

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF APRIL 17, 2015

(Published April 25, 2015, in *Finance and Commerce*)

CALL TO ORDER

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

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

On motion by A. Johnson, the agenda was amended to modify Item 6 under the Order of New Business to replace Chapter 309, Extended Hours of Operation with Chapter 259, In General.

On motion by Glidden, the agenda was amended to include under the Order of Resolutions a resolution supporting a Strong Economy and Working Families.

On motion by Glidden, the agenda was amended to strike item 7 under the Order of New Business, which is a duplicate of item 1, and renumber the remaining New Business items.

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

On motion by Glidden, the minutes of the adjourned session held April 2, 2015, and the regular meeting of April 3, 2015, were adopted.

On motion by Glidden, the petitions, communications, and reports of the City officers were referred to the proper Council committees and departments.

The following reports were signed by Mayor Betsy Hodges on April 20, 2015. 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 the City Clerk.

REPORTS OF STANDING COMMITTEES

The COMMITTEE OF THE WHOLE submitted the following report:

COW – Having under consideration a workforce assessment and diversification report received and filed from the Human Resources Department, your committee recommends adoption of the following staff directive:

Directing City Departments, in collaboration with the Human Resources Department and in alignment with City goals and strategic direction, to develop a workforce planning process that supports the enterprise. Plans will have specific goals and objectives designed to meet departmental workforce needs, factoring anticipated turnover rates and affirmative action plans and goals. In addition, the following information will be included:

- a) Assessment of workforce needs at a minimum of three to five years.
- b) Formal assessment of opportunities and challenges in diversifying their workforce.
- c) Engagement of Human Resources best practices in the assessment of position descriptions to remove unnecessary requirements, certifications, and education levels necessary to perform the core duties.
- d) Engagement of Human Resources best practices in the assessment of position descriptions to include fluency in the most commonly used languages in the city, as well as multicultural competency, as a desired/required skill, in particular on jobs that involve direct services.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

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

CD&RS – Your Committee recommends approval of the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling licenses as set forth in Petition No. 278233 on file in the office of the City Clerk, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 4/20/2015.

(Published April 22, 2015)

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-160 approving License Settlement Conference recommendations relating to the Hotel License held by Aqua City Motel, 5739 Lyndale Ave S, Minneapolis.

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

RESOLUTION 2015R-160
By Goodman

Approving License Settlement Conference recommendations relating to the Hotel License held by Aqua City Motel, 5739 Lyndale Ave S, Minneapolis.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on November 24, 2014 with the licensee; and

Whereas, the Community Development and Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee violated the Minneapolis Code of Ordinances;

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

That the following recommendations be adopted, as more fully set forth in said Findings on file in the office of the City Clerk and made a part of this report by reference:

1. All administrative citations issued to Mian Hospitality Group LLC will be reduced to violation notices in lieu of this settlement.
2. Mian Hospitality Group LLC agrees to pay a \$500 sanction, with \$500 stayed pending no further substantial and serious violations for a period of two years.
3. The Division may impose a 5-day suspension of the hotel license of Mian with 5 days stayed and not enforced, for the next two year period, unless there are serious and substantial violations of licensing requirements or laws, or blatant disregard of the terms of these recommendations, that are beyond control of licensee and not timely corrected or after notice of deficiencies are given to Mian and a Due Process Hearing is conducted as to the failure to correct any such deficiencies.
4. Mian Hospitality Group LLC shall maintain its current complement of security cameras in areas of the interior and exterior of the building, as approved by the Minneapolis Police Department 5th Precinct.
5. Mian Hospitality Group LLC agrees to maintain twenty-four hour per day on-site personnel or management. The on-site management shall report all suspected criminal behavior to the Minneapolis Police Department in a timely manner.
6. Mian Hospitality Group LLC agrees to train all employees through existing law enforcement training programs to recognize signs of sex trafficking and report such related activities at their premises to Minneapolis Police Department.
7. Mian Hospitality Group LLC agrees to continue its policy of not accepting Hennepin County vouchers or referrals from homeless shelters.

