

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
SEPTEMBER 20, 2017**

(Published September 29, 2017, in *Finance and Commerce*)

CALL TO ORDER

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

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

Absent – Council Member Abdi Warsame.

On motion by Quincy, the agenda was amended to include under the Order of Resolutions a resolution honoring Minneapolis Union Pipefitters for the Heat's On Program.

On motion by Glidden, the agenda, as amended, was adopted.

On motion by Glidden, the minutes of the regular meeting and the adjourned session held August 31, 2017, and the adjourned session held September 12, 2017, were accepted.

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

The following actions, resolutions, and ordinances were signed by Mayor Betsy Hodges on September 21, 2017. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following reports:

Glidden offered Resolution 2017R-382 reaffirming the City of Minneapolis's Support for the Deferred Action for Childhood Arrivals.

On motion by Bender, City Council Rule III, Section 12A(1) was suspended to allow Adriana Cerrillo and members of Minnesota Immigrant Rights Action Committee to address the City Council for a period of five minutes.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2017R-382

**By Glidden, Bender, Cano, Frey, Goodman, Gordon,
A. Johnson, B. Johnson, Palmisano, Quincy, Reich, Warsame, and Yang**

Reaffirming the City of Minneapolis's Support for the Deferred Action for Childhood Arrivals.

Whereas, in June 2012, President Barack Obama established Deferred Action for Childhood Arrivals (DACA), for immigrants who came to the United States as children (Dreamers), and created the opportunity to apply for temporary residence and eligibility for a work permit in the United States; and

Whereas, President Obama said when creating the DACA program: "These are young people who study in our schools, they play in our neighborhoods, they're friends with our kids, they pledge allegiance to our flag. They are Americans in their heart, in their minds, in every single way but one on paper"; and

Whereas, 787,580 individuals have qualified for DACA status, of which 6,300 are Minnesota residents; and

Whereas, DACA applicants are youth from Central America, Africa, the Caribbean and Asia; and

Whereas, in addition to the unconscionable ethical impacts of rescinding DACA, a 2016 report produced by the University of Minnesota's Humphrey School of Public Affairs estimates that Minnesota's DACA participants pay \$6,965,000 a year in taxes, that the DACA program has increased the number of "Dreamers" to attend college, and made it possible for 70% of DACA participants to find a new job; and

Whereas, ending the DACA program will break the trust of hundreds of thousands of young people who have provided confidential information to the federal government, making youth vulnerable to aggressive government raids, deprivation of liberty in detention centers, and life-altering deportations for children to countries where they are unfamiliar with the culture, language, and are separated from family and friends and their entire support networks; and

Whereas, the City of Minneapolis was one the first cities in the United States to publicly support the implementation of DACA, promoting the program and encouraging its residents to apply for deferred action; and

Whereas, the City of Minneapolis firmly supports comprehensive immigration reform; and

Whereas, DACA is but one small piece of immigration reform, but recognizes that maintaining DACA is critical and while our country continues to wait and wait for Congress to act to fix a broken immigration system; and

Whereas, the City of Minneapolis is a Welcoming City and values its ethnic, racial, linguistic, and socio-economic diversity which contributes to our strength and prosperity and we stand committed to ensuring that all our residents can live and pursue their livelihoods in peace and prosperity; and

Whereas, the City is joined by federal and state elected officials, businesses, academic, religious, and community institutions in Minneapolis and Minnesota supporting the continuation of DACA and strongly supports the Attorney General of the State of Minnesota's effort to join legal action to block the White House from terminating the DACA program; and

Whereas, the City of Minneapolis is not responsible for federal immigration activity within its jurisdiction and resists unconstitutional attempts to compel local jurisdictions to act as immigration agents, which diverts public resources, damages community trust, and endangers public safety by making residents fearful of calling police for critical safety services. The City of Minneapolis reaffirms its support for legal action and all means necessary to oppose such unconstitutional directives by the federal government; and

Whereas, the City of Minneapolis opposes building a wall between the United States and Mexico, as proposed by the White House, and opposes the RAISE (Reforming American Immigration for Strong Employment) Act, a bill introduced in 2017 to reduce levels of legal immigration to the United States by 50%, by halving the number of green cards issued, and recognizes the blatant racism and xenophobia inherent in it and other anti-immigration policies;

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

That the City of Minneapolis opposes all efforts to rescind the DACA program and urges Congress to act now to preserve DACA and pass comprehensive immigration reform; and

That the City of Minneapolis is strongly committed to continuing the work of enacting policies and programs to welcome members of all communities including creating a legal defense fund to support immigrants and refugees in our city.

Be It Further Resolved that the City Clerk shall transmit a copy of this resolution to the Minneapolis Congressional delegation.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0674

The Minneapolis City Council hereby authorizes the City to join the local government amicus brief drafted by the Santa Clara County Counsel's Office and the Los Angeles City Attorney's Office, and authorizes the City Attorney's Office to take all steps necessary to join in support of this amicus brief.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

On motion by Goodman, adoption of the agenda was reconsidered, and the agenda was amended to include under the Order of Resolutions a resolution prohibiting Non-disparagement Clauses for Public Employees.

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

Goodman offered Resolution 2017R-383 approving the sale of the property at 2637 Emerson Ave N, (Disposition Parcel No. MH-27), to Cordova Lynch for \$1,000, subject to conditions. If Cordova Lynch fails to close, approving the sale of 2637 Emerson Ave N, (Disposition Parcel No. MH-27), to CTW Group Incorporated, subject to conditions.

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

RESOLUTION 2017R-383

By Goodman

Authorizing sale of land Disposition Parcel MH-27, under the Minneapolis Homes Program at 2637 Emerson Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel MH-27 in the Jordan neighborhood, from Cordova Lynch, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel MH-27, from CTW Group Incorporated hereinafter known as the Alternate Redeveloper, the Parcel MH-27, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-27; 2637 Emerson Ave N: Lot 5, Block 22, Fairmount Park Addition to Minneapolis; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$1,000 for Parcel MH-27; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a \$5,000 re-use value for the Parcel; and

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Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, August 25, 2017, a public hearing on the proposed sale was duly held on September 12, 2017, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$5,000 for Parcel MH-27. The sales price of this property reflects a reduction in the full re-use value of \$5,000 after several attempts to market the property received no offers during a four-year period.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper; and 2) payment of holding costs of \$300.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

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

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

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Goodman offered Resolution 2017R-384 approving the sale of the property at 2923 3rd St N, (Disposition Parcel No. MH-26), to Magnolia Homes, LLC for \$5,000, subject to conditions. If Magnolia Homes, LLC fails to close, approving the sale of 2923 3rd St N, (Disposition Parcel No. MH-26), to CTW Group Incorporated, subject to conditions.

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

RESOLUTION 2017R-384

By Goodman

Authorizing sale of land Disposition Parcel MH-26, under the Minneapolis Homes Program at 2923 3rd St N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel MH-26 in the Hawthorne neighborhood, from Magnolia Homes, LLC, hereinafter known as the Redeveloper and another offer to purchase and develop Parcel MH-26, from CTW Group Incorporated hereinafter known as the Alternate Redeveloper, the Parcel MH-26, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-26; 2923 3rd St N: Lot 11, Payne and Henderson's Subdivision in Blocks 24 and 25 of Morrison's Addition to North Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$5,000 for Parcel MH-26; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$5,000 for Parcel MH-26; the offer included a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, both the Redeveloper and the Alternate Redeveloper have submitted to the City statements of financial responsibility and qualifications; and

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a \$5,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, August 25, 2017, a public hearing on the proposed sale was duly held on September 12, 2017, at the Minneapolis

September 20, 2017

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

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

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$5,000 for Parcel MH-26.

Be It Further Resolved that the acceptance of the offers and proposals are both hereby determined to be in the best interests of the City and its people and that the transaction furthers the City's general plan of economic development in accordance with the City's approved disposition policy and it is further determined that both the Redeveloper and the Alternate Redeveloper possess the qualifications and financial resources necessary to acquire and develop the parcel in accordance with the Redevelopment Plan and/or Program, but that the City prefers the Redeveloper's proposal over the Alternate Redeveloper's proposal.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that if and only if Redeveloper fails to close on the land sale pursuant to the conditions described above, the Alternate Redeveloper's proposal is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 30 days from the date of City notification to the Alternate Redeveloper; and 2) payment of holding costs of \$300.00 per month from the date of notification if the land sale closing does not occur on or before 30 days from the date of City notification to the Alternate Redeveloper.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

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

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

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

September 20, 2017

Goodman offered Resolution 2017R-385 approving the sale of the property at 606 33rd Ave N, (Disposition Parcel No. MH-28), to CTW Group, Incorporated, for \$15,000 subject to conditions.

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

RESOLUTION 2017R-385

By Goodman

Authorizing sale of land Disposition Parcel MH-28, under the Minneapolis Homes Program at 606 33rd Ave N.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel MH-28 in the McKinley neighborhood, from CTW Group Incorporated, hereinafter known as the Redeveloper, the Parcel MH-28, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of MH-28; 606 33rd Ave N: The East 39 feet of West 78 feet of Lots 5 and 6, Block 17, Baker's 4th Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$15,000 for Parcel MH-28; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

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

Whereas, the City has had the re-use value reviewed by an appraisal expert, stating that the re-use value opinion is consistent with accepted methods of aiding the City in determining a \$15,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, August 25, 2017, a public hearing on the proposed sale was duly held on September 12, 2017, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$15,000 for Parcel MH-28.

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

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must

occur on or before 90 days from the date this Resolution is approved by the City; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the Department of Community Planning & Economic Development Director.

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

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

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0675

The Minneapolis City Council hereby:

1. Passage of Resolution 2017R-386 approving the sale of property at 695 Lowry Ave NE and 699 Lowry Ave NE, (Disposition Parcel Nos. TF-971 & TF-972), for a purchase price of \$157,341.97 to VANDILLION, LLC, or an affiliated entity, for redevelopment of a commercial building into artists' studios.
2. Authorizes a redevelopment contract and related documents.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

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

September 20, 2017

RESOLUTION 2017R-386
By Goodman

Authorizing sale of land Disposition Parcel No. TF-971 & TF-972, at 695 & 699 Lowry Ave NE.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcels TF-971 & TF-972, in the Holland neighborhood, from Vandillion, LLC or an affiliated entity, hereinafter known as the Redeveloper, the Parcels TF-971 & TF-972, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-971 & TF-972; 695 & 699 Lowry Ave NE:

Par 1: That part of the Southeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 11, Township 29, Range 24 West of the 4th Principal Meridian, described as follows: Beginning at point 30 feet West of a point 30 feet North of the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section; thence West parallel with the South line of said Northeast Quarter a distance of 108.16 feet of the East line of Howard Street as opened by the City of Minneapolis; thence North along the East line of Howard Street a distance of 155.16 feet; thence East parallel with the South line of said Northeast Quarter to a point 99.4 feet West of East line of said Southwest Quarter of Northeast Quarter; thence South 44 feet to a point 99.5 feet West of the East line of said Southwest Quarter of the Northeast Quarter; thence East parallel with the South line of said Southwest Quarter of the Northeast Quarter to a point 30 feet West of the East line thereof; thence South parallel with said East line to point of beginning, except that part thereof described as follows: Commencing 30 feet West of a point 30 feet North of the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 11; thence North parallel with the East line of the Southwest Quarter of the Northeast Quarter of said Section 11, a distance of 56.35 feet thence West parallel with the South line of the Southwest Quarter of the Northeast Quarter of said Section 11, a distance of 26 feet; thence South parallel with the South line of the Southwest Quarter of the Northeast Quarter of said Section 11, a distance of 56.35 feet; thence East parallel with the South line of the Southwest Quarter of the Northeast Quarter of said Section 11, a distance of 26 feet to the point of beginning.

