

**OFFICIAL PROCEEDINGS  
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF  
JULY 12, 2019**

(Published July 20, 2019, in *Finance and Commerce*)

**CALL TO ORDER**

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

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

Absent – Council Members Abdi Warsame, Alondra Cano.

On motion by Gordon, the agenda was adopted.

On motion by Jenkins, the minutes of the regular meeting of June 21, 2019, were accepted.

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

The following actions and resolutions were signed by Mayor Jacob Frey on July 16, 2019. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

**REPORTS OF STANDING COMMITTEES**

**The COMMITTEE OF THE WHOLE submitted the following report:**

**COUNCIL ACTION 2019A-0564**

The Minneapolis City Council hereby approves the following Council appointments to the Racial Equity Community Advisory Committee for unexpired two-year terms beginning May 1, 2018, and ending Apr 30, 2020: Elizabeth Adams, Seat 7, Ward 7; and Adedotun Salami, Seat 8, Ward 8.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**The ECONOMIC DEVELOPMENT & REGULATORY SERVICES Committee submitted the following report:  
COUNCIL ACTION 2019A-0565**

The Minneapolis City Council hereby approves the appointment by the Executive Committee of Kim Keller to the appointed position of Director of Regulatory Services for a term ending Jan 1, 2020.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0566**

The Minneapolis City Council hereby approves the application for Graze Provisions and Libations/Graze, 520 4TH ST N Minneapolis, MN, (Ward 3) submitted by FWD GRAZE LLC, BLLiquor, LIC377291, for an On Sale Liquor with Sunday Sales, Limited Entertainment License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0567**

The Minneapolis City Council hereby approves the application for Bacon Social House, 700 3RD ST S Minneapolis, MN, (Ward 3) submitted by Bacon Restaurant Denver LLC, BLLiquor, LIC377865, for an On-Sale Liquor with Sunday Sales, General Entertainment License, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0568**

The Minneapolis City Council hereby approves the following applications (5) for Liquor Licenses, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. BRIT'S PUB & EATING ESTABLISHMENT, 1110 NICOLLET MALL Minneapolis, MN, (Ward 7) submitted by BRIT'S LTD, BLAmend, LIC380197
2. Como Tap, 2124 COMO AVE SE Minneapolis, MN, (Ward 2) submitted by Famous Burgers, LLC, BLLiquor, LIC378469
3. ORCHESTRA HALL, 1111 NICOLLET MALL Minneapolis, MN, (Ward 7) submitted by MINNESOTA ORCHESTRAL ASSOCIATION, BLAmend, LIC380065

4. The Kollege Klub Dinkytown, 1301 4TH ST SE Minneapolis, MN, (Ward 3) submitted by KK2 LLC, BLLiquor, LIC379776
5. Seed Cafe, 3252 LAKE ST W Minneapolis, MN, submitted by MOKSHA YOGA MPLS, LLC, BLWine, LIC380398.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

### **COUNCIL ACTION 2019A-0569**

The Minneapolis City Council hereby approves the following applications (68) for Liquor License Renewals, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

1. ABLE SEEDHOUSE & BREWERY, 1121 QUINCY ST NE Minneapolis, MN, submitted by ABLE SEEDHOUSE & BREWERY, BLBrewery, LIC108098
2. ABLE SEEDHOUSE & BREWERY, 1121 QUINCY ST NE Minneapolis, MN, submitted by COMMON CRAFT GROUP LLC, BLBrewery, LIC108105
3. AL VENTO, 5001 34TH AVE S Minneapolis, MN, (Ward 12) submitted by AL VENTO INC, BLLiquor, LIC79041
4. ALOFT HOTEL MINNEAPOLIS, 900 WASHINGTON AVE S Minneapolis, MN, (Ward 3) submitted by 900 WASHINGTON HOTEL LLC, BLLiquor, LIC78303
5. ATLAS RESTAURANT, 200 6TH ST S Minneapolis, MN, (Ward 7) submitted by Atlas Restaurants LLC, BLLiquor, LIC77408
6. BAR LUCHADOR, 825 WASHINGTON AVE SE Minneapolis, MN, (Ward 2) submitted by BAR LUCHADOR LLC, BLLiquor, LIC78661
7. BARRIO, 925 NICOLLET MALL Minneapolis, MN, (Ward 7) submitted by TORO RESTAURANT LLC, BLLiquor, LIC76528
8. BROTHER JUSTUS, 451 TAFT ST NE Minneapolis, MN, submitted by BROTHER JUSTUS WHISKEY CO LLC, BLDistill, LIC361920
9. BUCA DI BEPPO, 1204 HARMON PL Minneapolis, MN, (Ward 7) submitted by BUCA MINNEAPOLIS INC, BLLiquor, LIC75285
10. BULLWINKLE'S SALOON & FUN BAR, 1429 WASHINGTON AVE S Minneapolis, MN, (Ward 6) submitted by STAR INVESTMENTS INC, BLLiquor, LIC79996
11. Colita, 5400 PENN AVE S Minneapolis, MN, (Ward 13) submitted by 5400 BBQ LLC, BLLiquor, LIC369326
12. CORNER BAR (THE), 1501 WASHINGTON AVE S Minneapolis, MN, (Ward 6) submitted by FH BILL INC, BLLiquor, LIC77439
13. CUZZY'S GRILL & BAR, 507 WASHINGTON AVE N Minneapolis, MN, (Ward 3) submitted by CUZZY'S INC, BLLiquor, LIC79756
14. DARBAR INDIA GRILL, 1221 LAKE ST W Minneapolis, MN, (Ward 10) submitted by DARBAR INDIA GRILL INC, BLLiquor, LIC78013
15. DARBY'S PUB & GRILL, 401 3RD ST N Minneapolis, MN, (Ward 3) submitted by MARKUS 1 LLC, BLLiquor, LIC78196
16. DEVIL'S ADVOCATE, 1070 NICOLLET MALL Minneapolis, MN, (Ward 7) submitted by WOLF & RAVEN LLC, BLLiquor, LIC368000

