

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
DECEMBER 7, 2023**

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

CALL TO ORDER

Council Vice-President Palmisano called the meeting to order at 9:38 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Elliott Payne, Robin Wonsley, Michael Rainville, LaTrisha Vetaw, Jeremiah Ellison, Jamal Osman, Lisa Goodman, Andrea Jenkins, Jason Chavez, Aisha Chughtai, Emily Koski, Aurin Chowdhury, Linea Palmisano.

Palmisano moved to adopt the agenda.

Ellison moved to amend the agenda to add under the Order of New Business a resolution relating to unsheltered homelessness.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

By unanimous consent, the agenda was amended to remove the litigation matters of Donald Williams v. City of Minneapolis and Desmond Gilbert v. City of Minneapolis from the Order of Closed Session.

On roll call, the result of the main motion was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted, as amended.

Palmisano moved to accept the minutes of the regular meeting of November 16, 2023, and the special meeting of November 17, 2023.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

The following official acts were signed by Mayor Jacob Frey on December 12, 2023. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

REPORTS OF STANDING COMMITTEES

The BUDGET Committee submitted the following report:

On behalf of the Budget Committee, Koski offered Resolution 2023R-389 amending Resolution 2022R-241, passed September 14, 2022, by authorizing the extension of COVID employee leaves through June 1, 2024.

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

RESOLUTION 2023R-389

By Palmisano

Amending Resolution 2022R-241, passed September 14, 2022, by authorizing the extension of COVID employee leaves through June 1, 2024.

Whereas, in September of 2022, the COVID-19 Safe Workplace Policy was adopted to provide the City of Minneapolis with a general approach intended to prioritize and protect the health of the City's workforce; and

Whereas, COVID-19 variants have evolved since that time, the virus continues to impact the City workforce as noted by the recent surge in COVID cases reported by City departments; and

Whereas, in order to protect the health and safety of City employees, Human Resources, together with the Health Department and the Mayor, are recommending that current COVID leave programs for employees, set to expire on December 31, 2023, be extended to June 1, 2024, to provide coverage through the respiratory virus season; and

Whereas, this extension, while not creating any new additional leave benefits, will allow eligible employees to utilize unused leave hours; and

Whereas, Human Resources will adjust procedures accordingly and communicate the leave extension as needed to all eligible employees;

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

That Resolution 2022R-241 is hereby amended to extend COVID employee leave through June 1, 2024, to read as follows:

COVID-19 Safe Workplace Policy

I. Policy Statement.

The City of Minneapolis relies on dedicated, healthy, and safe employees to provide essential, critical, and important services for the community. The City of Minneapolis is committed to providing a healthy and safe workplace so that its elected officials, appointed officers, and employees can provide essential, critical, and important services and programs for the benefit of the community. The City shall comply with the requirements of any applicable federal and state laws and regulations and shall adhere to the guidance and expert advice of state and local public health officials in taking reasonable and appropriate measures to mitigate against the risk of COVID-19 transmission in the workplace.

The Chief Human Resources Officer or designee, in conjunction with the Commissioner of Health or designee and the Office of the City Attorney, is responsible for the development, establishment and maintenance of procedures to implement and support this policy, and to ensure the policy is in compliance with applicable laws, City ordinances, policies and rules.

II. Purpose Statement.

Since March 2020, the City of Minneapolis has maintained a declared local public health emergency in response to CoV-SARS-2, the novel virus that causes COVID-19. The City’s response to that public health emergency has evolved in response to updated guidance from the United States Centers for Disease Control and Prevention (CDC), the Minnesota Department of Health, and the Minneapolis Health Department. Since the initial emergency declaration, the City’s key public health risk indicators have steadily improved, particularly as a result of significant progress on the development, availability, and administration of vaccines and other COVID-19 treatments. Nevertheless, despite such progress, new variants continue to be identified and it is not possible to predict the impact of these new and increasingly aggressive variants in terms of the City’s key public health risk indicators. Accordingly, this COVID-19 Safe Workplace Policy is hereby adopted to provide the City of Minneapolis with a general approach that is intended to prioritize and protect the health of the City’s workforce.

III. Scope.

This policy incorporates and supersedes Emergency Regulation Nos. 2020-6, 2020-14, and 2020-18, all related to COVID leaves for designated emergency responders, and Emergency Regulation Nos. 2020-21 and 2021-5 which relate to COVID-19 Emergency Sick Leave for all eligible employees. All such leaves are hereby continued and remain in force subject to the administration by the Human Resources Department pursuant to this policy. All such leaves shall expire on ~~December 31, 2023~~ June 1, 2024.

Emergency Regulation Nos. 2021-5 and 2022-3 are hereby rescinded.

IV. Roles and Responsibilities.

Role	Responsibility
Mayor	<ol style="list-style-type: none"> 1. Implement and enforce this policy. 2. Take necessary action to ensure due diligence in providing and maintaining a safe and healthy working environment. 3. Advise the City Council on the effectiveness of the policy and recommend any changes to improve the City’s ability to achieve the expressed policy statement and goals.

Health Department	<ol style="list-style-type: none"> 1. Monitor data and guidance from state and federal public health agencies and other public health experts regarding the level and impacts of COVID-19 infection on the local community. 2. Evaluate guidance from state and federal public health agencies and other public health experts regarding methods for preventing infection and minimizing transmission in the workplace of COVID-19. 3. Provide recommendations to the Mayor and the Human Resources Department regarding procedures to be implemented in furtherance of this policy.
Human Resources Department	<ol style="list-style-type: none"> 1. Establish procedures, rules, and regulations to implement this policy consistent with applicable federal and state laws. 2. Administer employee COVID-19 Leave programs and benefits. 3. Make determinations about the allowable use of such leave benefits within delegated authority. 4. Communicate program updates or changes to the workforce. 5. Provide reports on any changes impacting this policy to the Mayor and City Council.
City Attorney’s Office	Provide legal analysis, advice, and guidance on the further development of this policy, its implementation and enforcement, as well as associated procedures, rules, regulations, etc.
Finance & Property Services Department	Track and report on the use of COVID leaves as applicable and in accordance with this policy.
Department Heads	<ol style="list-style-type: none"> 1. Ensure this policy is implemented within their respective department. 2. Communicate standards and expectations to employees and ensure employees are aware of and understand relevant policies, plans, procedures, etc. 3. Model appropriate workplace health and safety conduct and compliance with applicable policies. 4. Where appropriate, take corrective action to minimize or eliminate hazards/risks and address conduct within the scope of this policy and all associated procedures, plans, etc. 5. Monitor the work environment to ensure acceptable standards of conduct are observed at all times. 6. Produce reports about department activities when required.
Employees	<ol style="list-style-type: none"> 1. Comply with this policy and take reasonable actions to ensure a healthy workplace. 2. Comply with any reasonable instructions to ensure the continuity of business within the respective departments. 3. Report any incidents which may need to be addressed by appropriate management levels within the department, or to the Human Resources Department, which may conflict with this policy or any associated procedures, plans, regulations, etc.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0806

The Minneapolis City Council hereby:

1. Approves an increase to the salary and wage schedules, including longevity, by 4.5% for all unclassified jobs in the Appointed employee group, effective with the payroll period beginning Dec 31, 2023; and authorizes step progression, subject to satisfactory or better performance.
2. Approves an increase to the salary and wage schedules, including longevity, by 4.5% for all classified jobs in the Non-Represented employee group effective the payroll period beginning Dec 31, 2023; and authorizes step progression subject to satisfactory or better performance.
3. Approves an increase to the salary and wage schedules, including longevity, by 4.5% for all classified jobs in the Politically Appointed employee group, effective with the pay period beginning Dec 31, 2023; and authorizes step progression, subject to satisfactory or better performance.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

COUNCIL ACTION 2023A-0807

The Minneapolis City Council hereby grants consent to the Mayor's nomination of Erik Hansen to the appointed position of Director of Community Planning & Economic Development and Executive Director of the Minneapolis Community Development Agency for a term ending January 2026.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0808

The Minneapolis City Council hereby approves an application for McDonald's, 1425 4TH ST SE Minneapolis, MN, submitted by SHSK Inc, BLGeneral, LIC409771 for an Extended Hours license, subject to final inspections and compliance with all provisions of applicable code and ordinances.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0809

The Minneapolis City Council hereby approves an application for HUGE Improv Theater, 2728 LYNDALE AVE S Minneapolis, MN, submitted by HUGE Improv Theater, BLWine, LIC411657 for an On Sale Wine with Strong Beer, and General Entertainment license, subject to final inspections and compliance with all provisions of applicable code and ordinances.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0810

The Minneapolis City Council hereby approves an application for The Kenwood, 2115 21ST ST W Minneapolis, MN, (Ward 7) submitted by JD Restaurants LLC, BLLiquor, LIC412247 for an On Sale Liquor with Sunday Sales and No Live Entertainment license, subject to final inspections and compliance with all provisions of applicable code and ordinances.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0811

The Minneapolis City Council hereby approves an application for Gia, 5555 XERXES AVE S Minneapolis, MN, (Ward 13) submitted by Gia, LLC, BLLiquor, LIC411813 for an On Sale Liquor with No Live Entertainment license, subject to final inspections and compliance with all provisions of applicable code and ordinances.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0812

Goodman moved to approve the following license applications for Berlin, 204 1st St N (Ward 3), submitted by Berlin Music Bar LLC:

1. BLFood, LIC411812 for a Sidewalk Cafe license, subject to final inspections and compliance with all provisions of applicable code and ordinances.
2. BLLiquor, LIC411811 for an On Sale Liquor with Sunday Sales, General Entertainment license, subject to final inspections and compliance with all provisions of applicable code and ordinances.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0813

Goodman moved to approve an application for Bina's, 1404 QUINCY ST NE Minneapolis, MN, (Ward 1) submitted by The Quincy NE LLC, BLLiquor, LIC412060 for an On Sale Liquor with Sunday Sales and No Live Entertainment license, subject to final inspections and compliance with all provisions of applicable code and ordinances (without operating conditions).

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted, as amended.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2023R-390 approving the 3030 Nicollet Tax Increment Financing (TIF) Plan.

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

RESOLUTION 2023R-390

By Goodman

Approving the 3030 Nicollet Tax Increment Financing Plan.

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

Whereas, it has been proposed and the City has caused to be prepared, and this Council has investigated the facts with respect to, the 3030 Nicollet Tax Increment Financing Plan (the "TIF Plan"). The TIF Plan creates a new housing TIF District (the "TIF District"), designates property to be included in the TIF District, states the City's objectives, describes proposed development activity, and establishes a budget for the use of tax increment revenue generated by the TIF District. These actions are all pursuant to and in accordance with the Project Laws; and

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

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

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

Be It Further Resolved that the TIF District is a housing district pursuant to Minnesota Statutes, Section 469.174, Subdivision 11, and revenue derived from the TIF District will be used solely to finance the cost of one or more housing projects as defined in Sections 469.174, Subdivision 11, and 469.1761.

Be It Further Resolved that the TIF Plan conforms to the general plan for the development or redevelopment of the city as a whole as reflected in the written comments of the City Planning Commission with respect to the TIF Plan on file in the office of the City Clerk.

Be It Further Resolved that the TIF Plan will afford maximum opportunity, consistent with the sound needs of the city as a whole, for the development of the housing project by private enterprise.

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

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

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

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

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

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

Be It Further Resolved that after passage and publication of this Resolution, the officers and staff of the City and the City's consultants and counsel are authorized and directed to proceed with the implementation of the 3030 Nicollet Tax Increment Financing Plan.

Be It Further Resolved that pursuant to Minnesota Statutes, Section 469.178, Subdivision 7, the Council authorizes one or more interfund loans or advances between the tax increment ("TI") special revenue fund for the TIF District and the other TI special revenue funds of the City. Each such interfund loan to or from the TIF District shall be in the principal amount needed to offset a negative cash balance. The interest rate charged on each such interfund loan to or from the TIF District shall be equal to the average interest rate that revenue in the City's TI special revenue funds earn at the time the loan is made, and such interest rate shall vary over time. In no event will the interest rate charged on any such interfund loan exceed the greater of the rates specified under Minnesota Statutes, Section 270C.40 or 549.09, as such statutory rates are adjusted from time to time. The maximum term of each such interfund loan to the TIF District shall be the earlier of 1) the date that all principal and accrued interest on the loan is repaid, and 2) the date the TIF District is decertified. The maximum term of each such interfund loan from the TIF District to another TIF district shall be the earlier of 1) the date that all principal and accrued interest on the loan is repaid, and 2) the date the other TIF district is decertified.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2023R-391 authorizing the issuance of a "Pay-As-You-Go" TIF Note to Project for Pride in Living or an affiliated entity in a principal amount not to exceed \$534,700.

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

RESOLUTION 2023R-391

By Goodman

Authorizing issuance of a tax increment limited revenue note in an aggregate principal amount not to exceed \$534,700 in connection with the 3030 Nicollet Project.

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

Whereas, in this connection the City is carrying out a housing development project intended for occupancy in whole or in part by persons or families of low- and moderate-income that satisfies the requirements of Minnesota Statutes, Section 469.1761 and known as the 3030 Nicollet Project (the "Project"); and

Whereas, in furtherance of the Project, the City is concurrently approving a housing tax increment financing district pursuant to the 3030 Nicollet Tax Increment Financing Plan (the "TIF Plan"); and

Whereas, pursuant to the TIF Act, and specifically Minnesota Statutes, Section 469.178, subd. 4, the City is authorized to issue its tax increment limited revenue note to finance Project costs as described in Minnesota Statutes, Section 469.176, subd. 4d; and

Whereas, the City has entered or will enter into a tax increment financing assistance contract (the "Contract") with Project for Pride in Living, Inc., a Minnesota nonprofit corporation, or an affiliated entity (the "Developer"), pursuant to which the Developer will develop a 110-unit affordable housing project and the City will provide tax increment financing assistance consistent with the TIF Plan;

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

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

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

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

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

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

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

Be It Further Resolved that the Note, when executed and delivered, shall contain a recital that it is issued pursuant to the TIF Act, and such recital shall be conclusive evidence of the validity of the Note and the regularity of the issuance thereof, and that all acts, conditions and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Note and to the execution of the aforementioned documents to happen, exist and be performed precedent to and in the enactment of this resolution, and precedent to issuance of the Note and precedent to the execution of the aforementioned documents have happened, exist and have been performed as so required by law.

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

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

**EXHIBIT A
FORM OF TIF NOTE**

**UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF HENNEPIN
CITY OF MINNEAPOLIS
TAX INCREMENT LIMITED REVENUE NOTE
(3030 Nicollet Project)**

The City of Minneapolis (the "City"), hereby acknowledges itself to be obligated and, for value received, promises to pay to the order of Project for Pride in Living, Inc., a Minnesota nonprofit corporation (the "Developer"), solely from the source, to the extent, and in the manner hereinafter provided, the principal amount of this Note, being Five Hundred Thirty Four Thousand Seven Hundred and No/100 Dollars (\$534,700.00) or such lesser amount as may equal the certified Project Costs as described in Section 4.01 of the Contract, with interest at the Note Rate, in the installments specified in this Note, on the Payment Dates.

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

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

"Certificate of Completion" means a certificate issued by the City to the Developer pursuant to Section 5.04 of the Contract certifying that the Housing Project has been substantially completed and the Project Costs have been incurred.

"Contract" means that certain Tax Increment Financing Assistance Contract between the City and the Developer, dated _____, 20__.

"District" means the 3030 Nicollet Tax Increment Financing District established by the City as a housing district pursuant to the Tax Increment Financing Act to aid in financing the Housing Project.

"Gross Tax Increment" means that portion of the property taxes generated by the Property and Housing Project that is received by the City from Hennepin County as tax increment revenue under the Tax Increment Financing Act.

"Housing Project" means new construction of 110 rental housing units, and related improvements as described in the Contract.

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

"Note Rate" means 6.4% per annum, calculated and paid semi-annually on each Payment Date based on a 30-day month/360-day year.

"Payment Date" means August 1 of the year of first tax increment collection from the District and each February 1 and August 1 thereafter until the Maturity Date, provided that in no event will any payment date occur before the City's issuance of the Certificate of Completion under the terms of the Contract.

"Project Costs" means actual costs of constructing the Housing Project, which cannot exceed \$54,718,241.00 and must be approved by the City pursuant to the Contract.

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

"Restrictive Covenants" means the Declaration of Affordable Housing Covenants dated of even date with this Note executed by the Developer in favor of the City and filed against the Property.

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

On each Payment Date, the City shall pay the Developer an installment equal to the lesser of (i) the Available Tax Increment for the annual period preceding the Payment Date; or (ii) the amount necessary to pay the accrued unpaid interest and the unpaid principal amount of this Note in full. If, after issuance of the Certificate of Completion, the Developer is in default under the Contract, and, after notice by the City to the Developer as provided in Article IX of the Contract, such default has not been cured within the time period provided in the Contract (an "Event of Default"), then the City may suspend payment on this Note until the Event of Default is cured or the City's obligations under this Note are terminated. If payments are suspended due to an Event of Default under the Contract, the City is not obligated to pay to the Developer the amount of the suspended payments that would otherwise have been paid to the Developer between the date the payment is suspended and the date the Event of Default is cured. If the Developer fails to pay all or a portion of the

property taxes due and owing on the Property, then upon such failure to pay, no interest as required by this Note shall accrue during the period in which the property taxes were due but not paid.

Further, the City reserves the right to seek repayment of any payments previously made during a period when the Developer was in default under the Contract or due to a property tax refund if the City is required to repay tax increment to Hennepin County as a result of such default or refund. The Developer shall have thirty (30) calendar days to make the payment to the City. If the Developer does not timely make the full payment to the City, the City shall immediately suspend payments on this Note.

On the Maturity Date, this Note shall be deemed paid in full and the City shall have no further obligation under this Note even if the aggregate of the tax increment that has actually been paid to the Developer on each Payment Date is less than the full principal and interest amount of this Note. This Note may be prepaid in full or in part at any time without penalty.

Each payment on this Note is payable in any coin or currency of the United States of America which on the date of such payment is legal tender for public and private debts and shall be made by wire transfer, check or draft made payable to the Developer and mailed to the Developer at 1035 East Franklin Avenue

Minneapolis, MN 55404, or such other address as the Developer shall provide in writing to the City's notice address as set forth in the Contract.

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

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

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

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

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

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

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

Developer's Federal Tax ID No.: _____

CITY OF MINNEAPOLIS

By: _____
Pam Fernandez, Director of Procurement

Approved as to form:

Amy B. Schutt, Assistant City Attorney

**EXHIBIT A
TO
TAX INCREMENT LIMITED REVENUE NOTE
Legal Description of the Property**

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COUNCIL ACTION 2023A-0814

The Minneapolis City Council hereby:

1. Authorizes a tax increment financing assistance contract with Project for Pride in Living or an affiliated entity and other necessary documents related to the recommended actions as set forth in Legislative File 2023-01092 on file in the Office of the City Clerk.
2. Approves additional funding of \$1,650,000 from the Affordable Housing Trust Fund contingency pool for the 3030 Nicollet project located at 3030 Nicollet Ave and authorizes loan documents with Project for Pride in Living or an affiliated entity.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2023R-392 authorizing final approval for issuance of Tax Exempt Multifamily Entitlement Housing Revenue Bonds in an amount not to exceed \$26,500,000 for the 3030 Nicollet Ave affordable housing project.

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

RESOLUTION 2023R-392

By Goodman

Providing final approval to and authorizing the issuance of multifamily housing revenue obligations under Minnesota Statutes, Chapter 462C, as amended, for the purpose of financing a housing program consisting of the acquisition, construction, and equipping of a multifamily rental housing development for the benefit of PPL NicLake Limited Partnership; approving the forms of and authorizing the execution and delivery of the obligations and related documents; providing for the security, rights, and remedies with respect to the obligations; and granting approval for certain other actions with respect thereto.

Whereas, the City of Minneapolis (the “City”) is authorized, under the provisions of Minnesota Statutes, Chapter 462C, as amended (the “Act”), to develop and administer programs to finance one or more multifamily housing developments within its boundaries; and

Whereas, Section 462C.07 of the Act authorizes the City to issue and sell revenue bonds or obligations to finance programs for multifamily housing developments; and

Whereas, representatives of PPL NicLake Limited Partnership, a Minnesota limited partnership (the “Borrower”), have requested that the City adopt a multifamily housing development program (the “Program”) to provide for the issuance of one or more series of tax-exempt or taxable multifamily housing revenue bonds or other obligations (the “Obligations”) in an aggregate principal amount not to exceed \$26,500,000 (all of which will be issued with the City’s entitlement housing allocation), for the purpose of loaning the proceeds thereof to the Borrower to finance the acquisition, construction, and equipping of an approximately 110-unit multifamily housing development and facilities functionally related and subordinate thereto on a site located at 3030 Nicollet Avenue South in the City (the “Project”), to be known as 3030 Nicollet, which will be developed, owned, and operated by the Borrower, will provide affordable housing for families and individuals at mixed income ranges, and will include project-based vouchers and supportive housing units; and

Whereas, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and regulations promulgated thereunder, require that prior to the issuance of the Obligations, this Council approve the Obligations after conducting a public hearing thereon preceded by publication of a notice of public hearing (in the form and method required by Section 147(f) of the Code and applicable regulations) in a newspaper of general circulation at least seven (7) days prior to the public hearing date; and

Whereas, Section 462C.04 of the Act requires that, as a condition to the issuance of the Obligations, a public hearing must be held on the Program after one publication of notice in a newspaper circulating generally in the City at least fifteen (15) days before the hearing; and

Whereas, in accordance with the requirements of the Act and the Code, a notice of public hearing in the form required by the Act and Section 147(f) of the Code was published in *Finance & Commerce*, the official newspaper of the City, and in the *Star Tribune*, a newspaper of general circulation in the City, at least fifteen (15) days before the public hearing; and

Whereas, in accordance with the requirements of Section 462C.04 of the Act, the Program was submitted to Metropolitan Council for its review and comment on or before the date of publication of the notice of public hearing; and

Whereas, on November 28, 2023, the Business, Inspections, Housing & Zoning Committee of the Minneapolis City Council, on behalf of the City, conducted a public hearing on the Program and the proposed issuance of the Obligations in accordance with the requirements of the Act and the Code; and

Whereas, the Obligations shall not constitute a debt of the City within the meaning of any state constitutional provision or statutory limitation, the Obligations shall not constitute or give rise to a charge against the general credit or taxing powers of the City, the Obligations shall not constitute or give rise to a pecuniary liability of the City, and the Obligations shall be payable solely out of any funds and properties expressly pledged as security therefor;

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

That the Program is hereby approved and adopted by the City in all respects in the form now on file with the City, without amendment.

Be It Further Resolved that for the purpose of financing all or a portion of the costs of the acquisition, construction, and equipping of the Project and related costs, the issuance of the Obligations in accordance with the terms and conditions of the Act, the Program, and this resolution, in an aggregate principal amount not to exceed \$26,500,000 (all of which will be issued with the City's entitlement housing allocation), is hereby approved.

Be It Further Resolved that the Obligations may be issued in any number of series, as determined in the discretion of the Finance Officer of the City (the "Finance Officer").

Be It Further Resolved that the Obligations will be issued in accordance with a Funding Loan Agreement (the "Funding Loan Agreement") between the City, a fiscal agent to be selected by the Borrower (the "Fiscal Agent"), and Wells Fargo Bank, National Association, a national banking association, or one or more banks or other financial institutions selected by the Borrower (collectively, the "Funding Lender"). The proceeds derived from the sale of the Obligations (the "Funding Loan") will be loaned by the City to the Borrower (the "Project Loan") pursuant to a Project Loan Agreement (the "Project Loan Agreement") between the City, the Borrower, and the Fiscal Agent.

Be It Further Resolved That the principal of and interest on the Project Loan will be paid from loan repayments to be made by the Borrower under the terms of the Project Loan Agreement, and as security for the repayment of principal of and interest on the Project Loan, the Borrower will execute and deliver to the City a mortgage agreement (the "Mortgage") to be assigned by the City to the Fiscal Agent pursuant to an assignment of mortgage (the "Mortgage Assignment"). Additionally, the Borrower will issue a project note (the "Project Note") to the City to be endorsed by the City to the Fiscal Agent as security for the Funding Loan.