8. Mian Hospitality Group LLC agrees to perform criminal background checks on all employees of the Aqua City Motel, which can be obtained from the Minnesota Bureau of Criminal Apprehension.
9. Mian Hospitality Group LLC agrees to require identification for every unaccompanied individual over the age of 14 either renting or residing in the hotel, except for spouses or minors staying with family members, provided that identification shall be required for at least one responsible adult in each unit. All parties letting a room shall be identified in the computerized system and persons who are not related or are not lawful permitted guests shall be removed upon discovery. Hotel management will maintain the system and allow Minneapolis Police and License Divisions officials access to it on a monthly basis.
10. Mian Hospitality Group LLC agrees to maintain a red flag/do not rent notation system in their computerized check in system to refuse customers previously involved in nuisance activity from staying at the motel.
11. Mian Hospitality Group LLC agrees to only let to persons under the age of 18 with written parental consent.
12. Mian Hospitality Group LLC agrees to use a behavioral notice to be prominently displayed in the check-in area and acknowledged by all persons getting a room upon check-in. The Aqua City Motel shall remove any individual or group that fails to conform to the behavior agreement.
13. Mian Hospitality Group LLC agrees to not permit a tenancy by any person using the Aqua City Motel as transient or temporary occupancy, that a portion of units not to exceed 12 may be made available from time-to-time for tenants who have legitimate, long term temporary needs, such as construction workers, those visiting students or individuals in hospitals or other institutions, or people who need lodging because of an emergency at their current residence. Otherwise, long-term stays (typically over one month) will not be permitted.
14. The License and Consumer Services Division reserves the right to require on-site security. The Metro Inn Motel (Aqua City Motel) agrees to hire off duty police officers two nights each week, which shall be a minimum of 4 hours on Friday and Saturday nights between 8:00 p.m. - 2:00 a.m. (or such other hours as are determined by the officer), in full uniform. Off duty police will provide foot beats, roving patrols and shall be proactive in enforcement and provide a high visibility presence. The licensee will maintain a schedule of hours and name of personnel performing security and will make the schedule available to City staff. The off duty police may divide their time and duties between Motel and the adjacent Metro Inn.
15. During the time off-duty Minneapolis Police officer is not present, motel staff shall make periodic rounds between 7:00 a.m. and 11:00 p.m. weekdays and 7:00 a.m. and 1:00 a.m. weekends.
16. Mian Hospitality Group LLC agrees to monitor parking areas. All vehicles parked must be registered to a room, except for guests present for a short-term legitimate reason. Any unregistered vehicles must be towed. A log will be kept of vehicles towed.
17. Mian Hospitality Group LLC agrees to cleaning litter from parking areas and business at least four times daily. A log will be kept of daily litter schedule.

18. Mian Hospitality Group LLC agrees to not allow any room rental for less than a 24-hour period, or charge hourly rates for occupancy.

19. Mian Hospitality Group LLC agrees to at all times maintain all rooms and entire premises in compliance with all Housing, Health, Fire and Safety codes in the City of Minneapolis and permit safety inspections at reasonable times upon prior notice. Due to the history of poor maintenance, the principals of the Aqua City Motel understand that any further failure to promptly correct any Housing, Health, Fire and Safety violations may result in revocation or denial of the Hotel license. Further, the City of Minneapolis may close individual rooms for lack of cleanliness and maintenance, if management is given notice and does not correct the problem within a reasonable time, until at such time the room is deemed in compliance with Minneapolis codes.

20. Mian Hospitality Group LLC agrees guests shall not be allowed to cook in their rooms unless equipped with kitchens.

21. Mian Hospitality Group LLC agrees to participate in meetings with a liaison of neighborhood residents on an informal basis at least every six months, or more often if feasible. The licensee will keep a log of the meetings that they have attended.

22. Mian Hospitality Group LLC agrees to provide the Community with contact information to receive complaints or concerns and will address those concerns if received. The licensee will keep a log of these complaints and the resolution of them.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-161 approving Business License Operating Conditions relating to the On Sale Liquor and Sidewalk Café Licenses held by Azul Nightclub, 400 3rd Ave N., Minneapolis.

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

RESOLUTION 2015R-161

By Goodman

Approving Business License Operating Conditions relating to the On Sale Liquor and Sidewalk Café Licenses held by Azul Nightclub, 400 3rd Ave N., Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the On Sale Liquor and Sidewalk Café Licenses held by Azul Nightclub, 400 3rd Ave N., Minneapolis:

1. The licensee shall email their live band event schedule and advertisements to the Minneapolis Police 1st Precinct and Business Licensing every two weeks for the purpose of assessing Azul Nightclub's security and staffing needs based on the potential event draw of patron numbers in excess of regular business operations.