17. Dong Hae Korean Grill & Sushi, 251 1ST AVE N Minneapolis, MN, (Ward 3) submitted by Dong Hae Korean Grill & Sushi LLC, BLLiquor, LIC80564
18. EAGLEBOLTBAR, 515 WASHINGTON AVE S Minneapolis, MN, (Ward 3) submitted by SCREAMING TRIANGLE LLC, BLLiquor, LIC79556
19. EASTLAKE, 920 LAKE ST E Minneapolis, MN, submitted by EASTLAKE CRAFT BREWERY LLC, BLBrewery, LIC107382
20. EASTLAKE, 920 LAKE ST E Minneapolis, MN, submitted by EASTLAKE CRAFT BREWERY LLC, BLBrewery, LIC352403
21. EASTSIDE EAT AND DRINK, 305 WASHINGTON AVE S Minneapolis, MN, (Ward 3) submitted by 301 WASHINGTON LLC, BLLiquor, LIC80731
22. ELSIE'S, 729 MARSHALL ST NE Minneapolis, MN, (Ward 3) submitted by TUTTLE INC, BLLiquor, LIC79534
23. Erik the Red, 601 CHICAGO AVE Minneapolis, MN, (Ward 6) submitted by Empire Hospitality LLC, BLLiquor, LIC77459
24. EXCHANGE NIGHTCLUB/ALIBI LOUNGE, 10 5TH ST S Minneapolis, MN, (Ward 3) submitted by THE UNDERGROUND LLC, BLLiquor, LIC75881
25. HISTORIC MACHINE SHOP RESTAURANT, 300 2ND ST SE Minneapolis, MN, (Ward 3) submitted by HISTORIC MACHINE SHOP LLC, BLLiquor, LIC76543
26. HOPCAT, 435 NICOLLET MALL Minneapolis, MN, (Ward 3) submitted by HOPCAT-MINNEAPOLIS, LLC, BLLiquor, LIC353523
27. JOINT CABOOSE OPERATIONS LLC, 913 CEDAR AVE S Minneapolis, MN, (Ward 6) submitted by JOINT CABOOSE OPERATIONS LLC, BLLiquor, LIC78816
28. LAKES & LEGENDS BREWING, 1368 LASALLE AVE Minneapolis, MN, submitted by LAKES & LEGENDS BREWING LLC, BLBrewery, LIC337776
29. LAKES & LEGENDS BREWING, 1368 LASALLE AVE Minneapolis, MN, submitted by LAKES & LEGENDS BREWING LLC, BLBrewery, LIC337777
30. LEE'S LIQUOR LOUNGE/BAR, 101 GLENWOOD AVE Minneapolis, MN, (Ward 5) submitted by LEE'S LIQUOR LOUNGE LLC, BLLiquor, LIC77484
31. LOEWS MINNEAPOLIS HOTEL, 601 1ST AVE N Minneapolis, MN, (Ward 3) submitted by Loews MH Operating Company LLC, BLLiquor, LIC76365
32. Luminn Hotel Minneapolis, 219 4TH ST S Minneapolis, MN, (Ward 7) submitted by M Lounge LLC, BLLiquor, LIC351899
33. Lynlake Brewery, 2934 LYNDALE AVE S Minneapolis, MN, submitted by Lynlake Brewery LLC, BLBrewery, LIC337781
34. LYNLAKE BREWERY, 2934 LYNDALE AVE S Minneapolis, MN, submitted by Lynlake Brewery LLC, BLBrewery, LIC337782
35. Mansion at Uptown & The Vault at Mansion, 2901 HENNEPIN AVE Minneapolis, MN, (Ward 10) submitted by Uptown Hospitality INC, BLLiquor, LIC80252
36. MERCY DINING ROOM & BAR, 901 HENNEPIN AVE Minneapolis, MN, (Ward 7) submitted by MARIN HOSPITALITY CORPORATION, BLLiquor, LIC80323
37. MILL CITY MUSEUM, 704 2ND ST S Minneapolis, MN, (Ward 3) submitted by MINNESOTA HISTORICAL SOCIETY, BLLiquor, LIC75850
38. Minneapolis Event Centers, 212 2ND ST SE Minneapolis, MN, (Ward 3) submitted by Entourage Events Group Inc, BLLiquor, LIC371478
39. MINNESOTA SPORTS FACILITIES AUTHORITY, 401 CHICAGO AVE Minneapolis, MN, (Ward 3) submitted by MINNESOTA SPORTS FACILITIES AUTHORITY, BLLiquor, LIC77742
40. MONARCH MINNEAPOLIS, 322 1ST AVE N Minneapolis, MN, (Ward 3) submitted by MONARCH 10 LLC, BLLiquor, LIC80482