Be It Further Resolved That the loan repayments to be made by the Borrower pursuant to the Project Loan Agreement and the Funding Loan Agreement with respect to the Funding Loan will be sufficient to produce revenue to pay the principal of, premium, if any, and interest on the Obligations when due. Upon the execution of the Funding Loan Agreement, the City will assign its rights to the basic payments and certain other rights under the Project Loan Agreement, the Project Loan, the Project Note, the Mortgage, and certain moneys and securities held by the Fiscal Agent in the funds and accounts established under the Funding Loan Agreement to the Fiscal Agent.

Be It Further Resolved That the Funding Loan Agreement and the Project Loan Agreement are hereby approved, and the Finance Officer is hereby authorized to execute and deliver the Funding Loan Agreement and the Project Loan Agreement on behalf of the City. All of the provisions of the Funding Loan Agreement and the Project Loan Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Funding Loan Agreement and the Project Loan Agreement shall be substantially in the forms now on file with the City

with such necessary and appropriate variations, omissions, and insertions as do not materially change the substance thereof, as the Finance Officer, in her discretion, shall determine, and the execution and delivery thereof by the Finance Officer shall be conclusive evidence of such determination. The proceeds of the Project Loan are hereby authorized to be applied to the payment of a portion of the costs of the acquisition, construction, and equipping of the Project and related costs, the financing of capitalized interest during construction of the Project, the funding of any required reserves, and the payment of costs of issuance.

Be It Further Resolved that to ensure continuing compliance with certain rental and occupancy restrictions imposed by the Act, Minnesota Statutes, Chapter 474A, as amended (the "Allocation Act"), and Section 142(d) of the Code, and to ensure continuing compliance with certain restrictions imposed by the City, the Finance Officer is hereby authorized and directed to execute and deliver a Regulatory Agreement (the "Regulatory Agreement") between the City, the Borrower, and the Fiscal Agent. The Regulatory Agreement shall be substantially in the form now on file with the City which is hereby approved, with such omissions and insertions as do not materially change the substance thereof, as the Finance Officer, in her discretion, shall determine, and the execution thereof by the Finance Officer shall be conclusive evidence of such determination. All of the provisions of the Regulatory Agreement, when executed and delivered as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof.

Be It Further Resolved that the City acknowledges, finds, determines, and declares that the issuance of the Obligations is authorized by the Act and is consistent with the purposes of the Act and that the issuance of the Obligations, and the other actions of the City under this resolution, the Funding Loan Agreement, and the Project Loan Agreement constitute a public purpose and are in the interests of the City. In authorizing the issuance of the Obligations for the financing of the Project and related costs, the City's purpose is, and the effect thereof will be, to promote the public welfare of the City and its residents by providing multifamily housing developments for low and moderate-income residents of the City and otherwise furthering the purposes and policies of the Act.

Be It Further Resolved that the City hereby authorizes the Obligations to be issued as "taxable bonds" or as "tax-exempt bonds" the interest on which is not includable in gross income for federal and State of Minnesota income tax purposes.

Be It Further Resolved that in accordance with the provisions of the Allocation Act and Section 146 of the Code, the City shall (i) allocate to the Obligations a portion of its "entitlement issuer allocation" granted under the provisions of the Allocation Act and Section 146 of the Code; or (ii) allocate to the Obligations a portion of its "carryforward allocation"; or (iii) allocate to the Obligations a portion of its entitlement issuer allocation and a portion of its carryforward allocation. The maximum aggregate principal amount of the Obligations to be issued on a tax-exempt basis from entitlement issuer allocation and/or carryforward allocation shall not exceed fifty-three percent (53%) of the Borrower's basis in the Project.

Be It Further Resolved that all of the provisions of the Obligations, when executed as authorized herein, shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Obligations shall bear interest at the rates, shall be designated, shall be numbered, shall be dated, shall mature, shall be issued in the aggregate principal amount, shall be subject to redemption prior to maturity, shall be in such form, and shall have such other terms, details, and provisions as are prescribed in the Obligations, in the form included in the Funding Loan Agreement and on file with the City, which form is hereby approved, with such necessary and appropriate variations, omissions, and insertions (including changes to the aggregate principal amount of the Obligations, the stated maturities of the Obligations, the interest

rates on the Obligations, and the terms of redemption of the Obligations) as the Finance Officer, in her discretion, shall determine. The execution of the Obligations with the manual or facsimile signature of the Finance Officer and the delivery of the Obligations by the City shall be conclusive evidence of such determination.

Be It Further Resolved that the Obligations shall not constitute general or moral obligations of the City but shall be special, limited obligations of the City payable solely from the revenues provided by the Borrower under the terms of the Project Loan Agreement and from the revenues and security pledged, assigned, and granted under the terms of this resolution, the Obligations, the Funding Loan Agreement, the Project Loan Agreement, and any other security documents provided by the Borrower or any other party to secure the timely payment of the principal of, premium, if any, and interest on the Obligations. As provided in the Funding Loan Agreement and the Project Loan Agreement, the Obligations shall not be payable from or charged upon any funds other than the revenue pledged to their payment, nor shall the City be subject to any liability thereon, except as otherwise provided in this paragraph. No holder of the Obligations shall ever have the right to compel any exercise by the City of any taxing powers of the City to pay the Obligations or the interest or premium thereon, or to enforce payment thereof against any property of the City except the interests of the City in the Project Loan Agreement and the revenues and assets thereunder, which will be assigned to the Fiscal Agent under the terms of the Funding Loan Agreement.

Be It Further Resolved that the Obligations, when executed and delivered, shall contain a recital that they are issued in accordance with the Act, and such recital shall be conclusive evidence of the validity of the Obligations and the regularity of the issuance thereof, and that all acts, conditions, and things required by the laws of the State of Minnesota relating to the adoption of this resolution, to the issuance of the Obligations, and to the execution of the aforementioned documents to happen, exist, and be performed precedent to the execution of the aforementioned documents have happened, exist, and have been performed as so required by law. The Obligations shall also recite that the Obligations, including interest and premium, if any, thereon, are payable solely from the revenues and assets pledged to the payment thereof, and the Obligations shall not constitute a debt of the City within the meaning of any constitutional or statutory limitations.

Be It Further Resolved that the City acknowledges and hereby approves any one or more of the following to be provided as security for the payment of the obligations of the Borrower under the Project Loan Agreement, and the payment of the principal of, premium, if any, and interest on the Obligations: (i) the Mortgage, which shall be assigned to the Fiscal Agent pursuant to the Mortgage Assignment, or security agreements granting a mortgage lien or security interest with respect to the Project or any portion thereof to the Fiscal Agent; (ii) the Project Note, which shall be endorsed by the City to the Fiscal Agent; (iii) one or more collateral assignments of the contracts between the Borrower and the architect and contractor with respect to the Project; (iv) one or more indemnity agreements; (v) one or more disbursing agreements, between the Borrower, the Fiscal Agent, and a disbursing agent to be selected by the Borrower to provide for the disbursement of the proceeds of the Obligations and the Project Loan; (vi) one or more assignments of rents, guaranties, and other security instruments and documents that are intended to ensure timely payment of the Project Loan and the Obligations; (vii) one or more subordination agreements; and (viii) such other documents that the Funding Lender and/or the Fiscal Agent may require from the Borrower. All such security documents, if any are delivered, shall be substantially in the forms authorized and approved by the Borrower.

Be It Further Resolved that the Finance Officer is hereby designated as the representative of the City with respect to the issuance of the Obligations and the transactions related thereto. The Finance Officer is authorized, upon request, to furnish certified copies of all proceedings and records of the City relating to

the Obligations, and such other affidavits and certificates as may be required to show the facts relating to the Obligations as such facts appear from the books and records in the custody and control of the City; and all such certified copies, certificates, and affidavits, including any heretofore furnished, shall constitute representations of the City as to the truth of all statements contained therein. The Finance Officer is hereby further authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by Kennedy & Graven, Chartered, as bond counsel to the City (“Bond Counsel”), the Fiscal Agent, the Funding Lender, the Borrower, or other persons or entities in conjunction with the issuance of the Obligations and the expenditure of the proceeds of the Obligations. Without imposing any limitations on the scope of the preceding sentence, the Finance Officer is specifically authorized to execute and deliver such other documents and certificates as are necessary or appropriate in connection with the issuance, sale, and delivery of the Obligations, including the Mortgage Assignment, one or more general certificates of the City, an Information Return for Tax-Exempt Private Activity Bond Issues, Form 8038, one or more endorsements to the Project Note, an endorsement to any tax certificates as to arbitrage, rebate, and other federal tax matters executed and delivered in connection with the issuance of the Obligations, appropriate amendments to the Program, and all other documents and certificates as the Finance Officer shall deem to be necessary or appropriate in connection with the issuance, sale, and delivery of the Obligations. The Finance Officer is hereby further authorized and directed to execute and deliver all other instruments and documents necessary to accomplish the purposes for which the Obligations are to be issued. The preparation and filing of Uniform Commercial Code financing statements with respect to the assignment of the interests of the City in the Project Loan Agreement (excluding any unassigned rights as provided in the Funding Loan Agreement), are hereby authorized. The City hereby authorizes Bond Counsel to prepare, execute, and deliver its approving legal opinions with respect to the Obligations.

Be It Further Resolved that it is not expected that any disclosure documents will be prepared in connection with the issuance and sale of the Obligations. In the event an official statement or other disclosure document is prepared relating to the offer and sale of the Obligations (the “Disclosure Documents”), the City will not participate in the preparation or distribution of such Disclosure Documents and will make no independent investigation with respect to the information contained in the Disclosure Documents, and the City assumes no responsibility for the sufficiency, accuracy, or completeness of such information, except for any information contained therein describing the City, or litigation with respect to the City. Subject to the foregoing, the City hereby consents to the distribution of Disclosure Documents. The City hereby approves the execution and delivery by the Borrower (and any guarantor of the obligations of the Borrower) of any continuing disclosure agreement prepared and delivered for the benefit of the Funding Lender or the Fiscal Agent or any successors or assigns.

Be It Further Resolved that on any date subsequent to the date of issuance of the Obligations, the Finance Officer is hereby authorized to execute and deliver any amendments or supplements to any of the documents referred to in this resolution on behalf of the City if, after review by and consultation with the City Attorney and Bond Counsel, the Finance Officer determines that the execution and delivery of such amendment or supplement is not materially inconsistent with this resolution. The Finance Officer may impose any terms or conditions on the execution and delivery by the Finance Officer of any such amendment or supplement as the Finance Officer deems appropriate.

Be It Further Resolved that no covenant, stipulation, obligation, or agreement herein contained or contained in the aforementioned documents shall be deemed to be a covenant, stipulation, obligation, or agreement of any member of the Council of the City, or any officer, agent, or employee of the City in that person’s individual capacity, and neither the Council of the City nor any officer, agent, or employee executing the Obligations or any such documents shall be personally liable on the Obligations or such

documents or be subject to any personal liability or accountability by reason of the issuance of the Obligations or the execution and delivery of such documents. No provision, covenant, or agreement contained in the aforementioned documents, the Obligations, or in any other document relating to the Obligations, and no obligation therein or herein imposed upon the City or the breach thereof, shall constitute or give rise to a general or moral obligation of the City or any pecuniary liability of the City or any charge upon its general credit or taxing powers. In making the agreements, provisions, covenants, and representations set forth in such documents, the City has not obligated itself to pay or remit any funds or revenues, other than funds and revenues derived from the Project Loan Agreement or the Funding Loan Agreement, which are to be applied to the payment of the Obligations, as provided therein.

Be It Further Resolved that except as herein otherwise expressly provided, nothing in this resolution or in the aforementioned documents expressed or implied, is intended or shall be construed to confer upon any person or firm or corporation, other than the City, and any holders of the Obligations issued under the provisions of this resolution, any right, remedy or claim, legal or equitable, under and by reason of this resolution or any provisions hereof, this resolution, the aforementioned documents, and all of their provisions being intended to be and being for the sole and exclusive benefit of the City, the Borrower, the Funding Lender, the Fiscal Agent, and any beneficial owners from time to time of the Obligations issued under the provisions of this resolution.

Be It Further Resolved that in case any one or more of the provisions of this resolution, other than the provisions limiting the liability of the City, or of the aforementioned documents, or of the Obligations issued hereunder shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this resolution, or of the aforementioned documents, or of the Obligations, but this resolution, the aforementioned documents, and the Obligations shall be construed and endorsed as if such illegal or invalid provisions had not been contained therein.

Be It Further Resolved that the Obligations are hereby designated “Program Bonds” and are determined to be within the “Housing Program” and the “Program,” all as defined in Resolution 88R-021 of the City adopted January 29, 1988, as amended and supplemented by Resolution 97R-402 of the City adopted December 12, 1997.

Be It Further Resolved that the United States Department of the Treasury has promulgated final regulations governing the use of the proceeds of tax-exempt obligations, all or a portion of which are to be used to reimburse the City or a borrower from the City for project expenditures paid prior to the date of issuance of such obligations. Those regulations, including Treasury Regulations, Section 1.150-2 (the “Regulations”), require that the City adopt a statement of official intent to reimburse an original expenditure not later than sixty (60) days after payment of the original expenditure; the Regulations also generally require that the Obligations be issued and the reimbursement allocation made from the proceeds of the Obligations occur within eighteen (18) months after the later of: (i) the date the expenditure is paid; or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid; the Regulations generally permit reimbursement of capital expenditures and costs of issuance of the Obligations.

Be It Further Resolved that the City reasonably expects to reimburse the Borrower for the expenditures made for costs of the Project from the proceeds of the Obligations in an estimated principal amount of \$26,500,000 after the date of payment of all or a portion of the costs of the Project; all reimbursed expenditures shall be capital expenditures, a cost of issuance of the Obligations, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations and also qualifying expenditures under the Act.

Be It Further Resolved that based on representations by the Borrower, no expenditures for the Project have been made by the Borrower more than sixty (60) days before the date of adoption of this resolution other than: (i) expenditures to be paid or reimbursed from sources other than the Obligations; (ii) expenditures permitted to be reimbursed under prior regulations pursuant to the transitional provision contained in Section 1.150-2(j)(2)(i)(B) of the Regulations; (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations; or (iv) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations).

Be It Further Resolved that based on representations by the Borrower, as of the date hereof, there are no funds of the Borrower reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project to be financed from proceeds of the Obligations, other than pursuant to the issuance of the Obligations; this resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the Borrower as they exist or are reasonably foreseeable on the date hereof.

Be It Further Resolved that in anticipation of the issuance of the Obligations to finance all or a portion of the Project, and in order that completion of the Project will not be unduly delayed when approved, the Borrower is hereby authorized to make such expenditures and advances toward payment of that portion of the costs of the Project to be financed from the proceeds of the Obligations, as the Borrower considers necessary, including the use of interim, short-term financing, subject to reimbursement from the proceeds of the Obligations if and when delivered but otherwise without liability on the part of the City.

Be It Further Resolved that the officers of the City, the City Attorney, Bond Counsel, other attorneys, and other agents or employees of the City are hereby authorized to do all acts and things required of them by or in connection with this resolution, the aforementioned documents, or the Obligations, for the full, punctual, and complete performance of all the terms, covenants, and agreements contained in the Obligations, the aforementioned documents, and this resolution.

Be It Further Resolved that the staff of the City is hereby authorized, in cooperation with Bond Counsel, to take all steps necessary and desirable to proceed to develop the Program and to issue the Obligations.

Be It Further Resolved that the Borrower has agreed to pay the administrative fees of the City in accordance with the applicable policies and procedures of the City. It is hereby determined that any and all costs incurred by the City in connection with the financing of the Project will be paid by the Borrower.

Be It Further Resolved that it is understood and agreed by the Borrower that the Borrower shall indemnify the City against all liabilities, losses, damages, costs, and expenses (including attorneys’ fees and expenses incurred by the City) arising with respect to the Project and the Obligations, as provided for and agreed to by and between the Borrower and the City in the Project Loan Agreement.

Be It Further Resolved that the financing transaction represented by the Obligations is subject to all existing policies and procedures of the City and is also subject to any conduit bond policies and procedures subsequently adopted by the City to the extent the provisions thereof are intended to be applied retroactively to conduit revenue obligations issued prior to the adoption of such conduit bond policies and procedures.

Be It Further Resolved that this resolution shall take effect and be in force from and after its approval and publication. In accordance with the terms of Article IV, Section 4.4(d), of the Charter of the City, only the title of this resolution and a summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official newspaper of the City.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0815

The Minneapolis City Council hereby approves an application submitted by Jeff Ellerd, on behalf of The Wall Companies, for an interim use permit (PLAN17137) to extend the interim use permit for two years for a temporary surface parking lot on the property located at 525 Malcolm Ave SE, until January 5, 2026, subject to the following condition:

The interim use shall expire no later than January 5, 2026.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Ordinance 2023-062 amending Title 13, Chapter 339 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Body Art Code, amending provisions to more closely align with the State Body Art Code and to allow for more temporary tattooing or piercing events in a calendar year.

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

ORDINANCE 2023-062

By Goodman

Intro & 1st Reading: 11/2/2023

Ref to: BIHZ

2nd Reading: 12/7/2023

Amending Title 13, Chapter 339 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Body Art Code.

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

Section 1. That Section 339.20 of the above-entitled ordinance be amended to read as follows:

339.20. Definitions. The following terms used in this chapter shall be defined as follows:

Aftercare means written instructions given to the client, specific to the procedure rendered, on caring for the body art and surrounding area. The instructions must include information on when to seek medical treatment.

Antiseptic means an agent that destroys disease-causing microorganisms on human skin or mucosa.

Body art or body art procedure means physical body adornment using, but not limited to, tattooing and body piercing. Body art does not include practices and procedures that are performed by a licensed medical or dental professional if the procedure is within the professional's scope of practice.

Body art establishment (establishment) means any structure or venue, whether permanent or temporary, where body art is performed.

Body piercer or piercer means any person engaged in the practice of body piercing.

Body piercing or piercing means puncturing or penetration of the skin and tissue of a person and the insertion of jewelry or other adornment into the opening, except puncturing the outer perimeter or lobe of the ear using a pre-sterilized single use stud and clasp ear piercing system shall not be included in this definition.

Branding means an indelible mark burned into the skin using instruments of thermal cautery, radio frequency, and strike branding.

Contaminated waste means any liquid or semi-liquid blood or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious materials and are capable of releasing these materials during handling; sharps and any wastes containing blood and other potentially infectious materials, as defined in Code of Federal Regulations, Title 29, Section 1910.1030 (latest edition), known as "Occupational Exposure to Bloodborne Pathogens."

~~*Convention temporary event* means a tattooing or piercing event held in a building other than the licensed tattooing or piercing establishment.~~

Disinfection means the destruction of disease-causing microorganisms on inanimate objects or surfaces.

Equipment means all machinery, including fixtures, containers, vessels, tools, devices, implements, furniture, display and storage areas, sinks, and all other apparatus and appurtenances used in connection with the operation of a body art establishment.

~~*Establishment* means any location where tattooing, piercing, or both tattooing and piercing are practiced.~~

Establishment plan means a to-scale drawing or other suitable drawings and specifications of an establishment's layout which illustrates that the requirements of sections 339.160(1) and (2) are incorporated into the establishment's proposed facilities.

Guest artist means an individual who performs body art procedures according to the requirements under section 339.120(1).

~~*Guest artist temporary event* means performing body art procedures within a licensed body art establishment by a person licensed to perform body art procedures pursuant to section 339.120(1).~~

Hand sink means a lavatory equipped with potable hot and cold water held under pressure, used for washing hands, wrists, arms, or other portions of the body.

Hot water means water at a temperature of at least one hundred ten (110) degree F.

Implanting means to fix or set securely an object in or under tissue and includes but is not limited to three-dimensional body art applications. Implanting does not include medical procedures including but not limited to pacemaker insertion, cosmetic surgery, and reconstructive surgery performed by licensed medical personnel.

Jewelry means any ornament inserted into a pierced area.

Licensing official means the licensing official designated by the director of community planning and economic development, who supervises the licensing and consumer services functions of the city.

Liquid chemical germicide means a tuberculocidal disinfectant or sanitizer registered with the Environmental Protection Agency.

Microdermal means a single-point perforation of any body part other than an earlobe for the purpose of inserting an anchor with a step either protruding from or flush with the skin.

Micropigmentation or cosmetic tattooing means the use of tattoos for permanent makeup or to hide or neutralize skin discolorations.

Operator means any person who controls, operates, or manages body art activities at a body art establishment and who is responsible for the establishment's compliance with these regulations, whether or not the person actually performs body art activities.

Piercer (See "body piercer.")

Piercing (See "body piercing.")

Procedure surface means the surface area of furniture or accessories that may come into contact with the client's clothed or unclothed body during a body art procedure and the area of the client's skin where the body art procedure is to be performed and the surrounding area, or any other associated work area requiring sanitizing.

Remodel means, for the purposes of the body art code, any change to the current establishment that would require either a building permit or trades permit for the work to proceed except that remodel does not include changes to the front desk area, wait area, painting, wallpapering, or carpeting, even if a permit is otherwise required. Adding a new workstation, plumbing changes, or expanding into adjacent space to add workstations are examples of remodeling. Remodel also means any change to an establishment plan previously submitted to the licensing official.

Sanitize/sanitization means a process of reducing the numbers of microorganisms on cleaned surfaces and equipment to a safe level.

Scarification means an indelible mark fixed on the body by the production of scars.

Sharps means any object (sterile or contaminated) that may purposefully or accidentally cut or penetrate the skin or mucosa including, but not limited to, pre-sterilized, single use needles, scalpel blades, and razor blades.

Sharps container means a closed puncture-resistant, leak-proof container labeled with the international "biohazard" symbol that is used for handling, storage, transportation, and disposal.

Single use means products or items intended for one-time, one-person use that are disposed of after use on the client. This definition includes, but is not limited to, cotton swabs or balls, tissues or paper products, paper or plastic cups, gauze and sanitary coverings, disposable razors, piercing needles, tattoo needles, scalpel blades, stencils, ink cups, and protective gloves.

Sterilization means a process resulting in the destruction of all forms of microbial life, including highly resistant bacterial spores.

Subdermal implantation means the implantation of an object entirely below the dermis.

Suspension means the suspension of the body from affixed hooks placed through temporary piercings.

Tattooing means any method of placing indelible ink or other pigment into or under the skin or mucosa with needles or any other instruments used to puncture the skin, resulting in permanent coloration of the skin or mucosa. This includes all forms of micropigmentation and cosmetic tattooing.

Tattooist means any person engaged in the practice of tattooing.

Technician or body art technician means any individual who is licensed under Minn. Statutes Chapter 146B to perform tattooing or piercing.

~~*Temporary body art establishment* means any place or premises operating at a fixed location where an operator performs body art procedures for no more than twenty-one (21) days in conjunction with a single event or celebration.~~

Tongue bifurcation means the cutting of the tongue from the tip of the base, forking at the end.

Universal precautions means a set of guidelines and controls, published by the Center for Disease Control (CDC) as "guidelines for prevention of transmission of human immunodeficiency virus and hepatitis B virus to health-care and public-safety workers" in Morbidity and Mortality Weekly Report (MMWR), June 23, 1989, Vol. 38, No. S-6, and as "recommendations for preventing transmission of human immunodeficiency virus and hepatitis B virus to patients during exposure-prone invasive procedures," in MMWR, July 12, 1991, Vol. 40, No. RR-8. This method of infection control requires the employer and the employee to assume that all human blood and specified human body fluids are infectious for HIV, HBV and other blood pathogens. Precautions include hand washing, gloving, personal protective equipment, injury prevention, and proper handling and disposal of needles, other sharp instruments, and blood and body fluid contaminated products.

