles from bid Alternate No. 3, building automation control revisions, and additional smaller changes for the Impound Facility Improvements Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0292

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000037A with Gries Lenhardt Allen, PLLP., in the amount of \$600,000 for a total amount not to exceed \$1,200,000, for legal services.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0293

The Minneapolis City Council hereby authorizes an increase to Contract No. C-44286 with Kevitt Companies, in the amount of \$2,079 for a total amount not to exceed \$4,005,298, for additional sitework for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0294

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000147 with LeJeune Steel Company, in the amount of \$11,665 for a total amount not to exceed \$8,302,015, for additional tax exempt, structural steel supply for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0295

The Minneapolis City Council hereby authorizes an increase to Contract No. COM00000793 with Grazzini Brothers and Company, in the amount of \$27,290 for a total amount not to exceed \$2,211,076, for increased tile and stonework for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0296

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0001068 with Empirehouse, Inc., in the amount of \$4,344 for a total amount not to exceed \$4,587,598, for additional interior glazing work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0297

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0001122 with B&D Associates, LLC, in the amount of \$7,400 for a total amount not to exceed \$2,727,709, for additional masonry work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0298

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0001347 with Grazzini Brothers and Company, in the amount of \$10,026 for a total amount not to exceed \$675,458, for terrazzo flooring work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0299

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000869 with Top-All Roofing, Inc., in the amount of \$12,592 for a total amount not to exceed \$2,036,177, for additional roofing work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0300

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0001070 with RTL Construction, Inc., in the amount of \$51,949 for a total amount not to exceed \$5,574,467, for additional drywall and fireproofing work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0301

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000904 with Prindle Painting, Inc., in the amount of \$8,377 for a total amount not to exceed \$797,345, for additional costs associated with painting work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0302

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0001069 with MA Mortenson Company, in the amount of \$46,797 for a total amount not to exceed \$6,618,288, for increased carpentry and casework installation for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0303

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000416 with Modern Piping, Inc., in the amount of \$240,336 for a total amount not to exceed \$28,871,835, for additional mechanical work for the Public Service Building Project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0304

The Minneapolis City Council hereby:

1. Authorizes an amendment to the 2020 HOPWA funds provided to Clare Housing for Bloom Lake Flats supportive services in the amount of \$148,792, reserving \$34,612 for future award.
2. Authorizes an amendment to Contract No. COM0001207 with Clare Housing, in the amount of \$78,428 for a total amount not to exceed \$219,706, for tenant-based rental housing assistance.
3. Authorizes an amendment to Contract No. C-42994 with Clare Housing, in the amount of \$35,752 for a total amount not to exceed \$242,224, for supportive housing services at Clare Housing Marshall Flats.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

The PUBLIC HEALTH & SAFETY Committee submitted the following report:

COUNCIL ACTION 2021A-0305

The Minneapolis City Council hereby authorizes a revenue contract with SMG, in the amount of \$513,600, for bomb detection security services at US Bank Stadium during large scale events from April 1, 2021 - March 31, 2022.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 4/19/2021.

(Published 4/20/2021)

COUNCIL ACTION 2021A-0306

The Minneapolis City Council hereby authorizes a revenue contract with SMG, in the amount of \$360,000, for SWAT security services from April 1, 2021 - March 31, 2022.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0307

The Minneapolis City Council hereby authorizes a revenue contract with SMG, in the amount of \$75,000, to provide law enforcement equipment from April 1, 2021 - March 31, 2022, at US Bank Stadium.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0308

The Minneapolis City Council hereby authorizes a revenue contract with the Downtown Improvement District (DID) for the Minneapolis Police Department (MPD), to receive up to \$110,000 in buyback funds in of support of the Minneapolis Downtown Improvement District Summer Police and Police Reserve Program, from April 1, 2021 - December 31, 2021.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 4/19/2021.