41. MUSE EVENT CENTER, 107 3RD AVE N Minneapolis, MN, (Ward 3) submitted by Muse Event Center LLC, BLLiquor, LIC76040
42. NIGHTHAWKS, BOLUDO, 3753 NICOLLET AVE Minneapolis, MN, (Ward 8) submitted by NIGHTHAWKS LLC, BLLiquor, LIC369672
43. NIGHTINGALE, 2551 LYNDALE AVE S Minneapolis, MN, (Ward 10) submitted by GMHG LLC, BLLiquor, LIC80597
44. Northbound Smokehouse & Brewpub, 2716 38TH ST E Minneapolis, MN, submitted by Smokehouse Brewpub LLC, BLBrewery, LIC353670
45. NORTHBOUND SMOKEHOUSE BREWPUB, 2716 38TH ST E Minneapolis, MN, (Ward 12) submitted by Smokehouse Brewpub LLC, BLLiquor, LIC75995
46. POG MAHONES, 903 WASHINGTON AVE S Minneapolis, MN, (Ward 3) submitted by BLARNEY II INC, BLLiquor, LIC80495
47. RED DRAGON, 2116 LYNDALE AVE S Minneapolis, MN, (Ward 10) submitted by PHILIP WONG INC, BLLiquor, LIC77954
48. RINATA, 2451 HENNEPIN AVE Minneapolis, MN, (Ward 10) submitted by AMOR AND JON INC, BLLiquor, LIC78799
49. Ruth's Chris Steakhouse, 920 2ND AVE S Minneapolis, MN, (Ward 7) submitted by RCSH Operations INC, BLLiquor, LIC78033
50. SANCTUARY RESTAURANT, 903 WASHINGTON AVE S Minneapolis, MN, (Ward 3) submitted by SANCTUARY RESTAURANT LLC, BLLiquor, LIC80497
51. Skyway Theatre, 711 HENNEPIN AVE Minneapolis, MN, (Ward 7) submitted by FOOD AND DRINK INC, BLLiquor, LIC77890
52. STADIUM BAR & GRILL, 207 WASHINGTON AVE N Minneapolis, MN, (Ward 3) submitted by STADIUM PIZZA AND DINER LLC, BLLiquor, LIC76253
53. STANLEYS NORTHEAST BAR ROOM, 2500 UNIVERSITY AVE NE Minneapolis, MN, (Ward 1) submitted by Stanley's N.E. Bar Room LLC, BLLiquor, LIC79163
54. STUB & HERBS, 227 OAK ST SE Minneapolis, MN, (Ward 2) submitted by STERBS DEVELOPMENT LLC, BLLiquor, LIC76480
55. The Fremont, 1300 LAGOON AVE Minneapolis, MN, (Ward 10) submitted by The Last Cowboy LLC, BLLiquor, LIC78066
56. THE LORING, 327 14TH AVE SE Minneapolis, MN, (Ward 3) submitted by NYMAN RESTAURANTS LLC, BLLiquor, LIC353967
57. THE LOWRY, 2112 HENNEPIN AVE Minneapolis, MN, (Ward 7) submitted by BLUE PLATE RESTAURANT CO INC, BLLiquor, LIC79895
58. THE SHERIDAN ROOM, 337 13TH AVE NE Minneapolis, MN, (Ward 3) submitted by 337 LLC, BLLiquor, LIC79922
59. TOWN HALL LANES, 5019 34TH AVE S Minneapolis, MN, (Ward 12) submitted by Town Hall Lanes LLC, BLLiquor, LIC77480
60. UPSTAIRS CIRCUS, 135 WASHINGTON AVE N Minneapolis, MN, (Ward 3) submitted by UPSTAIRS CIRCUS MPLS LLC, BLLiquor, LIC351138
61. WEDGE TABLE, 2412 NICOLLET AVE Minneapolis, MN, (Ward 10) submitted by TWIN CITIES CO-OP PARTNERS INC, BLLiquor, LIC353420
62. ZIADI'S MEDITERRANEAN CUISINE, 920 LAKE ST E Minneapolis, MN, (Ward 9) submitted by ZIADI'S MEDITERRANEAN CUISINE LLC, BLLiquor, LIC368707
63. FRANKLIN NICOLLET LIQUOR STORE, 2012 NICOLLET AVE Minneapolis, MN, (Ward 10) submitted by E AND M FRANKLIN NICOLLET INC, BLLiqOff, LIC54007
64. GREENWAY LIQUOR, 105 GRANT ST W Minneapolis, MN, (Ward 7) submitted by KHOSA BEVERAGE INC, BLLiqOff, LIC54103

65. Hi-Lake Liquors, 2130 LAKE ST E Minneapolis, MN, (Ward 9) submitted by HK 3 Corporation, BLLiqOff, LIC53947
66. LAKE WINE & CHEESE, 404 LAKE ST W Minneapolis, MN, (Ward 10) submitted by METRO LIQUOR WAREHOUSE INC, BLLiqOff, LIC53987
67. LOWRY HILL LIQUORS, 1922 HENNEPIN AVE Minneapolis, MN, (Ward 7) submitted by KJM ENTERPRISES INC, BLLiqOff, LIC53993
68. WHOLE FOODS MARKET, 222 HENNEPIN AVE Minneapolis, MN, submitted by WHOLE FOODS MARKET GROUP INC, BLLiqOff, LIC53936.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