Section 2. That Section 339.120 of the above-entitled ordinance be amended to read as follows:

339.120. Temporary event license. ~~Notwithstanding the requirements set forth in this chapter, the licensing official may issue a temporary event license for a convention or guest artist temporary event body art establishment. A convention temporary event shall be sponsored by a licensed body art establishment or professional organization. A guest artist temporary event shall be sponsored by a licensed body art establishment. The sponsor of a convention or guest artist temporary event shall list on the temporary event license application the name, address, date of birth, state license number and phone number of each participating body art technician, and the starting and anticipated completion dates the guest artist will be working.~~

~~(1) *License requirements.* A body art technician must hold a license issued pursuant to Minnesota Statutes Section 146B.04.~~

~~(2) *Duration of event.*~~

~~a. A convention temporary event shall be no longer than seven (7) consecutive days.~~

~~b. A guest artist may not conduct body art procedures for more than thirty (30) days per calendar year. If the guest artist exceeds this time period, the guest artist must apply for a technician's license pursuant to Minn. Statutes 146B.03.~~

~~(3) *Number of events.*~~

~~a. The same establishment or professional organization serving as a sponsor of a convention temporary event shall have no more than two (2) tattooing or piercing events in the same calendar year.~~

~~b. The same establishment serving as a sponsor of a guest artist temporary event shall have no more than four (4) tattooing or piercing events in the same calendar year.~~

~~(4) *Convention temporary event location requirements.*~~

~~a. A convention temporary event shall be held in a building other than a licensed tattooing or piercing establishment.~~

~~b. The location must be equipped with the facilities specified in 339.150(1) and (2).~~

~~c. A portable hand washing station must be located at each tattooing or piercing station, or an approved equivalency.~~

(5) *Sponsor fee.* The fee for a sponsor of a convention or guest artist temporary event shall be as established in the license fee schedule, and the fee shall be increased by fifty (50) percent if the completed application is received less than fourteen (14) days prior to the event.

Notwithstanding the requirements set forth in this chapter, the licensing official may issue a temporary event license for a temporary body art establishment. The sponsor of a temporary event shall list on the temporary event license application the name, address, date of birth, state license number and phone number of each participating body art technician, and the starting and anticipated completion dates the guest artist will be working. The application must be received at least fourteen (14) days before the start of the event. The application must include the specific days and hours of operation.

(1) *License requirements.*

a. A body art technician must hold a license issued pursuant to Minnesota Statutes Section 146B.04.

b. A guest artist may not conduct body art procedures for more than thirty (30) days per calendar year. If the guest artist exceeds this time period, the guest artist must apply for a technician's license pursuant to Minnesota Statute 146B.03.

c. Applications received less than fourteen (14) days prior to the start of the event may be processed if the commissioner determines it is possible to conduct all required work, including an inspection.

d. The temporary event license must be prominently displayed in a public area at the location.

(2) *Duration and number of events.*

a. The same body art establishment or professional organization serving as a sponsor of a temporary event cannot exceed ten (10) body art events per calendar year. The number of days per calendar year is limited to twenty-one (21), regardless of the number of events held.

b. An individual who does not hold a current Minneapolis body art establishment license, serving as a sponsor of a temporary event, cannot exceed four (4) body art events per calendar year. The number of days per calendar year is limited to ten (10), regardless of the number of events held.

(3) *Temporary Body Art Establishment requirements.*

a. A temporary event shall be held in a building other than a licensed body art establishment.

b. The location must be equipped with the facilities specified in Section 339.150(1) and (2).

c. A portable hand washing station must be located at each body art station, or an approved equivalency.

(4) *Sponsor fee.* The fee for a sponsor of a temporary event shall be as established in the license fee schedule, and the fee shall be increased by fifty percent (50%) if the completed application is received less than fourteen (14) days prior to the event.

(5) No individual with a sustained qualifying violation of this chapter within three (3) years preceding the intended start date of a temporary event may be issued a license for a temporary event. Qualifying violations that preclude issuance of a temporary event license include:

a. Evidence of any individual performing a body art procedure without a license;

b. Practice in an unlicensed location;

c. Any of the conditions listed in Minn. Statutes Section 146B.05, subdivision 1, clauses (1) to (8), (12), or (13);

d. Minn. Statutes Section 146B.08, subdivision 3, clauses (4), (5), and (10) to (12); or

e. Any other violation that places the health or safety of a client at risk.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Ordinance 2023-063 amending Title 13, Chapter 305 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Pedicabs, amending provisions related to operations and vehicle standards.

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

ORDINANCE 2023-063

By Vetaw

Intro & 1st Reading: 11/2/2023

Ref to: BIHZ

2nd Reading: 12/7/2023

Amending Title 13, Chapter 305 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Pedicabs.

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

Section 1. That Section 305.10 of the above-entitled ordinance be amended to read as follows:

305.10. Definitions. As used in this chapter, the following terms shall mean:

Darkness: Any time from one-half (½) hour after sunset to one-half (½) before sunrise or any time when visibility is obstructed by elements such as fog, rain or snow.

Pedicab: A nonmotorized three-wheel bicycle that transports or is capable of transporting passengers on attached seats or similar vehicle with an electric motor that meets the requirements for an electric-assisted bicycle under Minn. Statutes Section 169.011, subdivision 27, clause (3), or as subsequently amended. A pedicab shall not exceed ~~one hundred twenty (120)~~ one hundred twenty-two (122) inches in length and sixty-six (66) inches in width.

Pedicab business: The business of operating one (1) or more pedicabs for the recreational or physical transportation of the general public for profit, not-for-profit, or as a free service accepting tips or displaying advertising.

Pedicab driver: Any person who operates, drives, or propels a pedicab.

Pedicab driver license: A license granted in accordance with this chapter.

Pedicab trailer: A two (2) wheeled vehicle no wider than fifty-five (55) inches and capable of carrying a maximum of three (3) passengers and securely attached and locked to the pedicab vehicle. Children aged twelve (12) and under are not allowed to ride in a trailer unless accompanied by an adult.

Pre-arranged pedicab services: Pedicab service for events such as weddings, group transportation, downtown tours or similar events which are pre-arranged with the pedicab company.

Street: Any street or roadway under the jurisdiction of the city.

Vehicle means every device in, upon, or by which any person is or may be transported or drawn upon a highway or street.

Section 2. That Section 305.90 of the above-entitled ordinance be amended to read as follows:

305.90. Operating restrictions and conditions. (a) No pedicab shall be operated upon a public sidewalk or other city property where the operation of a pedicab is prohibited.

(b) No pedicab shall use any public street or other public property as a waiting or parking area unless such area is a legal motor vehicle parking area or as permitted pursuant to section 482.30, or in an established pedicab stand. Parked pedicabs shall not be attached to any object in accordance with Minneapolis Code of Ordinances section 490.150.

(c) No pedicab driver shall consume an alcoholic beverage while on duty or allow any passenger of the pedicab to drink or consume alcoholic beverages or to possess an open container of alcoholic beverages.

(d) All pedicabs shall be clean and maintained in a good state of repair. All pedicabs shall be maintained by the company so as to be well painted and have a damage or deterioration free appearance, and in safe operational condition. Pedicabs shall be, at all reasonable times, subject to inspection by the licensing official.

(e) All pedicabs shall display a valid license decal, centered on the rear of the pedicab vehicle or between the turn signals, issued by the licensing official, and the name and phone number of the licensee, and the schedule of the rates or fees charged for passenger services.

(f) Pedicab drivers shall have in their possession a valid driver's license, proof of insurance and a pedicab driver license while in control of any pedicab, and shall operate the pedicab in compliance with all applicable federal, state, and local traffic laws, Minneapolis City Ordinance and in a manner so as to assure the safety of persons and property.

(g) All pedicab operators shall obey and comply with any lawful order or direction of any police officer, traffic control agent, or licensing official, and shall refrain from the use of any profane language or from interference with such officials while in the performance of their duties.

(h) No pedicab driver shall have in his or her possession a lighted cigarette, cigar, or pipe while driving a pedicab which is occupied by a passenger.

(i) A pedicab driver license issued under this chapter shall be coterminous with the licensee's driver license. Any time that a licensee's driver's license is suspended, revoked, or cancelled, his or her pedicab driver's license shall likewise be immediately suspended, revoked, or cancelled. The pedicab driver's license shall immediately be surrendered to the licensing official until such time his or her driver's license is reinstated.

(j) No pedicab driver shall permit more than three (3) passengers to be carried per bench seat in a pedicab except that passengers weighing forty (40) pounds or less may be seated on the lap of a passenger who occupies a permanently affixed seat, and at no time shall the driver allow any passenger to ride in any area of the pedicab that was not specifically designed as a seat. No more than three (3) passengers shall be allowed in any affixed trailer except that passengers weighing forty (40) pounds or less may be seated on the lap of a passenger who occupies a permanently affixed seat.

(k) At no time shall anyone other than a licensed pedicab driver be allowed to operate the pedicab.

(l) At no time shall a pedicab driver play or allow the playing of any amplified sound equipment in violation of Chapter 389 of the Minneapolis Code of Ordinances.

(m) Pedicab drivers must have secure footwear.

(n) Pedicab drivers shall not stop to load or unload passengers or their belongings in the intersections of any street, crosswalks or in any manner or other location that would be considered unsafe. No pedicab shall load or unload in any such manner that will in any way impede or interfere with the orderly flow of traffic on the streets.

(o) It shall be unlawful for any pedicab owner or driver to allow or cause to be operated a pedicab in any unsafe manner or operating condition.

(p) In the event that a passenger leaves an article in the pedicab, the driver shall immediately attempt to return it. If the driver is unable to immediately return the article, it shall be turned into the pedicab company office at the end of the driver's shift or the first available opportunity.

(q) Any pedicab not in compliance with the minimum requirements of section 305.95 will be cited and placed "immediately-out-of-service." Any vehicle which has been so removed from service shall not be returned to service until such vehicle has been approved by the licensing official for service.

Section 3. That Section 305.95 of the above-entitled ordinance be amended to read as follows:

305.95. Vehicle safety and equipment standards. No pedicab owner or driver shall operate or allow the operation of a pedicab on any street unless the pedicab meets the following equipment and safety standards:

(1) *Tires.* Tires shall be of a size appropriate for the pedicab with no mismatched tires. There shall be no cuts to the tire, localized worn spots that expose the ply, or visible tread wear indicators.

(2) *Operational horn.* The pedicab shall be equipped with a fully operational horn or bell.

(3) *Brakes.* It shall be unlawful for a licensee to operate, or cause to be operated, a pedicab that is not equipped with a front and rear braking system capable of being manipulated by the licensee from his normal position of operation and is capable of causing a pedicab with a loaded passenger compartment to come to a complete stop within a distance of fifteen (15) feet from a speed of ten (10) miles per hour in a linear path of motion when each wheel of the pedicab is in contact with the ground on dry, level, clean pavement. The braking system controlling the rear wheels shall be hydraulic or mechanical disc or drum brakes which are unaffected by rain or wet conditions

(4) *Headlights, tail lights, mirrors, turn signals, and other requirements.* Every pedicab shall be equipped with the operational equipment set forth in the subsections below:

a. A headlight capable of projecting a beam of white light for a distance at a minimum of three hundred (300) feet which shall be clearly visible during darkness and must be illuminated at all times during darkness.

b. A side mounted mirror affixed to the pedicab to reflect to the pedicab driver a view of the street for a distance of at least two hundred (200) feet from the rear of the pedicab.

c. A red tail light and brake light affixed to the rear of the pedicab which must be visible for a distance of at least five hundred (500) feet from the rear of the pedicab and must be illuminated at all times during darkness. Turn signals must be affixed to the front and rear of the vehicle.

d. All pedicabs shall have reflectors on each pedal, the front of the pedicab frame, mounted on the spokes of each wheel, and a red reflector mounted on each side of the rear of the pedicab, at least one (1) inch from the outer edge and centered.

(5) No more than one (1) trailer may be attached to any pedicab. All attached trailers must be equipped with turn signals and red tail lights. ~~Trailers may only be used for prearranged services as defined in the section 305.10.~~

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0816

The Minneapolis City Council hereby grants an appeal submitted by Mark Thieroff, on behalf of Patrick and Lana Skahen, regarding the decision of the Zoning Board of Adjustment (PLAN16856) denying the following land use applications for construction of a new two-story single-family dwelling on an existing foundation for the property located at 5413 Woodlawn Boulevard; and adopts findings as prepared by the City Attorney's Office:

1. Variance to reduce the minimum required front yard setback from between 50.9 feet and 52.5 feet to 52 feet.

2. Variance to reduce the minimum required northeast interior side yard setback from 5 feet to 4.2 feet.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0817

The Minneapolis City Council hereby adopts the findings of the Nuisance Condition Process Review Panel (NCPRP) to allow property owner to rehabilitate the property at 3605 Columbus Ave, subject to the following conditions:

1. Obtain required code compliance inspections within three (3) weeks;

2. All permits must be applied for within thirty (30) days of the issuance of the code compliance report;

3. Work is to begin upon issuance of the necessary permits and continue without stoppage or delay; and
4. All work is to be completed, inspected, and approved and a certificate of occupancy obtained by May 1, 2024.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0818

The Minneapolis City Council hereby approves the following applications (10) for Liquor License, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. Agra Culture, 2400 3RD AVE S Minneapolis, MN, (Ward 10) submitted by Mpls Society of Fine Arts, BLAmend, LIC412181
2. Agra Culture, 2400 3RD AVE S Minneapolis, MN, (Ward 10) submitted by Minneapolis Society of Fine Arts, BLAmend, LIC412219
3. Nico's Taco Bar, 4959 PENN AVE S Minneapolis, MN, (Ward 13) submitted by Jans Enterprises Inc, BLLiquor, LIC412079
4. Ombibulous, 949 HENNEPIN AVE E Minneapolis, MN, (Ward 3) submitted by OmbiMpls LLC, BLLiqOff, LIC404839
5. Orpheum Theatre, 910 HENNEPIN AVE Minneapolis, MN, (Ward 7) submitted by Historic Theatre Group LLC, BLAmend, LIC412048
6. Pantages Theatre, 710 HENNEPIN AVE Minneapolis, MN, (Ward 7) submitted by Historic Theatre Group LLC, BLAmend, LIC412049
7. State Theatre, 805 HENNEPIN AVE Minneapolis, MN, (Ward 7) submitted by Historic Theatre Group LLC, BLAmend, LIC412050
8. The Malt Shop Bar and Grill, 809 50TH ST W Minneapolis, MN, (Ward 13) submitted by The Malt Shop Bar and Grill LLC, BLAmend, LIC411774
9. Trader Joe's, 721 WASHINGTON AVE S Minneapolis, MN, (Ward 3) submitted by Trader Joe's East Inc., BLAmend, LIC412068
10. Dario, 323 WASHINGTON AVE N Minneapolis, MN, (Ward 3) submitted by Underdog Service Group LLC, BLLiquor, LIC411205

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0819

The Minneapolis City Council hereby approves the following applications (6) for Liquor License Renewal, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. Day Block Brewing Co, 1105 WASHINGTON AVE S Minneapolis, MN, (Ward 3) submitted by Day Block Brewing Company LLC, BLLiquor, LIC80214
2. Day Block Brewing Company, 1105 WASHINGTON AVE S Minneapolis, MN, submitted by Day Block Brewing Company LLC, BLBrewery, LIC353682

3. Elk's Lounge, 1614 PLYMOUTH AVE N Minneapolis, MN, (Ward 5) submitted by Ames Lodge #106, BLLiquor, LIC80410
4. Hoban Korean BBQ, 2939 HENNEPIN AVE Minneapolis, MN, (Ward 10) submitted by Hoban Korean BBQ LLC, BLLiquor, LIC75944
5. Katar River Restaurant & Bakery, 2751 MINNEHAHA AVE Minneapolis, MN, submitted by Katar River Restaurant & Bakery LLC, BLWine, LIC65315
6. Spice & Tonic, 903 WASHINGTON AVE S Minneapolis, MN, (Ward 3) submitted by India Kitchen LLC, BLLiquor, LIC396852

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0820

The Minneapolis City Council hereby approves the following applications (3) for Gambling License, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. Edinburgh USA ProAm Foundation, 1121 QUINCY ST NE Minneapolis, MN, submitted by Edinburgh USA ProAm Foundation, BLGeneral, LIC412274
2. Firefighters for Healing, 414 6TH AVE N Minneapolis, MN, submitted by Firefighters for Healing, BLGeneral, LIC412271
3. NE Minneapolis Lions Community Foundation, 1928 UNIVERSITY AVE NE Minneapolis, MN, submitted by NE Minneapolis Lions Community Foundation, BLGeneral, LIC412275

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0821

The Minneapolis City Council hereby amends Council Action No. 2023A-0588, passed September 7, 2023, to correct the amount of the Metropolitan Council Tax Base Revitalization (TBRA) grant awarded to the 753 Washington Ave N Project (753 Washington Ave N) in the spring 2023 brownfield grant round from \$35,500 to \$39,500, to read as follows:

The Minneapolis City Council hereby:

1. Accepts grants from the Metropolitan Council's Tax Base Revitalization Account (TBRA) and Seeding Equitable Economic Development (SEED) program, in the total amount of \$760,000, for the following projects:

753 Washington Ave N Project, 753 Washington Ave N (~~\$35,500~~ \$39,500);

Agate Housing, 2800 - 2817 27th Ave S (\$213,500);

East Plymouth Heights, 1014 and 1016 Plymouth Ave N (\$30,100);

Kyle Garden Square, 700 10th Ave S (\$172,000);

The Nicollet Project, 3246 Nicollet Ave (\$12,400); and

Unity Building, 401-405 E Lake St (\$296,500).

2. Accepts grants from Hennepin County's Environmental Response Fund (ERF), in the total amount of \$838,252, for the following projects:
1301 W Lake Apartments, 1301 W Lake St (\$54,081);
Agate Housing, 2800 - 2817 27th Ave S (\$177,900);
Envision Community Penn Avenue, 2100, 2106 and 2110 Penn Ave N (\$86,551);
Fare Game Restaurant, 2900 and 2910 Johnson St NE (\$34,370);
Snelling Yards Family Housing, 3601 E 44th St (\$315,000);
Stinson Apartments, 1714 E Hennepin Ave (\$93,950); and
Unity Building, 401-405 E Lake St (\$76,400).
3. Authorizes contracts or agreements with the Metropolitan Council and Hennepin County for the aforesaid grants.
4. Authorizes execution of one or more funding agreements with each of the sub-recipients (or an affiliated entity) and/or disbursement and related agreements for these grants.
5. Passage of Resolution approving appropriation of funds to the Department of Community Planning & Economic Development.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/8/2023.

(Published 12/9/2023)

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Resolution 2023R-393 amending Resolution 2023R-261, passed September 7, 2023, to correct the amount of the Metropolitan Council Tax Base Revitalization (TBRA) grant awarded to the 753 Washington Ave N Project (753 Washington Ave N) in the spring 2023 brownfield grant round from \$35,500 to \$39,500.

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

RESOLUTION 2023R-393

By Goodman

Amending Resolution 2023R-261, entitled "Amending The 2023 General Appropriation Resolution," passed September 7, 2023, by correcting the amount of the Metropolitan Council Tax Base Revitalization Account (TBRA) grant awarded to the 753 Washington Ave N Project (753 Washington Ave N) in the spring 2023 brownfield grant round from \$35,500 to \$39,500.

Resolved by The City Council of the City of Minneapolis:

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

1. Increasing the appropriation for Community Planning & Economic Development Department Fund 01600- Other Grants-State and Local (01600-8900220) by \$1,155,482.
2. Increasing the appropriation for Community Planning & Economic Development Department Fund 01600- Other Grants-State and Local (01600-8900320) by ~~\$442,770~~ \$446,077.
3. Increasing the revenue estimate for Community Planning & Economic Development Department Fund 01600-Other Grants-State and Local (01600-8900900-322503) by ~~\$760,000~~ \$764,000.

4. Increasing the revenue estimate for Community Planning & Economic Development Department Fund 01600-Other Grants-State and Local (01600-8900900-322002) by \$838,252.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/8/2023.

(Published 12/9/2023)

COUNCIL ACTION 2023A-0822

The Minneapolis City Council hereby authorizes the submittal of a grant application to the Minnesota Department of Employment and Economic Development, in the amount of \$1,500,000 over two years, for the Drive for Five Initiative competitive grant to support adult employment and training services.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0823

The Minneapolis City Council hereby:

1. Accepts a grant from the Minnesota Association of Workforce Boards, in the amount of \$29,907, for regional workforce development.
2. Authorizes an agreement with the Minnesota Association of Workforce Boards for the grant.
3. Passage of Resolution 2023R-394 approving appropriation of funds to the Community Planning & Economic Development Department.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2023R-394

By Goodman

Amending the 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the Department of Community Planning & Economic Development (CPED) appropriation in Grants-Other Fund [01600-8900610] by \$29,907 and increasing the CPED revenue estimate in the Grants-Other Fund [01600-8900610-322502] by \$29,907.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0824

The Minneapolis City Council hereby requests a nonpartisan, multidisciplinary review from the Mayor of the following, pursuant to City Charter Section 7.1(h)(1)(B):

1. An overview of the process, timelines, decisionmakers, and criteria for a new development to obtain zoning and planning approvals, historic preservation review, a building permit, and for a completed development to obtain a Certificate of Occupancy. An overview of where in the processes a permit or approval may be withheld or revoked.
2. An overview of the process, timelines, decisionmakers, and criteria to obtain a rental license upon obtaining a Certificate of Occupancy after completion of construction of a new development or renovation of an existing development, including what items are subject to inspection prior to issuance of a rental license.
3. An overview of any worksite inspections that is administered by an agency other than CPED Development Services, such as fire code related inspections or permits granted by the MN Department of Labor and Industry (MN DOLI).
4. An overview of the process by which information is shared between city Departments or between MN DOLI and CPED prior to the issuance of a building permit. An overview of the process to coordinate timing of inspections and sharing information about inspections between city Departments or between MN DOLI and city Departments to ensure that all required inspections have been passed prior to issuance of a Certificate of Occupancy.
5. The violations or missing criteria are most common in unsuccessful applications for building permits, Certificates of Occupancy, or rental licenses.
6. Data from 2013 to the present on the percentage of developments per year that have:
 - a. Passed zoning, planning, and site plan review at their first attempt.
 - b. Obtained a Certificate of Occupancy at the completion of their first Final Inspection.
7. Data from 2013 to the present on the number of developments that have hired contractors or subcontractors that have:
 - a. Been cited for a violation by Minneapolis Civil Rights Labor Standards Enforcement Division.
 - b. Been cited by MN OSHA.
 - c. Been referred to an outside agency to address potential safety or labor concerns.
8. The 10 developers that have developed the most housing units in Minneapolis from 2013 to the present.
9. An overview of labor standards enforcement mechanisms for construction contractors or subcontractors, and a summary of all enforcement actions taken on contractors or subcontractors since 2013.

10. Opportunities to strengthen labor standards enforcement in developments including:
 - a. Requiring prevailing wages on private development that does not have direct City investment.
 - b. Requiring Project Labor Agreements on all public and private projects.
 - c. Requiring a responsible developer or contractor verification form be completed by the developer and/or contractor prior to starting the zoning and planning approval review process.
 - d. Amending criteria for building permits to require that an applicant list all subcontractors who will be performing work on the site.
 - e. Amending criteria for building permits to include labor standards for all contractors, subcontractors, and sub-subcontractors.
 - f. Incentives or fast-track permitting for developers who commit to higher labor standards throughout the project.
 - g. Barring developer with a certain number of confirmed labor violations committed at their projects from eligibility for building permits.
 - h. Guaranteeing tenants a right to exit leases if there is a confirmation of labor violations during the development process.
 - i. Expanding the requirements and standards of outlined in the Municipal Code of Ordinances 89.30 to apply to all developments.

Present the following information to the proper Committee no later than April 15, 2024.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0825

The Minneapolis City Council hereby authorizes the extension of the closing deadline from Dec 31, 2023, to Nov 11, 2024, for the \$1 million Clyde Bellecourt Urban Indigenous Legacy Initiative forgivable loan to the Indigenous Peoples Task Force for the construction of the Mikwanedun Audisookon project at 2313 13th Ave S.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0826

The Minneapolis City Council hereby directs the Legislative Department to compare the estimated average net hourly earnings after associated cost factors for Transportation Network Company (TNC) drivers working under the following three minimum compensation models, and to report the findings to the proper Committee no later than January 19, 2024.