2. The licensee shall take all necessary and prudent steps to avoid violent incidents from occurring at their establishment during events by assessing the reasonably foreseeable risks associated with the nature of the event(s), the history of the performer(s), and the anticipated number of attendees.
3. No glass bottles will be served to patrons.
4. The licensee must verify the age of all persons seeking to purchase beverage alcohol.
5. The licensee will not provide outdoor speakers. Should outdoor speakers be added in the future, the licensee shall meet with a representative of the City of Minneapolis Environmental Management Division prior to operating outdoor speakers to undergo a sound mitigation evaluation to review strategies to minimize unwanted sound emanating from the outdoor area and implement those recommended strategies.
6. To assist in the prevention of reoccurring disturbances by known persons, the licensee shall compile, maintain and share with the 1st Precinct a "Do Not Admit/8.6" list of persons who have been trespassed and/or refused service per Minnesota Administrative Rule 7515.0590, Subp.3.
7. The licensee shall utilize a metal detector to wand persons seeking to gain entrance to the establishment as needed or as determined by Minneapolis Police.
8. Each bar area in the establishment will have a staff person assigned as the "controller" with the duties to oversee the amount of alcohol being served to reduce the potential of over serving patrons.
9. Dedicated security staff will monitor the activity in the establishment and if any criminal activity is observed, security must escort the customer from the premises and request Minneapolis Police assistance at the exit of the business.
10. Dedicated security staff shall not allow customers or passersby to loiter for any purpose near the establishment during business hours.
11. Dedicated security staff shall assist in crowd dispersal for at least one half hour after closing of the establishment to prevent loitering.
12. The licensee will not distribute hand-bills advertising promotions to anyone walking on city sidewalks, streets, or alleys; nor place any on parked motor vehicles.
13. The licensee shall send a representative to monthly LINC meetings.
14. The licensee will collect all litter within 100 feet of the exterior of the building housing the licensed premises on a daily basis.
15. The licensee shall not advertise nor promote "18 plus/all ages" events on the premises. For purposes of this agreement, "18 plus/all ages" events shall be defined as an event that is advertised as an 18 plus/all ages event that offers live entertainment or a DJ in a nightclub type setting.
16. All persons seeking to gain entrance to the establishment who appear to be under the age of 21 shall be required to present legitimate identification as a condition of entrance except during private events that are not open to the public. No minors will be allowed to remain on the premises unless as otherwise allowed under State Statute 340A.503.

17. The patio area shall be restricted to the approved plan. The number of patrons on the patio should not exceed the total customer capacity specified in the license application. Noise coming from patrons in all outdoor areas will be managed consistent with the requirements of Chapter 389 of the Minneapolis Code of Ordinances.

18. The city council may review the operation of any outdoor area in connection with the renewal of the on-sale license for the establishment or at any other time for good cause. Violation of the terms and conditions of this section shall be grounds for revocation, suspension, or refusal to renew the on-sale license for that portion of the licensed premises pertaining to the outside area.

19. During live performances and special events, Azul Nightclub will keep an accurate occupancy count and immediately share such figures upon the request of any official or officer of the City of Minneapolis. Azul Nightclub shall not let more patrons into the establishment than is legally allowed, with the occupancy number posted in plain sight near the main entrance of the establishment.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-162 approving Business License Operating Conditions relating to the On Sale Wine with Strong Beer License held by Harriet's Inn, 4000 Lyndale Ave S, Minneapolis.

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

RESOLUTION 2015R-162
By Goodman

Approving Business License Operating Conditions relating to the On Sale Wine with Strong Beer License held by Harriet's Inn, 4000 Lyndale Ave S, Minneapolis.

Resolved by The City Council of The City of Minneapolis:

That it approves the following Business License Operating Conditions relating to the On Sale Wine with Strong Beer License held by Harriet's Inn, 4000 Lyndale Ave S, Minneapolis:

1. Harriet's Inn agrees to post a sign at all exits reminding patrons to respect the neighborhood by keeping noise to a minimum.
2. After the restaurant closes for business every evening, Harriet's Inn staff will monitor their parking lot and the immediate vicinity around the restaurant to see if their customers are loitering. If they observe people loitering, staff will ask them to move along and if the loitering continues they will call 9-1-1 and request police assistance to alleviate the loitering activity. Mpls Ord. 259.250(1) and Minnesota Statute 609.605.
3. No Bocce Ball game will start after 9:00 p.m.