Par 2: That part of the Southwest Quarter of the Northeast Quarter of Section 11, Township 29, Range 24 described as follows: Commencing 30 feet West of a point 30 feet North of the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 11; thence North parallel with the East line of the Southwest Quarter of the Northeast Quarter of said Section 11, a distance of 56.35 feet; thence West parallel with the South line of the Southwest Quarter of the Northeast Quarter of said Section 11, a distance of 26 feet; thence South parallel with the East line of the Southwest Quarter of the Northeast Quarter of said Section 11, a distance of 56.35 feet; thence East parallel with the South line of the Southwest Quarter of the Northeast Quarter of said Section 11, a distance of 26 feet to the point of beginning; and

Whereas, the Redeveloper has offered to pay the sum of \$157,341.97 (\$150,000.00 plus \$7,341.97 in related fees), for Parcels TF-971 & TF-972 to the City for the land and develop; and

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on August 25, 2017, a public hearing on the proposed sale was duly held on September 12, 2017, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 S 5th St, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value is hereby estimated to be the sum of \$150,000 for Parcels TF-971 & TF-972.

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

Be It Further Resolved that the City finds that pursuant to Minnesota Statutes §469.105, the sale and conveyance of this Parcel as described herein is in the best interest of the City and furthers the City's general plan of economic development.

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a redevelopment contract consistent with the requirements of Minnesota Statutes §469.105. Furthermore, that upon publication of this Resolution, the Finance Officer or other appropriate official of the City be and the same is hereby authorized to execute and deliver the contract to the Redeveloper; provided, however, that this Resolution does not constitute such a contract and no such contract shall be created until executed by the Finance Officer or other appropriate official of the City.

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

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0676

The Minneapolis City Council hereby approves the application for El Nuevo Miramar, 501 Lake St E, submitted by El Nuevo Miramar, Inc., for an On Sale Liquor with Sunday Sales Class B License (LIC356287 new business), subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

COUNCIL ACTION 2017A-0677

The Minneapolis City Council hereby approves the application for Five Watt Coffee, 861 Hennepin Ave E, submitted by Five Watt Miller Textile, LLC, for an On Sale Wine with Strong Beer, Class D License (LIC555608 new license), subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

COUNCIL ACTION 2017A-0678

The Minneapolis City Council hereby approves the application for Hai Hai, 2121 University Ave NE, submitted by Hai Hai, LLC, for an On Sale Liquor with Sunday Sales, Class E License (LIC354557 new business), subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

COUNCIL ACTION 2017A-0679

The Minneapolis City Council hereby approves the application for NOLO's Kitchen and Bar, 515 Washington Ave N, submitted by The Maytag Project, LLC, for an On Sale Liquor with Sunday Sales, Class E License (LIC355642 new business), subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

COUNCIL ACTION 2017A-0680

The Minneapolis City Council hereby approves the application for The Basement Bar, 511 Washington Ave N, submitted by The Maytag Project, LLC, for an On Sale Liquor with Sunday Sales, Class B License (LIC355647 new business), subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

Goodman offered Ordinance 2017-048 amending Title 13, Chapter 268 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Lawful Gambling, amending the conditions for the conduct of lawful gambling licensure.

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

ORDINANCE 2017-048

By Reich

Intro & 1st Reading: 8/18/2017

Ref to: CDRS

2nd Reading: 9/20/2017

Amending Title 13, Chapter 268 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Lawful Gambling.

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

That Section 268.40 of the above-entitled ordinance be amended to read as follows:

268.40. Conditions. The conduct of lawful gambling under license issued by the Minnesota Gambling Control Board shall be subject to the following conditions in the City of Minneapolis:

(a) No sale, consumption, or possession of liquor, wine, or three and two tenths (3.2) beer shall be permitted during gambling conducted by a licensed organization, except as permitted under a valid on-sale liquor, wine, or three and two tenths (3.2) beer license, or a bottle club permit.

(b) No organization shall be eligible for a gambling license unless ~~for the three (3) years immediately preceding the date of application:~~

(1) ~~It has had~~ At the time of application, it has an office located in the City of Minneapolis or on property adjoining land owned by the Minneapolis Park and Recreation Board that is contiguous to the City of Minneapolis. An office is defined as the principal location for the conduct of the organization's business. This may be substantiated through proof of activities such as the payment of a mortgage or rent, payment of utilities, the conduct of organization meetings, maintenance of organization records, and receipt of the organization's mail.

(2) It demonstrates that during ~~that period~~ the three (3) years immediately preceding the date of application substantial services have been performed, and substantial charitable funds spent, within the City of Minneapolis or on behalf of residents of the City of Minneapolis.

(c) Bingo shall be subject to the following conditions:

(1) Subject to the limits set forth above, an organization may lease its hall where it has its regular meetings to no more than one (1) licensed organization, for the conduct of bingo only, provided that the site has been used for bingo by a validly licensed organization within the previous three (3) years.

(2) Bingo halls shall not be permitted.

(d) No organization shall hold more than ten (10) premises permits for locations in the City of Minneapolis.

(e) No person may serve as gambling manager for any organization licensed to conduct gambling in the City of Minneapolis unless that person has satisfactorily completed the periodic training required by the Minnesota Gambling Control Board on the duties and responsibilities of the gambling manager, and holds a valid gambling manager's license issued by the board. In the case of death, disability or termination of a gambling manager, the replacement gambling manager must receive the required training within ninety (90) days after being issued a license.

(f) Each licensed organization shall expend, in each calendar year, at least eighty (80) percent of its net proceeds from charitable gambling at city locations to or for purposes which benefit programs or activities occurring in the city trade area. The "city trade area" is defined as the City of Minneapolis and each city or political jurisdiction contiguous to Minneapolis. Contributions to the Minneapolis Family Fund made pursuant to sections 268.110 and 268.120 of this chapter shall be presumed to benefit programs and activities which occur in the city trade area, and shall be presumed to directly benefit city residents who participate in such programs or activities.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

On motion by Goodman, the subject matter of the Inspection Director's Order to Raze and Remove Building at 5336 Lyndale Ave S was postponed to the Oct. 6, 2017, meeting.

COUNCIL ACTION 2017A-0681

The Minneapolis City Council hereby approves the Liquor, Business, and Gambling Licenses as recommended in the Licenses & Consumer Services Agenda for Sept. 12, 2017, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

COUNCIL ACTION 2017A-0682

The Minneapolis City Council hereby authorizes a contract with Minneapolis Community and Technical College, in the amount of \$0, for data sharing between the STEP-UP Program and the Destination: Diploma to Degree Program through Dec. 31, 2025.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0683

The Minneapolis City Council hereby:

1. Approves a \$500,000 Great Streets Gap Financing Loan to Project for Pride in Living, Inc. for the rehabilitation of the Franklin Theater at 1021 Franklin Ave E.

2. Authorizes the execution of related documents.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

COUNCIL ACTION 2017A-0684

The Minneapolis City Council hereby:

1. Denies the request of Julia Wang and Orchid Massage Spa, Inc, for a stay of enforcement of the Massage and Bodywork Establishment License denial for Orchid Massage Spa, 4933 34th Ave S, pending appeal to the Minnesota Court of Appeals.
2. Adopts the Findings of Fact and Recommendation drafted by the City Attorney's Office in support of the decision to deny the stay request.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT Committee submitted the following reports:

COUNCIL ACTION 2017A-0685

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-39747 with Riverview Window, Inc., increasing the contract by \$150,000, for a revised contract total of \$2,250,000, for lead remediation services for eligible homes.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0686

The Minneapolis City Council hereby:

1. Approves direction to the Neighborhood and Community Relations Department to make any necessary changes to streamline the administrative operations of the Neighborhood and Community Engagement Commission and the Neighborhood Revitalization Program (NRP) Policy Board.
2. Approves direction to the Neighborhood and Community Relations Department to research and develop options for structural changes to the Neighborhood and Community Engagement Commission and to report back to the Health, Environment & Community Engagement Committee in the first quarter of 2018. The report should include options for the following Board components: neighborhood representation, appointed representation, process for election of NRP Policy Board neighborhood representatives, the neighborhood election process and term limits, and other possible structural changes; as well as a community engagement process, consistent with the Core Principles of Community Engagement to further explore any revisions to the commission.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Gordon offered Resolution 2017R-387 establishing the Northern Metals Consent Decree Advisory Committee to serve as an advisory committee to the City Council to provide recommendations for the use of settlement funds dedicated to community asthma and lead reduction.

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

RESOLUTION 2017R-387

By Gordon

Establishing the Northern Metals Consent Decree Advisory Committee to serve as an advisory committee to the City Council to provide recommendations for the use of settlement funds dedicated to community asthma and lead reduction.

Whereas, Northern Metals, LLC and the State of Minnesota Pollution Control Agency signed a consent decree that resolved counterclaims between the two and the City of Minneapolis signed the decree as an intervenor; and

Whereas, Northern Metals has agreed to provide to the City \$200,000 annually for three (3) years to be used solely for four (4) mitigation purposes defined in the consent decree in North and Northeast Minneapolis; and

Whereas, the Advisory Committee shall be charged with providing recommendations to the Council for the use of the \$600,000 dedicated to community asthma and lead reduction work within the parameters of the four mitigation purposes defined in the consent decree; and

Whereas, the Advisory Committee shall also be charged with providing recommendations on how the Commissioner of Health can best implement the four (4) projects defined by the consent decree, including recommendations on how to define impacted communities, how to identify and educate the at-risk residents, how to identify and reach the families of children with asthma, and how to conduct lead-screening events; and

Whereas, the consent decree states that the mitigation purposes shall include activities in the impacted neighborhoods for the stated purposes of mitigation: (1) identify and educate at-risk residents on asthma triggers; (2) enroll families with children suffering from poorly controlled asthma in a new asthma trigger mitigation program; (3) implement community and block-by-block blood lead level screening events in cooperation with local clinics which will offer follow-up venous blood screening as needed; and (4) identify and connect affected individuals with resources to help reduce environmental exposure to lead; and

Whereas, the Health Department was given a staff directive to work with community members from North and Northeast Minneapolis to plan for the use of the settlement funds;

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

That the Northern Metals Consent Decree Advisory Committee is hereby established and that it shall operate according to the following structure:

1. Number of members: Up to 18 voting members that shall reflect the diverse interests and perspectives of the affected neighborhoods of Sheridan, Bottineau, McKinley, and Hawthorn.
2. Committee Term: Ends no later than Dec. 31, 2020.
3. Term Length: Members appointed for a single term beginning Oct. 1, 2017, and ending Dec. 31, 2020.
4. Term Limit: NA.
5. Staggered Terms: NA.
6. Compensation: \$25 gift card may be provided to each member attending each meeting if practicable and if external grant funds are available that allow for such an expenditure.
7. Open appointment process: No.
8. Public hearings held for appointees: No.
9. Residency requirement: Yes. Council Member appointees must continuously live or work in the affected neighborhoods.
10. Membership structure: Up to a total of twelve (12) community representatives who live or work in the identified neighborhoods shall be selected by their respective Council Member as follows:
 1. Ward 3 shall nominate three (3) members who live or work in the Bottineau neighborhood;
 2. Ward 3 shall nominate three (3) members who live or work in the Sheridan neighborhood;
 3. Ward 4 shall nominate three (3) members who live or work in the McKinley neighborhood; and
 4. Ward 5 shall nominate three (3) members who live or work in the Hawthorne neighborhood.