Model A: A minimum compensation rate of \$1.40 per mile and \$0.51 per minute for the time transporting a rider.

Model B: A minimum compensation rate of \$1.17 per mile and \$0.34 per minute for the time transporting a rider.

Model C: A flat rate of \$24 per hour, applied only during time on the way to pick up a rider or during the time transporting a rider.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

(Pursuant to City Charter, Article IV, §4.4, this act was not presented to the Mayor)

COUNCIL ACTION 2023A-0827

The Minneapolis City Council hereby:

1. Approves Catrice Williams for Council appointment to the Minneapolis Advisory Committee on Housing, Seat 5, for a two-year term, beginning Jan 1, 2023, and ending Dec 31, 2024; and waives the residency requirement (Minneapolis Code of Ordinance 14.180).
2. Approves Amanda Leathers for Council appointment to the Minneapolis Advisory Committee on Housing, Seat 6, Ward 13, for a two-year term, beginning Jan 1, 2023, and ending Dec 31, 2024.
3. Approves Sam Adams for Council appointment to the Minneapolis Advisory Committee on Housing, Seat 7, Ward 10, for a two-year term, beginning Jan 1, 2023, and ending Dec 31, 2024.
4. Confirms Love Shannon for Mayoral appointment to the Minneapolis Advisory Committee on Housing, Seat 10, for a two-year term, beginning Jan 1, 2023, and ending Dec 31, 2024; and waives the residency requirement (Minneapolis Code of Ordinance 14.180).
5. Confirms Catriona Stuart for Mayoral appointment to the Minneapolis Advisory Committee on Housing, Seat 12, Ward 10, for a two-year term, beginning Jan 1, 2023, and ending Dec 31, 2024.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0828

The Minneapolis City Council hereby:

1. Confirms Gloria Freeman for Mayoral appointment to the Minneapolis Public Housing Authority, Seat 2, Ward 3, for a three-year term, beginning Jan 1, 2023, and ending Dec 31, 2025.
2. Confirms Thomas Nordyke for Mayoral appointment to the Minneapolis Public Housing Authority, Seat 5, Ward 7, for a three-year term, beginning Jan 1, 2022, and ending Dec 31, 2024.
3. Approves Abdullahi Isse for Council reappointment to the Minneapolis Public Housing Authority to the Minneapolis Public Housing Authority, Seat 6, Ward 13, for a three-year term, beginning Jan 1, 2024, and ending Dec 31, 2026.
4. Approves Danielle Werder for Council appointment to the Minneapolis Public Housing Authority, Seat 7, Ward 9, for a three-year term, beginning Jan 1, 2024, and ending Dec 31, 2026.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0893

The Minneapolis City Council hereby approves Medaria Arradondo for Council reappointment to the Minneapolis Public Housing Authority, Seat 8, for 3 year term, beginning Jan 1, 2024, and ending Dec 31, 2026; and waives the residency requirement (Minneapolis Code of Ordinance 14.180).

On roll call, the result was:

Ayes: Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Koski, Chowdhury, Palmisano (9)

Noes: Payne, Wonsley, Chavez, Chughtai (4)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0829

The Minneapolis City Council hereby:

1. Approves a total of \$16,894,427 from the Affordable Housing Trust Fund, subject to meeting underwriting requirements and the availability of funding at project closing for the following 9 projects: Cheatham Apartments, The NorthView, The LOMA, 1301 Lake Street, Portland Village Rehab, Little Earth Rehab, Saint Olaf Exodus Building, UHT Parcel 6A, and NACC-Housing.
2. Authorizes the execution of necessary loan documents for a partial loan of up to \$1,000,000 from the AHTF for the Cheatham Apartments project located at 3716 Cheatham Ave by Trellis Company or an affiliated entity.
3. Authorizes the execution of necessary loan documents for a loan of up to \$1,365,000 from the AHTF for The NorthView project located at 3806-18 3rd Ave S, 3146 Cedar Ave S, 2216-20 Clinton Ave S by Beacon Interfaith Housing Collaborative or an affiliated entity.
4. Authorizes the execution of necessary loan documents for a loan of up to \$2,260,000 from the AHTF for The LOMA project located at 3246 Nicollet Ave by One Stop African Market or an affiliated entity.
5. Authorizes the execution of necessary loan documents for an additional partial loan of up to \$1,000,000 for a project total of \$2,000,000 from the AHTF for the 1301 Lake Street project located at 1301 W Lake St by CommonBond Communities or an affiliated entity.
6. Authorizes the execution of necessary loan documents for a loan of up to \$1,350,000 from the AHTF for the Portland Village Rehab project located at 1829 Portland Ave S by RS Eden or an affiliated entity.
7. Authorizes the execution of necessary loan documents for an additional loan of up to \$2,500,000 for a project total of \$4,000,000 from the AHTF for the Little Earth Rehab project located at 2501 Cedar Ave S by Little Earth Tribes with LaSalle Development Group or an affiliated entity.
8. Authorizes the execution of necessary loan documents for a loan of up to \$2,019,427 from the AHTF for the Saint Olaf Exodus project located at 819 2nd Ave S by Aeon or an affiliated entity.
9. Authorizes the execution of necessary loan documents for an additional partial loan of up to \$3,500,000 for a project total of \$5,000,000 from the AHTF for the UHT Parcel 6A project located at 3700 Washington Ave N by United Properties and Building Blocks or an affiliated entity.
10. Authorizes the execution of necessary loan documents for a partial loan of up to \$1,900,000 from the AHTF for the NAAC-Housing project located at 1213 Franklin Ave E by Wellington Development or an affiliated entity.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0830

The Minneapolis City Council hereby approves a total of \$1,468,310 in Year 2024 9% Low Income Housing Tax Credits (HTC) for the St. Olaf Exodus Housing project located at 819 2nd Ave S.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

(Republished 5/15/2024)

Goodman moved to return to author an ordinance amending Title 20, Chapter 530 of the Minneapolis Code of Ordinances related to Zoning Districts, for the rezoning of properties located at 625, 629, 641, 643, 649, 653, 655, 659, 705, 711, 715, 719, 723, 727, 733, 737, 741, 747, and 751 Van Buren St NE, and 901 Summer St NE (PLAN16604) from the BFC6 Corridor 6 Built Form Overlay District to the BF13 Interior 3 Built Form Overlay District, retaining the UN2 Urban Neighborhood District.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Goodman moved to refer to staff an ordinance amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tobacco Dealers, amending various provisions related to the regulation of tobacco products, as set forth in Legislative File No. 2023-00863 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Ordinance 2023-064 amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations, adding a new Chapter 354 entitled "Window Cleaning" establishing provisions related to licensing, business regulations, worker training requirements, and safety.

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

ORDINANCE 2023-064

By Rainville

Intro & 1st Reading: 11/2/2023

Ref to: BIHZ

2nd Reading: 12/7/2023

Amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations.

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

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 354 to read as follows:

CHAPTER 354. - WINDOW CLEANING

354.10. Scope; purpose. (a) As a home rule charter city, Minneapolis has broad authority through its police powers to adopt regulations to further the public health, safety, and general welfare. Based on the potential and demonstrated dangers associated with above-grade window cleaning and a desire to ensure that workers in the field remain safe and that providers operate in a responsible manner which promotes public trust, the city hereby adopts the licensing and operational requirements contained in this chapter.

(b) This chapter applies to all window cleaning in the City of Minneapolis performed on the inside or outside of any building, structure, or skyway when such work is performed at a level that is suspended or requires a mobile elevated work platform for more than 24 feet above grade or on an adjoining flat roof or other flat surface. This chapter does not apply to window cleaning that is performed from grade level or from a ladder supported at grade or to owners or residents of a subject property engaged solely in cleaning of windows of such subject property.

354.20. License required. No person, as that term is defined in section 3.60 of this Code, shall engage in window cleaning within the scope of section 354.10, without being licensed under this chapter.

354.30. Application for license; fee; expiration. Any person desiring to engage in the business of window cleaning shall apply to the licensing official for a license. The application shall state the name and address of the applicant; whether applicant is an individual, partnership, firm or corporation; any additional information as required by the licensing official pursuant to section 259.50, and such application shall be accompanied by payment of the license fee, which shall be as established in Appendix J, License Fee Schedule. Licenses issued under this chapter shall expire on January first of each year.

354.40. Training requirements applicable to workers of licensed window cleaning providers. (a) As a condition of obtaining, maintaining, or renewing a license issued under this chapter, an applicant or license holder shall provide sufficient proof, in a format to be determined by the licensing official, that each employee, worker, contractor or individual providing window cleaning services on behalf of the applicant or license holder meets, or is actively enrolled in a program that will result in the individual meeting, the training requirements specified in subsection (b).

(b) In order to satisfy the training requirements imposed by this section, an individual window cleaner may complete, or be actively enrolled in, a recognized apprenticeship program designed to meet such requirements or a third-party or vendor-based training program that meets such requirements. The tuition or enrollment fees and charges for any such apprenticeship or training program shall be provided by the license holder or applicant. A recognized apprenticeship program shall be an apprenticeship training program duly registered with the Minnesota Department of Labor and Industry pursuant to Minnesota Statutes, Chapter 178, or with the United States Department of Labor Office of Apprenticeship or a recognized state apprenticeship agency pursuant to the Code of Federal Regulations, Title 29, Parts 29-30. The apprenticeship or other training program shall meet requirements established by the licensing official, which may include certification in the following areas, or other areas as required by the licensing official:

- (1) Ladder use and safety;
- (2) Water fed pole use and safety;
- (3) Ropes, rigging and swing stage (including swing stage type T/F) use and safety;
- (4) First aid (including mental health first aid);

- (5) Cardiopulmonary resuscitation (CPR) and automated external defibrillator (AED) use;
- (6) Competent person training;
- (7) Injury prevention;
- (8) Communication and conflict management;
- (9) Aerial lift use and safety;
- (10) Heat stress and HAZCOM training; and
- (11) Occupational Safety and Health Administration (OSHA) 30 hour training.

Any apprenticeship or other qualifying training program shall include at least one hundred (100) hours of documented training for each individual in the subject areas required by the licensing official.

(c) Applicants and license holders shall submit updated rosters and training certification status of all individuals providing window cleaning services on behalf of the applicant or license holder in a format and within a timeframe as required by the licensing official. Any individual providing window cleaning services on behalf of the applicant or license holder must successfully complete the training certification program within two (2) years of hire or of commencement of provision of any such window cleaning services in order to remain eligible to provide window cleaning services for any applicant or license holder to which this chapter applies.

(d) The licensing official may temporarily suspend the proof of training requirements imposed on applicants and license holders by this section upon a determination that adequate and sufficient third-party training providers or vendors are presently not reasonably available in the area.

354.50. Insurance required. No license or renewal shall be granted until the applicant shall first have filed with the licensing official an insurance policy or certificate thereof issued by an insurance company authorized to do business in the State of Minnesota, insuring said applicant for at least one hundred thousand dollars (\$100,000.00) against liability for bodily injuries or death of any person not covered by workmen's compensation law, for at least three hundred thousand dollars (\$300,000.00) against liability for bodily injuries or death to more than one (1) person from one (1) accident, and for at least one hundred thousand dollars (\$100,000.00) against liability for damage to or destruction of property in connection with or by reason of any type of window cleaning. Said policy shall provide that it may not be canceled by the insurer except after thirty (30) days' written notice to the licensing official, and if such insurance is so canceled and the licensee shall fail to replace the same with another policy conforming to the provisions of this chapter, said license shall be automatically suspended until such insurance shall have been replaced. In addition, each license applicant shall also supply a certificate of insurance of workers' compensation when such insurance is required by state statute.

354.60. Issuance of licenses. Each license under this chapter shall be issued by the licensing official, as a staff-approved license pursuant to section 259.30, or upon order of the city council.

354.70. Adverse license action authorized. Any license, or application for a license, shall be subject to denial, nonrenewal, suspension, revocation, or other adverse license action to the fullest extent as authorized by this Code based on any violation or noncompliance with any provision of this Code or any other applicable law, statute or rule, or for good cause.

354.80. Preemption. Nothing in this chapter shall be interpreted or applied so as to create any power or duty in conflict with federal or state law.

354.90. No assumption of liability. In undertaking the adoption and enforcement of this chapter, the city is undertaking only to exercise its licensing and regulatory authority to further public safety, health, and general welfare. The city is not assuming liability, nor is it imposing on its officers and employees an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

354.100. Severability. If any parts or provisions of this chapter or the application thereof to any circumstance is held invalid by a court of competent jurisdiction, the remainder of this chapter, including the application of such part or provision to circumstances other than those to which has been held invalid, shall not be affected and shall continue in full force and effect. To this end, the provisions of this chapter are severable.

354.110. Effective date. This chapter shall be effective January 1, 2025.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Business, Inspections, Housing & Zoning Committee, Goodman offered Ordinance 2023-065 amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, amending provisions relating to pre-leasing of dwelling units in new rental construction.

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

ORDINANCE 2023-065
By Wonsley
Intro & 1st Reading: 11/2/2023
Ref to: BIHZ
2nd Reading: 12/7/2023

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

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

Section 1. That Section 244.1980 of the above-entitled ordinance be amended to read as follows:

244.1980. Operation of rental dwelling without license a misdemeanor. (a) A person who allows to be occupied, lets or offers to let to another, any dwelling unit, without a license as required by this article, is guilty of a misdemeanor, punishable as provided in section 1.30 of this Code.

(b) The practice of pre-leasing new rental construction shall be exempt from the provisions of this section.

(c) Notwithstanding subdivision (b), if a new rental construction has not received a certificate of occupancy on or before the move-in date established in the lease agreement, the tenant shall be entitled to select one of the three following remedies:

(1) Alternative housing provided by the landlord that is reasonably equivalent to the unit described in the lease agreement until said unit may be lawfully inhabited;

(2) Reimbursement by cash or check from the landlord of the total rent paid by the tenant each month, as established in the lease agreement, to mitigate the costs of alternative housing secured by the tenant until the unit described in the lease may be lawfully inhabited; or

(3) An option to withdraw from the lease agreement, in which case the landlord shall return to the tenant all amounts paid to the landlord, including without limitation any rent and any other payment incurred in entering into the lease that is not otherwise governed by state law.

The remedies available under this subdivision shall be available in addition to any other remedies available at equity or law. Any landlord that does not abide by this subdivision may be subject to administrative citations or adverse rental license action.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/11/2023.

COUNCIL ACTION 2023A-0831

The Minneapolis City Council, having considered an appeal submitted by Gretchen Arana regarding several decisions of the City Planning Commission (PLAN16894) approving a new, four-story residential building with 20 dwelling units for the property located at 5005 Lyndale Ave S, hereby:

1. Denies an appeal regarding the approval of a variance to reduce the minimum reverse corner front yard requirement along 50th St W from 31 feet to 15 feet to allow the building wall.
2. Grants an appeal regarding the approval of a variance to reduce the minimum corner side yard setback requirement along 50th St W from 10 feet to 4 feet for the building wall and stairway landing, and to 0 feet for the stairs and retaining wall.
3. Grants an appeal regarding the approval of a site plan review for a new, four-story residential building with 20 units.

Further, the Minneapolis City Council hereby adopts Findings of Fact as submitted by the Department of Community Planning & Economic Development.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted

COUNCIL ACTION 2023A-0832

The Minneapolis City Council hereby authorizes appropriate City staff to execute agreements for Great Streets Facade Improvement Grant Program Administration, in a total amount of \$451,000, as follows:

1. African Economic Development Solutions, in the amount of \$50,000.
2. Bryn Mawr Neighborhood Association, in the amount of \$30,000.
3. Field, Regina, Northrup Neighborhood Association, in the amount of \$40,000.
4. Lake Street Council, in the amount of \$50,000.

5. Lowry Hill Neighborhood Association, in the amount of \$23,000.
6. Lynnhurst Neighborhood Association, in the amount of \$23,000.
7. Northeast Minneapolis Chamber, in the amount of \$50,000.
8. Riverside Plaza Tenants Association, in the amount of \$35,000.
9. Seward Redesign Inc., in the amount of \$50,000.
10. Southwest Business Association, in the amount of \$50,000.
11. West Bank Business Association, in the amount of \$50,000.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

The COMMITTEE OF THE WHOLE submitted the following report:

COUNCIL ACTION 2023A-0833

Payne moved to grant consent to the Mayor’s nomination of Margaret Anderson Kelliher to the appointed position of City Operations Officer (City Coordinator) for a term ending January 2026.

On roll call, the result was:

Ayes: Payne, Rainville, Vetaw, Ellison, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (11)

Noes: Wonsley, Osman (2)

Absent: (0)

Adopted.

The POLICY & GOVERNMENT OVERSIGHT Committee submitted the following report:

On behalf of the Policy & Government Oversight Committee, Ellison offered Resolution 2023R-395 accepting a gift of travel expenses including flight, lodging, ground transportation, and appropriate incidentals from Big Cities Health Coalition (BCHC) for Heidi Ritchie, Deputy Commissioner of Health, to attend the Adaptive Leadership and BCHC Senior Deputies meeting in Atlanta, GA.

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

RESOLUTION 2023R-395

By Ellison

Accepting a gift of travel expenses including flight, lodging, ground transportation, and appropriate incidentals from Big Cities Health Coalition (BCHC) for Heidi Ritchie, Deputy Commissioner of Health, to attend the Adaptive Leadership and BCHC Senior Deputies meeting in Atlanta, GA.

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

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

Name of Recipient Department – Health Department

Name of Donor – Big Cities Health Coalition (BCHC)

Description of Donation - The Health Department is seeking approval for acceptance of travel costs from Big Cities Health Coalition (BCHC) for Heidi Ritchie, Deputy Commissioner of Health, to attend the Adaptive Leadership and BCHC Senior Deputies meeting. The meeting will take place in Atlanta, GA from January 10-12, 2024. BCHC will pay for travel expenses including flight, lodging, ground transportation, and appropriate incidentals.

Value of Donation - Big Cities Health Coalition (BCHC) of travel expenses including flight, lodging, ground transportation, and appropriate incidentals.

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

Whereas, all such donations have been contributed to assist the city in staff training and best practices identification, as allowed by law; and

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

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

That the donations described above are hereby accepted and shall be used for staff training and best practices identification.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0834

The Minneapolis City Council hereby:

1. Authorizes application for and acceptance of a Community Project Funding award from the US Department of Housing and Urban Development (HUD), in the amount of \$2,000,000, for the North Commons Park Improvement Project, and delegating authority to the Finance Officer to be the City's authorized representative for communicating with HUD.
2. Authorizes an agreement with US Department of Housing and Urban Development for a Community Project Funding award made to the benefit of North Commons Park Improvement Project.
3. Authorizes a subaward agreement in the amount of \$2,000,000 to the Minneapolis Park and Recreation Board.
4. Passage of Resolution 2023R-396 appropriating funds to the Department of Finance and Property Services.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/8/2023.

(Published 12/9/2023)

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

RESOLUTION 2023R-396

By Ellison

Amending The 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Finance and Property Services' Department in the Grants Federal Fund 01300-8200100 by \$2,000,000 and increasing the Finance and Property Services' Department revenue estimate in the Grants Federal Fund 01300-8200100-321008 by \$2,000,000.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/8/2023.

(Published 12/9/2023)

COUNCIL ACTION 2023A-0835

The Minneapolis City Council hereby approves Paul Birnberg for Council appointment to the Capital Long-Range Improvement Committee, Seat 18, Ward 9, for a two-year term, beginning Jan 1, 2023, and ending Dec 31, 2024.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0836

The Minneapolis City Council hereby accepts the sole bid of Wieser Concrete Products, Inc. submitted on Event 2811, for an estimated annual amount of \$585,757, to furnish and deliver Reinforced Manhole Covers, and authorizes a one-year contract for 2024, with the option to extend for one additional year, if agreeable by both parties, all in accordance with the City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0837

The Minneapolis City Council hereby accepts the low bid of Stonepros LLC, submitted on Event 2786, in the amount of \$1,630,000, to provide all materials, labor, equipment and incidentals necessary for Public Sidewalk Snow and Ice Removal, and authorizes a contract for the 2023/2024 and 2024/2025 snow seasons, all in accordance with City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/8/2023.

(Published 12/9/2023)

COUNCIL ACTION 2023A-0838

The Minneapolis City Council hereby accepts the low bid of JL Theis, Inc., submitted on Event 2764, for an estimated annual amount of \$587,026, to provide all materials, labor, equipment and incidentals necessary for Large Area Turf Establishment, and authorizes a one-year contract from Jan 1, 2024, to Dec 31, 2024, with the option to extend for one additional year if agreeable by both parties, all in accordance with City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0839

The Minneapolis City Council hereby accepts the low bid of Concrete Idea, Inc., submitted on Event 2536, in the amount of \$817,728, to provide all materials, labor, equipment and incidentals necessary for the Douglas North ADA Pedestrian Ramp Improvements Project, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0840

The Minneapolis City Council hereby authorizes a one-year extension to a master contract with the University of Minnesota (C-44280), through Dec 31, 2024, for research, consulting, and technical assistance services.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0841

The Minneapolis City Council hereby:

1. Authorizes a master contract with Build Wealth MN as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
2. Authorizes a master contract with Building Strong Communities as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
3. Authorizes a master contract with Comunidades Organizando el Poder y la Acción Latina (COPAL) as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
4. Authorizes a master contract with Environmental Initiative as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
5. Authorizes a master contract with Lutheran Social Service of Minnesota as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
6. Authorizes a master contract with Minneapolis Climate Action as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
7. Authorizes a master contract with Minnesota Training Partnership as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
8. Authorizes a master contract with NorthPoint Health and Wellness as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
9. Authorizes a master contract with Riverside Plaza Tenants as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
10. Authorizes a master contract with Sabathani Community Center as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
11. Authorizes a master contract with Unidos MN (aka Navigate MN) as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.
12. Authorizes a master contract with Tasks Unlimited as an eligible provider, in the not to exceed amount of \$500,000, for the period Jan 1, 2024, through Dec 31, 2025, for workforce development services.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0842

The Minneapolis City Council hereby authorizes a contract with Shaw Lundquist Associates, Inc, submitted on Event 2726, in the amount of \$24,191,782, to provide all materials, labor, equipment and incidentals necessary for the MBC Mechanical/Life Safety and City of Minneapolis Office Improvements Phase 3C Project, and authorizes the expenditure of funds for the project, all in accordance with MBC and City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0843

The Minneapolis City Council hereby authorizes a contract with B2B Technology, Inc., in the amount of \$1,014,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for PeopleSoft administration services for the Information Technology department.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0844

The Minneapolis City Council hereby authorizes a contract with Independent Emergency Services, in the total amount not to exceed \$1,286,155, for a five-year term starting Jan 1, 2024, for a five-agency consortium shared/hosted next generation 911 call handling system.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0845

The Minneapolis City Council hereby authorizes a contract with LifeTech EMS LLC, in the amount of \$150,000 annually, for a three-year term starting Jan 1, 2024, with the option to extend for two additional one-year terms, for emergency medical services at the Minneapolis Convention Center.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0846

The Minneapolis City Council hereby authorizes a contract with Rave Wireless, Inc. for five-year term starting Jan 1, 2024, for a total amount not to exceed \$459,250, with the option to extend for two additional one-year terms, to provide a cloud-based mass notification system for the City of Minneapolis.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0847

The Minneapolis City Council hereby

1. Authorizes a contract with Comunidades Latinas Unidas En Servicio (CLUES), in the amount of \$100,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for evidence-based opioid addiction treatment services.
2. Authorizes a contract with University of Minnesota, in the amount of \$150,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for evidence-based opioid addiction treatment services.
3. Authorizes a contract with the Greater Minneapolis Council of Churches, in the amount of \$100,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for evidence-based opioid addiction treatment services.
4. Authorizes a contract with Access Healing Center, in the amount of \$75,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for evidence-based opioid addiction treatment services.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0848

The Minneapolis City Council hereby authorizes an increase to contract COM0007392 with Rachel Contracting LLC, in the amount of \$167,110 for a total amount not to exceed \$805,777, for additional materials, labor, and equipment necessary to complete the demolition of the Kmart site at 10 W Lake St, all in accordance with City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/8/2023.