#### **COUNCIL ACTION 2019A-0570**

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

1. VFW POST 246, 2933 LYNDAL AVE S Minneapolis, MN, submitted by VFW POST 246, BLGeneral, LIC380256

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

#### **COUNCIL ACTION 2019A-0571**

The Minneapolis City Council hereby approves the following applications (5) for Gambling License Renewals, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

1. EDISON COMMUNITY AND SPORTS FOUNDATION, 2300 UNIVERSITY AVE NE Minneapolis, MN, submitted by EDISON COMMUNITY AND SPORTS FOUNDATION, BLGeneral, LIC68981
2. EDISON COMMUNITY AND SPORTS FOUNDATION, 3300 CENTRAL AVE NE Minneapolis, MN, submitted by EDISON COMMUNITY AND SPORTS FOUNDATION, BLGeneral, LIC68982
3. EDISON COMMUNITY AND SPORTS FOUNDATION, 2300 UNIVERSITY AVE NE Minneapolis, MN, submitted by EDISON COMMUNITY AND SPORTS FOUNDATION, BLGeneral, LIC69388
4. MINNEAPOLIS NE LIONS CLUB, 1928 UNIVERSITY AVE NE Minneapolis, MN, submitted by MINNEAPOLIS NE LIONS CLUB, BLGeneral, LIC368563
5. TED WILLIAMS MUSEUM AND HITTERS HALL OF, 1 TWINS WAY Minneapolis, MN, submitted by TED WILLIAMS MUSEUM AND HITTERS HALL OF FAME, BLGeneral, LIC66843.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0572**

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement for Ma Jolie - SBP, submitted by Ma Jolie LLC, 3208 Grand Ave, BLGeneral, LIC372365, allowing the applicant to obtain an Innovative/Emerging Small Business Pilot Permit, subject to adherence with the conditions contained therein.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0573**

The Minneapolis City Council hereby authorizes a contract with Employ Milwaukee, Inc., in the amount up to \$30,000, for development of best practices, strategies, and coordinated resources that promote the Midwest region's workforce development system through June 30, 2021.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0574**

The Minneapolis City Council hereby authorizes a contract with Ramsey County Workforce Solutions, in the amount up to \$10,400, for metropolitan regional workforce development coordination services, through June 30, 2020.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0575**

The Minneapolis City Council hereby authorizes Minneapolis Pathways grant agreements funding community-based workforce development activities that assist employers recruit, train, and prepare Minneapolis residents to fill in-demand positions in their business, as follows: HIRED for up to \$250,000; Twin Cities RISE for up to \$75,000; and Jewish Family and Children's Services of Minneapolis for up to \$218,550.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**The HOUSING POLICY & DEVELOPMENT Committee submitted the following report:  
COUNCIL ACTION 2019A-0576**

The Minneapolis City Council hereby:

1. Passage of Resolution 2019R-197 approving the 14th and Central Tax Increment Financing (TIF) Plan for development at 854, 902, and 904 14th Ave NE.
2. Passage of Resolution 2019R-198 authorizing the issuance of a tax increment revenue note to 14th and Central, LLLP, in a principal amount not to exceed \$3,495,000.
3. Authorizing a redevelopment contract and other necessary documents related to the recommended actions with 14th and Central, LLLP or affiliated entity.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

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

**RESOLUTION 2019R-197**

**By Gordon**

**Approving the 14th and Central 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 14th and Central 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 group 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 redevelopment of the TIF District by private enterprise.

Be It Further Resolved that the land in the TIF District would not be made available for redevelopment 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 14th and Central 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: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

### **RESOLUTION 2019R-198**

**By Gordon**

#### **Authorizing issuance of a tax increment limited revenue note in a principal amount not exceeding \$3,495,000, in connection with the 14th and Central 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 Minnesota Statutes, Sections 469.001 through 469.047, as amended (the “HRA Act”) and Minnesota Statutes, Sections 469.174 through 469.1799, as amended (the “TIF Act”); and

Whereas, in furtherance of the objectives of the HRA Act, the City has undertaken programs for the clearance and reconstruction or rehabilitation of blighted, deteriorated, deteriorating, vacant, unused, underused or inappropriately used, areas of the City, and the development of housing for persons of low and moderate incomes; 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 known as the 14th and Central Project (the “Project”); and

Whereas, in furtherance of the Project, the City is concurrently approving a housing tax increment financing district pursuant to the 14th and Central 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(s) 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 redevelopment contract (the “Redevelopment Contract”) with 14th and Central, LLLP, a Minnesota limited liability limited partnership (the “Developer”), pursuant to which the Developer will develop a 175-unit apartment project and an artist-oriented production space in a separate building 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 a tax increment limited revenue note (the "Note") in substantially the form contained in the Legislative File as Exhibit A "Form of TIF Note."