4. Harriet's Inn shall not allow delivery trucks to deliver goods before 7:00 a.m. All delivery trucks will use Harriet's Inn parking lot to make their deliveries. All delivery trucks will not park their trucks in the street to do their deliveries.

5. In an effort to reduce noise issues for the surrounding residence, Harriett's Inn, shall not throw out trash or garbage in the dumpsters after 11:00 p.m. Monday-Thursday, 12:00 a.m. Friday-Saturday, and 11:00 p.m. Sunday.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-163 approving License Settlement Conference recommendations relating to the Hotel License held by Metro Inn Motel, 5637 Lyndale Ave S, Minneapolis.

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

RESOLUTION 2015R-163
By Goodman

Approving License Settlement Conference recommendations relating to the Hotel License held by Metro Inn Motel, 5637 Lyndale Ave S, Minneapolis.

Whereas, the Licenses & Consumer Services Division held a License Settlement Conference hearing on November 24, 2014 with the licensee; and

Whereas, the Community Development and Regulatory Services Committee received Findings of Fact, Conclusions and Recommendations that concluded that the licensee violated the Minneapolis Code of Ordinances;

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

That the following recommendations be adopted, as more fully set forth in said Findings on file in the office of the City Clerk and made a part of this report by reference:

1. All administrative citations issued to Fahmida Hospitality Group LLC will be reduced to violation notices in lieu of this settlement.
2. Fahmida Hospitality Group LLC agrees to pay a \$500 sanction, with \$500 stayed pending no further substantial and serious violations for a period of two years.
3. The Division may impose a 5-day suspension of the hotel license of Fahmida with 5 days stayed and not enforced, for the next two year period, unless there are serious and substantial violations of licensing requirements or laws, or blatant disregard of the terms of these recommendations, that are beyond control of licensee and not timely corrected or after notice of deficiencies are given to Fahmida and a Due Process Hearing is conducted as to the failure to correct any such deficiencies.

4. Fahmida Hospitality Group LLC shall maintain its current complement of security cameras in areas of the interior and exterior of the building, as approved by the Minneapolis Police Department 5th Precinct.
5. Fahmida Hospitality Group LLC agrees to maintain twenty-four hour per day on-site personnel or management. The on-site management shall report all suspected criminal behavior to the Minneapolis Police Department in a timely manner.
6. Fahmida Hospitality Group LLC agrees to train all employees through existing law enforcement training programs to recognize signs of sex trafficking and report such related activities at their premises to Minneapolis Police Department.
7. Fahmida Hospitality Group LLC agrees to continue its policy of not accepting Hennepin County vouchers or referrals from homeless shelters.
8. Fahmida Hospitality Group LLC agrees to perform criminal background checks on all employees of the Aqua City Motel, which can be obtained from the Minnesota Bureau of Criminal Apprehension.
9. Fahmida Hospitality Group LLC agrees to require identification for every unaccompanied individual over the age of 14 either renting or residing in the hotel, except for spouses or minors staying with family members, provided that identification shall be required for at least one responsible adult in each unit. All parties letting a room shall be identified in the computerized system and persons who are not related or are not lawful permitted guests shall be removed upon discovery. Hotel management will maintain the system and allow Minneapolis Police and License Division officials access to it on a monthly basis.
10. Fahmida Hospitality Group LLC agrees to maintain a red flag/do not rent notation system in their computerized check in system to refuse customers previously involved in nuisance activity from staying at the motel.
11. Fahmida Hospitality Group LLC agrees to only let to persons under the age of 18 with written parental consent.
12. Fahmida Hospitality Group LLC agrees to use a behavioral notice to be prominently displayed in the check-in area and acknowledged by all persons getting a room upon check-in. The Aqua City Motel shall remove any individual or group that fails to conform to the behavior agreement.
13. Fahmida Hospitality Group LLC agrees to not permit a tenancy by any person using the Aqua City Motel as transient or temporary occupancy, that a portion of units not to exceed 12 may be made available from time-to-time for tenants who have legitimate, long-term temporary needs, such as construction workers, those visiting students or individuals in hospitals or other institutions, or people who need lodging because of an emergency at their current residence. Otherwise, long-term stays (typically over one month) will not be permitted.
14. The License and Consumer Services Division reserves the right to require on-site security. The Metro Inn Motel (Aqua City Motel) agrees to hire off duty police officers two nights each week, which shall be a minimum of 4 hours on Friday and Saturday nights between 8:00 p.m. - 2:00 a.m. (or such other hours as are determined by the officer), in full uniform. Off duty police will provide foot beats, roving patrols and shall be proactive in enforcement and provide a high visibility presence. The licensee will maintain a schedule of hours and name of personnel performing security and will make the schedule available to City staff. The off duty police may divide their time and duties between Motel and the adjacent Metro Inn.