(Published 12/9/2023)

COUNCIL ACTION 2023A-0849

The Minneapolis City Council hereby authorizes an increase to contract COM0004472 with Toole Design Group, in the amount of \$725,162.65 for a total amount not to exceed \$2,633,853.65, for providing additional engineering and design services, all in accordance with City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0850

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0005747 with Tri-Construction, in the amount of \$52,880 for a total amount not to exceed \$192,785, for leased space improvements to the Neighborhood Safety Office at 927 West Broadway.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0851

The Minneapolis City Council hereby authorizes an increase to contract C-22314 with Trapeze Software Group, Inc, dba AssetWorks LLC, in the amount of \$1,015,159.49 for a total amount not to exceed \$2,642,922.88, and a five-year extension through Dec 31, 2028, for licensing, support and maintenance, and hosting services for fleet and fuel management software.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0852

The Minneapolis City Council hereby authorizes an increase to Contract C-44154 with TerminalFour, Inc. ("TerminalFour"), in the amount of \$25,000 for a new total amount not to exceed \$2,004,143, for the support and maintenance of the City's website.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0853

The Minneapolis City Council hereby authorizes an increase to contract C-37587 with Verint Americas, Inc., in the amount of \$54,967.11 for a new total amount not to exceed \$4,689,200.28, for an increase in licensing and changes to the interfaces for the 311 Lagan system.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0854

The Minneapolis City Council hereby authorizes an increase to Agreement No. COM0006236, with PCI Roads, LLC, in the amount of \$62,000 for a total amount not to exceed \$609,650, for additional Pavement Profiling and Roto Milling Services, all in accordance with City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0855

The Minneapolis City Council hereby authorizes an increase to contract COM0004350 with Ti-Zack Concrete, Inc., in the amount of \$20,000 for a total amount not to exceed \$549,203, for additional work to complete the Whittier Safe Routes to School Project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0856

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0006455 with Spriggs Plumbing & Heating, Inc., in the amount of \$14,515 for a total amount not to exceed \$123,515, for additional work to complete the Target Center Sanitary Piping Repairs Project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0857

The Minneapolis City Council hereby authorizes an increase to contract COM0004118 with Gries Lenhardt Allen, P.L.L.P. in the amount of \$900,000, for a total amount not to exceed \$2,700,000, for Workers' Compensation legal services.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0858

The Minneapolis City Council hereby authorizes an increase to contract COM0006435 with Paragon Restoration II, Inc., in the amount of \$22,642 for a total amount not to exceed \$217,642, for additional work needed to complete the Target Center Floor Repair and Coating - Phase 2 Project.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0859

The Minneapolis City Council hereby authorizes an increase to contract COM0006812 with Ti-Zack Concrete, Inc., in the amount of \$135,000 for a total amount not to exceed \$2,610,135.35, for additional work to complete the Lyndale Ave N Pedestrian Improvements Project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0860

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0006114 with Versacon, Inc., in the amount of \$79,363 for a total amount not to exceed \$2,494,715, for additional work to complete the Fire Station #8 Miscellaneous Improvements Project, all in accordance with City specifications.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0861

The Minneapolis City Council hereby:

1. Authorizes an increase to contract C-37702 with Infor Public Sector, Inc., in the amount of \$2,456,052 for a new not to exceed total of \$5,471,383.67, and a five-year extension through Dec 31, 2028, for Software as a Service (Saas) migration, continued licensing, maintenance and support of the City's Enterprise Land Management System.
2. Authorizes an increase to Contract C-37703 with Avolve Software Corp., in the amount of \$634,625 for a new not to exceed total of \$1,405,327, and a five-year extension through Dec 31, 2028, for Software as a Service (Saas) migration, continued licensing, maintenance and support of the City's Enterprise Land Management System.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0862

The Minneapolis City Council hereby approves the settlement of the lawsuit of Keneisha Gilmer v. City of Minneapolis and John Vinck by payment of \$7,250 to Plaintiff and Plaintiff's attorney, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0863

The Minneapolis City Council hereby approves the settlement of lawsuit Yolima Arguello v. City of Minneapolis, by payment of \$9,000 to Yolima Arguello and attorneys, and authorizes the City Attorney's Office to execute any necessary documents to effectuate the settlement.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0864

Jenkins moved to approve the workers' compensation settlement of Logan Johansson by payment of \$111,250 to Logan Johansson and attorney, Meuser Law Firm, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Payne, Rainville, Vetaw, Osman, Goodman, Jenkins, Koski, Chowdhury, Palmisano (9)

Noes: Wonsley, Ellison, Chavez, Chughtai (4)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0865

The Minneapolis City Council hereby approves the workers' compensation claim of Mohamed Abdullahi by payment of \$150,000 to Mohamed Abdullahi and attorney, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0866

Jenkins moves to approve the workers' compensation claim of Peter Brazeau by payment of \$125,000 to Peter Brazeau and attorney, Meuser Law Firm, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Payne, Rainville, Vetaw, Osman, Goodman, Jenkins, Koski, Chowdhury, Palmisano (9)

Noes: Wonsley, Ellison, Chavez, Chughtai (4)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0867

Jenkins moved to approve the workers' compensation claim of Andrew Braun by payment of \$130,000 to Andrew Braun and attorney, Meuser Law Firm, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

Ayes: Payne, Rainville, Vetaw, Osman, Goodman, Jenkins, Koski, Chowdhury, Palmisano (9)

Noes: Wonsley, Ellison, Chavez, Chughtai (4)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0868

The Minneapolis City Council hereby:

1. Authorizes a master contract with Cooperative Energy Futures, in the amount of \$4,000,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
2. Authorizes a master contract with Elevate Energy, in the amount of \$4,000,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
3. Authorizes a master contract with Frontier Energy, in the amount of \$4,000,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
4. Authorizes a master contract with Lake Street Council, in the amount of \$2,000,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
5. Authorizes a master contract with Minnesota Waste Wise Foundation, in the amount of \$2,000,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
6. Authorizes a master contract with Tree Trust, in the amount of \$4,000,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.

7. Authorizes a master contract with Emerge Community Development, in the amount of \$1,500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
8. Authorizes a master contract with Hired, in the amount of \$1,500,000, for three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
9. Authorizes a master contract with ICAST, in the amount of \$1,500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
10. Authorizes a master contract with Sabathani Community Center, in the amount of \$1,500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
11. Authorizes a master contract with Spark Youth, in the amount of \$1,500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
12. Authorizes a master contract with Metro Blooms, in the amount of \$1,000,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
13. Authorizes a master contract with Minneapolis Climate Action, in the amount of \$1,000,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
14. Authorizes a master contract with Navigate, in the amount of \$1,000,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
15. Authorizes a master contract with Environmental Initiative, in the amount of \$500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
16. Authorizes a master contract with Great Plains Institutes, in the amount of \$500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
17. Authorizes a master contract with Impact Solutions, LLC, in the amount of \$500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
18. Authorizes a master contract with LHB, Inc., LLC, in the amount of \$500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
19. Authorizes a master contract with Precipitate, LLC, in the amount of \$500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
20. Authorizes a master contract with Rock, Leaf, Water, in the amount of \$500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
21. Authorizes a master contract with Tides Center (CMEJ Sponsor), in the amount of \$500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.
22. Authorizes a master contract with Young Environmental Consulting, in the amount of \$500,000, for a three-year term, Jan 1, 2024, through Dec 31, 2026, for climate, energy, and sustainability services.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

The PUBLIC HEALTH & SAFETY Committee submitted the following report:

Palmisano moved to adopt Ordinance 2023-066 amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to Planning and Development: Neighborhood Revitalization Program, amending provisions related to the number of neighborhood organization representative positions on the board and the election system used to fill those positions, including the following amendment to Sections 419.60 (c) and (d) of the ordinance to read as follows:

(c) *Election.*

(1) Election of the eight (8) neighborhood organization representatives on the NRP Policy Board will occur every even year at the city's Community Connections Conference. Six (6) of the neighborhood organization representatives shall each represent one of the NRP Districts ("NRP District Position") and two (2) shall be at-large representatives ("NRP At-Large Position").

(2) Each neighborhood, as defined by the City's Planning Commission, shall have two (2) votes:

a. One (1) for the NRP District Position to represent the NRP District in which the neighborhood is located; and

b. One (1) for an NRP At-Large Position.

(3) Each neighborhood organization of the City of Minneapolis, as recognized by the City's Neighborhood and Community Relations Department, shall send a delegate to the Community Connections Conference each election year to submit the votes of the neighborhoods represented by that neighborhood organization.

(4) Neighborhood organization delegate(s) who are unable to attend the Community Connections Conference may cast an absentee ballot forty-eight (48) hours in advance of the Community Connections Conference.

~~(4)~~ (5) All NRP District Positions shall be awarded to the candidate who receives a plurality of the votes by the neighborhoods within each respective NRP District. Neighborhood organization delegates can only vote for the NRP District Position for the NRP District in which the neighborhoods they represent are geographically located.

~~(5)~~ (6) The two (2) NRP At-Large Positions shall be awarded to the candidates who receive the top two (2) highest number of votes from the total NRP At-Large Position votes submitted by the neighborhood organization delegates.

~~(6)~~ (7) In the event of a tie, the position sought shall be decided by lot.

~~(7)~~ (8) Results of the election shall be forwarded to the NRP Policy Board. Pursuant to Minn. Stat § 469.1831, subd. 6(c) and (e), the newly-elected individuals shall join the board upon invitation by the sitting governmental members of the board and appointment by the sitting elected officials of the board.

(d) *Candidates.*

(1) There shall be one NRP District Position on the NRP Policy Board for each NRP District, as well as two NRP At-Large Positions.

(2) All candidates for both NRP District Positions and NRP At-Large Positions on the NRP Policy Board must be at least eighteen (18) years old at the time of election to the board and must be a resident of the City of Minneapolis. Candidates running for an NRP District Position must be a resident of the NRP District they seek to represent. Candidates must declare whether they are seeking election to an NRP District Position or to an NRP At-Large position, but may not do both.

(3) The Neighborhood and Community Relations Department will develop and distribute a candidate questionnaire for City-wide distribution, which will be available both electronically and by physical copy. Any individual who completes and submits the questionnaire either electronically or by physical copy has declared their candidacy and, conditioned upon age and residency requirements, is eligible for election to the NRP Policy Board.

(4) Individuals may declare their candidacy at any time prior to electors formally casting their ballot at the Community Connections Conference.

(5) All NRP Policy Board ballots will have a write-in candidate option.

(4) (6) The Neighborhood and Community Relations Department (NCR) will compile the declarations of candidacy for disclosure to the public. NCR will disseminate the list of candidates to the electorate within ten (10) days of the election by email and by posting the list on the City's website.

(5) (7) NRP Districts' geographical boundaries will be determined by the NRP Policy Board.

(6) (8) Candidates will be elected for two-year terms, and no candidate shall hold a neighborhood organization representative position of any kind for more than six (6) consecutive years.

(7) (9) If a neighborhood organization representative steps down from, is removed from, or is no longer eligible to hold their position, the representative filling the vacancy shall hold their new position until the next election at the Community Connections Conference. Vacancies shall be filled by offering the vacant position to the candidate from the most recent election who received the second-most votes in the race for the position which has the vacancy. Should the candidate with the second-most votes be unable or unwilling to take the position, the vacant position should be offered to the candidate from the most recent election who received the third-most votes, and so on and so forth.

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

ORDINANCE 2023-066
By Vetaw and Payne
Intro & 1st Reading: 11/2/23
Ref to: PHS
2nd Reading: 12/7/23

Amending Title 16, Chapter 419 of the Minneapolis Code of Ordinances relating to Planning and Development: Neighborhood Revitalization Program.

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

Section 1. That Section 419.60 of the above-entitled ordinance be amended to read as follows:

419.60. Policy Board. ~~The joint powers agreement that established a policy board for Phase I and Phase II expires on December 31, 2011. Pursuant to subdivision 6 of the neighborhood revitalization program law, the city council, by resolution, shall re-establish a policy board consisting of membership from the city council, the Hennepin County Board, the board of Special School District No. 1, the Parks and Recreation~~

~~board, the mayor or the mayor's designee, a representative from the Minnesota House of Representatives delegation from Minneapolis, a representative from the Minnesota Senate delegation from Minneapolis, and four (4) representatives of neighborhood organizations. The policy board may recommend appointment to the policy board of such additional representatives of Minneapolis labor, business, neighborhood, community, city-wide and social service organizations as they deem appropriate.~~

(a) Pursuant to subdivision 6 of Minnesota Statute § 469.1831, there shall be a Neighborhood Revitalization Program ("NRP") Policy Board for the City of Minneapolis. The NRP Policy Board shall consist of the following members:

(1) At least one (1) Council Member from the city council;

(2) At least one (1) Commissioner from the Hennepin County Board of Commissioners;

(3) At least one (1) Member from the Board of Special School District No. 1;

(4) At least one (1) Commissioner from the Park and Recreation Board of Commissioners;

(5) The mayor or the mayor's designee;

(6) A representative from the Minnesota House of Representatives delegation from Minneapolis;

(7) A representative from the Minnesota Senate delegation from Minneapolis; and

(8) Eight (8) representatives of City-recognized neighborhood organizations.

(b) The Policy Board may appoint additional representatives of citywide community organizations, neighborhood organizations, business owners, labor, and neighborhood residents.

(c) Election.

(1) Election of the eight (8) neighborhood organization representatives on the NRP Policy Board will occur every even year at the city's Community Connections Conference. Six (6) of the neighborhood organization representatives shall each represent one of the NRP Districts ("NRP District Position") and two (2) shall be at-large representatives ("NRP At-Large Position").

(2) Each neighborhood, as defined by the City's Planning Commission, shall have two (2) votes:

a. One (1) for the NRP District Position to represent the NRP District in which the neighborhood is located; and

b. One (1) for an NRP At-Large Position.

(3) Each neighborhood organization of the City of Minneapolis, as recognized by the City's Neighborhood and Community Relations Department, shall send a delegate to the Community Connections Conference each election year to submit the votes of the neighborhoods represented by that neighborhood organization.

(4) Neighborhood organization delegate(s) who are unable to attend the Community Connections Conference may cast an absentee ballot forty-eight (48) hours in advance of the Community Connections Conference.

(5) All NRP District Positions shall be awarded to the candidate who receives a plurality of the votes by the neighborhoods within each respective NRP District. Neighborhood organization delegates can only vote for the NRP District Position for the NRP District in which the neighborhoods they represent are geographically located.

(6) The two (2) NRP At-Large Positions shall be awarded to the candidates who receive the top two (2) highest number of votes from the total NRP At-Large Position votes submitted by the neighborhood organization delegates.

(7) In the event of a tie, the position sought shall be decided by lot.

(8) Results of the election shall be forwarded to the NRP Policy Board. Pursuant to Minn. Stat § 469.1831, subd. 6(c) and (e), the newly-elected individuals shall join the board upon invitation by the sitting governmental members of the board and appointment by the sitting elected officials of the board.

(d) Candidates.

(1) There shall be one NRP District Position on the NRP Policy Board for each NRP District, as well as two NRP At-Large Positions.

(2) All candidates for both NRP District Positions and NRP At-Large Positions on the NRP Policy Board must be at least eighteen (18) years old at the time of election to the board and must be a resident of the City of Minneapolis. Candidates running for an NRP District Position must be a resident of the NRP District they seek to represent. Candidates must declare whether they are seeking election to an NRP District Position or to an NRP At-Large position, but may not do both.

(3) The Neighborhood and Community Relations Department will develop and distribute a candidate questionnaire for City-wide distribution, which will be available both electronically and by physical copy. Any individual who completes and submits the questionnaire either electronically or by physical copy has declared their candidacy and, conditioned upon age and residency requirements, is eligible for election to the NRP Policy Board.

(4) Individuals may declare their candidacy at any time prior to electors formally casting their ballot at the Community Connections Conference.

(5) All NRP Policy Board ballots will have a write-in candidate option.

(6) The Neighborhood and Community Relations Department (NCR) will compile the declarations of candidacy for disclosure to the public. NCR will disseminate the list of candidates to the electorate within ten (10) days of the election by email and by posting the list on the City's website.

(7) NRP Districts' geographical boundaries will be determined by the NRP Policy Board.

(8) Candidates will be elected for two-year terms, and no candidate shall hold a neighborhood organization representative position of any kind for more than six (6) consecutive years.

(9) If a neighborhood organization representative steps down from, is removed from, or is no longer eligible to hold their position, the representative filling the vacancy shall hold their new position until the next election at the Community Connections Conference. Vacancies shall be filled by offering the vacant

position to the candidate from the most recent election who received the second-most votes in the race for the position which has the vacancy. Should the candidate with the second-most votes be unable or unwilling to take the position, the vacant position should be offered to the candidate from the most recent election who received the third-most votes, and so on and so forth.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted, as amended.

On behalf of the Public Health & Safety Committee, Vetaw offered Ordinance 2023-067 amending Title 11, Chapter 219 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Contagious Diseases, amending Article V, High Risk Sexual Conduct to update language to reflect advances in preventative care and studies on community outreach, and to remove stigmatizing language that targets same-sex partnerships and people living with HIV/AIDS.

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

ORDINANCE 2023-067
By Jenkins and Payne
Intro & 1st Reading: 11/2/23
Ref to: PHS
2nd Reading: 12/7/2023

Amending Title 11, Chapter 219 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Contagious Diseases.

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

Section 1. That Section 219.500 of the above-entitled ordinance be amended to read as follows:

219.500. Findings. It is hereby found that there are within the City of Minneapolis commercial premises, buildings and structures, or parts thereof, which, by reason of the design and use of such premises, buildings or structures are conducive to the spread of communicable disease of danger to persons frequenting such premises, buildings, and structures, and to the public health, safety, and welfare of the community. The health, safety, and welfare of all persons in the City of Minneapolis must be protected through the application and enforcement of standards regulating such premises, buildings and structures, in order to eliminate the possibility of the spread of, or infection by, contagious disease. ~~The sexually transmittable disease of acquired immune deficiency syndrome, currently found to be irreversible and uniformly fatal, is found to be of particular danger to persons in this community. The incidence of this disease is found to occur in discernible population groups.~~ The risk factors for obtaining or spreading the disease are certain communicable diseases may be associated with high-risk sexual conduct. The commercial premises, buildings, and structures where persons are placed at risk of infection from ~~this disease or other~~ communicable diseases facilitated by their design or use for high-risk sexual conduct are in need of regulation, and of establishment of minimal standards for the prevention of the spread of ~~this disease and other~~ communicable diseases for the protection of the public health, safety and welfare of the community.

Section 2. That Section 219.510 of the above-entitled ordinance be amended to read as follows:

219.510. Definitions.

(1) The term "~~high-risk sexual conduct~~" means:

~~(a) Fellatio;~~

~~(b) Anal intercourse;~~

~~(c) Vaginal intercourse with persons who engage in sexual acts in exchange for money.~~

The term "high-risk sexual conduct" means sexual activities which are likely to result in the spread of sexually transmitted or other communicable diseases due to the exchange of or physical contact with bodily fluids including but not limited to semen, blood, or vaginal fluid. Such activities include but are not limited to anonymous sex, sex with more than one partner or multiple partners, and inconsistent condom/barrier use during sexual activity.

(2) The term "*hazardous site*" means any commercial premises, building or structure, or any part thereof, which is a site of high-risk sexual conduct.

(3) The phrase "*booths, stalls, or partitioned portions of a room or individual rooms*" means:

~~(a) a.~~ Enclosures specifically offered to persons for a fee or as an incident to performing high-risk sexual conduct; or

~~(b) b.~~ Enclosures which are part of a business operated on the premises which offers movies or other entertainment to be viewed within the enclosure, including enclosures wherein movies or other entertainment is dispensed for a fee.

The phrase "booths, stalls, or partitioned portions of a room or individual rooms" does not mean enclosures which are private offices used by the owners, managers, or persons employed on the premises for attending to the tasks of their employment, and which are not held out to the public or members of the establishment for hire or for a fee or for the purpose of viewing movies or other entertainment for a fee and are not open to any persons other than employees.

(4) The phrase "doors, curtains, or portal partitions" means full, complete, nontransparent closure devices through which one cannot see or view activity taking place within the enclosure.

(5) The phrase "open to an adjacent public room so that the area inside is visible to persons in the adjacent public room" means either the absence of any "door, curtain or portal partition" or a door or other device which is made of clear, transparent material such as glass, plexiglass or other similar material meeting building code and safety standards, which permits the activity inside the enclosure to be viewed or seen by persons outside the enclosure.

(6) The words "commissioner of health" means the City of Minneapolis Commissioner of Health.

Section 3. That Section 219.520 of the above-entitled ordinance be amended to read as follows:

219.520. Building standards.

(1) No commercial building, structure, premises, or part thereof, or facilities therein, shall be so constructed, used, designed, or operated for the purpose of engaging in, or permitting persons to engage in, ~~sexual activities which include~~ high-risk sexual conduct.

(2) No person shall own, operate, manage, rent, lease, or exercise control of any commercial building, structure, premises, or portion or part thereof, which contains:

(a) a. Partitions between subdivisions of a room, portion or part of a building, structure, or premises having an aperture which is designed or constructed to facilitate sexual activity between persons on either side of the partition.

(b) b. Booths, stalls, or partitioned portions of a room, or individual rooms, used for the viewing of motion pictures or other forms of entertainment, having doors, curtains, or portal partitions, unless such booths, stalls, partitioned portions of a room, or individual rooms so used shall have at least one side open to an adjacent public room so that the area inside is visible to persons in the adjacent public room. Such areas shall be lighted in a manner that the persons in the areas used for viewing motion pictures or other forms of entertainment are visible from the adjacent public rooms, but such lighting shall not be of such intensity as to prevent the viewing of the motion pictures or other offered entertainment.

(3) The standards as set forth in this section shall not apply to buildings, structures, and premises which are lawfully operating as hotels, motels, apartment complexes, condominiums, or rooming houses.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0869

The Minneapolis City Council hereby:

1. Approves Jenny Breen for Council reappointment to the Homegrown Minneapolis Food Council, Seat 1, Ward 8, for 2 year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
2. Confirms Chris Waters for Mayoral appointment to the Homegrown Minneapolis Food Council, Seat 15, Ward 10, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
3. Approves Destiny Jones for Council appointment to the Homegrown Minneapolis Food Council, Seat 5, Ward 4, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
4. Approving Katelyn Yee for Council appointment, Seat 6, Ward 2, for 2 a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
5. Confirms Emily Mattheisen for Mayoral reappointment to the Homegrown Minneapolis Food Council, Seat 13, Ward 11, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
6. Approves Angela Gustafson for Council appointment to the Homegrown Minneapolis Food Council, Seat 7, Ward 13, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
7. Approves Mykela Jackson for Council appointment to the Homegrown Minneapolis Food Council, Seat 8, Ward 6, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
8. Approves Kevin Ellis for Council reappointment to the Homegrown Minneapolis Food Council, Seat 2, Ward 12, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
9. Confirms Marcus Kar for Mayoral reappointment to the Homegrown Minneapolis Food Council, Seat 12, Ward 5, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
10. Confirms Paola Ehrmantraut for Mayoral appointment to the Homegrown Minneapolis Food Council, Seat 10, Ward 7, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
11. Confirms Natalie Haberman for Mayoral appointment to the Homegrown Minneapolis Food Council, Seat 9, Ward 9, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.