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 Redevelopment 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 Redevelopment 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: Reich, Gordon, Fletcher, Cunningham, Ellison, Goodman, Jenkins, Schroeder, Johnson, Palmisano, President Bender (11)

Noes: (0)

Absent: Warsame, Cano (2)

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  
(14th and Central Project)**

The City of Minneapolis (the "City"), hereby acknowledges itself to be obligated and, for value received, promises to pay to the order of 14th and Central, LLLP, a Minnesota limited liability limited partnership (the "Developer"), solely from the source, to the extent, and in the manner hereinafter provided, the principal amount of this Note, being Three Million Four Hundred Ninety-Five Thousand and No/100 Dollars (\$3,495,000.00) or such lesser amount as may equal the certified Housing 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 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 (the "Contract") certifying that the Development has been substantially completed and the Housing Project Costs have been incurred.

**"Contract"** means that certain Tax Increment Financing Assistance Development Contract between the City and the Developer, dated \_\_\_\_\_, 2019.

**"Declaration of Affordable Housing 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.

**"Development"** means new construction of 175 units of residential rental housing and an artist-oriented production space in a separate building and related improvements, as described in the Contract.

**"District"** means the 14th and Central 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 Improvements portion of the Development.

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

**"Housing Improvements"** means that portion of the Development consisting of the 175 residential housing units on the Property.

**"Housing Project Costs"** means actual costs of constructing the Housing Improvements in the Development, which cannot exceed \$3,495,000.00 and must be approved by the City pursuant to 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 4.4% per annum, calculated and paid 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.

**"Property"** means the real property legally described in the Legislative File as **Exhibit A to TIF Note**, upon which the Development will be constructed.

**"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 900 3rd Street N, Minneapolis, Minnesota 55401, 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 Development.

**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.

*(Signature page follows.)*

**IN WITNESS WHEREOF**, the City of Minneapolis, by action of its 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 \_\_\_\_\_, 2019.

**CITY OF MINNEAPOLIS**

By \_\_\_\_\_  
Its Finance Officer

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

**EXHIBIT A TO TIF NOTE**

**Description of the Property**

**[14th and Central Project]**

**Addresses**

854 – 14th Avenue Northeast

902 – 14th Avenue Northeast

904 – 14th Avenue Northeast

**PID**

14-029-24-14-0702

14-029-24-14-0056

14-029-24-14-0055

**Legal Description**

Real property in the City of Minneapolis, County of Hennepin, State of Minnesota, described as follows:

**Parcel 1:**

Lots 12, 13, 14, 15, and 16 all in Block 3, Johnson’s 2nd Addition to the City of St. Anthony.

All that part of Block 8, Johnson’s 2nd Addition to the City of St. Anthony, Northeasterly of the Right of Way of the Great Northern Railway Company, and also that portion of the vacated North One-Half of Thirteenth Avenue Northeast comprised between the center line of Van Buren Street and the Northeasterly line of said right of way.

Hennepin County, Minnesota Torrens Property.

**Parcel 2:**

The West 13 feet of the East Half of Van Buren Street, now vacated, lying between the extensions West of the North line of Lot 10, Block 3, and the South line of Lot 11, Block 3, all in Johnson’s 2nd Addition to the City of St. Anthony, according to the plat thereof on file and of record in the office of the Register of Deeds in and for said Hennepin County, Minnesota.

The rear or East 43 feet of front or West 88 feet of Lots 10 and 11, Block 3, Johnson’s 2nd Addition to the City of St. Anthony.

West 45 feet of Lots 10 and 11, Block 3, Johnson’s 2nd Addition to the City of St. Anthony, according to the recorded map or plat thereof, Hennepin County, Minnesota.

**Abstract Property**

- The legal descriptions above are the current legal descriptions of the property. It is anticipated that after the alley/street vacation process, final descriptions of the property will include these vacated portions.



**COUNCIL ACTION 2019A-0577**

The Minneapolis City Council hereby approves additional funding up to \$375,000 from the Affordable Housing Trust Fund Contingency Pool for the Maya Commons project located at 937 13th Ave S to PPL Bunge LP, an affiliate of Project for Pride in Living (PPL) or its affiliated entity.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

On behalf of the Housing Policy & Development Committee, Gordon offered Resolution 2019R-199 acknowledging support for projects that submitted applications to the 2019 Hennepin County Transit-Oriented Development Program, as follows: Amber Apartments (4525 Hiawatha Ave), by RS Eden; Gateway Northeast (2435 Marshall St NE), by Common Bond Communities; Midtown Corner (2913 26th Ave S), by Wellington Management; Northside Artspace Lofts (221 Irving Ave N), by Artspace Projects Inc.; and Regional Apprenticeship and Training Center (1200 Plymouth Ave N), by Northgate Development.

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

**RESOLUTION 2019R-199**

**By Gordon**

**Acknowledging support for certain projects that submitted applications to the 2019 Hennepin County Transit-Oriented Development Program.**

Whereas, Hennepin County has established a transit-oriented development loan/grant program (TOD Program) under Minnesota Statutes, section 383B.79, and housing development or redevelopment project under Minnesota Statutes, section 383B.77; and

Whereas, twenty-six applications were submitted to the Hennepin County Housing and Redevelopment Authority (HRA) for projects located within the City of Minneapolis (City) in response to the 2019 TOD Program solicitation; and

Whereas, on May 14, 2019, the HRA has selected projects to which to award funding, including five in the City; and

Whereas, City support is necessary to satisfy TOD Program requirements;

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

That pursuant to Minnesota Statutes, sections 383B.77 and 383B.79, the City supports the following projects:

1. Amber Apartments (4525 Hiawatha Ave), RS Eden
2. Gateway Northeast (2435 Marshall St NE), Common Bond Communities
3. Midtown Corner (2913 26th Ave S), Wellington Management

4. Northside Artspace Lofts (221 Irving Ave N), Artspace Projects Inc.
5. Regional Apprenticeship and Training Center (1200 Plymouth Ave N), Northgate Development

Be It Further Resolved that nothing in this resolution shall create a pecuniary obligation of the City to assist any of the foregoing projects nor shall the City be in any way responsible for any financing obligation or agreement of Hennepin County or the Hennepin County HRA with respect to their provision of financial assistance such projects.