(Published 4/20/2021)

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following report:

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2021R-109 ordering the work to proceed and adopting the special assessments for the 42nd St E (from 46th Ave S to West River Pkwy and 0.07 miles of Edmund Blvd from 42nd St E to 0.07 miles north of 42nd St E) Street Reconstruction Project, Phase I of the Luella Anderson Street Reconstruction Project No. 2330 (PV131).

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

RESOLUTION 2021R-109

By Reich

Ordering the work to proceed and adopting the special assessments for the 42nd St E (from 46th Ave S to West River Pkwy and 0.07 miles of Edmund Blvd from 42nd St E to 0.07 miles north of 42nd St E) Street Reconstruction Project, Phase I of the Luella Anderson Street Reconstruction Project No. 2330 (PV131).

Whereas, a public hearing was held on March 31, 2021, 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 2021R-051 passed February 26, 2021, 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 2021R-051 passed February 26, 2021.

Be It Further Resolved that the proposed special assessments in the total amount of \$553,186.48 for the 42nd St E (from 46th Ave S to West River Pkwy and 0.07 miles of Edmund Blvd from 42nd St E to 0.07 miles north of 42nd St E) Street Reconstruction Project, Phase I of the Luella Anderson Street Reconstruction Project (Levy 01026, Project 2330C), as on file in the Public Works Special Assessment Office, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) with the interest charged at the rate to be determined by the Finance Department, with collection of the special assessments to begin on the 2023 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) with the interest charged at the rate to be determined by the Finance Department, with collection of the special assessments to begin on the 2023 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2021R-110 requesting the Board of Estimate and Taxation authorize the City's issuance and sale of assessment bonds in the amount of \$553,186.48 for the purpose of paying the assessed cost of street improvements in the 42nd St E Street, Phase I of the Luella Anderson Street Reconstruction Project No. 2330.

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

RESOLUTION 2021R-110

By Fletcher

Requesting the Board of Estimate and Taxation authorize the City's issuance and sale of assessment bonds in the amount of \$553,186.48 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 42nd St E (from 46th Ave S to West River Pkwy and 0.07 miles of Edmund Blvd from 42nd St E to 0.07 miles north of 42nd St E), Phase I of the Luella Anderson Street Reconstruction Project (Levy 01026, Project 2330C) to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2021R-111 ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction project in the 42nd St E Street Reconstruction Project, Phase I of the Luella Anderson Street Reconstruction project area.

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

RESOLUTION 2021R-111

By Reich

Ordering the City Engineer to abandon and remove the areaways located in the public street right-of-way that are in conflict with the street reconstruction project in the 42nd St E Street Reconstruction Project, Phase I of the Luella Anderson Street Reconstruction project area.

Whereas, the City of Minneapolis has scheduled the reconstruction starting in 2021 in the 42nd St E, Phase I of the Luella Anderson Street Reconstruction project area of Minneapolis; and

Whereas, there are areaways located in the public street right-of-way that are in conflict with said reconstruction; and

Whereas, a public hearing was held on March 31, 2021, in accordance Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Sections 24.110 and 95.90, to consider the proposed abandonment and removal of the above-mentioned areaways and to consider all written and oral objections and statements regarding the proposed areaway abandonment and removal;

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

That the City Engineer is hereby ordered and directed to abandon and remove the conflicting areaways located in the public street right-of-way adjoining the properties along both sides of 42nd St E from 46th Ave S to W River Pkwy and along both sides of Edmund Blvd from 42nd St E to 0.07 miles north of 42nd St E.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0309

The Minneapolis City Council hereby authorizes an agreement with the City of New Brighton for the provision of wholesale water to New Brighton on an as-needed basis, as further set forth in Legislative File No. 2021-00365 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0310

The Minneapolis City Council hereby authorizes Cooperative Agreement No. PW 48-20-20 with Hennepin County, in the amount of \$212,000, for the reconstruction of Penn Ave N, from Plymouth Ave N to 14th Ave N (County State Aid Highway No. 2).