12. Approves Cory Wintersteen for Council appointment to the Homegrown Minneapolis Food Council, Seat 3, Ward 3, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
13. Confirms J. DeVon Nolen for Mayoral reappointment to the Homegrown Minneapolis Food Council, Seat 11, Ward 5, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
14. Confirms Todd Western for Mayoral appointment to the Homegrown Minneapolis Food Council, Seat 14, Ward 4, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.
15. Approves David Herrera Santacruz for Council appointment to the Homegrown Minneapolis Food Council, Seat 4, Ward 12, for a two-year term, beginning Jan 1, 2024, and ending Dec 31, 2025.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0870

The Minneapolis City Council hereby:

1. Accepts a grant from the Executive Office of the President Office of National Drug Control Policy, in the amount of \$47,500, to address regional drug threats with the purpose of reducing drug trafficking and drug production in the United States.
2. Authorizes an agreement with the Executive Office of the President Office of National Drug Control Policy through Dec 31, 2024.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0871

The Minneapolis City Council hereby:

1. Accepts the National Forensic Sciences Improvement Grant from the Minnesota Department of Public Safety - Office of Justice Programs, in the amount of \$41,250, for training and equipment for the Police Department Crime Lab.
2. Authorizes an agreement with the Minnesota Department of Public Safety - Office of Justice Programs, for the grant period of Jul 1, 2023, through Sep 30, 2024.
3. Passage of Resolution 2023R-397 approving appropriation of funds to the Police Department.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2023R-397

By Vetaw

Amending The 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department in the Revenue Fund 01300/4003300 by \$41,250, and increasing the Police Department revenue estimate in the Special Revenue Fund 4003300-321010 by \$41,250.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0872

The Minneapolis City Council hereby:

1. Accepts a grant from U.S. Department of Justice, in the amount of \$1,250,000, to hire 10 additional police officers over three years to support the City's efforts to address violent crime and gun violence.
2. Authorizes an agreement with the U.S. Department of Justice to pay a portion of the salaries and fringe benefits of 10 entry-level sworn officers for three years.
3. Passage of Resolution 2023R-398 approving appropriation of funds to the Police Department.

On roll call, the result was:

Ayes: Payne, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (12)

Noes: Wonsley (1)

Absent: (0)

Adopted.

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

RESOLUTION 2023R-398

By Vetaw

Amending The 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department in the Police Special Revenue Fund 01300/4002110 by \$1,250,000, and increasing the Police Department revenue estimate in the Police Special Revenue Fund 01300/4002110/321010 by \$1,250,000.

On roll call, the result was:

Ayes: Payne, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (12)

Noes: Wonsley (1)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0873

The Minneapolis City Council hereby:

1. Authorizes an amendment to the Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension on the Human Trafficking Investigations Task Force, in the amount of \$19,500, for Minneapolis Crime Analyst support.
2. Passage of Resolution 2023R-399 approving appropriation of funds to the Police Department.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2023R-399

By Vetaw

Amending The 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department in the Police State and other Fund (01600-4003500) by \$19,500, and increasing the Police Department revenue estimate in the Police Special Revenue Fund (0160-400350-321509) by \$19,500.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0874

The Minneapolis City Council hereby authorizes a contract with City of Crystal, in the amount of \$45,800, for continued participation in the state's Toward Zero Deaths traffic enforcement partnership program from Oct 1, 2023, through Sep 30, 2024.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2022A-0875

The Minneapolis City Council hereby:

1. Accepts a grant from the Office of Justice Programs (OJP), Federal Centers for BJA FY 23 Byrne Discretionary Community Project Funding/Byrne Discretionary Grants Program, in the amount of \$1,894,337, for a student internship program, within the Minneapolis Police Department, through Pathways Encouraging Active Community Engagement (PEACE).

2. Authorizes an agreement with the Office of Justice Programs (OJP) for the grant.
3. Passage of Resolution 2023R-400 approving appropriation of funds to the Minneapolis Police Department.

On roll call, the result was:

Ayes: Payne, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Koski, Chowdhury, Palmisano (10)

Noes: Wonsley, Chavez, Chughtai (3)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/8/2023.

(Published 12/9/2023)

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

RESOLUTION 2023R-400

By Vetaw

Amending The 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department in the Revenue Fund 01300/4004600 by \$1,894,337, and increasing the Police Department revenue estimate in the Special Revenue Fund 01300/4004600/321010 by \$1,894,337.

On roll call, the result was:

Ayes: Payne, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Koski, Chowdhury, Palmisano (10)

Noes: Wonsley, Chavez, Chughtai (3)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/8/2023.

(Published 12/9/2023)

COUNCIL ACTION 2023A-0876

The Minneapolis City Council hereby:

1. Accepts a Hazardous Materials Emergency Preparedness (HMEP) grant from the Minnesota Department of Public Safety - State Fire Marshal Division, in the amount of \$78,750, to be used for HazMat training and incident response conducted between Oct 1, 2023, through Sep 30, 2024.
2. Passage of Resolution 2023R-401 approving appropriation of funds to Fire.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2023R-401

By Vetaw

Amending The 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Fire Department in the Grants-Other Fund (01600-2800700) by \$63,000 and increasing the revenue source (01600-2800700-321520) by \$63,000.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0877

The Minneapolis City Council hereby:

1. Accepts a grant from the Minnesota Division of Homeland Security and Emergency Management, in the amount of \$57,124, to enhance emergency management capabilities.
2. Authorizes an agreement with the Minnesota Division of Homeland Security and Emergency Management for the grant.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0878

The Minneapolis City Council hereby:

1. Accepts a grant from the Minnesota Division of Homeland Security and Emergency Management, in the amount of \$829,500, to enhance emergency management capabilities.
2. Authorizes an agreement with the Minnesota Division of Homeland Security and Emergency Management for the grant.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0879

The Minneapolis City Council hereby:

1. Accepts a grant from the Medica Foundation, in the amount of \$47,000, for the anti-stigma campaign and pilot on-site substance use disorder project for the period of Jan 1, 2024, through Dec 31, 2024.
2. Authorizes an agreement with Medica Foundation for the grant.
3. Passage of Resolution 2023R-402 approving appropriation of funds to the Health Department.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2023R-402

By Vetaw

Amending The 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department (01600-8600120) revenue code (372002) by \$47,000 and increasing the revenue estimate (01600-8600120) by \$47,000.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0880

The Minneapolis City Council hereby:

1. Accepts a grant amendment from the Minnesota Department of Health, in the amount of \$1,887,256, for the evidence-based home visiting services for the period of Jan 1, 2024, through Dec 31, 2024.
2. Authorizes an agreement with the Minnesota Department of Health for the grant.
3. Passage of Resolution 2023R-403 approving appropriation of funds to the Health Department.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2023R-403

By Vetaw

Amending The 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department (01300-8600151) revenue code (321007) by \$1,887,256 and increasing the revenue estimate (01300-8600151) by \$1,887,256.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0881

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

The Minneapolis City Council hereby:

1. Authorizes a contract with Circle of Discipline, in partnership with ~~Marcy-Holmes Neighborhood Association (MHNA)~~ Beltrami Neighborhood Council, in the amount of \$25,000, to provide music, poetry, mentorship, and career exploration to community members.
2. Authorizes a contract with Corcoran Neighborhood Organization (CNG), in partnership with Carmen Incaroca, in the amount of \$20,000, to provide Spanish language emergency preparedness training.
3. Authorizes a contract with Corcoran Neighborhood Organization (CNO), in partnership with William Martinez, in the amount of \$20,000, to provide Spanish language training and leadership development for young people.
4. Authorizes a contract with Corcoran Neighborhood Organization (CNO), in partnership with Patricia Santos, in the amount of \$20,000, to provide Spanish language support to families dealing with a cancer diagnosis.
5. Authorizes a contract with Phillips West Neighborhood Organization (PWNO), in partnership with Alley Communications Incorporated, in the amount of \$20,000, to provide journalism trainings and publishing opportunities for residents.
6. Authorizes a contract with Midtown Phillips Neighborhood Association Incorporated (MPNAI), in partnership with New Americans Youth Soccer Club, in the amount of \$18,000, to create a youth leadership development program.
7. Authorizes a contract with Webber-Camden Neighborhood Organization (WCNO), in partnership with Jun Yang, in the amount of \$50,000, to create a civic leadership program for community members, especially from underrepresented communities.
8. Authorizes a contract with Webber-Camden Neighborhood Organization (WCNO), in partnership with The Barber Ranch LLC, in the amount of \$20,000, to provide barber training to young people.
9. Authorizes a contract with Listen Media Community Fund, in partnership with Central Area Neighborhood Development Organization (CANDO), in the amount of \$25,000, to invest in the creation of a community-focused photography gallery in George Floyd Square.
10. Authorizes a contract with Foundations Church, in partnership with the Central Area Neighborhood Development Organization (CANDO), in the amount of \$46,000, to provide mentorship to youth in community.
11. Authorizes a contract with Fawkes Alley Coffee, in partnership with Citizens for Loring Park Community (CLPC), in the amount of \$19,910, to support a development program that provides life skills training and career support.
12. Authorizes a contract with Corcoran Neighborhood Organization (CNO), in partnership with Biking with Baddies, in the amount of \$25,000, to promote cycling to underrepresented community members through community events.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Public Health & Safety Committee, Chavez offered Resolution 2023R-404 supporting the formation of a non-profit organization to develop a carbon free district energy system around Hiawatha and East Lake Street.

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

RESOLUTION 2023R-404

By Chavez

Supporting the Formation of Longfellow Community Energy, Inc. to Build and Operate a Carbon-Free District Energy System for the Re+4RM @ US Bank Project

Whereas, the City of Minneapolis (the “City”) has adopted a goal to reduce and eventually reach carbon-zero greenhouse gas emissions in the industrial, commercial, and multifamily building sector by seventy-five percent (75%) by 2030 (the “Reduce GHG Emissions by 2030 Goal”), as set forth in 2023 Climate Equity Plan, dated July 25, 2023; and

Whereas, the City has identified and is undertaking improvements to implement the City’s Reduce GHG Emissions by 2030 Goal, including, but not limited to: using the Energy Benchmarking Program to track electric and gas use of commercial and multifamily buildings, exploring industrial-scale carbon free energy systems for industrial use, and encouraging the implementation of existing zero/low emission energy technologies among private, public, nonprofit, academic, and community participants; and

Whereas, Redesign, Inc. (“Redesign”) is a Minnesota nonprofit corporation providing community development services in the Greater Longfellow neighborhoods in South Minneapolis; and

Whereas, Redesign and architectural design firm 4RM+ULA, LLP, a Minnesota limited liability company, intend to develop 2800 East Lake Street into an affordable multifamily housing, commercial and outdoor retail spaces, and nonprofit community services development (the “Project”) powered by a low-carbon and eventually carbon-free district energy system; and

Whereas, City staff and Redesign have engaged in discussions with Ever-Green Energy, Inc. (“Ever-Green Energy”) regarding methods and options to implement a carbon-free district energy system that will leverage aquifer thermal energy storage technology for heating and cooling the Project; and

Whereas, Ever-Green Energy is in the process of forming Longfellow Community Energy, Inc. (“Longfellow Community Energy”) as a Minnesota nonprofit corporation, to be operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, to assist the City in its goal of reducing greenhouse gas emissions, with the expectation that Longfellow Community Energy will design, construct, and operate an aquifer thermal energy storage (“ATES”) system at the Project to serve the Greater Longfellow community and other nearby customers as the ATES system may efficiently and economically allow; and

Whereas, Longfellow Community Energy is not yet recognized under Internal Revenue Code 501(c)(3), and intends to submit its application for recognition, understanding the process may take several months to a year to complete; and

Whereas, the City understands that the public purpose of Longfellow Community Energy is to further the environmental goals of reduction of fossil fuels by providing public utility services in a low-carbon or carbon-free manner, and the planning and development of an ATES system that will further assist the City in meeting its Reduce GHG Emissions by 2030 Goal.

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

That the City hereby acknowledges its support for the proposed ATEs system at the Project and the application of the Longfellow Community Energy for recognition as a 501(c)(3) tax-exempt organization with the Internal Revenue Service, and determines that Longfellow Community Energy's efforts to build and operate the ATEs system at the Project would, upon the project's completion, relieve the City of a portion of its burden to meet the sustainability, greenhouse gas reduction, and renewable energy requirements and goals for the City as described in its 2023 Climate Equity Plan

Be It Further Resolved that the City supports the formation of Longfellow Community Energy and its development of an environmentally sustainable, cost-efficient energy system at the Project, and

Be It Further Resolved that the City hereby recognizes its right to appoint a designee to serve on the Board of Directors of Longfellow Community Energy under its Bylaws, should such an appointee be necessary.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0882

The Minneapolis City Council hereby authorizes a \$10,000 contract for service agreement with Hennepin County to respond to social determinants of health impacting Minneapolis residents through Sep 30, 2024.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0883

The Minneapolis City Council hereby:

1. Accepts a \$10,000 grant from the Natural Resources Defense Council to support creation of four videos for food waste prevention for a one-year period beginning Jan 1, 2024.
2. Authorizes an agreement with the Natural Resources Defense Council for the grant funds.
3. Passage of Resolution 2023R-405 approving appropriation of funds to the Health Department.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2023R-405

By Vetaw

Amending The 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department (01600-8600123) revenue code (372002) by \$10,000 and increasing the revenue estimate (01600-8600123) by \$10,000.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0884

The Minneapolis City Council hereby authorizes an amended and reinstated Youth Coordinating Board Joint Powers Agreement among the City of Minneapolis, Minneapolis Special School District 1, the Park and Recreation Board of the City of Minneapolis, and Hennepin County, to be effective Jan 1, 2024, through Dec 31, 2028.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

The PUBLIC WORKS & INFRASTRUCTURE Committee submitted the following report:

On behalf of the Public Works & Infrastructure Committee, Chughtai offered Ordinance 2023-068, amending Title 19, Chapter 510 of the Minneapolis Code of Ordinances relating to Water, Stormwater and Sanitary Sewer: Stormwater Management System and Operation of a Stormwater Utility, amending provisions related to operations with regard to coordination with the Park and Recreation Board.

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

ORDINANCE 2023-068

By Koski

Intro & 1st Reading: 11/2/2023

Ref to: PWI

2nd Reading: 12/7/2023

Amending Title 19, Chapter 510 of the Minneapolis Code of Ordinances relating to Water, Stormwater and Sanitary Sewer: Stormwater Management System and Operation of a Stormwater Utility.

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

Section 1. That Section 510.80 of the above-entitled ordinance be amended to read as follows:

510.80. Stormwater charge collection. (a) The stormwater charge shall be billed and collected by the city. The stormwater charge shall be shown as a separate item on the billing from the sewer utility charge levied and assessed pursuant to section 511.290. Any stormwater charge allocable to the park and recreation board shall be shown as a separate item from the billing of the stormwater charge allocable to the city. Any stormwater charges to be imposed by the city shall be in compliance with state law and regulations regarding stormwater charges. In the event the owner and non-owner of a particular developed property are not the same, the liability for the owner and non-owner user for the stormwater charge attributable to the developed property shall be joint and severable. The same administrative procedures for special assessments shall be applied to the stormwater charge, as are applied for water use under Chapter 509 of this Code.

(b) Pursuant to Minnesota Laws 1973, Chapter 320, whenever payment remains in default for a stormwater charge, the city council may annually levy an assessment equal to the unpaid costs, including penalty and interest against each developed property that is not exempt property and upon which the stormwater charge is unpaid.

Section 2. That Section 510.90 of the above-entitled ordinance be amended to read as follows:

510.90. Stormwater fund. Stormwater charges collected by the city shall be paid into a fund that is hereby created and shall be known as the "Stormwater Fund." This fund shall be used for the purpose of paying costs of capital improvements, administration of the stormwater utility, operation and maintenance and debt service of the stormwater management system and to carry out all other purposes of the utility. When any of the preceding purposes are to be undertaken by the park and recreation board pursuant to the operating budget adopted pursuant to section 510.50, funds may be paid out from the Stormwater Fund to the park and recreation board to be used solely for the purposes permitted in the operating budget.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Public Works & Infrastructure Committee, Chughtai offered Ordinance 2023-069 amending Title 17, Chapter 427 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: In General, adding a new section related to parkway paving, repair, and reconstruction.

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

ORDINANCE 2023-069

By Vetaw

Intro & 1st Reading: 11/2/2023

Ref to: PWI

2nd Reading: 12/7/2023

Amending Title 17, Chapter 427 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: In General.

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

Section 1. That Chapter 427 of the above-entitled ordinance be amended by adding thereto a new Section 427.320 to read as follows:

427.320. - Parkway paving, repair, and reconstruction. (a) The public works department administers the Parkway Paving Program that paves and repaves the parkways managed by the park and recreation board throughout Minneapolis. The Parkway Paving Program was developed by the city council and city engineer with significant coordination with the park and recreation board and their staff with the intent of maintaining the pavement condition across the parkway system. To further this goal, the public works department shall consult with the park and recreation board with respect to the paving and repair of the parkways described in Section 6.6 of the City Charter. After such consultation and no later than July 1 of each year, the public works department shall prepare recommendations with respect to maintenance, paving, and repair of the parkways for submission to the mayor, the city council, the park and recreation board, and the board of estimate and taxation. If the park and recreation board disagrees with the recommendations of the public works department, the park and recreation board may submit alternative recommendations to the mayor, the city council, and the board of estimate and taxation.

(b) If the recommendations of the public works department in paragraph (a) involve the reconstruction of the parkway system, the park and recreation board and the public works department shall use their best efforts to work cooperatively to investigate, assess, analyze, and develop a program for the reconstruction of the parkway system.

(c) The public works department shall maintain the parkways at a standard not less than the city's standard for other city streets.

(d) The city will present annual updates inclusive of the parkway system pursuant to section 16.1230(d) of this Code.

(e) Contingent upon appropriation through the city's annual budget process, the city will allocate to the public works department for the purposes of the Parkway Paving Program the minimum amount of:

(1) Seven hundred thousand dollars (\$700,000.00) in calendar year 2024;

(2) One million two hundred thousand dollars (\$1,200,000.00) in calendar year 2025;

(3) Two million two hundred thousand dollars (\$2,200,000.00) in calendar year 2026; and

(4) Two million seven hundred fifty thousand dollars (\$2,750,000.00) in calendar year 2027.

(f) The park and recreation board retains its authority under the City Charter to control, govern, and administer the parkway system. This ordinance does not transfer any design authority to the city for parkways and park roads, including the signature, red aesthetic of the pavement.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Public Works & Infrastructure Committee, Chughtai offered Ordinance 2023-070 amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks, amending provisions in the form of a complete revision related to the permit application, review, issuance, and revocation and restrictions on the operation of parades and races and block events: Chapter 447 Parades/Races; and Chapter 455 Block Events.

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

ORDINANCE 2023-070
By Jenkins
Intro & 1st Reading: 10/19/2023
Ref to: PWI
2nd Reading: 12/7/2023

Amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks.

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

Section 1. That the Minneapolis Code of Ordinances, Chapter 447 Parades/Races, be amended in the form of a complete revision to read as follows:

CHAPTER 447. - PARADES/RACES

447.10. Definitions. As used in this chapter:

Chief of police shall mean the police chief of the police department, or their duly authorized designee.

City operations officer shall mean the city operations officer, or their duly authorized designee.

Director of public works shall mean the director of the public works department, or their duly authorized designee.

Director of regulatory services shall mean the director of the regulatory services department, or their duly authorized designee.

Downtown area shall mean that area bounded by and including Cedar Avenue on the east, Washington Avenue on the northeast, Hennepin Avenue on the northwest, Lyndale Avenue on the west and Fifteenth Street on the south.

Parade shall mean a procession of people celebrating or commemorating for a non-commercial purpose along one (1) or more contiguous blocks of a street or streets on which traffic has been restricted, for which audience attendance is open to the public.

Parade, large shall mean a parade three (3) hours or more in length.

Race shall mean an organized competition of human speed or endurance consisting of a procession of people along one (1) or more contiguous blocks of a street or streets on which traffic has been restricted, for which audience attendance is open to the public.

Race, large shall mean a race ten (10) kilometers or more in distance.

Rolling closure shall mean a parade or race in which all participants move together as a group on the same block of a parade or race route, and which utilizes traffic management personnel at the front and back of the group of participants to restrict traffic, leaving the route otherwise open to traffic.

447.20. Permit required. No person shall engage in, participate in, aid, form, or start any parade or race, unless a permit therefor shall have been obtained from the city operations officer as herein provided.

447.30. Parade and race restrictions. The following restrictions apply to all parades and races:

(1) Parades and races may not be scheduled to take place within one (1) block of a polling place during the hours of voting.

(2) Parades and races may not take place:

a. On a block that is closed for construction.

b. On a block that is serving as a detour route for a previously scheduled event.

c. On a block that abuts a hospital or ambulance garage;

d. On a block that abuts a fire station unless the fire station has a secondary entrance that is not obstructed;

e. On a block that is designated as a snow emergency route if a snow emergency has been declared, unless the streets on the parade or race route have already been completely cleared; and

f. On a block when it is scheduled for street sweeping or other maintenance activities or when a maintenance emergency is occurring.

(3) Parades and races may not otherwise interfere with emergency activities.

(4) Parades and races may be held on a street under the jurisdiction of the county or state, provided the appropriate state or county approvals have been obtained. Otherwise, parades and races must be held on a street under the jurisdiction of the city.

(5) Races shall only take place between the hours of 6:00 a.m. and 10:00 p.m. on Saturdays, Sundays, and legal holidays.

(6) Parades shall only take place between the hours of 8:00 a.m. and 10:00 p.m.

(7) No parades or races may take place in the downtown area between the hours of 7:00 a.m. and 9:00 a.m. or 4:00 p.m. and 6:00 p.m. on any day other than a Saturday, Sunday, or legal holiday.

447.40. Application for parade and race permits. (a) *Form.* Applicants seeking issuance of a parade or race permit shall file a complete application with the city operations officer in person, electronically, by facsimile, or by United States mail on forms provided by the city.

(b) *Deadline for filing of application for parade or race permits.* Applicants seeking issuance of a parade or race permit shall file a complete application in accordance with the following deadlines:

(1) Applications for large parades and large races shall be submitted sixty (60) or more days before the date of the parade or race.

(2) Applications for all other parades and races shall be submitted thirty (30) or more days before the date of the parade or race.

(c) *Fees for application.* The fee for a parade or race permit application shall be as established in Appendix J, the License Fee Schedule and updated pursuant to Section 261.60 of this Code. Payment is due at the time of application, and an application will not be considered complete until the fee has been received by the city. The fee is not refundable.

447.50. Review process for parade and race permit applications. (a) *Review and conditions.* Upon receipt of a complete application for a parade or race permit, the city operations officer will refer the application to the following individuals for review of the following issues and recommendation of conditions:

(1) To the director of public works to determine if the application meets the requirements of this chapter, and to make recommendations regarding the applicant's traffic control and management plan, waste and recycling plan, and parking mitigation plan; and

(2) To the chief of police to review and make recommendations concerning the security plan and traffic control and management plan.

(3) To the director of regulatory services to review and make recommendations concerning the traffic control and management plan.

(b) *Notification of receipt of application.* Upon receipt of a complete application for a parade or race permit, the city operations officer shall notify the mayor and the council member(s) of the ward(s) affected.

(c) *Meeting.* Prior to approval of a permit for a parade or race, the applicant must attend a meeting with the city operations officer, the director of public works, and the chief of police to review the conditions for approval of said permit.

(d) *Denial.* An application for a parade or race permit may be denied if:

(1) The parade or race would create an undue financial hardship upon the city;

(2) The proposed parade or race does not comply with the applicable provisions of this chapter;

(3) The applicant or the applicant's organization has violated the provisions of this chapter within the previous eighteen (18) months;

(4) There have been two (2) or more incidents of assault or disorderly conduct at a parade or race hosted by the applicant or the applicant's organization within the previous eighteen (18) months; or

(5) More than one (1) parade or race permit application is received and pending for the same date(s) in the same location or neighboring blocks. In such cases, any of the applications may be denied based on the following considerations:

a. Whether an applicant has previously held the same parade or race in the same location as the parade or race for which they seek a permit;

b. Whether an applicant has received permits for other parades or races in other areas within the previous twelve (12) months; and

c. The order in which the applications were received.

(e) *Appeal.* Denial of a parade or race permit may be administratively appealed if requested in writing within five (5) business days of said action. The city operations officer shall provide the applicant due notice of a hearing within ten (10) days of an appeal request, and said notice shall specify the time, date, and location of the hearing, as well as any other requirements thereof.