Applicants shall be identified through posting of openings on the City Clerk's web site for Boards, Commissions, and Advisory Committees.

Members must continue to live or work in their assigned neighborhood for the duration of the committee's existence, or will be replaced with a new member who meets residency requirements.

Up to six (6) individuals that represent organizations such as: neighborhood associations in the four affected neighborhoods or environmental justice and housing advocacy groups with the priority for selection being for organizations that work in one or more of the four project areas identified in the settlement agreement. These representatives will be selected by the Health Department from applicants received through the application solicitation process.

The City Council shall approve the appointment of all committee members.

11. Supporting department: Health.
12. Reporting requirements: The committee shall provide annual presentations to City Council.
13. Selection of officers: None. A spokesperson shall be elected annually by the committee members.
14. Open meetings: Meetings shall be open to the public.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

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

COUNCIL ACTION 2017A-0687

The Minneapolis City Council hereby authorizes an agreement with the Regents of the University of California – Center for Policing Equity for three (3) years commencing Oct. 1, 2015, for data and policy analysis of Police Department data and policy at no cost to improve police practices and police/community relations in Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0688

The Minneapolis City Council hereby authorizes a grant contract with the Minnesota Department of Public safety – Office of Justice Programs for a DWI Officer to enhance DWI traffic enforcement in an amount not-to-exceed \$128,541 for one (1) year from Oct. 1, 2017 through Sept. 30, 2018.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0689

On motion by Yang, the DWI grant acceptance was amended to read as follows:

The Minneapolis City Council hereby accepts the DWI Court grant award from the State of Minnesota, Fourth Judicial District Court for police liaison and DWI defendant monitoring services in the amount of

~~\$70,900~~ \$141,800 for ~~one year~~ two years, from Oct. 1, 2017, through Sept. 30, ~~2018~~ 2019. A local match annually of \$10,980 is required.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted, as amended.

COUNCIL ACTION 2017A-0690

The Minneapolis City Council hereby:

1. Accepts a grant from the Minnesota Department of Public Safety – Office of Traffic Safety in the amount of \$289,775 for the continuation of the Towards Zero Deaths traffic enforcement Minneapolis Police Department partnership program for the year of Oct.1, 2017 through Sept. 30, 2018.
2. Approves agreements to share the awarded funds with Golden Valley, Crystal, Robbinsdale, New Hope, University of Minnesota, and Minneapolis Park PD to share the grant funds in amounts to be determined.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0691

The Minneapolis City Council hereby:

1. Accepts Minnesota Board of Firefighter Training and Education (MBFTE) redistribution funding under the Round 9 training reimbursement program in the amount of \$32,092.71 for MBFTE-approved training conducted July 1, 2016 through June 30, 2017.
2. Passage of Resolution 2017R-388 approving appropriation to the Fire Department.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

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

September 20, 2017

RESOLUTION 2017R-388
By Yang and Quincy

Amending The 2017 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Fire Department in the Grants-Other Fund (01600-2800700) by \$32,092.71, and increasing the revenue source (01600-2800700-321015) by \$32,092.71.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0692

The Minneapolis City Council hereby approves the 2017 Minnesota Department of Human Rights new construction workforce goals of 32% Minority and 20% Female as City policy regarding City construction & development projects, effective Oct. 1, 2017.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

Reich offered Resolution 2017R-389 approving special services, the cost estimates, service charges, and the lists of service charges for 2018 in the Chicago-Lake, Bloomington-Lake, East Lake, Lyndale-Lake, 50th and France, and 54th & Lyndale Special Service Districts and directing the City Engineer to proceed with the work.

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

RESOLUTION 2017R-389
By Reich

Approving special services, the cost estimates, service charges, and the lists of service charges for 2018 in the Chicago-Lake, Bloomington-Lake, East Lake, Lyndale-Lake, 50th and France, and 54th & Lyndale Special Service Districts and directing the City Engineer to proceed with the work.

Whereas, public hearings were held on Sept. 12, 2017, in accordance with Laws of Minnesota, Chapter 428A, Sections 428A.01 through 428A.10, and Minneapolis Code of Ordinances, Chapters 460, 461, 462, 463, 428, and 432, to consider the proposed special services, the proposed service charges, and the

proposed lists of service charges as on file in the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the proposed special services, the proposed cost estimate in the total amount of \$62,500 for 2018, and that the proposed service charges and the proposed list of service charges for 2018 in the total amount of \$58,920 (amount remaining after adjusting the cost estimate of \$62,500 for previous years' unexpended balances and additional costs as provided for in Minneapolis Code of Ordinances, Section 461.70), as prepared by the City Engineer and on file in the Special Assessment Office, be and hereby are approved for the Chicago-Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$88,000 for 2018, and that the proposed service charges and the proposed list of service charges for 2018 in the total amount of \$88,000 (amount remaining after adjusting the cost estimate of \$88,000 for previous years' unexpended balances and additional costs as provided for in Minneapolis Code of Ordinances, Section 460.70), as prepared by the City Engineer and on file in the Special Assessment Office, be and hereby are approved for the Bloomington-Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$57,500 for 2018, and that the proposed service charges and the proposed list of service charges for 2018 in the total amount of \$57,500 (amount remaining after adjusting the cost estimate of \$57,500 for previous years' unexpended balances and additional costs as provided for in Minneapolis Code of Ordinances, Section 462.70), as prepared by the City Engineer and on file in the Special Assessment Office, be and hereby are approved for the East Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$141,000 for 2018, and that the proposed service charges and the proposed list of service charges for 2018 in the total amount of \$141,000 (amount remaining after adjusting the cost estimate of \$141,000 for previous years' unexpended balances and additional costs as provided for in Minneapolis Code of Ordinances, Section 463.70), as prepared by the City Engineer and on file in the Special Assessment Office, be and hereby are approved for the Lyndale-Lake Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$140,000 for 2018, and that the proposed service charges and the proposed list of service charges for 2018 in the total amount of \$136,400 (amount remaining after adjusting the cost estimate of \$140,000 for anticipated Ewing parking lot permit fee income as provided for in Minneapolis Code of Ordinances, Section 428.70), as prepared by the City Engineer and on file in the Special Assessment Office, be and hereby are approved for the 50th and France Special Service District.

Be It Further Resolved that the proposed special services, the proposed cost estimate in the total amount of \$27,500 for 2018, and that the proposed service charges and the proposed list of service charges for 2018 in the total amount of \$27,500 (amount remaining after adjusting the cost estimate of \$27,500 for previous years' unexpended balances and additional costs as provided for in Minneapolis Code of Ordinances, Section 432.70), as prepared by the City Engineer and on file in the Special Assessment Office, be and hereby are approved for the 54th & Lyndale Special Service District.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2018 real estate tax statements in the same manner as special assessments without interest charges and that certified copies of said lists of service charges be transmitted to the Hennepin County Auditor.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

Reich offered Resolution 2017R-390 approving the 2018 operating plan and budget, the special services, the cost estimates, service charges, and the lists of service charges for 2018 in the West Broadway Improvement Special Service District and directing the City Engineer to proceed with the work. The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2017R-390

By Reich

Approving the 2018 operating plan and budget, the special services, the cost estimates, service charges, and the lists of service charges for 2018 in the West Broadway Improvement Special Service District and directing the City Engineer to proceed with the work.

Whereas, a public hearing was held on Sept. 12, 2017, in accordance with Laws of Minnesota, Chapter 428A, Sections 428A.01 through 428A.10, and Minneapolis Code of Ordinances, Chapter 434, to consider the proposed special services, the proposed service charges, and the proposed list of service charges as on file in the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the 2018 Operating Plan and Budget for the West Broadway Improvement Special Service District be and hereby is approved.

Be It Further Resolved that the proposed special services and the proposed cost estimate in the total amount of \$117,200 for 2018 and that the proposed service charges and the proposed list of service charges for 2018 in the total amount of \$105,000 (amount remaining after adjusting the cost estimate of \$117,200 for \$12,200 grants and in-kind management resources from the West Broadway Business and Area Coalition (WBC) as provided for in Minneapolis Code of Ordinances, Section 434.60, as prepared by the City Engineer and on file in the City Engineer's Special Assessment Office, be and hereby are approved for the West Broadway Improvement Special Service District (WBID).

Be It Further Resolved that the City Engineer (with the West Broadway Business and Area Coalition for the WBID) is hereby directed to proceed with the work.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2018 real estate tax statements in the same manner as special assessments without interest charges and that certified copies of said lists of service charges be transmitted to the Hennepin County Auditor.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

Reich offered Ordinance 2017-049 readopting the Downtown Business Improvement Special Service District with existing terms and conditions.

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

ORDINANCE 2017-049
By Goodman and Frey
Intro & 1st Reading: 8/4/2017
Ref to: TPW
2nd Reading: 9/20/2017

Amending Title 17, Chapter 465 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Downtown Business Improvement Special Service District.

Section 1. That Sections 465.10 through 465.160 be readopted with existing terms and conditions as set out herein.

465.10. - Establishment. Pursuant to the authority granted by Minnesota Statutes, Chapter 428A, sections 428A.01 through 428A.10, there is hereby established a Downtown Business Improvement Special Service District (otherwise referred to herein as the "district") wherein services may be furnished of a kind or to a degree not required or performed elsewhere in the city. The district shall consist of the following area:

That part of Section 22, 23, 26 and 27 in Township 29 North, Range 24 West of the 4th Principal Meridian, City of Minneapolis, Hennepin County, Minnesota, described as follows:

Beginning at the intersection of the centerline of 2nd Avenue North right-of-way and the centerline of 2nd Street North right-of-way; thence southeasterly along said centerline of 2nd Street North, to the centerline of Hennepin Avenue right-of-way; thence southwesterly along said centerline of Hennepin Avenue to the intersection of the northwesterly extension of the northeasterly line of Lot 108, Block 6, of Auditors Subdivision No. 137 according to the plat thereof on file at the County Recorders Office, Hennepin County, Minnesota; thence southeasterly along the extension of said northeasterly line of Lot 108 and its southeasterly extension to the centerline of Marquette Avenue right-of-way; thence northeasterly along said centerline of Marquette Avenue to the intersection of the northwesterly extension of the northeasterly line of Block 12; thence southeasterly along the extension of said

northeasterly line of Block 12 and its southeasterly extension to the centerline of 2nd Avenue South right-of-way; thence northeasterly along said centerline of 2nd Avenue South, to the centerline of 2nd Street South right-of-way; thence southeasterly along said centerline of 2nd Street South, to the centerline of Portland Avenue right-of-way; thence southwesterly along said centerline of Portland Avenue to a line 30.00 feet northeast and parallel with the centerline of Washington Avenue South right-of-way; thence southeasterly along previously described said parallel line to the centerline of Chicago Avenue right-of-way; thence southwesterly along said centerline of Chicago Avenue and along the centerline of Centennial Place right-of-way to the centerline of 10th Street South right-of-way; thence northwesterly along said centerline of 10th Street South, to the centerline of 4th Avenue South right-of-way; thence southwesterly and southerly along said centerline of 4th Avenue South, to the centerline of 12th Street South right-of-way; thence westerly and northwesterly along said centerline of 12th Street South, to the centerline of 2nd Avenue South right-of-way; thence southwesterly along said centerline of 2nd Avenue South, to the centerline of Grant Street East right-of-way; thence westerly along said centerline of Grant Street East, to the centerline of Nicollet Avenue; thence north along said centerline of Nicollet Avenue to the centerline of Grant Street West right-of-way; thence westerly along said centerline of Grant Street West, to the centerline of LaSalle Avenue right-of-way; thence northerly and northeasterly along said centerline of LaSalle Avenue to the centerline of 12th Street South right-of-way; thence northwesterly along said centerline of 12th Street South, to the centerline of Yale Place right-of-way; thence southwesterly along said centerline of Yale Place to the centerline of Spruce Place right-of-way; thence northwesterly along said centerline of Spruce Place to the centerline of Hennepin Avenue right-of-way; thence northeasterly along said centerline of Hennepin Avenue to the centerline of 11th Street North right-of-way; thence northwesterly along said centerline of 11th Street North, to the easterly right-of-way line of Interstate Highway No. 394; thence northerly and northwesterly along said easterly right-of-way line of Interstate Highway 394 to the centerline of Glenwood Avenue right-of-way; thence easterly along said centerline of Glenwood Avenue to the centerline of 10th Street North right-of-way; thence northeasterly to the intersection of the centerline of 9th Street North right-of-way and the centerline of 2nd Avenue North right-of-way; thence northeasterly along said centerline of 2nd Avenue North, to the point of beginning.

465.20. - Special services to be performed; operating plan; service agreement. (a) The special services to be furnished within the district may include:

- (1) Clean and safe programs, including, but not limited to, sweeping, litter pick up, trash removal, sidewalk cleaning, graffiti abatement, snipe and poster bill removal, snow services, security services, closed circuit television (CCTV) systems and monitoring, etc;
- (2) Marketing/promotion/special events, including, but not limited to, event programming, websites, newsletters, etc, district area business recruitment and retention programs, coordination of street markets and street vendors within the district, etc;
- (3) Physical enhancements, including, but not limited to, hanging baskets, landscape planters, trash receptacles, etc;
- (4) Maintenance of enhanced streetscape components above city standard, including, but not limited to, fixtures, sidewalks, electrical and irrigation systems, landscaping, fountains, etc; and
- (5) Management and oversight services and administrative services, including usual and customary start-up and on-going administrative costs.

(b) Each year, prior to imposition of any service charge, the city council will adopt by resolution an operating plan that describes with particularity the special services to be performed. Any physical enhancements to be installed by the district shall be maintained by the district, and to the extent they are not maintained, the city shall have the right to remove them. The district shall not be obligated to maintain any physical enhancements installed by parties other than the district unless and until said maintenance is included in the adopted operating plan. The operating plan, and any amendments that may be made from time to time by subsequent resolution, is hereby incorporated into this chapter. The special services to be furnished in the district may not include a service that is ordinarily provided throughout the city unless an increased level of the service is provided in the district.

(c) The special services described in the operating plan will be furnished by the Minneapolis Downtown Council, its subsidiary or an approved assignee (the "district entity"), in accordance with a service agreement to be entered between the district entity and the city. Notwithstanding any other ordinance provision, the service agreement provided for in this section is hereby exempt from the requirements of the following provisions of the Minneapolis Code of Ordinances: section 18.200 (equal benefits provisions in contracts); section 24.220 (prevailing wage); section 139.50 (non-discrimination and affirmative action provisions in contracts); and Chapter 423 (small and underutilized business enterprise program). Provided, however, that the service agreement shall contain provisions that require the district entity to do the following:

(1) When the district entity seeks competitive bids for special services in the district, in addition to any other bids sought, it shall seek bids from, but not limited to, vendors on a list of small and underutilized businesses provided by the city;

(2) The district entity shall have a modified affirmative action plan that meets city ordinance section 139.50;

(3) The district entity shall notify and extend any benefits offered to its employees based on marital status to employees with domestic partners registered as such pursuant to Minneapolis Code of Ordinances: section 142.30 and shall require its contractors and subcontractors to notify and extend the same benefits to any of their employees providing services to the district; and

(4) The district entity shall apply the prevailing wage provisions of section 24.220 to any construction work that requires funding from more than one (1) year's assessment cycle.

465.30. - Service charge. The city council hereby finds and determines that the annual costs of providing the services specified in section 465.20 hereof will provide benefits primarily to properties located within the district, rather than to the city as a whole, and that the costs of said services may be recovered by the city by the imposition of service charges to be assessed against properties located within the district.

465.40. - Notice of veto power. Within five (5) days after adoption of this chapter the city clerk shall mail a summary of this chapter to the owner of each parcel included in the district and any individual or business organization subject to a service charge. The notice must meet the requirements of Minnesota Statutes, section 428A.09.

465.50. - Imposition of service charge; levy. The service charges shall be levied annually upon properties within the district, in an aggregate sum, which, combined with any property tax levied under section 465.70 hereof, will equal the estimated total costs of the city in providing the services referred

to in section 465.20 for the next ensuing calendar year; provided, however, that service charges may be levied in the year 2010 for services rendered or to be rendered during the calendar years 2009 and 2010 and/or services rendered in 2009 may be invoiced by the city finance department in 2009 and then subsequently levied in 2010 for amounts not paid by property owners in 2009. Prior to imposing the service charges for each year, the department of public works shall approve a list of the several lots and parcels of land which will be subject to the service charges, and the names of the owners of the several parcels as nearly as the department of public works can readily ascertain the same. A public hearing shall be held with respect thereto at which all interested persons may appear and be heard. The notice of the public hearing shall be given as required by the applicable notice provisions of Minnesota Statutes, Chapter 428A. The notice of public hearing shall include:

- (1) A statement that all interested persons will be given an opportunity to be heard at the hearing regarding a proposed service charge;
- (2) The estimated cost of improvements to be paid for in whole or in part by service charges imposed under this section, the estimated cost of operating and maintaining the improvements during the first year and upon completion of the improvements, the proposed method and source of financing the improvements, and the annual cost of operating and maintaining the improvements;
- (3) The proposed rate or amount of the proposed service charge to be imposed in the district during the calendar year and the nature and character of special services to be rendered in the district during the calendar year in which the service charge is to be collected;
- (4) A statement that the petition requirements of Minnesota Statutes, section 428A.08 have either been met or do not apply to the proposed service charge; and
- (5) A statement that an owner may appeal an assessment of the service charge to district court including the procedure for appeal.

Within six (6) months of the public hearing, the city may adopt a resolution imposing a service charge within the district not exceeding the amount or rate expressed in the notice issued under this section. Any such resolution shall be certified to the county auditor, together with the assessment roll provided for herein, prior to November thirtieth for the annual certification of special assessment installments, and the service charge shall be payable in a single tax year. The city council may increase or decrease assessments to correct omissions, mistakes or erroneous estimates relating to the total cost of the services or any other particular, using the same procedure as required for holding a public hearing and notification of affected property owners as for the original assessment.

465.60. - Appeal of service charges. Within thirty (30) days after the adoption of a service charge levied under section 465.50, any person aggrieved may appeal to the district court by serving a notice of appeal upon the mayor or city clerk; provided that no appeal may be taken unless the person appealing shall have filed a signed, written, objection with the city clerk prior to the assessment hearing or shall have presented it to the presiding officer at the hearing, unless a reasonable cause shall exist for such person's failure to do so. The court may affirm the service charge or, if the appellant's objections have merit, modify or cancel it.

465.70. - Ad valorem property tax. The city may, in each calendar year, levy a tax on taxable property in the district based upon the assessed value of the property and such tax shall be assessed and collected

in the same manner as other property taxes on property located within the district. The tax shall be levied at a rate that will raise an aggregate sum, which, when combined with any service charges levied in the district, will equal the total costs of the city in providing the services specified in this chapter for the next ensuing calendar year; provided, however, that taxes may be levied in the year 2010 for services rendered and to be rendered in the calendar years 2009 and 2010. Prior to the levy of such a tax a public hearing shall be held. The requirements for the public hearing and the notice of public hearing shall be the same as specified in section 465.40 with respect to the levy of special service charges, and the tax may be levied not later than six (6) months after the public hearing by a majority vote of all of the members of the city council.

For purposes of determining the appropriate tax rate, taxable property or value shall be determined under Minnesota Statutes. Property exempt from taxation by Minnesota Statute shall be exempt from such tax.

465.80. - Revenue surplus or deficit. Any annual revenue surplus or deficit shall be addressed in accordance with one (1) of the following procedures:

(1) If the total taxes and service charges levied and collected under this chapter, with respect to any calendar year, exceed the cost of services actually rendered in the district in such calendar year, then the next ensuing year's levy of taxes and service charges may be decreased by a corresponding amount; or

(2) If the total taxes and service charges levied and collected under this chapter, with respect to any calendar year, exceed the cost of services actually rendered in the district in such calendar year, then the subsequent years' annual operating plan may be amended by city council action to incorporate the prior year's excess revenue; or

(3) If the cost of services actually rendered in the district in any calendar year exceed the total taxes and service charges levied and collected under this chapter with respect to such calendar year, then an amount necessary to recoup the excess costs may be levied as taxes, service charges, or both within the next two (2) ensuing years; or

(4) If the cost of services actually rendered in the district in any calendar year exceed the total taxes and service charges levied and collected under this chapter with respect to such calendar year, then the subsequent years' annual operating plan may be amended by city council action to recoup the excess costs.

465.90. - Limitation. Taxes and service charges may be levied pursuant to this chapter to finance special services ordinarily provided by the city only if the services are provided in the district at an increased level and, then, only in an amount sufficient to pay for the increase.

465.100. - Petitions and notices. Petitions and notices required for hearings, petitions, or notices under this chapter, and for the resolution setting any service charges, fees, or rates, shall be in compliance with any applicable petition and notice requirements imposed pursuant to Minnesota Statutes, sections 428A.01 through 428A.10. Except as otherwise provided in Minnesota Statutes Chapter 428A, within five (5) days of adoption of the ordinance or any resolution setting rates or fees, in accordance with Minnesota Statutes, sections 428A.01 through 428A.10, a summary of the ordinance or resolution must be mailed to the owner of each parcel included in the district and any individual or business organization

subject to a service charge in the same manner that notice is mailed under Minnesota Statutes, section 428A.02. The mailing must include notice that owners subject to the service charge have a right to veto the ordinance by filing the required number of objections with the city clerk before the effective date of the ordinance or resolution and that a copy of the ordinance or resolution is on file with the city clerk for public inspection.

465.110. - Annual reports. During the term of the services agreement referenced in section 465.20, the district entity shall submit to the city finance officer as soon as practical after each calendar year end but prior to adoption of the next year's budget, an annual report of services activity and an independent audit of financial activity for each calendar year in which services are performed in the district.