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

(Republished 5/25/2021)

COUNCIL ACTION 2021A-0311

The Minneapolis City Council hereby:

1. Approves the layout for the reconstruction of Franklin Ave W from Hennepin Ave S to Lyndale Ave S, as further set forth in Legislative File No. 2021-00367 on file in the office of the City Clerk.
2. Authorizes negotiation with private property owners to acquire easements and additional right-of-way, if necessary for the project.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-0312

The Minneapolis City Council hereby authorizes 2020 year-end budget procedures for the 48th & Chicago; 50th and France; 54th & Lyndale; Bloomington-Lake; Central Avenue; Chicago-Lake; Dinkytown; East Lake; Eat Street; Linden Hills; Lowry Hill; Lyndale-Lake; Stadium Village; Uptown; and West Broadway Improvement Special Service Districts, as further set forth in Legislative File No. 2021-00368 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 4/19/2021.

(Published 4/20/2021)

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2021R-112 authorizing Public Works to apply for and host an AmeriCorps member through the Minnesota Pollution Control Agency's (MPCA) GreenCorps Program for the 2021-2022 program year, if selected.

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

RESOLUTION 2021R-112

By Reich

Authorizing Public Works to apply for and host an AmeriCorps member through the Minnesota Pollution Control Agency's (MPCA) GreenCorps Program for the 2021-2022 program year, if selected.

Whereas, the City of Minneapolis supports statewide efforts to provide opportunity to preserve and protect Minnesota's environment while training a new generation of environmental professionals; and

Whereas, the City of Minneapolis has benefited from past opportunities to host a Minnesota GreenCorps member to help advance city goals and priorities; and

Whereas, the City of Minneapolis supports efforts to work toward reducing waste and increasing recycling and organics recycling; and

Whereas, the City of Minneapolis Public Works Division of Solid Waste & Recycling has applied to host an AmeriCorps member from the Minnesota GreenCorps Program of the Minnesota Pollution Control Agency for the 2021-2022 program year; and

Whereas, if the MPCA selects the City of Minneapolis, the organization is committed to implementing the proposed project as described in the host site application; and

Whereas, the MPCA requires the City of Minneapolis to enter into a host site agreement with the MPCA that identifies the terms, conditions, roles, and responsibilities;

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

That the Public Works Department is hereby fully authorized to submit an application to the Minnesota Pollution Control Agency and host a GreenCorps member for the 2021-2022 program year.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-00313

The Minneapolis City Council hereby accepts the low bid of Veit & Company, Inc., submitted on Event No. 1291, in the amount of \$12,391,379.75, to provide all materials, labor, equipment, and incidentals necessary for the Grand Ave S (Lake St W to 48th St W) Street Reconstruction Project, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2021A-00314

The Minneapolis City Council hereby accepts the low bid of Veit & Company, Inc., submitted on Event No. 1296, in the amount of \$3,487,680.60, to provide all materials, labor, equipment, and incidentals necessary for the Plymouth Ave N (Xerxes Ave N to Penn Ave N) Street Reconstruction Project, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

INTRODUCTION & REFERRAL CALENDAR

Pursuant to notice, Cano, Jenkins, and Reich moved to introduce the subject matter of an ordinance amending Title 2 of the Minneapolis Code of Ordinances, which was given its first reading and referred to the Policy & Government Oversight Committee:

1. Adding a new Chapter 43 entitled “Department of Arts and Cultural Affairs.”
2. Chapter 15, Ethics in Government, amending regulations to include the Department of Arts and Cultural Affairs.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

RESOLUTIONS

Gordon moved to adopt Resolution 2021R-113 declaring April 18-25, 2021, VegWeek in the City of Minneapolis.

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

RESOLUTION 2021R-113 By Gordon and Cunningham

Declaring April 18-25, 2021, VegWeek in the City of Minneapolis.