(f) *Approval.* Upon completion of the review required hereby, the city operations officer shall approve the application for a parade or race permit with the conditions recommended, unless a basis for denial exists as described in this chapter.

447.60. Issuance of parade and race permits. (a) *Notice and approval of parades and races.* A permit for a parade or race may be issued only after the applicant has filed the following with the city operations officer:

(1) Evidence that a notice has been provided to all occupants of property abutting the location of the parade or race, including a description of the parade or race, the date and hours of the parade or race, and the name, email address and phone number of the applicant; and

(2) Written approval from all properties with unmitigated vehicle access along the parade or race route. Where a property is occupied by multiple tenants or owners, a homeowners' association, tenant's association, building management association or the like may grant a single approval on behalf of all occupants of the property.

(b) *Insurance and indemnification.* A permit for a parade or race may be issued only after the applicant has filed with the city operations officer evidence of a commercial general liability insurance policy providing coverage in the amount of at least \$1,000,000 general aggregate and \$1,000,000 per occurrence, providing for the payment by the insurance company on behalf of the insureds of all sums which the insureds shall become obligated to pay by reason of liability imposed upon them by law for injuries or damages to persons or properties arising out of the activities and operations of the insureds pursuant to the provisions of this chapter. The city shall be named as an additional insured on the policy. Applicants shall defend and hold the city harmless from all claims, demands, actions or causes of action, of whatsoever nature or character, including damages to city property, arising out of or by reason of conduct of the parade or race, including attorney fees and all expenses. The applicant shall require any participants of the parade or race using automobiles to carry automobile liability insurance meeting the statutory limits of the State of Minnesota.

(c) *Security Deposit.* A permit for a large parade or large race may be issued only after the applicant has filed with the city operations officer a security deposit as established in Appendix J, the License Fee Schedule and updated pursuant to Section 261.60 of this Code. If the applicant fails to comply with the requirements of Section 477.70(g) of this Code to the satisfaction of the city operations officer, the security deposit will be forfeited to the city. Otherwise, the security deposit shall be returned to the applicant.

(d) *Issuance.* Upon approval of an application for a parade or race permit and satisfaction of the provisions of this section, the city operations officer shall issue the parade or race permit.

447.70. Operation of parades and races. (a) *Timing.* A parade or race may only be held on the date(s) specified on the permit.

(b) *Other approvals.* Applicants will be responsible for obtaining all permits and licenses required for activities to be conducted as part of a parade or race.

(c) *Compliance with Permit Conditions.* Applicants will operate parades and races in accordance with the provisions of their permits.

(d) *Barricades.* Applicants shall provide, install, and remove barricades, signs, and delineation equipment for parades and races, except rolling closures, in accordance with a city-approved traffic control and management plan.

(e) *Restriction of Parking.* For all races and parades, "No Parking" signs will be posted by the city within the parade or race space. Within ten (10) business days following receipt of city invoice, the applicant must reimburse the city for the cost of installing and removing said signage. For parades, except large parades, and for rolling closures, the applicant may utilize a city-approved parking mitigation plan in lieu of these signage requirements.

(f) *Personnel.*

(1) For all races and parades, trained city staff or trained personnel shall perform on-site traffic-management duties at all intersections where traffic crosses the parade or race route, in accordance with the requirements of a city-approved traffic control and management plan. Any certification or training for traffic control management must be approved by the director of regulatory services. During the term of the parade or race, these individuals shall be deemed authorized persons for purposes of Section 466.140 of this Code, with respect to duties performed as required by the permit; and

(2) For all races and parades, trained city staff shall perform on-site traffic-management duties on detour routes, where necessary, in accordance with the requirements of a city-approved traffic control and management plan.

(3) Within ten (10) business days following receipt of city invoice, the applicant must reimburse the city for the cost of city staff's performance of on-site traffic-management duties.

(4) For all races and parades, applicants shall provide on-site personnel to:

- a. Administer the event in accordance with the requirements of their permit;
- b. Perform event security duties, in accordance with a city-approved security plan;
- c. Monitor the barricades at all intersections not requiring traffic-management personnel, in accordance with the requirements of their permit.

(g) *Refuse and recycling.*

(1) Waste handling at a parade or race is required independent of any permanently placed containers, unless otherwise approved by the manager of said permanently placed containers and in the applicant's city-approved waste and recycling plan.

(2) The applicant must, throughout the parade or race and within the three-hour period immediately following the end of a parade or race, clean up, remove, and dispose of all litter, garbage and recyclable materials associated with the parade or race which is placed or left on the street or sidewalk of the block(s) on which the parade or race is held and also on any of the immediately adjacent blocks.

(3) When food and beverages are dispensed, applicants are encouraged to use supplies made of compostable materials and to collect and deliver all compostable materials to an approved composting or processing facility.

(4) All applicants for parades and races shall provide for collection and processing of recyclable material separate from non-recyclable materials, in accordance with a city-approved waste and recycling plan. In furtherance of this requirement, recyclable material collection containers must be equal in number to collection containers for garbage and must be situated within five (5) feet thereof during the parade or race. Signage shall be placed on all collection containers for patrons to easily separate recyclable materials from garbage.

(5) Applicants may be granted an exemption from providing one-to-one garbage and recycling with a city-approved zero waste plan. In the plan, applicants must ensure vendors are uniform in their use of recyclable or compostable materials and that collection containers are available for all recyclable and compostable materials generated at the parade or race. All compostable materials must be delivered to an approved composting or processing facility.

(6) Within ten (10) business days following a parade or race, the applicant must submit to the city proof of weights and delivery locations for all garbage and recyclable and compostable materials collected at the parade or race.

447.80. Revocation of permit. A parade or race permit may be revoked for any violation of this chapter or in the event of an emergency constituting an imminent threat to life or property.

447.90. Effective date. This chapter shall be effective January 1, 2024.

Section 2. That the Minneapolis Code of Ordinances, Chapter 455 Block Events, be amended in the form of a complete revision to read as follows:

CHAPTER 455. - BLOCK EVENTS

455.10. Definitions. As used in this chapter:

Block event shall mean a temporary gathering of people that is held on a blockaded portion of a one (1) or more contiguous blocks of a single street or alley within the city and for which attendance, whether free or for charge, is open to the public.

Block event, large shall mean a block event with expected attendance of at least two thousand five hundred (2,500) people.

Business district shall mean any area which is bordered at any point by property within the residential mixed-use districts, commercial mixed-use districts, downtown districts, production districts, or transportation districts, as delineated in the zoning code.

Chief of police shall mean the police chief of the police department, or their duly authorized designee.

City operations officer shall mean the city operations officer, or their duly authorized designee.

Director of public works shall mean the director of the public works department, or their duly authorized designee.

Director of regulatory services shall mean the director of the regulatory services department, or their duly authorized designee.

Residential district shall mean any area which is entirely bordered on both sides by properties within the urban neighborhood districts as delineated in the zoning code.

455.20. Permit required. No person shall engage in, participate, aid, form or hold any block event, unless a permit therefor shall have been obtained from the city operations officer as herein provided.

455.30. Block event restrictions. (a) The following restrictions apply to all block events:

(1) Block events may not be scheduled to take place within one (1) block of a polling place during the hours of voting;

(2) Block events may not take place:

a. On a block that is closed for construction;

b. On a block that is serving as a detour route for a previously scheduled event;

c. On a block that abuts a hospital or ambulance garage;

d. On a block that abuts a fire station unless the fire station has a secondary entrance that is not obstructed;

e. On a block that is designated as a snow emergency route if a snow emergency has been declared, unless the streets to be used for the block event have already been completely cleared; and

f. On a block when it is scheduled for street sweeping or other maintenance activities or when a maintenance emergency is occurring.

(3) Block events may not otherwise interfere with emergency activities.

(b) The following restrictions apply to block events in a residential district:

(1) Block events, including set up time, may be held only between the hours of 10:00 a.m. and 10:00 p.m.;

(2) Block events must not be held on any street designated as a county state-aid highway or municipal state-aid street, any street used as a bus route by a regional transit provider on a regular and scheduled basis, or any street under the jurisdiction of Hennepin County or the State of Minnesota;

(3) Large block events may not be held in a residential district;

(4) Block events may encompass no more than one (1) contiguous block of a single street or alley; and

(5) Block events must have an expected attendance of no more than five hundred (500) people.

(c) The following restrictions apply to block events in a business district:

(1) Block events, including set up time, may be held only between the hours of 6:00 p.m. and 10:30 p.m. on a weekday, or between 8:00 a.m. and 10:30 p.m. on a Saturday, Sunday, or legal holiday;

(2) Block events must have an expected attendance of at least two hundred and fifty (250) people;

(3) Large block events may be held on a street under the jurisdiction of the county or state, provided the appropriate state or county approvals have been obtained. Otherwise, block events must be held on a street under the jurisdiction of the city; and

(4) Except for large block events, block events may encompass no more than five (5) contiguous blocks of a single street or alley.

455.40. Application for block event permits. (a) *Form.* Applicants seeking issuance of a block event permit shall file a complete application with the city operations officer in person, electronically, by facsimile, or by United States mail, on forms provided by the city.

(b) *Deadline for filing of application for block event permits.* Applicants seeking issuance of a block event permit shall file a complete application in accordance with the following deadlines:

(1) For block event permits in a residential district, not less than five (5) business days before the date of the event;

(2) For large block event permits in a business district, not less than sixty (60) days before the date of the event; and

(3) For all other block event permits in a business district, not less than fourteen (14) days before the date of the event.

(c) *Fees for application.* The fee for a block event permit application shall be as established in Appendix J, the License Fee Schedule and updated pursuant to Section 261.60 of this Code. Applicants shall pay the fee upon submission of an application. The fee is not refundable. Payment is due at the time of application, and an application will not be considered complete until the fee has been received by the city.

455.50. Review process for block event permit applications. (a) *Review and conditions.* Upon receipt of a complete application for a block event permit, the city operations officer will refer the application to the following individuals for review of the following issues and recommendation of conditions:

(1) To the director of public works to determine if the application meets the requirements of this chapter, and to make recommendations regarding the applicant's traffic control and management plan, waste and recycling plan, and parking mitigation plan;

(2) To the chief of police to review and make recommendations concerning the security plan and traffic control and management plan; and

(3) To the director of regulatory services to review and make recommendations concerning the traffic control and management plan.

(b) *Notification of receipt of application.* Upon receipt of a complete application for a block event permit, the city operations officer shall notify the mayor and the council member(s) of the ward(s) affected.

(c) *Meeting.* Prior to approval of a block event in a business district, the applicant must attend a meeting with the city operations officer, the director of public works, the chief of police, and the director of regulatory services to review the conditions for approval of said permit.

(d) *Denial*. An application for a block event permit may be denied if:

- (1) The block event would create an undue financial hardship upon the city;
- (2) The proposed event does not comply with the applicable provisions of this chapter;
- (3) The applicant or the applicant's organization has violated the provisions of this chapter within the previous eighteen (18) months;
- (4) There have been two (2) or more incidents of assault or disorderly conduct at block events hosted by the applicant or the applicant's organization within the previous eighteen (18) months; or
- (5) More than one (1) block event permit application is received and pending for the same date(s) in the same location or neighboring blocks. In such cases, any of the applications may be denied based on the following considerations:
 - a. Whether an applicant has previously held the same block event in the same location as the block event for which they seek a permit;
 - b. Whether an applicant has received permits for other block events in other areas within the previous twelve (12) months; and
 - c. The order in which the applications were received.

(e) *Appeal*. Denial of a block event permit may be administratively appealed if requested in writing within five (5) business days of said action. The city operations officer shall provide the applicant due notice of a hearing within ten (10) days of an appeal request, and said notice shall specify the time, date, and location of the hearing, as well as any other requirements thereof.

(f) *Approval*. Upon completion of the review required hereby, the city operations officer shall approve the application with the conditions recommended, unless a basis for denial exists as described in this chapter.

455.60. Issuance of block event permits. (a) *Notice and approval of block event*. A permit for a block event may be issued only after the applicant has filed the following with the city operations officer:

- (1) Evidence that a notice has been provided to all occupants of property abutting the location of the block event, including a description of the block event, the date and hours of the block event, and the name, email address, and phone number of the applicant; and
- (2) Written approval of the block event from seventy-five percent (75%) of the properties abutting the location of the block event. Where a property is occupied by multiple tenants or owners, a homeowners' association, tenant's association, building management association, or the like may grant a single approval on behalf of all occupants of the property.

(b) *Insurance and indemnification*. A permit for a block event may be issued only after the applicant has filed with the city operations officer evidence of a commercial general liability insurance policy providing coverage in the amount of at least one million dollars (\$1,000,000.00) general aggregate and one million dollars (\$1,000,000.00) per occurrence, providing for the payment by the insurance company on behalf of the insureds of all sums which the insureds shall become obligated to pay by reason of liability imposed upon them by law for injuries or damages to persons or properties arising out of the activities and operations of the insureds pursuant to the provisions of this chapter. The city shall be named as an

additional insured on the policy. Applicants shall defend and hold the city harmless from all claims, demands, actions, or causes of action, of whatsoever nature or character, including damages to city property, arising out of or by reason of conduct of block events, including attorney fees and all expenses.

(c) *Security deposit.* A permit for a block event in a business district may be issued only after the applicant has filed with the city operations officer a security deposit as established in Appendix J, the License Fee Schedule and updated pursuant to Section 261.60 of this Code. If the applicant fails to comply with the requirements of Section 455.70(h) of this code to the satisfaction of the city operations officer, the security deposit will be forfeited to the city. Otherwise, the security deposit shall be returned to the applicant.

(d) *Issuance.* Upon approval of an application for a block event permit and satisfaction of the provisions of this section, the city operations officer shall issue the block event permit.

455.70. Operation of Block Events. (a) *Timing.* A block event may only be held on the date(s) specified on the permit.

(b) *Other approvals.* Applicants will be responsible for obtaining all permits and licenses required for activities to be conducted as part of block events.

(c) *Compliance with permit conditions.* Applicants will operate block events in accordance with the provisions of their block event permits.

(d) *Access aisle.* Applicants shall maintain an unobstructed aisle at least fourteen (14) feet wide within the block event to permit the entrance and exit of emergency vehicles.

(e) *Barricades.* Applicants shall provide, install, and remove barricades, signs, and delineation equipment for block events in accordance with a city-approved traffic control and management plan.

(f) *Restriction of Parking.* For block events in a business district, "No Parking" signs will be posted by the city within the event space. Within ten (10) business days following receipt of city invoice, the applicant must reimburse the city for the cost of installing and removing said signage.

(g) Personnel.

(1) For all block events, trained city staff or trained personnel shall perform on-site traffic-management duties at all intersections where traffic crosses the block event space, in accordance with the requirements of a city-approved traffic control and management plan. Any certification or training for traffic control management must be approved by the director of regulatory services. During the term of the block event, these individuals shall be deemed authorized persons for purposes of Section 466.140 of this Code, with respect to duties performed as required by the permit; and

(2) For all block events, trained city staff shall perform on-site traffic-management duties on detour routes, where necessary, in accordance with the requirements of a city-approved traffic control and management plan.

(3) Within ten (10) business days following receipt of city invoice, the applicant must reimburse the city for the cost of city staff's performance of on-site traffic-management duties.

(4) For all block events, applicants shall provide on-site personnel to:

- a. Administer the event, in accordance with the requirements of their permit;
- b. Perform event security duties, in accordance with a city-approved security plan;
- c. Monitor the barricades at all intersections not requiring traffic-management personnel, in accordance with the requirements of their permit.

(h) *Refuse and recycling.*

(1) Waste handling at an event is required independent of any permanently placed containers, unless otherwise approved by the manager of said permanently placed containers and in the applicant's city-approved waste and recycling plan.

(2) The applicant must, throughout the event and within the three-hour period immediately following the end of a block event, clean up, remove, and dispose of all litter, garbage and recyclable materials associated with the block event which is placed or left on the street or sidewalk of the block(s) on which the event is held and also on any of the immediately adjacent blocks. Additional time for cleanup may be granted to large block event permits.

(3) When food and beverages are dispensed, block event applicants are encouraged to use supplies made of compostable materials and to collect and deliver all compostable materials to an approved composting or processing facility.

(4) All applicants for block events shall provide for the collection and processing of recyclable material separate from non-recyclable materials, in accordance with a city-approved waste and recycling plan. In furtherance of this requirement, recyclable material collection containers must be equal in number to collection containers for garbage and must be situated within five (5) feet thereof during the block event. Signage shall be placed on all collection containers for patrons to easily separate recyclable materials from garbage.

(5) Applicants may be granted an exemption from providing one-to-one garbage and recycling with a city-approved zero waste plan. In the plan, applicants must ensure vendors are uniform in their use of recyclable or compostable materials and that collection containers are available for all recyclable and compostable materials generated at the event. All compostable materials must be delivered to an approved composting or processing facility.

(6) Within ten (10) business days following a large block event, the applicant must submit to the city proof of weights and delivery locations for all garbage and recyclable and compostable materials collected at the event.

455.80. Revocation of permit. A block event permit may be revoked for any violation of this chapter or in the event of an emergency constituting an imminent threat to life or property.

455.90. Effective date. This chapter shall be effective January 1, 2024.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0885

The Minneapolis City Council hereby approves amendments to the 2024 License Fee Schedules by adding fees for parades, races, and block events, as further set forth in Legislative File No. 2023-00975 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0886

The Minneapolis City Council hereby:

1. Approves the concept layout for the Phillips Traffic Safety Project along 24th St E from Portland Ave to Cedar Ave, and the intersections of 25th St E and Chicago Ave; 28th St E and Chicago Ave; and 28th St E and 10th Ave S.
2. Authorizes negotiation with private property owners to acquire easements and additional right-of-way, if necessary, for the project.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0887

The Minneapolis City Council hereby:

1. Accepts a grant from the US Department of Transportation's Surface Transportation Block Grant Program (STBGP) through Met Council, in the amount of \$1,989,360, for the 5th Street Transit Center Modernization Project.
2. Passage of Resolution 2023R-406 approving appropriation of funds to the Public Works Department.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

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

RESOLUTION 2023R-406

By Koski

Amending The 2023 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation and revenue for the Public Works Department in the amount of \$1,989,360 for the US Department of Transportation’s Surface Transportation Block Grant Program through Met Council (01300-685TAD5).

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0888

The Minneapolis City Council hereby authorizes an agreement with the Minnesota Department of Transportation (MnDOT) and Hennepin County for work related to the University Ave SE and 4th St SE Street Improvement Project.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Public Works & Infrastructure Committee, Chughtai offered Resolution 2023R-407 authorizing the negotiation and execution of an agreement between Hennepin County and the City of Minneapolis reimbursing the City for providing routine maintenance on certain County State Aid routes and bridges in the City of Minneapolis, effective Jan 1, 2024, through Dec 31, 2026.

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

RESOLUTION 2023R-407

By Koski

Authorizing the negotiation and execution of an agreement between Hennepin County and the City of Minneapolis reimbursing the City for providing routine maintenance on certain County State Aid routes and bridges in the City of Minneapolis, effective January 1, 2024, through December 31, 2026.

Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis enter into Proposed Road Maintenance Agreement No. PW 44-20-23 with Hennepin County to provide reimbursement to the City for the costs of providing the necessary maintenance services for the County roadway system including snow and ice control on downtown roadways, patching and minor repair of downtown streets, street sweeping, rubbish removal, and turf maintenance; maintenance of bridges including surface flushing, street sweeping, snow/ice control, and snow removal on bridge sidewalks, rubbish removal, and bridge roadway and waterway navigation lights; maintenance of traffic signal system including poles, heads, loops, cabinets, controllers, and associated crash or vandalism damage; maintenance of traffic signs and linear lane pavement striping; and other activities.

Be It Further Resolved that the Agreement provides that the City Council delegates to the City Engineer/ Deputy Director of Public Works the authority to make written letter agreements with the County’s Director of Transportation Operations for extraordinary maintenance, betterment, and construction or reconstruction, and allocating the costs thereof between the County and the City without coming back to the City Council if the amount is under \$75,000.

Be It Further Resolved that the Agreement provides that the City and County agree to defend, indemnify, and hold each other harmless for their respective work on County roads as provided in the Agreement.

Be It Further Resolved that the total amount of this agreement for 2024 is estimated at \$1,293,713.

Be It Further Resolved that the amount of reimbursement for the years 2025 and 2026 be determined by the three year moving average method.

Be It Further Resolved that the proper City officials are authorized to negotiate and execute the Agreement.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0889

The Minneapolis City Council hereby authorizes an agreement with Metro Transit, in the amount of \$30,500, for cost participation for the installation of transit signal priority (TSP) along Lyndale Ave S.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Public Works & Infrastructure Committee, Chughtai offered Resolution 2023R-408 amending the 2023 Capital Improvement Appropriation Resolution by authorizing closure and appropriation adjustments for capital projects and programs, as indicated on Schedules A - C, and reallocations and redistributions of excess revenues and bond proceeds to projects requiring additional funding, as further set forth in Legislative File No. 2023-01141 on file in the Office of the City Clerk.

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

RESOLUTION 2023R-408

By Koski

Amending The 2023 Capital Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing or decreasing project appropriations as indicated on Schedules A - C, as further set forth in Legislative File No. 2023-01141 on file in the Office of the City Clerk, and that all revenue adjustments, bond reallocations, and other actions as indicated on Schedules A - C are hereby incorporated in this resolution.

Be It Further Resolved that this resolution receive the concurrent approval of the Board of Estimate & Taxation for the reallocation of the excess bond proceeds described on Schedule A - C.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/8/2023.

(Published 12/9/2023)

On behalf of the Public Works & Infrastructure Committee, Chughtai offered Resolution 2023R-409 authorizing the issuance of bonds in the amount of \$706,000 for capital projects remaining open, as further set forth in Legislative File No. 2023-01141 on file in the Office of the City Clerk, and requesting the Board of Estimate and Taxation authorize the City to incur such indebtedness.

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

RESOLUTION 2023R-409

By Koski

Authorizing the issuance of bonds in the amount of \$706,000 for certain purposes other than the purchase of public utilities and requesting the Board of Estimate and Taxation authorize the City to incur such indebtedness.

Resolved by The City Council of The City of Minneapolis:

That the City is authorized to incur indebtedness and issue and sell City of Minneapolis bonds, in the amount of \$706,000, the proceeds of which are to be used for capital projects remaining open as determined by the supporting schedules approved by Resolution 2023R-408, passed December 7, 2023, and incorporated herein by reference.

Be It Further Resolved that the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds in the amount of \$706,000 to support the capital projects described below:

CPV108	2022 Concrete Streets Rehab Program	\$500,000
CPV056	2020 Asphalt Pavement Resurfacing Program	\$206,000.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Approved by Mayor Jacob Frey 12/8/2023.

(Published 12/9/2023)

COUNCIL ACTION 2023A-0890

The Minneapolis City Council hereby authorizes the submittal of a series of grant applications to the Minnesota Department of Transportation Metro District for the 2024 solicitation for Federal Highway Safety Improvement Program (HSIP) funds.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

COUNCIL ACTION 2023A-0891

The Minneapolis City Council hereby authorizes negotiation with private property owners to acquire easements and additional right-of-way, if necessary, for the Johnson St NE and 35W Reconstruction Project.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Public Works & Infrastructure Committee, Chughtai offered Resolution 2023R-410 adopting revisions to the Minneapolis Street Lighting Policy to revise the Street Lighting Plan map (Figure 2) to re-classify 1st Ave S from Franklin Ave E to Cecil Newman Ln as a Pedestrian Street Lighting Corridor.

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

RESOLUTION 2023R-410

By Koski

Adopting revisions to the Minneapolis Street Lighting Policy to revise the Street Lighting Plan map (Figure 2) to re-classify 1st Ave S from Franklin Ave E to Cecil Newman Ln as a Pedestrian Street Lighting Corridor.