465.120. - Definitions and construction. The terms used herein shall be defined as provided in Minnesota Statutes, sections 428A.01 through 428A.10 and said statute shall in all respects govern the creation, existence and operation of the district and the manner imposing service charges therein and this chapter shall be construed consistently therewith.

465.130. - Notice to commissioner of revenue. Within thirty (30) days after adoption of this chapter, the city clerk shall send a copy of this chapter to the commissioner of revenue.

465.140. - Exemption of certain properties from taxes and service charges. Only property that is classified under Minnesota Statute section 273.12 and used for commercial, industrial, or public utility purposes, or is vacant land zoned or designated on a land use plan for commercial or industrial use and located in the district may be subject to the charges imposed on the district. Property exempt from taxation by Minnesota Statute, section 272.02 is exempt from any service charges based on net tax capacity imposed under this chapter.

465.150. - Expiration of district. The district shall expire five (5) years after the effective date of this chapter unless it is renewed by following the procedure as set forth in Minnesota Statutes, section 428A or as permitted by applicable law. Any renewal of the district that is initiated by the district entity one year prior to actual expiration under this section shall be exempt from the petitioning requirements set out at Minnesota Statutes, section 428A.08. Initiating renewal means written notice of intent from the district entity to the city's director of public works.

465.160. - Effective date. This chapter shall become effective forty-five (45) days from and after its date of publication in the official newspaper of the City of Minneapolis.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

Reich offered Resolution 2017R-391 approving the 2018 operating plan, the special services, the cost estimates, service charges, and the lists of service charges for 2018 in the Downtown Business Improvement Special Service District and directing the City Engineer to proceed with the work.

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

RESOLUTION 2017R-391

By Reich

Approving the 2018 operating plan, the special services, the cost estimates, service charges, and the lists of service charges for 2018 in the Downtown Business Improvement Special Service District and directing the City Engineer to proceed with the work.

Whereas, a public hearing was held on Sept. 12, 2017, in accordance with Minnesota Statutes, Chapter 428A, Sections 428A.01 through 428A.10, and Minneapolis Code of Ordinances, to consider the proposed special services, the proposed service charges, and the proposed lists of service charges as on file in the City Engineers Special Assessment Office, and to consider all written and oral objections and statements regarding this matter;

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

That the 2018 operating plan for the Downtown Business Improvement Special Service District be and hereby is approved.

That the proposed services, service charges, and the proposed list of service charges (special assessments) for 2018 in the total amount of \$6,669,832.16, as provided for in Minneapolis Code of Ordinances, Section 465.80, as prepared by the City Engineer and on file in the City Engineer's Special Assessment Office, be and hereby are approved for the Downtown Business Improvement Special Service District.

Be It Further Resolved that the City Engineer (with the Minneapolis Downtown Improvement District) is hereby directed to proceed with the work.

Be It Further Resolved that the service charges be collected in one (1) installment on the 2018 real estate tax statements in the same manner as special assessments without interest charges and that certified copies of said lists of service charges be transmitted to the Hennepin County Auditor.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

COUNCIL ACTION 2017A-0693

The Minneapolis City Council hereby authorizes a contract with LEVEL Brand, LLC in an amount not to exceed \$200,000 for public service announcement (PSA) production and placement services for the Organics Recycling Program for a period of one (1) year.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0694

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-42441 (Official Publication No. 8409) with Municipal Building, Inc. (MBI), increasing the contract by \$214,109.04, for a revised contract total of \$1,051,724.04, for the construction change orders associated with additional work needed for corrections encountered during excavation and construction of three (3) vault sites for Public Works Water Treatment and Distribution Services.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0695

The Minneapolis City Council hereby authorizes a professional services agreement with HDR for corrosion control engineering and cathodic protection system monitoring in support of the Corrosion Control Program for a term of up to four (4) years with a value of \$500,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0696

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-39597 with Heitkamp, a division of Michels Corporation, increasing the contract by \$600,000, for a revised contract total of \$2,135,768.64, for cleaning and lining of cast iron water mains.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0697

The Minneapolis City Council hereby:

1. Authorizes an Agency Agreement with the Minnesota Department of Transportation (MnDOT) to allow the reimbursement of funds for the upgrade of traffic signals and pedestrian ramps at Central

Ave and 18th Ave NE in conjunction with the Central Ave and 18th Ave NE Traffic Signal Upgrade and Pedestrian Improvements Project.

2. Passage of Resolution 2017R-392 increasing the appropriation and revenue source for the project by \$150,000 in Traffic Signals Program CTR1621 to reflect the contribution from MnDOT.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

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

RESOLUTION 2017R-392

By Reich and Quincy

Amending the 2017 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue source for the Public Works Department in the Capital Fund for CTR1621 (04100-9010943-321510) by \$150,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0698

The Minneapolis City Council hereby:

1. Accepts Federal Highway Safety Improvement Program grant funds in the amount of \$1,640,000 in TR022 through the Minnesota Department of Transportation (MnDOT) for the 7th St Traffic Signals and Pedestrian Improvement Project.
2. Authorizes Agency Agreement No. 1028633 with MnDOT to allow the City to use Federal Aid Funds for force account work on the project.
3. Authorizes Cooperative Agreement No. PW 50-20-17 with Hennepin County for cost participation on the project.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Reich offered Resolution 2017R-393 directing the City Engineer to proceed with a variance request form State Aid Rules per Administrative Variance to State Aid Operations Rules, Chapter 8820, effective Feb. 4, 2013, to the Minnesota Commissioner of Transportation for the reconstruction of 8th St S between Hennepin Ave and Chicago Ave.

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

RESOLUTION 2017R-393

By Reich

Directing the City Engineer to proceed with a variance request form State Aid Rules per Administrative Variance to State Aid Operations Rules, Chapter 8820, effective Feb. 4, 2013, to the Minnesota Commissioner of Transportation for the reconstruction of 8th St S between Hennepin Ave and Chicago Ave.

Whereas, the City of Minneapolis wishes to reconstruct 8th St S between the limits of Hennepin Ave and Chicago Ave; and

Whereas, Minnesota Department of Transportation (MnDOT) State Aid Rule 8820.9936 (Minimum Design Standards, Urban; New or Reconstruction Projects) per Administrative Variance to State Aid Operation Rules, Chapter 8820, effective Feb. 4, 2013, require “New or reconstruction projects for urban roadway must meet or exceed the minimum dimensions indicated in the following design chart;” and

Whereas, the design chart has minimum drive lane widths indicated for Collectors or Locals with Average Daily Traffic (ADT) less than 10,000 vehicles; and

Whereas, physical constraints, pedestrian accessibility, traffic management, and urban landscaping limit the roadway reconstruction of 8th St S between Hennepin Ave and Chicago Ave; and

Whereas, State Aid Rules provide that a political subdivision may request a variance from the Rules;

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

That the City Engineer is hereby directed to submit to the Commissioner of Transportation a formal request for variance from MnDOT State Aid Rule 8820.9936, per Administrative Variance to State Aid Operations Rules, Chapter 8820, effective Feb. 4, 2013, for Collectors or Locals with ADT less than 10,000 vehicles to permit the reconstruction of 8th St S between Hennepin Ave and Chicago Ave with two driving lanes to be reconstructed with lane widths of ten (10) feet instead of eleven (11) feet as required by Rule 8820.9936.

Be It Further Resolved that the City Council of the City of Minneapolis hereby indemnifies, saves, and holds harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the reconstruction of 8th St S between Hennepin Ave and Chicago Ave in accordance with Minnesota Rule 8820.9936 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Reich offered Resolution 2017R-394 amending the 2017 Capital Improvement Appropriation Resolution to increase the appropriation and revenue for the 4th St SE (25th Ave SE to 29th Ave SE) Street Reconstruction Project to reflect a \$283,000 contribution from the University of Minnesota.

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

RESOLUTION 2017R-394
By Reich and Quincy

Amending The 2017 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and the revenue source for the Public Works Department in the Capital Fund for 4th St SE in 04100-9010937-CPV094 by \$244,000 and increasing the appropriation and revenue in 04100-9010943-CPV094SL by \$39,000 to reflect a \$283,000 contribution from the University of Minnesota for the 4th St SE (from 25th Ave SE to 29th Ave SE) Street Reconstruction Project (PV094).

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Reich offered Resolution 2017R-395 amending the 2017 Capital Improvement Appropriation Resolution to increase the appropriation and revenue for the 46th Ave S (from 46th St E to Godfrey Pkwy) Street Reconstruction Project to reflect an \$8,925 contribution from the Minneapolis Park and Recreation Board.

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

RESOLUTION 2017R-395
By Reich and Quincy

Amending The 2017 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue source for the Public Works Department in the Capital Fund for 46th Ave S (04100-

9010937-PV111-345501) by \$8,925 to reflect a contribution from the Minneapolis Park and Recreation Board for the 46th Ave S (from 46th St E to Godfrey Pkwy) Street Reconstruction Project (PV111).

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Reich offered Resolution 2017R-396 amending Resolution 2017R-195 entitled "Designating the improvement of the 2017 Alley Renovation Program, Project No. AL017 (PV1706) (10 alleys located throughout the City of Minneapolis)" passed April 28, 2017, to remove the Taylor/Fillmore alley from the 2017 Alley Renovation Program.

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

RESOLUTION 2017R-396

By Reich and Quincy

Amending Resolution 2017R-195 entitled "Designating the improvement of the 2017 Alley Renovation Program, Project No. AL017 (PV1706) (10 alleys located throughout the City of Minneapolis)" passed April 28, 2017, to remove the Taylor/Fillmore alley from the 2017 Alley Renovation Program.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to read as follows:

"That the following existing alleys within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c), by overlaying with bituminous material and including other related improvements and work as needed:

Ward 1, from Valley St to Monroe St NE from 36th Ave NE to 36 1/2 St NE

~~Ward 1, from Taylor St NE to Fillmore St NE from 20th Ave NE to 22nd Ave NE~~

Ward 4, from Queen Ave N to Penn Ave N from 34th Ave N to 35th Ave N

Ward 8, from Portland Ave to Oakland Ave from 49th St E to 48th St E

Ward 8, from 3rd Ave S to Clinton Ave from 49th St E to 48th St E

Ward 9, from Bloomington Ave S to 16th Ave S from 36th St E to 35th St E

Ward 10, from Aldrich Ave S to Lyndale Ave S from 26th St W to 25th St W

Ward 10, from Hennepin Ave to Girard Ave S from 33rd St W to 32nd St W

Ward 11, from 15th Ave S to Bloomington Ave S from 53rd St E to 52nd St E

Ward 11, from 15th Ave S to Bloomington Ave S from 52nd St E to 51st St E."

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0699

The Minneapolis City Council hereby approves amending Council Action 2017A-037, passed April 28, 2017, to read as follows to remove the Taylor/Fillmore alley from the 2017 Alley Renovation Program:

“The Minneapolis City Council adopts a report receiving a cost estimate of \$261,483.56 for alley resurfacing improvements, reduced by \$12,586.67 to \$248,896.89 due to the removal of the Taylor/Fillmore alley in the list of alleys to be improved, and a list of benefited properties for the 2017 Alley Renovation Program, Project No. AL017 (PV1706), as designated by Resolution 2017R-195, passed April 28, 2017, and amended Sept. 20, 2017, and directs that the City Engineer prepare a proposed Alley Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2017 Uniform Assessment Rates as per Resolution 2016R-508, passed Nov. 18, 2016.