Whereas, Twin Cities VegWeek 2021 takes place between Sunday, April 18 and Sunday, April 25, 2021; and

Whereas, the heart of the VegWeek experience is the Explore Veg Challenge, which is an opportunity for people to try more plant-based eating; and

Whereas, people who take the Explore Veg Challenge can get 15 percent off at participating local restaurants; and

Whereas, there will be a number of free or low-cost events over the course of VegWeek, including farm sanctuary tours, cooking classes, an Earth Day teach-in and more; and

Whereas, Twin Cities VegWeek is organized by local nonprofit Compassionate Action for Animals, whose mission is to encourage people to embrace their empathy for farmed animals and move toward a plant-based diet; and

Whereas, transitioning to more of a plant based diet is a good way to fight climate change and improve individual health; and

Whereas, eating a plant based diet is easier than ever before, thanks in part to local Minneapolis businesses and nonprofits;

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

That the Mayor and City Council do hereby declare April 18 through 25, 2021, as VegWeek in the City of Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Cano, Bender, Schroeder, Johnson, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

NEW BUSINESS (CONT'D)

Cunningham moved to refer the following staff direction to the Public Health & Safety Committee:

Staff in the City Coordinator's Office of Performance and Innovation are directed to collaborate with Public Works, Regulatory Services, the City Attorney's Office, and the Police Department to combine various ongoing efforts to design and develop recommendations for the creation of an unarmed Traffic Safety Division to be housed in a department outside of the Police Department. This new division is to be responsible for enforcement, education, and other activities that increase traffic safety.

Goals:

1. Maximize the traffic safety benefits of traffic enforcement
2. Eliminate racial disparities in traffic enforcement
3. Educate the public on safe driving behaviors and traffic laws
4. Earn the trust of communities who have been harmed by previous traffic enforcement practices

An inclusive design process should be used to inform the design and function of an alternative to police response for traffic enforcement; the process should be community-informed, and center Black, Indigenous and People of Color (BIPOC) voices and residents disproportionately impacted by unsafe driving behaviors.

Building on the Vision Zero Plan and Safety for All Budget Plan, community engagement should be used to identify and solve the root cause of different dangerous driving behaviors. The final recommendations related to developing an unarmed Traffic Safety Division should be focused on problem-solving traffic safety issues, in addition to creating a new response system. The staff direction related to traffic enforcement included in the 2020 Budget Appropriation Resolution should also be resolved in this process.

Like the inclusive design process for creating the Mobile Mental Health Teams, this traffic enforcement work should include prototyping multiple alternatives to gather data and the necessary insights for policymakers to make informed decisions on how to best to increase traffic safety in Minneapolis through unarmed enforcement.

Recommendations should also include:

- a. The budget for both the pilot phase and full implementation.
- b. Any relevant existing work in other departments that should be consolidated within the new division to achieve the aforementioned goals.

Staff from the Office of Performance and Innovation are expected to report back to the Public Health & Safety Committee with a project timeline by the end of Quarter 2, 2021.

On roll call, the result was:

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

Noes: (0)

Absent: Cano (1)

Adopted.

Gordon, Ellison, and Schroeder offered Resolution 2021R-114 opposing the use of “less lethal” weapons in Minneapolis.

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

RESOLUTION 2021R-114
By Gordon, Ellison, and Schroeder

Opposing the use of “less lethal” weapons in Minneapolis.