Be It Further Resolved that the support expressed herein extends only to the powers of Hennepin County or the Hennepin County HRA with respect to the financial assistance the County or the HRA proposes to provide to the respective projects and the City shall retain all other powers and jurisdiction over matters relating to the City and the projects.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0578**

The Minneapolis City Council hereby confirms the following Mayoral appointment to the Minneapolis Public Housing Board of Commissioners for an unexpired three-year term beginning Jan. 1, 2017, and ending Dec. 31, 2019: Andrea Brennan, Seat 3, Ward 13.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**The PUBLIC HEALTH, ENVIRONMENT, CIVIL RIGHTS & ENGAGEMENT Committee submitted the following report:**

**COUNCIL ACTION 2019A-0579**

The Minneapolis City Council hereby authorizes a site agreement with AmeriCorps in a total amount of up to \$12,000, for a period of one year, to host two Minnesota Opioid Response Corps (MORE Corps) members engaging in designing and framing the work of the Minneapolis Health Department in response to the recommendations from the Mayor's Task Force on the opioid epidemic.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0580**

The Minneapolis City Council hereby:

1. Accepts a grant from the Minnesota Department of Agriculture in the amount of \$53,615, for the project period of Jun 1, 2019 – Dec 31, 2020, for needs-based technical assistance to new and established retail food establishments in Minneapolis.
2. Authorizes an agreement with the Minnesota Department of Agriculture for the grant.
3. Passage of Resolution 2019R-200 approving appropriation of funds to the Health Department.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

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

**RESOLUTION 2019R-200**

**By Warsame**

**Amending The 2019 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 321004) by \$53,615 and increasing the revenue estimate (01600-8600120) by \$53,615.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0581**

The Minneapolis City Council hereby:

1. Accepts a grant from the National Association of County and City Health Officials (NACCHO), in the amount of \$200,000, for technical assistance in establishing an opioid response program.
2. Authorizes an agreement with NACCHO for the grant.
3. Passage of Resolution 2019R-201 approving appropriation of funds to the Health Department.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

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

**RESOLUTION 2019R-201**

**By Warsame**

**Amending The 2019 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 (01600-8600140) by \$200,000 and increasing the revenue estimate (01600-8600140) by \$200,000.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**The PUBLIC SAFETY & EMERGENCY MANAGEMENT Committee submitted the following report:**

**COUNCIL ACTION 2019A-0582**

The Minneapolis City Council hereby authorizes a revenue agreement with SMG for up to \$60,000 for the Minneapolis Police Department (MPD) to provide MPD vehicles for MPD officers working in the neighborhoods adjacent to US Bank Stadium during up to twenty large scale events from Jul 1, 2019 - Mar 30, 2020.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0583**

The Minneapolis City Council hereby authorizes a revenue agreement with the Minnesota Timberwolves for an estimated \$106,000 for the Minneapolis Police Department (MPD) to provide two Bomb Unit technicians and one Police Officer K-9 Unit handler, for bomb detection security services at Target Center during approximately fifty-five large scale events from Jul 1, 2019 - Jun 30, 2020.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**The TRANSPORTATION & PUBLIC WORKS Committee submitted the following report:**

**COUNCIL ACTION 2019A-0584**

The Minneapolis City Council hereby approves the application of ESPN X Games Minneapolis 2019 for a large block event permit to allow the 2019 X Games to be set up and held from Aug 1, 2019, to Aug 4, 2019, and to operate outside the hours permitted under Section 455.35(c)(1) of the Minneapolis Code of Ordinances.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0585**

The Minneapolis City Council hereby authorizes an agreement with Towerside Innovation District, in the amount of \$85,000 plus any balance of the grant remaining after the City completes lighting improvements, to implement part of the 2016 Hennepin County Transit Oriented Development (TOD) grant for the 4th St SE Street Reconstruction Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0586**

The Minneapolis City Council hereby authorizes an agreement with Rogers Communications, reimbursing the City in an amount not to exceed \$15,000, for engineering and construction services during the 11th Ave S Bridge Project, located over 3rd St S and 4th St S.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0587**

The Minneapolis City Council hereby authorizes an agreement with Arvig Enterprises, reimbursing the City in an amount not to exceed \$15,000, for engineering and construction services during the 11th Ave S Bridge Project, located over 3rd St S and 4th St S.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0588**

The Minneapolis City Council hereby authorizes an agreement with MCI Communications Services, Inc., reimbursing the City in an amount not to exceed \$15,000, for engineering and construction services during the 11th Ave S Bridge Project, located over 3rd St S and 4th St S.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0589**