Further, a public hearing is scheduled for June 6, 2017, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider approving the resurfacing of the above-designated street locations and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.”

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Reich offered Resolution 2017R-397 amending Resolution 2017R-274 entitled “Ordering the work to proceed and adopting the special assessments for the 2017 Alley Renovation Program, Special Improvement of Existing Alleys No. AL017,” passed June 16, 2017, to cancel the assessments for the properties abutting the Taylor/Fillmore alley and reduce the special assessments from \$91,405.02 to \$85,396.19.

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

RESOLUTION 2017R-397

By Reich and Quincy

Amending Resolution 2017R-274 entitled “Ordering the work to proceed and adopting the special assessments for the 2017 Alley Renovation Program, Special Improvement of Existing Alleys No. AL017,” passed June 16, 2017, to cancel the assessments for the properties abutting the Taylor/Fillmore alley and reduce the special assessments from \$91,405.02 to \$85,396.19.

Resolved by The City Council of The City of Minneapolis:

That the above entitled resolution be amended to read as follows:

“Whereas, a public hearing was held on June 6, 2017, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2017R-195 passed April 28, 2017;

September 20, 2017

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2017R-195, passed April 28, 2017, and amended Sept. 20, 2017.

Be It Further Resolved that the proposed special assessments against the properties located along the alley between Taylor St NE and Fillmore St NE from 20th Ave NE to 22nd Ave NE, as set forth below, be removed from the proposed assessment roll due to the removal of the Taylor/Fillmore alley from the 2017 Alley Renovation Program.

Be It Further Resolved that the proposed special assessments in the total amount of \$91,405.02 be reduced by \$6,008.83 to \$85,396.19 due to the removal of the Taylor/Fillmore alley for the 2017 Alley Renovation Program (Levy 01013, Project No. AL017, CPV1706), as on file in the City Engineer's 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 five (5) and that the interest be charged at 3.9% interest rate, with collection of the special assessments to begin on the 2018 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at 2.8%, with collection of the special assessments to be on the 2018 real estate tax statements.

Be It Further Resolved that the following properties abutting the alley between Taylor St NE and Fillmore St NE from 20th Ave NE and 22nd Ave NE be removed from the 2017 Alley Renovation Program and the assessments cancelled:

Property ID 1202924320201, assessment amount 944.86
Property ID 1202924320202, assessment amount 441.42
Property ID 1202924320203, assessment amount 252.00
Property ID 1202924330143, assessment amount 478.66
Property ID 1202924330144, assessment amount 478.59
Property ID 1202924330145, assessment amount 478.59
Property ID 1202924330146, assessment amount 478.57
Property ID 1202924330147, assessment amount 198.66
Property ID 1202924330149, assessment amount 451.50
Property ID 1202924330150, assessment amount 451.50
Property ID 1202924330151, assessment amount 451.50
Property ID 1202924330152, assessment amount 451.50
Property ID 1202924330153, assessment amount 451.50."

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Reich offered Resolution 2017R-398 amending Resolution 2017R-275 entitled “Requesting the Board of Estimate and Taxation to authorize the City’s issuance and sale of assessment bonds in the amount of \$91,405 for the 2017 Alley Renovation Program,” to reduce the sale of assessment bonds to \$85,400 due to the cancellation of assessments for the Taylor/Fillmore alley.

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

RESOLUTION 2017R-398
By Reich and Quincy

Amending Resolution 2017R-275 entitled “Requesting the Board of Estimate and Taxation to authorize the City’s issuance and sale of assessment bonds in the amount of \$91,405 for the 2017 Alley Renovation Program,” to reduce the sale of assessment bonds to \$85,400 due to the cancellation of assessments for the Taylor/Fillmore alley.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to read as follows:

“Requesting the Board of Estimate and Taxation to authorize the City’s issuance and sale of assessment bonds in the amount of ~~\$91,405~~ \$85,400 for the 2017 Alley Renovation Program.

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 alley improvements in the 2017 Alley Renovation Program, Special Improvement of Existing Alleys No. AL017 (CPV1706), to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments payable in the same manner as real estate taxes.”

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0700

The Minneapolis City Council hereby approves impact fees for the LynLake Municipal Parking Lots for the period of Sept. 1, 2017, through Aug. 31, 2018, at \$940 per stall for businesses that had licenses, permits, or City-approved plans to expand their businesses prior to Sept. 1, 1998, and \$1,885 per stall for new businesses.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Reich offered Resolution 2017R-399 providing for a Vision Zero policy to eliminate fatalities and serious injuries that are a result of crashes on City streets within the City of Minneapolis by 2027.

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

RESOLUTION 2017R-399

By Reich, Palmisano, Bender, Gordon, Yang, and Glidden

Providing for a Vision Zero policy to eliminate fatalities and serious injuries that are a result of crashes on City streets within the City of Minneapolis by 2027.

Whereas, one death on our streets is one too many; and

Whereas, crashes that result in death or serious injury are not inevitable but largely preventable and stem in part from human inattention and designs that are ineffective in accommodating multimodal uses in urban environments; and

Whereas, a commitment to Vision Zero is a commitment to life and equitable opportunity for people in the City of Minneapolis; and

Whereas, it is the role of government to do its part to serve and protect the populace; and

Whereas, the State of Minnesota ranks 4th in the nation for lowest pedestrian fatality rates behind Rhode Island, New Hampshire, and Idaho; and

Whereas, the City of Minneapolis is recognized and strives to be continually acknowledged nationally and internationally as a healthy, attractive, desirable, and safe City; and

Whereas, Minneapolis has a strong history of commitment to prioritizing safety and recently completed, or will soon complete, crash studies for both bicyclists and pedestrians and has made demonstrable progress to improve safety for walking and biking by making systemic changes in the way the transportation network is planned, programmed, designed, constructed, and operated, as evidenced by the new Minneapolis Zebra crosswalks as the standard for signalized intersections; and

Whereas, 35 people walking and in wheelchairs, 14 people riding a bicycle, and 57 people driving or riding in a vehicle have died on streets in Minneapolis between 2006 and 2015; and

Whereas, hundreds of crashes occur in the City each year, resulting in serious injuries and other injuries; and

Whereas, 76% of fatal and serious injuries occurred at 908 intersections, or 13% of the City's total intersections; and

Whereas, the number of people dying and suffering serious injuries on our streets is a serious public health problem which necessitates public action; and

Whereas, crashes on City streets necessitate a comprehensive and specific approach to street planning, design, policy, enforcement, legal processes, education and communication in order to provide the most powerful solution to solve the problem; and

Whereas, an example of how design and policy impact safety is shown through multiple studies that demonstrate the chances of a pedestrian being killed by a car traveling 20 mph is 10% while the chances of being killed when struck by a car traveling 40 mph is 80%; and

Whereas, Vision Zero aligns with the City of Minneapolis' Complete Streets Policy by prioritizing our most vulnerable roadway users and encouraging balance among all users of the City's transportation network; and

Whereas, choosing active transportation options like walking and biking decreases mortality and morbidity from obesity-related diseases such as heart disease and diabetes, and creating safer streets is likely to encourage more active transportation, thereby increasing population health; and

Whereas, the City of Minneapolis is actively working to ensure technology advances in automation, connected vehicles and other emerging technologies happens for and with us, rather than to us, by partnering with national allies and industry leaders that focus on these advancements, because the City recognizes the promise of these technologies to greatly increase safety on our streets; and

Whereas, the tenets of a Vision Zero commitment are supported in existing City plans and policies, including *Access Minneapolis*, *The Minneapolis Comprehensive Plan for Sustainable Growth* and *Minneapolis 2040* comprehensive plans, *Minneapolis Climate Action Plan*, and *Minneapolis for a Lifetime Strategic Plan*; and

Whereas, *Access Minneapolis*, the City's transportation action plan, emphasizes safety for all roadway users and promotes a focus through its action items on reducing single occupancy vehicle rides and encouraging walking, bicycling, transit, and carsharing or carpooling; and

Whereas, implementing a Vision Zero commitment requires the contributions of the City's Communications Department, Health Department, Police Department, Community Planning and Economic Development Department, Civil Rights Department, Intergovernmental Relations Department, Neighborhood and Community Relations Department, City Coordinator's Office, Public Works Department, and Mayor's Office, all of which have demonstrated through past actions and future intentions the willingness to support and implement the Vision Zero commitment; and

Whereas, implementing a Vision Zero commitment requires the continued support of residents, business owners, and visitors to the City of Minneapolis acting as individuals and collectively through neighborhood or advocacy organizations to improve the safety, comfort, and usability of City streets for all users; and

Whereas, Minneapolis will join other leading cities around the nation, the State of Minnesota, and cities around the globe in their commitment to eliminate traffic deaths and serious injuries on our streets, work which has demonstrated success when coupled with adequate funding and staffing levels for its implementation and will carefully consider the successes and challenges in other cities implementing Vision Zero policies;

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

That the City of Minneapolis commits to a goal of zero deaths and serious injuries that are a result of crashes on City streets by 2027.

Be It Further Resolved that the City of Minneapolis acknowledges that achieving this goal requires significant effort and resources, and will develop a Vision Zero Action Plan following the passage of this resolution.

Be It Further Resolved that the Vision Zero Action Plan will put equity at its forefront, striving to impact the most vulnerable and dependent users of the most dangerous parts of the transportation network to improve the health and well-being of those traveling on streets in the City of Minneapolis, and the Plan will use data and community outreach to develop strategies that aim to end death and serious injuries on City streets in the effort to ensure outcomes will be experienced equitably throughout the City.

Be It Further Resolved that the Vision Zero Action Plan will draw heavily from those who use our streets, including those who live in areas that experience high crash rates, those who advocate for safer streets for all modes, and the general public through a diverse range of outreach activities designed to understand both concerns and opportunities with advancing this vision, and by using their input and refined data to determine appropriate and effective steps to achieve in the Vision Zero Action Plan.

Be It Further Resolved that the Vision Zero Action Plan will use data and best practices to outline concrete steps in planning, engineering, policy, enforcement, and education to reach interim steps toward zero deaths.

Be It Further Resolved that the City of Minneapolis will work with partners in the region who own and manage streets in the City to influence the street planning, design, maintenance, operations, and law enforcement including the State of Minnesota, Hennepin County, the Minneapolis Park and Recreation Board, Metro Transit, and neighboring municipalities to combine similar efforts and leverage individual work efforts to contribute to improvements in safety region-wide.

Be It Further Resolved that the Director of Public Works or her designee will establish a Vision Zero Task Force comprised of leaders from the City's Communications Department, Health Department, Police Department, Community Planning and Economic Development Department, Civil Rights Department, Intergovernmental Relations Department, Neighborhood and Community Relations Department, City Coordinator's Office, Public Works Department, and other City staff and regional partners as appropriate to advance the Vision Zero commitment and guide the work of the Vision Zero Action Plan which will specifically engage members of the community, which could include establishing a Vision Zero Advisory Committee.

Be It Further Resolved that the City of Minneapolis acknowledges and accepts that the Vision Zero Action Plan may result in changes to the City's approach to the planning and design of streets, education and communication techniques, enforcement policies and procedures, and legal and legislative frameworks including the potential to advocate for reduced City speed limits.