Whereas, the City of Minneapolis adopted a Street Lighting Policy on January 9, 2009, which was last revised and approved on December 8, 2022, by Resolution No. 2022R-337; and

Whereas, the Policy revision will re-classify the roadway segment of 1st Ave S from Franklin Ave E to Cecil Newman Ln (Figure 2 on the Street Lighting Plan map) as a pedestrian street lighting corridor;

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

That the revised City of Minneapolis Street Lighting Policy is hereby adopted, as further set forth in Legislative File No. 2023-01096 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Koski moved to adopt a resolution updating the Parking and Mobility Services Fee and Rate Schedule, as set forth in Legislative File 2023-01076 on file in the Office of the City Clerk.

On roll call, the result was:

Ayes: Rainville, Vetaw, Goodman, Jenkins, Koski, Palmisano (6)

Noes: Payne, Wonsley, Ellison, Osman, Chavez, Chughtai, Chowdhury (7)

Absent: (0)

Failed.

Ellison moved to reconsider said resolution.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Ellison moved to refer the resolution to staff.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

On behalf of the Public Works & Infrastructure Committee, Chughtai offered Resolution 2023R-411 nominating Steve Cramer to the Minnehaha Creek Watershed District Board of Managers.

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

RESOLUTION 2023R-411

By Koski

Nominating Steve Cramer to the Minnehaha Creek Watershed District Board of Managers.

Whereas, the Minnesota Watershed Law provides that municipalities within a watershed district in the Metropolitan Area may nominate persons to serve on the Board of Managers of the Watershed District, from which the County Board of Commissioners appoint the Managers; and

Whereas, Minnesota Statutes Section 103D.311, Subdivision 3, provides that watershed managers in the metropolitan area may be nominated jointly or severally by towns and municipalities in the watershed district; and

Whereas, the City of Minneapolis has shared interest in the preservation and enhancement of the Minnehaha Creek Corridor and partnership with other communities along the creek to seek protection and improvement of the Minnehaha Creek Corridor and the Chain of Lakes through the Minnehaha Creek Watershed District (MCWD); and

Whereas, Steve Cramer has expressed interest in serving on the Minnehaha Creek Watershed District Board of Managers and is a long time resident of the City of Minneapolis and has demonstrated a commitment to the stewardship of Minneapolis lakes and a commitment to listening carefully to the input

from citizens and affected property owners concerning the water resources implications of land use development; and

Whereas, the Minneapolis City Council believes that it is in the best interests of the city and the watershed for Steven Cramer to be appointed, based on his background and experience as CEO of the Minneapolis Downtown Council, CEO of the Minneapolis Downtown Improvement District, a Minneapolis City Council Member, Executive Director at Project for Pride in Living, Director of the Hennepin County Department of Housing, Director of Community Works and Transit, Executive Director of the Minneapolis Community Development Agency, and past chair of the Minnesota Ballpark Authority;

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

That the City of Minneapolis nominates Steve Cramer to the Board of Managers of the Minnehaha Creek Watershed District, and urges the Hennepin County Board of Commissioners to appoint him to this position.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

REPORTS OF SPECIAL COMMITTEES

The AUDIT Committee submitted the following report:

COUNCIL ACTION 2023A-0892

The Minneapolis City Council hereby directs the City Clerk to transmit the following audit reports to the appropriate agency within the State of Minnesota:

1. Minneapolis Police Department Body Worn Camera Biennial Audit Report.
2. Minneapolis Police Department Automated License Plate Reader Biennial Audit Report.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

(Pursuant to City Charter, Article IV, §4.4, this act was not presented to the Mayor)

(Published 12/9/2023)

INTRODUCTION & REFERRAL CALENDAR

Pursuant to notice, Wonsley moved to introduce the subject matter of an ordinance amending Title 12, Chapter 249 of the Minneapolis Code of Ordinances relating to Housing: Vacant Dwelling or Building, Nuisance Condition, which was given its first reading and referred to staff, amending provisions relating to vacant building registration.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

RESOLUTIONS

Chavez, Chowdhury, Chughtai, and Osman moved to adopt Resolution 2023R-412 recognizing Human Rights Day and International Migrants Day in the City of Minneapolis.

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

RESOLUTION 2023R-412

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

Recognizing Human Rights Day and International Migrants Day in the City of Minneapolis.

Whereas, December 10, 2023, marks the 75th anniversary of the Universal Declaration of Human Rights, a document that recognizes the rights we all hold as members of the human race, which was adopted by the United Nations on December 10, 1948, and which opens with the words: “all humans are born free and equal in dignity and rights”; and

Whereas, on December 18, 1990, the United Nations adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which emphasizes the link of migration to fundamental human rights; and

Whereas, the United States of America is a signatory nation to both of these international agreements, and these dates of recognition offer an opportunity to reflect on, recognize and highlight ways to advance the rights we all hold as humans and the rights of migrants everywhere; and

Whereas, learning about and advancing the human rights of all residents, including individuals who migrate from their home countries to make new lives in Minneapolis, is one way to honor the values embodied in the United Nations documents referenced above; and

Whereas, the City of Minneapolis actively works to promote and foster a welcoming environment for all individuals, regardless of race, ethnicity or place of origin, gender identity, sexual orientation, or religious affiliation; and

Whereas, the City of Minneapolis is committed to ensuring that all residents have equal access to opportunity, are empowered to overcome adversity, and are able to pursue lives of safety, peace, and prosperity; and

Whereas, in 2023, actions and initiatives undertaken by the City that advance the human rights of all residents include: continued work to establish the City of Minneapolis as a Child Friendly City through the UNICEF Child Friendly Cities Initiative; advancement of immigrant and refugee inclusion goals and strategies through ongoing efforts to welcome newcomers and increase access to immigration legal services up to and including citizenship application support; and

Whereas, the Civil Rights Department enforces the City laws that protect and advance people’s civil and human rights. In 2023 the Department’s Contract Compliance Division has collected over \$154,000 in back wages for over 54 workers on city construction contracts; the Complaint Investigations Division through mediation has facilitated more than \$250,000 in monetary settlements for victims of discrimination; the Labor Standards Enforcement Division has collected over \$1.4 million in back wages while ensuring access to paid sick leave and fair wages for over 13,000 workers; the Division of Equity and Engagement facilitated the Urban Scholars pipeline program; and the Office of Police Conduct Review fosters mutual respect between the Minneapolis Police Department and the community it serves by fairly, objectively, and neutrally investigating complaints; and

Whereas, these efforts are only a few of the tangible ways in which the City of Minneapolis works to advance human rights, understood in this country as civil rights, the rights of migrants and the rights of all residents, ensuring that our city is truly Welcoming, not just in name but in deeds; and

Whereas, worldwide, an estimated 184 million people live outside of their country of nationality. In the state of Minnesota, over 487,000 residents were born outside of the United States, and over 63,000 Minneapolitans were born in another country; and

Whereas, in 2023, newcomers have arrived in Minneapolis from Colombia, Ecuador, Ethiopia, Guatemala, Honduras, Mexico, Russia, Senegal, Somalia, Ukraine, and Venezuela, among many other countries. Our newest city residents have the same human rights and basic needs as any other resident of our city, including access to high quality and affordable health care, a safe place to live, and access to education, employment opportunities, and free or low- cost legal services; and

Whereas, ensuring access to these basic needs for any resident of the city is a critical way to ensure access for all residents of the city, and is also a tangible way to commit to the human rights and the rights of migrants in our City and in our country; and

Whereas, we recognize and express solidarity with individuals who, due to choice or lack of choice, seek safety, freedom, and opportunity in the United States, including individuals, children, and families at and arriving from the United States southern border;

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

That the Mayor and City Council do hereby recognize December 10, 2023, as Human Rights Day and December 18, 2023, as International Migrants Day in the City of Minneapolis. We further invite City residents to learn about the rights contained in the Universal Declaration of Human Rights and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Koski and Chughtai moved to adopt Resolution 2023R-413 honoring Council Member Andrew Johnson for his years of service to the City of Minneapolis.

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

RESOLUTION 2023R-413

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

Honoring Council Member Andrew Johnson for his years of service to the City of Minneapolis.

Whereas, Andrew Johnson was elected to the Minneapolis City Council in November 2013 to represent the Twelfth Ward, and was reelected in 2017 and 2021, serving the people of Minneapolis for ten years; and

Whereas, prior to being elected, Council Member Johnson served as President of the Longfellow Community Council, worked as a systems engineer for Target Corporation, and owned a small business providing information technology services; and

Whereas, during the time he served on the Council, he held several leadership positions, including being unanimously elected to a four-year term as Majority Leader, as a member of the Executive Committee, Chair of the Public Works Committee, Chair of the Intergovernmental Relations Committee, Chair of the Information Technology (IT) Subcommittee, Vice-Chair of the Zoning & Planning Committee, Vice-Chair of the Health, Environment, & Community Engagement Committee, and was a member of nearly all of the Council's standing committees; and

Whereas, Council Member Johnson was a lead author of the state’s first local paid sick and safe time ordinance, which protected more than 100,000 workers, their families, and the community, especially during the COVID-19 pandemic, and helped inspire similar efforts in other jurisdictions and eventually statewide; and

Whereas, Council Member Johnson established a workgroup to analyze how emergency calls could be handled more efficiently and effectively by non-sworn personnel while also freeing police to respond faster to calls where they were needed; this effort directly led to the formation of the Behavioral Crisis Response Team and other initiatives that became critical public safety reforms in the wake of George Floyd’s murder and subsequent civil unrest; and

Whereas, Council Member Johnson was a champion for small businesses, including leading efforts to create the much-celebrated Small Business Team, a web portal and guides to encourage entrepreneurs and demystify regulations, cross-departmental trainings to improve the experience for entrepreneurs when interacting with the City, eliminating dozens of antiquated ordinances while modernizing others, and both assisting and promoting countless small businesses across the Twelfth Ward; and

Whereas, Council Member Johnson’s advocacy led to the creation of more than 1,000 units of housing across the Twelfth Ward, including hundreds of units of affordable housing and the first new public housing project in Minneapolis since 2010, exclusively for families transitioning out of homelessness; and

Whereas, during his tenure as Chair of the Intergovernmental Relations Committee, the City of Minneapolis lobbied for and received hundreds of millions of dollars in funding and many favorable changes in law; and

Whereas, through his appointment to the Northern Lights Express Alliance, he rose to lead the organization as Chair and helped successfully secure \$194.5 million in state funding to restore passenger rail service between the Twin Cities and Twin Ports after decades of effort; and

Whereas, Council Member Johnson brought his even temperament and thoughtful leadership to his other outside appointments, helping the state’s more than 800 cities through serving on the League of Minnesota Cities Board, and helping improve 911 and emergency responder systems through the Metropolitan Emergency Services Board, including serving as President; and

Whereas, Council Member Johnson led countless other initiatives and causes, including raising the age for tobacco purchases to 21 which was estimated to prevent thousands of youth from smoking, establishment of an open data policy and portal for unprecedented transparency, funding for neighborhood associations and healthy senior programs, a rewrite of animal care and control ordinances that moved the shelter towards a no-kill status, requiring recycling or organic containers at all food establishments, eliminating harmful expanded polystyrene takeout containers, eliminating carcinogenic tetrachloroethylene (PERC) dry cleaners from Minneapolis, legalizing gender-neutral bathrooms, bringing dozens of IT jobs in-house and saving millions annually by breaking up the City’s IT services contract, and passage of paid parental leave for nearly 4,000 City employees; and

Whereas, Council Member Johnson was often a deciding vote on contentious and divided issues. He carefully considered each on its merits, listened to different perspectives, encouraged colleagues to work together towards compromise, helped facilitate negotiations, and rendered independent decisions; and

Whereas, he is known for being an ideas person, taking a data-driven approach, providing excellent constituent services that centered accessibility and responsiveness, and writing thoughtful newsletter updates to his community; and

Whereas, Council Member Johnson was joined in serving the Twelfth Ward by an incredibly talented and dedicated staff, including Ilhan Omar, Suzanne Murphy, Kate Nelson, Dylan Kesti, and Claire Kingstad, who share in these accomplishments; and

Whereas, during his time in office, Andrew met and married the love of his life, Sara Vine, and has two beautiful children, Elliott and Benjamin, whom he adores, along with their dog, Rosie; and

Whereas, his family's tireless support and sacrifices enabled his success as an elected official and represent a shared service to the people of Minneapolis; and

Whereas, Council Member Johnson is forever grateful to the people of the Twelfth Ward for taking a chance on him as a young man, for their broad support throughout his time in office, and the indelible ways that they have touched his life. He is proud to have befriended many and looks forward to continuing to be involved in his community for years to come;

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

That the Mayor and City Council do hereby present this Honorary Resolution in recognition of their sincere gratitude and appreciation for the many contributions made by Council Member Johnson to the Twelfth Ward and to the City of Minneapolis, together with their best wishes for his future endeavors.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

Palmisano and Ellison moved to adopt Resolution 2023R-414 honoring Council Member Lisa Goodman for her years of service to the City of Minneapolis.

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

RESOLUTION 2023R-414

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

Honoring Council Member Lisa Goodman for her years of service to the City of Minneapolis.

Whereas, Lisa was first elected in 1997 and reelected six additional times giving her a historic twenty-six years serving as the City Council Member for Ward 7 and the distinction of being the longest serving council member of all time for the City of Minneapolis. She has worked with 4 mayors and 49 different council members; and

Whereas, Lisa set a high standard for constituent services, expecting all calls and emails to be answered in a timely fashion, answering the majority of her own email from constituents; and

Whereas, Lisa has helped grow the residential population of downtown Minneapolis which has more than doubled since she took office; and

Whereas, Lisa took a strong stance against debt by changing the City's practice for Tax Increment Financing (TIF) to only be used where there is market failure or for affordable housing. She also led the effort to sell city-owned parking ramps for development which also helped eliminate city debt; and

Whereas, Lisa helped reorganize the Minneapolis Community Development Agency (MCDA) into the Community Planning and Economic Development (CPED) division bringing these elements together for a more streamlined and efficient department for the City of Minneapolis; and

Whereas, Lisa was instrumental in initiating the first green infrastructure for the City of Minneapolis authoring ordinances to allow for the installation of solar arrays and green roofs. She led the effort for green roofs on the Downtown Library, City Hall, and the Target Center; and

Whereas, Lisa was a key player in the restoration of the downtown theaters and the creation of the Hennepin Theater Trust. She organized a deal that left the city with no risk while creating a thriving district to bring people into downtown from across the region helping enhance the city's dining and bar scene and increasing the city's tax revenue; and

Whereas, Lisa worked with community partners to move the Shubert Theater onto Hennepin Avenue where The Cowles Center was established as a dance and performing arts hub; and

Whereas, Lisa collaborated with the Downtown Council to establish the Downtown Improvement District (DID) which provides ambassadors for visitors and residents that offer general assistance, additional cleaning and greening, and increased public safety throughout downtown; and

Whereas, Lisa was a key player in the renovation and revitalization of Nicollet Mall and Peavey Plaza, a historic landmark next to Orchestra Hall. The updated plaza is now more user friendly, Americans with Disabilities Act (ADA) accessible, and much more environmentally sound; and

Whereas, Lisa was heavily involved in the expansion and updating of the Minneapolis Convention Center which boasts international sustainability standards providing a destination for conventions to be held that brings activity throughout the city and vitality to the local economy; and

Whereas, Lisa served on the implementation committees for the new City of Minneapolis Public Service Building, Target Center renovation, and the Downtown Central Library; and

Whereas, Lisa was active in upgrading and renovating the Loring Greenway which connects downtown Minneapolis to Loring Park. She also helped establish the Loring Greenway Association which is a group of local volunteers that manage and maintain the plantings along this pedestrian mall; and

Whereas, Lisa helped organize what is now the North Loop Neighborhood Association that created an identity for the growing area of the warehouse district which is now a thriving neighborhood sought after for living, shopping, and entertainment; and

Whereas, Lisa was instrumental in the relocation of the Guthrie Theater and the MacPhail Center to the Mississippi Riverfront which was the impetus for the development of the Mill District; and

Whereas, Lisa negotiated with Allina to sell their vacant hospital and parking lot by Loring Park. The historic building was rehabilitated and a new apartment building was built which helped increase the tax base and allowed Allina to begin construction on their new heart hospital; and

Whereas, Lisa saw the need for a grocery store in downtown Minneapolis so she recruited Lunds & Byerlys to open a downtown location; they have now been joined by Whole Foods and Trader Joe's; and

Whereas, Lisa established the Minneapolis Affordable Housing Trust Fund which has grown throughout the years providing thousands of units of affordable housing and leveraging millions of dollars from private capital and other government agencies; and

Whereas, Lisa helped create the Naturally Occurring Affordable Housing Preservation Fund which helps housing providers and emerging real estate developers acquire unsubsidized housing to preserve affordability and prevent displacement. Lisa was also instrumental in creating the 4d Program which provides a property tax incentive for rental property owners that agree to keep their rental units affordable at 60% of the area median income (AMI); and

Whereas, Lisa co-authored the Section 8, anti-discrimination ordinance along with the ordinance that reestablished the ability to have Single Room Occupancy (SRO) units in the City of Minneapolis; and

Whereas, Lisa challenged Youthlink leadership to create affordable housing instead of providing mats on the floor for homeless youth. She connected them with the appropriate partners and helped shepherd the Downtown View Project to completion; and

Whereas, Lisa was approached by community members that wanted to create a tiny village for people experiencing homelessness. She believed in their vision and connected the appropriate people and advocated for money from several private and government agencies to create Avivo Village; and

Whereas, Lisa, having a desire for downtown Minneapolis to have dog parks, established a non-profit that built three dog parks. She subsequently led the lobbying efforts that allowed dogs on sidewalk cafés and in brew pubs. She changed the policy to allow Animal Care and Control to adopt out bully breeds and initiated the removal of adoption fees for city residents; and

Whereas, Lisa has received numerous awards for her leadership and dedication to historic preservation. She has personally helped save dozens of historic properties. In addition to her work on the downtown theaters, she worked on the Armory, the Handicraft Guild, the Dayton’s Project and Oaklands on 9th along with the creation of the Ninth Street South Historic District and the Harmon Place Historic District; and

Whereas, Lisa led the effort with the Minneapolis Park and Recreation Board to develop the twenty-year parks funding plan for neighborhood parks; and

Whereas, after 26 years of service to the City of Minneapolis, Lisa’s accomplishments are too numerous to list here and the positive impact she has had on our city will continue well into the future;

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

That the Mayor and City Council do hereby present this Honorary Resolution in recognition of their sincere gratitude and appreciation for the many contributions made by Council Member Goodman to the Seventh Ward and to the City of Minneapolis, together with their best wishes for her future endeavors.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

UNFINISHED BUSINESS

Goodman moved to refer to staff the application by TXT LLC, dba TXT Wine & Spirits, 700 W Broadway, for an off-sale liquor license.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

NEW BUSINESS

Ellison moved to adopt Resolution 2023R-415 declaring unsheltered homelessness as a public health emergency.

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

RESOLUTION 2023R-415

By Osman, Payne, Wonsley, Ellison, Chavez, Chughtai, Koski, and Chowdhury

Declaring unsheltered homelessness as a public health emergency.

Whereas, the City of Minneapolis' mission states that "Our City government takes strategic action to address climate change, dismantle institutional injustice and close disparities in health, housing, public safety and economic opportunities. In partnership with residents, City leaders help to ensure all communities thrive in a safe and healthy city"; and

Whereas, unsheltered residents in the City of Minneapolis experience adverse health impacts, systemically struggle to secure stable housing, food access, and health services, and experience conditions that jeopardize their safety and wellbeing; and

Whereas, unsheltered residents are disproportionately Black, Indigenous, LGBTQ+, and youth; and

Whereas, Hennepin County conducts a Point in Time count each year to identify the number of unhoused individuals in the county, including those living in shelters, on the street, or in other outdoor locations. As of January 2023, 2,843 people were living in shelters or transitional housing programs, and 469 people were experiencing unsheltered homelessness; and

Whereas, in November 2021, Hennepin County published the *Disparity Reduction: Vision and Priorities* report, which found that 58% of people experiencing homelessness are Black and 11% are Indigenous. Less than 15% of the County's population is Black and less than 2% is Indigenous; and

Whereas, according to the Trevor Project, a nationally renowned suicide prevention and crisis intervention nonprofit organization for LGBTQ+ young people, 28% of LGBTQ+ youth reported experiencing homelessness or housing instability at some point in their lives; and

Whereas, the Trevor Project reported that nearly half (44%) of Indigenous LGBTQ+ youth have experienced homelessness or housing instability at some point in their life. Homelessness and housing instability were reported at higher rates among transgender and nonbinary youth; and

Whereas, the Minnesota Department of Health's *Minnesota Homeless Mortality Report, 2017-2021* found that the rate of death among people experiencing homelessness in Minnesota is 3 times higher than the general population. Indigenous people experiencing homelessness have a mortality rate that is 1.5 times higher than people experiencing homelessness overall, and 5 times higher than the general population in Minnesota; and

Whereas, the causes of death for people experiencing homelessness include: substance use (36.7%); chronic diseases like heart disease, diabetes, kidney disease, cancer, and more (36.1%); external causes like suicide, homicide, pedestrian injury, and more (15%); and infectious diseases (5.1%); and

Whereas, according to the U.S. Department of Housing and Urban Development's *Understanding Encampments of People Experiencing Homelessness and Community Responses* report, "researchers generally agree that increases in homelessness are first and foremost the result of severe shortages of affordable housing, combined with a lack of political will to dedicate sufficient resources to address this problem. Encampments form in response to the absence of other, desirable options for shelter"; and

Whereas, the U.S. Department of Housing and Urban Development's *Understanding Encampments of People Experiencing Homelessness and Community Responses* report finds that "clearance with little or no support may actually reduce the likelihood that people will seek shelter because it erodes trust and creates an adversarial relationship between people experiencing homelessness and law enforcement or outreach workers"; and

Whereas, the lack of running water and basic hygiene put residents living in encampments at a higher risk of contracting preventable diseases, including Hepatitis A, typhus, tuberculosis, influenza, pneumonia, diphtheria, and more; and

Whereas, Hepatitis A is a highly contagious liver infection which is considered very rare among the general population because it is preventable by a vaccine. Hepatitis A primarily spreads through contact with infected feces and the lack of temporary bathroom access puts those living in encampments at a high risk of contracting this disease; and

Whereas, because the City of Minneapolis is not a direct service provider, it has faced continued challenges in its efforts to partner to effectively reduce homelessness, humanely support unsheltered residents, and prevent the formation of encampments in our city through its current regulatory policies and practices, especially since the formation and closure of the Wall of Forgotten Natives in 2018 as well as the start of the COVID-19 pandemic in 2020; and

Whereas, though the City of Minneapolis is not a direct service provider, its work continues to revolve around connecting unsheltered residents to the services and resources provided by Hennepin County and community partners; and

Whereas, the City of Minneapolis has demonstrated the need for a public health response through the deployment of the Homelessness Response Team to encampments across Minneapolis to coordinate with Hennepin County and other service providers in supporting unsheltered residents; and

Whereas, coordination and partnership with direct service providers is crucial to humanely support unsheltered residents with dignity and respect to address urgent and potentially fatal public health issues; and

Whereas, in order to assist in fulfilling the City of Minneapolis’s stated mission, the Minneapolis City Council is committed to work in partnership with residents, governmental agencies, and community partners to enable unsheltered residents to thrive in a safe and healthy city; and

Whereas, the Minneapolis City Council is committed to being an effective partner in reducing homelessness, preventing the formation of encampments, and addressing urgent and potentially fatal public health concerns in regard to unsheltered homelessness;

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

That unsheltered homelessness is a public health emergency.

Be It Further Resolved that the Minneapolis City Council, by declaring unsheltered homelessness a public health emergency, is committed to exploring all policies, actions, partnerships, and investments to urgently and meaningfully address this emergency alongside the Mayor of Minneapolis and City of Minneapolis workers and leaders.

On roll call, the result was:

Ayes: Payne, Wonsley, Rainville, Vetaw, Ellison, Osman, Goodman, Jenkins, Chavez, Chughtai, Koski, Chowdhury, Palmisano (13)

Noes: (0)

Absent: (0)

Adopted.

ADJOURNMENT

The meeting was adjourned at 2:00 p.m.

Casey Joe Carl,
City Clerk