Whereas, a class of weapons described as “less lethal,” including but not limited to chemical irritants, kinetic impact projectiles, and marking rounds have been used by police and other law enforcement against crowds of people protesting injustice and police violence in Minneapolis; and

Whereas, an interdisciplinary team from the University of Minnesota has documented numerous cases of severe bodily harm that were caused by the use of “less lethal” munitions in Minneapolis in 2020, and reported its findings to the Minneapolis City Council’s Public Health and Safety Committee on March 4, 2021; and

Whereas, that same University of Minnesota team found that “less lethal” weapons caused serious injuries to dozens of people, including bystanders, youth, and people peacefully protesting between May 26 and June 15 of 2020, including wounds as severe as eye trauma up to and including blindness, and traumatic brain injuries; and

Whereas, that same University of Minnesota team found that the use of “less lethal” weapons did not follow the manufacturer’s specifications, including being fired at crowds and being fired from an elevated position; and

Whereas, the Council’s Public Health & Safety Committee requested that the Minneapolis Police Department “provide a description of policy and procedure changes intended to eliminate the kinds of injuries caused by the use of ‘less lethal weapons’ described by the interdisciplinary team from the University of Minnesota, and to provide that information to the Public Health & Safety Committee at its regular meeting on April 1, 2021”; and

Whereas, the requested report from the Minneapolis Police Department on “less lethal” weapons has not been given to the Council or any Council committee, but is scheduled to be delivered to the Public Health & Safety Committee on April 22, 2021; and

Whereas, the 1925 Geneva Protocol categorized tear gas as a chemical warfare agent and banned its use in war shortly after World War I; and

Whereas, the Temporary Restraining Order stemming from the Minnesota Department of Human Rights' ongoing investigation into patterns of racism within the Minneapolis Police Department that stipulates immediate changes "designed to stop ongoing irreparable harm to Black, Indigenous, and communities of color who have suffered generational pain and trauma as a result of systemic and institutional racism" identifies crowd control munitions as a topic of concern; and

Whereas, the use of "less lethal" weapons escalates protests, making already very difficult situations even more dangerous; and

Whereas, multiple lawsuits have been filed against the City of Minneapolis citing injuries caused by the Minneapolis Police Department's use of "less lethal" weapons in 2020; and

Whereas, other cities, including Brooklyn Center, MN, and Philadelphia, PA, have prohibited the use of "less lethal" weapons on protests;

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

That the Minneapolis City Council opposes any use of so-called "less lethal" weapons as crowd control against people in Minneapolis, and calls on the Mayor, the Police Chief, the Hennepin County Sheriff, the Governor, and any other person in a position of authority over law enforcement personnel to end the use of these weapons in Minneapolis.

Be It Further Resolved that the Minneapolis City Council directs the Minneapolis City Attorney's Office to formally state by May 14, 2021, whether an ordinance passed by the Minneapolis City Council to prohibit or constrain the use of "less lethal" weapons by all Minneapolis employees would, under the existing Minneapolis Charter, prohibit or constrain the use of these weapons by the Minneapolis Police Department.

Be It Further Resolved that the Minneapolis City Council requests that the Minneapolis Civil Rights Commission form an investigative committee to discover 1) the extent of usage by Minneapolis Police or their other supporting forces, of these weapon types as identified in this resolution; 2) a summary of the reported effects of using these weapon types as identified in this resolution on the general Minneapolis population in the areas where use of these weapon types has been reported; and 3) how use of these weapon types as identified in this resolution by the City of Minneapolis have changed the quality of civil rights in the communities of Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Osman, Goodman, Jenkins, Bender, Schroeder, Johnson (11)

Noes: Palmisano (1)

Absent: Cano (1)

Adopted.

State of Minnesota }
County of Hennepin } ss.
City of Minneapolis }

I, Casey Joe Carl, City Clerk of the City of Minneapolis, in the County of Hennepin, and State of Minnesota, hereby certify Resolution 2021R-114 was duly presented to Mayor Jacob Frey on April 16, 2021, and was returned without his signature.

Therefore, in accordance with the provisions of Article 4, Section 4.4(c) of the City Charter, the action has become and is valid, and I hereby certify that it has the same force and effect as if approved by said Mayor.

ADJOURNMENT

The meeting was adjourned at 12:01 p.m.

Casey Joe Carl,
City Clerk