Be It Further Resolved that the City of Minneapolis is dedicated to measuring the progress, challenges, and successes of the Vision Zero commitment and will do so with tangible, reportable metrics that will be reported upon on an annual basis, along with biannual progress reports.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

The WAYS & MEANS Committee submitted the following reports:

COUNCIL ACTION 2017A-0701

The Minneapolis City Council hereby approves the settlement of the lawsuit brought by David Ketroser by payment of \$1,500 to David Ketroser, and authorizes the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0702

The Minneapolis City Council hereby approves the settlement of the lawsuit brought by David Ketroser by payment of \$1,500 to David Ketroser, and authorizes the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0703

The Minneapolis City Council hereby approves the settlement of the claim of Michael Gregory Zapata by payment of \$18,500 to Mr. Zapata and his attorneys, The Law Office of Zorislav R. Leyderman, and authorizes the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0704

The Minneapolis City Council hereby accepts the low bid by Peoples Electric Company, submitted on Official Publication No. 8455, in the amount of \$410,075, to furnish and deliver all labor, material, and incidentals necessary for the Minneapolis Convention Center Ballroom Lighting Replacement Project, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0705

The Minneapolis City Council hereby accepts of the low bid by Yale Mechanical, LLC, submitted on Official Publication No. 8454, in the amount of \$395,959, to provide all materials, equipment, labor, and incidentals necessary for the Minneapolis Convention Center Dock Door Replacement Project, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0706

The Minneapolis City Council hereby authorizes an increase to Contract No. C-39433 with TSE, Inc., in the amount of \$50,000 for a total amount not to exceed \$100,000, and extends the contract for a two-year period, through Oct. 1, 2019, for community based employment services to clean the convention center parking ramp.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0707

The Minneapolis City Council hereby authorizes a contract with customized liability terms with Gartner, Inc. for three (3) years, with the option to extend for two (2) additional one-year terms, for a not-to-exceed amount of \$155,037, for information technology research and advisory services.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0708

The Minneapolis City Council hereby authorizes an extension of Contract No C-36780 HLP Inc. through Dec. 31, 2022, and increases the contract in the amount of \$150,000 for a new not-to-exceed total contract value of \$270,000, to convert existing Chameleon pet licensing software user licenses to a site license for the Regulatory Services, Animal Control Division.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0709

The Minneapolis City Council hereby authorizes an increase to Contract No. C-41932 with Perkins + Will, Inc. in the amount of \$41,626 for a new not-to-exceed total of \$541,626 for pre-design and program development services for the new downtown office building project.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Quincy offered Resolution 2017R-400 authorizing a request to the Board of Estimate and Taxation to authorize the issuance of City of Minneapolis bonds in the amount of \$300,000 for certain purposes other than the purchase of public utilities.

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

RESOLUTION 2017R-400

By Quincy

Requesting that the Board of Estimate and Taxation authorize the issuance of City of Minneapolis bonds in the amount of \$300,000 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 issuance of City of Minneapolis bonds supported by special assessments in the amount of \$300,000, the proceeds of which are to be used for the diseased tree removal program. Assessments shall be collected by the Minneapolis Park & Recreation Board and remitted to the City of Minneapolis in 5 successive equal annual installments payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0710

The Minneapolis City Council hereby authorizes an extension to Contract No. C-41303 with Driver's Alert in the amount of \$36,000 for a total amount not-to-exceed \$50,000, and extends the contract for three (3) years through Aug. 31, 2020, for continued monitoring of driver behavior and training of City drivers.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0711

The Minneapolis City Council hereby:

1. Authorizes a new multi-year contract with Questions & Solutions Engineering, Inc. for Commissioning Services for the Consolidated Office Building project in an amount not-to-exceed \$275,000.
2. Passage of Resolution 2017R-401 appropriating an additional \$275,000 to the Capital Project Fund and declaring the City Council's official intent to reimburse these expenditures with proceeds from tax-exempt bonds.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

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

RESOLUTION 2017R-401

By Quincy

Amending 2017 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Finance & Property Services Department in the Capital Project Fund (04180-9010923) by \$275,000 to be reimbursed by proceeds of tax-exempt bonds to be issued at a later date.

Be it further resolved that the City Council is hereby declaring its official IRS intent to reimburse Commissioning Services of \$275,000 be incurred in 2017 and future years with proceeds of bonds to be issued in 2018 and later.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0712

The Minneapolis City Council hereby authorizes the submittal of a grant application to Metropolitan Council Environmental Services' Municipal Infiltration/Inflow Grant Program, for an amount of \$25,000 plus an additional sum to be determined upon program conclusion in Nov. 2019, for reimbursement of expenses for CIPP (cured-in-place-pipe) lining and repairs of existing sewers that have taken place between May 31, 2017 and Oct. 31, 2019.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

COUNCIL ACTION 2017A-0713

The Minneapolis City Council hereby approves the payment of \$182,876 and 12 months of COBRA benefits to Janeé Harteau in exchange for a release of any claims, and authorizes the Mayor to execute any documents necessary to effectuate the agreement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

Approved by Mayor Betsy Hodges 9/21/2017.

(Published 9/23/2017)

The ZONING & PLANNING Committee submitted the following report:

COUNCIL ACTION 2017A-0714

The Minneapolis City Council hereby:

1. Approves an application submitted by Curt Gunsbury to rezone (PLAN4760) the property located at 80 Broadway St NE from C2 (Neighborhood Corridor Commercial District) to C3A (Community Activity Center District), to construct a new 6-story (8 stories per the zoning code definition of height) 98-unit residential building.
2. Passage of Ordinance 2017-050 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances related to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

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

ORDINANCE 2017-050

By Bender

Intro & 1st Reading: 1/6/2014

Ref to: Z&P

2nd Reading: 9/20/2017

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

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

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

PID: 15-029-24-41-0020

Parcel 1: Those portions of Lots 16, 17, 18, 19 and 20 in Block 1 of Goldsmith's Addition to St. Anthony, bounded and described as follows: Beginning at the point where the center line of the Northern Pacific Railway as formerly located but never constructed across said Lots, intersects the Southeasterly line of said Lot 20; running thence Southwesterly, along said Southeasterly line 22 feet; thence Northwesterly at right angles from said Southeasterly line, to a point 60 feet Westerly, measured at right angles, from said center line of Northern Pacific Railway; thence Northerly parallel with said center line to the South line of Broadway Street; thence East along the South line of Broadway Street to the Northeasterly line of said Lot 18; thence Southeasterly along the Northeasterly line of said Lots 18, 19 and 20 to the Southeasterly line of said Lot 20; thence Southwesterly to the point of beginning; said center line of Northern Pacific Railway is a straight line intersecting the center line of Eleventh Avenue Northeast at a point 148.1 feet Northeasterly from the intersection of the center lines of Eleventh Avenue Northeast and Marshall Street; and running thence Northerly to a point in the center line of Twelfth Avenue Northeast 127 feet Southwesterly from the intersection of the center lines of Twelfth Avenue Northeast and Main Street. Also all that part of Lots 18, 19 and 20, Block 1, in Goldsmith's Addition to St. Anthony, lying Southwesterly of the above described tract, according to the plat thereof on file and of record in the office of the Register of Deeds, in and for Hennepin County, Minnesota.

Abstract Property

Parcel 2: That part of Lots 14, 15, 16 and 17, Block 1, Goldsmith's Addition to St. Anthony described as beginning at the most Southerly corner of said Lot 17; thence Northeasterly along the Southeasterly line of said Lot 17 a distance of 103.35 feet; thence Northwesterly at a right angle 23.73 feet; thence Northerly, deflection to the right 26 degrees 44 minutes, a distance of .82 feet; thence Westerly 115.82 feet more or less, to a point on the Southwesterly line of said Lot 14, distant 74.7 feet Northwesterly from the point of beginning; thence Southeasterly to the point of beginning.

Hennepin County, Minnesota

Torrens Property

(80 Broadway St NE – Plate #9) to the C3A Community Activity Center District.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

REPORTS OF SPECIAL COMMITTEES

The AUDIT Committee submitted the following report:

Palmisano moved to refer the Minneapolis Police Department Mobile and Body Worn Video Recording Equipment Programs Audit report to the Public Safety, Civil Rights & Emergency Management Committee; and to direct the City Clerk to file the report with the State of Minnesota.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Warsame (1)

Adopted.

NOTICE OF ORDINANCE INTRODUCTIONS

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 2 of the Minneapolis Code of Ordinances relating to Administration, revising provisions to reflect the responsibilities of the Director of Public Works and the City Engineer:

1. Chapter 14, In General
2. Chapter 16, Finance
3. Chapter 22, City Engineer.

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 3 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection, revising provisions to reflect the responsibilities of the Director of Public Works and the City Engineer:

1. Chapter 52, Erosion and Sediment Control and Drainage
2. Chapter 54, Storm Water Management.

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 5 of the Minneapolis Code of Ordinances relating to Building Code, revising provisions to reflect the responsibilities of the Director of Public Works and the City Engineer:

1. Chapter 93, Safety Precautions: Protection of Public Property
2. Chapter 115, Building Moving
3. Chapter 117, Wrecking.

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 11 of the Minneapolis Code of Ordinances relating to Health and Sanitation, revising provisions to reflect the responsibilities of the Director of Public Works and the City Engineer:

1. Chapter 225, Garbage and Refuse
2. Chapter 227, Nuisances Generally.

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating

to Housing: Maintenance Code, revising provisions to reflect the responsibilities of the Director of Public Works and the City Engineer.

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, revising provisions to reflect the responsibilities of the Director of Public Works and the City Engineer:

1. Chapter 264, Outdoor Pay Telephones
2. Chapter 303, Horse and Carriage Livery Services
3. Chapter 331, Sidewalk Flower Cart Vendors.

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 15, Chapter 397 of the Minneapolis Code of Ordinances relating to Offenses--Miscellaneous: Railroads, revising provisions to reflect the responsibilities of the Director of Public Works and the City Engineer.

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks, revising provisions to reflect the responsibilities of the Director of Public Works and the City Engineer:

1. Chapter 427, In General
2. Chapter 433, Vacating
3. Chapter 436, Establishing and Naming of Streets
4. Chapter 437, Sidewalk Curb and Gutter Construction
5. Chapter 440, City-Owned Plazas
6. Chapter 441, Utility Connections Before Paving
7. Chapter 447, Parades/Races
8. Chapter 459, Chicago Avenue Mall.

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 18 of the Minneapolis Code of Ordinances relating to Traffic Code, revising provisions to reflect the responsibilities of the Director of Public Works and the City Engineer:

1. Chapter 478, Parking, Stopping and Standing
2. Chapter 482, Buses and Taxicabs
3. Chapter 490, Bicycles.

Reich gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 19 of the Minneapolis Code of Ordinances relating to Water, Sewers and Sewage Disposal, revising provisions to reflect the responsibilities of the Director of Public Works and the City Engineer:

1. Chapter 505, In General
2. Chapter 509, Water
3. Chapter 510, Stormwater Management System and Operation of a Stormwater Utility.

Cano gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 2 of the Minneapolis Code of Ordinances relating to Administration, adding a new Chapter 42 entitled "Municipal Identification Program."

B. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, adding provisions for a fee during pending adverse licensing action.