The Minneapolis City Council hereby authorizes an agreement with Xcel Energy, reimbursing the City in an amount not to exceed \$80,000, for engineering and construction services during the 11th Ave S Bridge Project, located over 3rd St S and 4th St S.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0590**

The Minneapolis City Council hereby authorizes the acceptance of the sole bid of DPC Industries, Inc., submitted on Event No. 132, in the amount of \$262,900, to furnish and deliver liquid chlorine to the Minneapolis Division of Water Treatment and Distribution Services, all in accordance with City specifications and line items.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**The WAYS & MEANS Committee submitted the following report:**

**COUNCIL ACTION 2019A-0591**

The Minneapolis City Council hereby approves the settlement of the property damage claim of Reggie Wright-Howard by payment of \$3,500 to Reggie Wright-Howard and his attorneys, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0592**

The Minneapolis City Council hereby approves the settlement of the personal injury claim of Taquana Renee Bezua v. City of Minneapolis, PM#17-01364, by payment of \$140,000 to Taquana Renee Bezua and her attorney, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0593**

The Minneapolis City Council hereby approves the settlement of the 2018 Consolidated Special Assessment Appeal brought by rental property owner Steven Meldahl, where the City agrees to withdrawal of 2018 Levy 1096, assessment CE1167552 2819 Fremont Ave N \$7,087 0902924430104 (Court File No. 27-CV-18-19039), in exchange for Mr. Meldahl entering into a restoration agreement for the property, and authorizes the City Attorney's Office to execute any documents necessary to effectuate the settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0594**

The Minneapolis City Council hereby authorizes the customization of the City's Standard Contract Form for Professional Services with Baker Tilly Virchow Krause, LLP ("Baker Tilly"), to provide information technology (IT) and cyber security audit services, to reflect the following:

1. Revising the mutual defense and indemnification threshold; and
2. Limiting Baker Tilly's potential liability to \$750,000.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0595**

The Minneapolis City Council hereby authorizes an increase to Contract No. C-43660 with Shaw-Lundquist Associates, Inc., in the amount of \$51,843.57 for a total amount not to exceed \$2,749,843.57, to allow for close-out and final payment for the Convention Center Restrooms Remodel Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0596**

The Minneapolis City Council hereby authorizes the acceptance of the low bid of Restoration & Construction Services, LLC, submitted on Event No. 291, in the amount of \$220,060, to provide all materials, labor, equipment, and incidentals necessary for the Minneapolis Convention Center 3rd Ave Ramp Repairs Project, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0597**

The Minneapolis City Council hereby authorizes the acceptance of the low bid of Grazzini Brothers and Company, submitted on Event No. 166, in the amount of \$612,500, to provide all materials, labor, equipment, and incidentals necessary for terrazzo work for the Public Service Building Project, and authorizes a contract for the project, all in accordance with City specifications.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0598**

The Minneapolis City Council hereby:

1. Authorizes an increase to Contract No. C-44518 with Danny's Construction Company, LLC, in the amount of \$35,318 for a total amount not to exceed \$3,387,482, for additional costs associated with structural steel installation work for the Public Service Building Project.



2. Authorizes an increase to Contract No. C-44518 with Danny’s Construction Company, LLC, in the amount of \$73,352 for a total amount not to exceed \$3,460,834, for additional costs associated with the April 3, 2019, updated construction schedule for the structural steel installation scope of work for the Public Service Building Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0599**

The Minneapolis City Council hereby:

1. Authorizes an increase to Contract No. C-44463 with Knutson Construction Services, Inc., in the amount of \$32,128 for a total amount not to exceed \$11,711,061, for additional costs associated with scope changes to the concrete superstructure scope of work for the Public Service Building Project. The construction contingency is sufficient to cover the increased costs.
2. Authorizes an increase to Contract No. C-44463 with Knutson Construction Services, Inc., in the amount of \$207,892 for a total amount not-to-exceed \$11,918,953, for additional costs associated with the April 3, 2019, updated construction schedule for the concrete scope of work for the Public Service Building Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0600**

The Minneapolis City Council hereby:

1. Authorizes a decrease to Contract No. COM0000416 with Modern Piping, Inc., in the amount of \$64,500 for a total amount not to exceed \$28,841,349, for reductions in the mechanical scope of work for the Public Service Building Project.
2. Authorizes an increase to Contract No. COM0000416 with Modern Piping, Inc., in the amount of \$120,700 for a total amount not to exceed \$28,962,049, for changes to the project schedule for the Public Service Building Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0601**

The Minneapolis City Council hereby authorizes an increase to Contract No. C-43204 with Meyer, Scherer & Rockcastle, Ltd. (MSR Design), in the amount of \$319,823 for a total amount not to exceed \$11,324,122, for architect and engineer of record design services for the Public Service Building Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0602**

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000147 with LeJeune Steel Company, in the amount of \$35,537 for a total amount not to exceed \$7,882,707, for costs associated with additional structural steel material supply for the Public Service Building Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0603**

The Minneapolis City Council hereby authorizes an increase to Contract No. C-43358 with Technology Management Corporation, in the amount of \$38,683 for a total amount not to exceed \$408,370, for additional information technology and audio visual consulting services for the Public Service Building Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0604**