INTRODUCTION & REFERRAL CALENDAR

Pursuant to notice, on motion by Frey, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations related to pet boarding and animal shelters:

1. Chapter 520, Introductory Provisions
2. Chapter 536, Specific Development Standards
3. Chapter 541, Off-Street Parking and Loading
4. Chapter 548, Commercial Districts
5. Chapter 549, Downtown Districts
6. Chapter 550, Industrial Districts
7. Chapter 551, Overlay Districts.

Pursuant to notice, on motion by Cano, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee:

Amending Title 14 of the Minneapolis Code of Ordinances relating to Liquor and Beer, amending regulations related to consumption and display permits in bottle clubs and brewer taprooms:

1. Chapter 362, Liquor Licenses
2. Chapter 372, Bottle Clubs.

Pursuant to notice, on motion by Frey, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Public Safety, Civil Rights & Emergency Management Committee:

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, repealing Article X entitled "City Employee Residency."

Pursuant to notice, on motion by Quincy, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Ways & Means Committee:

Amending Appendix C-2 of the Minneapolis Code of Ordinances relating to Centerpoint Energy Minnesota Gas, Gas Franchise Fee, increasing the percentage rate of the franchise fees for gas one-half percent across all classes of customers.

Pursuant to notice, on motion by Quincy, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Ways & Means Committee:

Amending Appendix D-2 of the Minneapolis Code of Ordinances relating to The Northern States Power, d/b/a Xcel Energy, Electric Franchise Fee, increasing the percentage rate of the franchise fees for electricity one-half percent across all classes of customers.

On motion by Frey, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee:

Amending Title 10, Chapter 188 of the Minneapolis Code of Ordinances relating to Food Code: Mobile Food Vehicle Vendors, amending the restriction on hours of operation within a special late night mobile food vendor zone.

On motion by Frey, the Short-Term Rental Service Provider ordinance introduction dated June 16, 2017, was amended to read as follows:

Amending Title 13, Chapter 351 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, adding a new Chapter 351 entitled "Short-Term Rental ~~Service Provider~~ Hosting Platforms."

RESOLUTIONS

Resolution 2017R-402 honoring Bertha Gabrish for her service to the City of Minneapolis was adopted.

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

RESOLUTION 2017R-402

**By Quincy, Reich, Gordon, Frey, B. Johnson, Yang, Warsame,
Goodman, Glidden, Cano, Bender, A. Johnson, and Palmisano**

Honoring Bertha Gabrish for her service to the City of Minneapolis.

Whereas, Bertha Gabrish began working for the City of Minneapolis on January 2, 1963, at the Minneapolis Public Library and is now the longest tenured employee; and

Whereas, Bertha was promoted to the Police Department where she filled two different positions, one in property in which she typed evidence property information on small index cards and then spent the remainder of the day filing the cards and another Police Department position in which she was required to work on Saturdays for arraignment court providing the police officers and attorneys with files of information on the court cases; and

Whereas, in 1976 Bertha transferred to the Payroll Department as a clerk and leaves the Department in 2017 as a supervisor; and

Whereas, Bertha has been an integral part the modernization of the Payroll Department from tedious entry of paper timesheets to a complex electronic payroll system; and

Whereas, Bertha in her quiet manner made a big imprint during her 54 years and 9 months working for the City; and

Whereas, after 54 years and 9 months of service to Minneapolis, Bertha is retiring to enjoy life outside of City Hall. Her dedication to the City of Minneapolis and the vast knowledge she has gained and shared over her tenure are immense. Bertha will be greatly missed by her colleagues at the City of Minneapolis;

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

That the City Council thanks Bertha for her 54 years of service to the City and wishes her well in her retirement.

Resolution 2017R-403 declaring September 22 as World Car-Free Day in the City of Minneapolis was adopted.

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

RESOLUTION 2017R-403

**By Reich, Gordon, Frey, B. Johnson, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

Declaring September 22 as World Car-Free Day in the City of Minneapolis.

Whereas, the world has been celebrating “World Car-Free Day” since 2000 as a means for the education about and promotion of alternative forms of transportation; and

Whereas, clean air is a universal necessity and every effort should be made to improve and preserve air quality; and

Whereas, the Downtown MinneapolisTMO, Move Minneapolis, has been and will continue to be instrumental in reducing CO2 in our atmosphere by promoting sustainable transportation alternatives; and

Whereas, bike sharing and bike commuting have contributed to reducing the number of drive-alone trips in Minneapolis; and

Whereas, carpooling, car sharing, bike sharing, bike commuting and public transit have contributed to reducing the number of drive-alone trips in the city and are instrumental in reducing traffic congestion and the number of vehicles on our roadways and consequently the cost of maintenance and repair to those roadways; and

Whereas, reducing carbon emissions and traffic in the City of Minneapolis for one day per year will offer health benefits to all and will demonstrate global solidarity;

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

That the Mayor and City Council, on behalf of the people of Minneapolis, hereby declare the date of September 22 henceforth as World Car-Free Day in the City of Minneapolis.

Resolution 2017R-404 celebrating Finland 100 month was adopted.

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

RESOLUTION 2017R-404

**By Goodman, Reich, Gordon, Frey, B. Johnson, Yang,
Warsame, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

Celebrating Finland 100 Month.

September 20, 2017

Whereas, 2017 commemorates Finland's 100th anniversary as a sovereign nation state and Minnesota has one of the largest Finnish American populations in the United States, which is the basis of a strong and lasting bond between the Finnish people and the United States; and

Whereas, approximately, 2000 Finnish Americans, starting in 1902, created a "Finntown" community on the near northside, between Girard Avenue on the east and Penn Avenue on the west, from the Shingle Creek north to Olson Memorial Highway, a community of homes, businesses, halls, churches where the Finnish language could still be heard spoken on the streets in the early 1960s; and

Whereas, Theodore Wirth Park in Minneapolis maintains the only public monument in America to commemorate and honor Finland as a nation state, including a public acknowledgement of the territory lost through wars in the mid-twentieth century; and

Whereas, the University of Minnesota continues to be the site of the largest ongoing Finnish language program in the United States and the home of the internationally renowned Finnish American archival collection at the Immigration History Research Center; and

Whereas, the Minnesota Orchestra led by Conductor Osmo Vänskä, Honorary Chair for Finland 100 Minnesota and a cultural ambassador for Finland's public diplomacy, will feature an all-Finnish composers' repertoire for its September 22-23, 2017, concert: Kalevi Aho's *Minea*, Jaakko Kuusisto's *Violin Concerto*, and Jean Sibelius' *Symphony #2*; and

Whereas, the City of Minneapolis and Kuopio, Finland have been sister cities since 1972, the second oldest sister city relationship for Minneapolis; and

Whereas, the City of Minneapolis will be the site for the state-wide and national celebration of Finland's 100th anniversary, that will commemorate the history and culture of the Finnish people; and

Whereas, the City of Minneapolis is strengthened by its diverse communities and the important contributions of its residents of Finnish-descent and our continued partnership with the country of Finland;

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

The Mayor and City Council hereby acknowledge and celebrate the month of September as Finland 100 Month, recognizing the important role our connection to the country of Finland and the celebration of its 100th anniversary as a nation state.

Resolution 2017R-405 honoring Minneapolis Union Pipefitters for the Heat's On Program was adopted.

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

RESOLUTION 2017R-405

**By Quincy, Frey, Reich, Gordon, B. Johnson, Yang, Warsame,
Goodman, Glidden, Cano, Bender, A. Johnson, and Palmisano**

Honoring Minneapolis Union Pipefitters for the Heat's On Program.

Whereas, volunteer pipefitters and contractors have participated in Heat's On in Minnesota since 1985; and

Whereas, the Minnesota Mechanical Contractors Association (MMC) work closely with Community Action of Hennepin and Ramsey County to develop a list of homeowners in need; and

Whereas, union pipefitters from Minneapolis Local #539 donate their time one Saturday morning each fall to provide the labor to repair minor heating issues in homes, and by replacing or fixing equipment, helps reduce heat usage and lowers bill costs for these families; and

Whereas, in the life of the program a total of 34,873 hours has been donated with a \$3,731,575 value and 7,869 homes have been serviced with 6,975 volunteers;

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

That Minneapolis Local #539, in partnership with their Brothers in Trade from St. Paul Local #455, Rochester Local #6, and St. Cloud Local #539, and the Minnesota Mechanical Contractors Association, is recognized and thanked for their commitment and generous donation of time, talents and materials in service to the community and that September 30, 2017, be recognized as HEAT'S ON DAY in the City of Minneapolis.

Resolution 2017R-406 prohibiting Non-disparagement Clauses for Public Employees was adopted.

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

RESOLUTION 2017R-406
By Frey and A. Johnson

Prohibiting Non-disparagement Clauses for Public Employees.

Whereas, contracts and policies prohibiting or limiting workers from speaking about their employment have drawn greater scrutiny from the National Labor Relations Board (NLRB) in recent years; and

Whereas, in early 2013, an administrative law judge (ALJ) found that non-disparagement provisions incorporated in employment agreements violated Section 8(a)(1) of the National Labor Relations Act (NLRA) by restricting employees' rights under Section 7 of the NLRA; and

Whereas, section 8(a)(1) restricts employers from interfering with employees attempting to exercise their Section 7 rights; and

Whereas, under Section 7, employees have the right to choose to engage in "concerted activities for the purpose of collective bargaining or other mutual aid or protection," such as discussing wages, benefits and other terms and conditions of work with other employees; and

Whereas, the Equal Employment Opportunity Commission (EEOC) announced in its 2013-2016 Strategic Enforcement Plan, that it would "target policies and practices that discourage or prohibit individuals

from exercising their rights under employment discrimination statutes, or that impede the EEOC's investigative or enforcement efforts" including provisions that prohibit filing charges with the EEOC; and

Whereas, the EEOC has filed a series of federal court actions around the country challenging numerous provisions that commonly appear in employment separation and release agreements including non-disparagement clauses that prohibit employees from making any disparaging statements about the organization and its officers, directors and employees due to the assertion that such provisions are contrary to public policy as they lead employees to believe that participating in an investigation or testifying in a proceeding in which they will be critical of the employer would breach the severance agreement; and

Whereas, in 2016 OSHA enacted a new policy to not approve a "gag" provision that prohibits restricts, or otherwise discourages employees from participating in protected activity, whether in confidentiality or non-disparagement clauses or otherwise; and

Whereas, the use of a non-disparagement clauses in the departure of a high ranking public official are an unacceptable affront to Freedom of Information and open government principles; and

Whereas, in the public sector, non-disparagement clauses do not reflect public sector transparency, or the spirit of open government;

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

That for purposes of this resolution, "public employee" means any person engaged in service to a public employer in a business of such public employer, and "public employer" means the City of Minneapolis, the Mayor and City Council, including, without limitation, any board, department, commission, institution, or agency of such entities.

Be It Further Resolved that the City shall not seek termination, suspension, or separation agreements that contain any provisions prohibiting or restricting public employees from disclosing or discussing any aspect of such public employee's employment, termination, suspension or separation or any policies, actions or programs of such public employer, except as otherwise required by law, including but not limited to the Minnesota Data Practices Act (Minnesota Statute § 13).

ADJOURNMENT

On motion by Glidden, the meeting was adjourned.

Casey Joe Carl,
City Clerk