The Minneapolis City Council hereby authorizes an increase to Contract No. C-43080 with Questions and Solutions Engineering, Inc., in the amount of \$28,636 for a total amount not to exceed \$208,736, for additional professional consulting services for the Public Service Building Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0605**

The Minneapolis City Council hereby authorizes an increase to Contract No. COM0000189 with Premier Electrical Corporation, in the amount of \$123,432 for a total amount not to exceed \$14,724,911, for additional costs associated with design changes to the electrical scope of work for the Public Service Building Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**COUNCIL ACTION 2019A-0606**

The Minneapolis City Council hereby authorizes a Best Value Procurement Request for Proposals (RFP) for construction of the new Impound Facility Improvements Project.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**The ZONING & PLANNING Committee submitted the following report:**

**COUNCIL ACTION 2019A-0607**

The Minneapolis City Council hereby denies an application submitted by Alex Brogle, notwithstanding staff recommendation, to rezone (PLAN8693) the property located at 3443 Lyndale Ave S from the R2B Two-family District to the R5 Multiple-family District to construct a new four-story residential building with 19 dwelling units, and adopts Findings of Fact as submitted by the City Attorney's Office.

On roll call, the result was:

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

Noes: (0)

Absent: Warsame, Cano (2)

Adopted.

**NOTICE OF ORDINANCE INTRODUCTIONS**

Ellison gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 5 of the Minneapolis Code of Ordinances relating to Building Code, repealing, renaming, adding, and replicating various provisions, sections, articles, and chapters to reorganize, streamline, and ensure gender neutral language throughout the Building Code:

1. Chapter 85 In General.
2. Chapter 87 Administration and Enforcement.
3. Chapter 89 Permits and Certificates of Occupancy.

4. Chapter 91 Permit Fees.
5. Chapter 93 Safety Precautions: Protection of Public Property.
6. Chapter 95 Projections and Encroachments.
7. Chapter 99 Electricity.
8. Chapter 101 Plumbing.
9. Chapter 103 Gas Piping.
10. Chapter 105 Heating, Air Conditioning and Refrigeration.
11. Chapter 107 Elevators, Escalators, Hoists and Lifts.
12. Chapter 108 Parking Ramps.
13. Chapter 111 Swimming Pools.
14. Chapter 113 Retaining Walls.
15. Chapter 115 Building Moving.
16. Chapter 117 Wrecking.
17. Chapter 119 Aircraft Noise Attenuation.

### **INTRODUCTION & REFERRAL CALENDAR**

Pursuant to notice, on motion by Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Public Health, Environment, Civil Rights and Engagement and Economic Development & Regulatory Services Committees:

Amending Title 13, Chapter 301 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Laundries and Dry Cleaning Establishments, amending regulations to prohibit any use of tetrachloroethylene in a dry cleaning facility.

### **ADJOURNMENT**

On motion by Jenkins, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the litigation matter of Jeremiah Jermaine Thomas v. City of Minneapolis, et al.

### **ADJOURNED SESSION**

Council President Bender called the adjourned session to order at 9:50 a.m. in Room 315, a quorum being present.

Assistant City Attorney Tracey Fussy stated that the meeting may be closed as permitted by the attorney-client privilege under the Minnesota Open Meeting Law to discuss attorney-client communications.

At 9:52 a.m., on motion by Bender, the meeting was closed pursuant to Minnesota Statutes Section 13D.05, Subdivision 3(b) to discuss the litigation matter of Jeremiah Jermaine Thomas v. City of Minneapolis, et al.

Present - Council Members Kevin Reich, Cam Gordon, Steve Fletcher, Phillipe Cunningham, Jeremiah Ellison, Lisa Goodman (Out at 10:30 a.m.), Andrea Jenkins, Jeremy Schroeder, Andrew Johnson, Linea Palmisano, President Lisa Bender.

Absent – Council Members Abdi Warsame, Alondra Cano.

Also Present – Assistant City Attorneys Nikki Newman, Tracey Fussy, and Sara Lathrop, City Attorney’s Office; Gia Vitali, Mayor’s Chief of Staff, Deputy Chief Kathy Waite, Police Department; Casey Joe Carl, City Clerk; and Jackie Hanson, City Clerk’s Office.

Lathrop and Fussy summarized the Jeremiah Jermain Thomas v. City of Minneapolis, et al. lawsuit from 9:52 a.m. to 10:39 a.m.

At 10:39 a.m., on motion by Johnson, the meeting was opened.

**COUNCIL ACTION 2019A-0608**

Jenkins moved to approve the settlement of the claims asserted in *Jeremiah Jermaine Thomas v. City of Minneapolis, et al*, United States District Court File No. 19-cv-954 (WMW/DTS), by payment of \$120,000, payable to Jeremiah Thomas and The Law Office of Zorislav R. Leyderman from Fund/Org. 06940-15000100-602004-145400; and to authorize the City Attorney’s Office to execute any documents necessary to effectuate the settlement and dismissal.

On roll call, the result was:

Ayes: Reich, Gordon, Fletcher, Cunningham, Ellison, Jenkins, Schroeder, Johnson, Palmisano, President Bender (10)

Noes: (0)

Absent: Goodman, Warsame, Cano (3)

Adopted.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

On motion by Jenkins, the meeting was adjourned at 10:40 a.m.

Casey Joe Carl,  
City Clerk