15. During the time off-duty Minneapolis Police officer is not present, motel staff shall make periodic rounds between 7:00 a.m. and 11:00 p.m. weekdays and 7:00 a.m. and 1:00 a.m. weekends.

16. Fahmida Hospitality Group LLC agrees to monitor parking areas. All vehicles parked must be registered to a room, except for guests present for a short-term legitimate reason. Any unregistered vehicles must be towed. A log will be kept of vehicles towed.

17. Fahmida Hospitality Group LLC agrees to cleaning litter from parking areas and business at least four times daily. A log will be kept of daily litter schedule.

18. Fahmida Hospitality Group LLC agrees to not allow any room rental for less than a 24-hour period, or charge hourly rates for occupancy.

19. Fahmida Hospitality Group LLC agrees to at all times maintain all rooms and entire premises in compliance with all Housing, Health, Fire and Safety codes in the City of Minneapolis and permit safety inspections at reasonable times upon prior notice. Due to the history of poor maintenance, the principals of the Aqua City Motel understand that any further failure to promptly correct any Housing, Health, Fire and Safety violations may result in revocation or denial of the Hotel license. Further, the City of Minneapolis may close individual rooms for lack of cleanliness and maintenance, if management is given notice and does not correct the problem within a reasonable time, until at such time the room is deemed in compliance with Minneapolis codes.

20. Fahmida Hospitality Group LLC agrees guests shall not be allowed to cook in their rooms unless equipped with kitchens.

21. Fahmida Hospitality Group LLC agrees to participate in meetings with a liaison of neighborhood residents on an informal basis at last every six months, or more often if feasible. The licensee will keep a log of the meetings that they have attended.

22. Fahmida Hospitality Group LLC agrees to provide the Community with contact information to receive complaints or concerns and will address those concerns if received. The licensee will keep a log of these complaints and the resolution of them.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

CD&RS - Your Committee, having under consideration the Rental Dwelling License for the property located at 2643 Lyndale Ave N, Minneapolis, and having received an acceptable management plan for the property and verification that said property is now in compliance with rental licensing standards, now recommends concurrence with the recommendation of the Director of Housing Inspections to approve the reinstatement of said license to be held by Asli Egal.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

APRIL 17, 2015

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS Committees submitted the following reports:

CD&RS & W&M – Your Committee, having under consideration the City of Minneapolis 2015-2019 Consolidated Plan, now recommends:

- a) Approval of the Consolidated Plan Schedule 4 budget as amended to reflect the 2015 Department of Housing & Urban Development (HUD) appropriation which was announced by HUD on February 10, 2015;
- b) That all public comments received through the 30-day public comment period of March 17, 2015 through April 16, 2015, be received and filed and that staff be directed to summarize comments in the 2015-2019 Consolidated Plan; and
- c) That the proper City officers be authorized to submit the Plan to HUD on April 17, 2015.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Community Development & Regulatory Services and Ways & Means Committees, B. Johnson and Goodman offered Ordinance 2015-Or-006 amending provisions related to license fees and inspection guidelines and setting tiered fees in Appendix J for rental licenses and condominiums.

On motion by Goodman, Section 244.1890 of the ordinance was amended, as follows:

Adding the following language to subsection (f): “Calls for emergency assistance as set out in Minnesota Statute 504B.205 shall not be used for purposes of this provision.”

Adding a new paragraph (h) to read as follows:

“(h)The director shall inform rental dwelling licensees that the City, owners and managers are not allowed to limit tenants’ rights to call for emergency services.”

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

ORDINANCE 2015-Or-006
By B. Johnson and Goodman
Intro & 1st Reading: 2/27/2015
Ref to: CD&RS & W&M
2nd Reading: 4/17/2015

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 244.1880 of the above-entitled ordinance be amended to read as follows:

244.1880. License fees.

(a) ~~Effective July 1, 2015:~~ The annual license fee for a rental dwelling license or provisional license shall be increased annually using the following formula: the total annual revenue for rental dwelling licenses or provisional licenses for the most recent full year at the time of rate setting, as adjusted for refunds and extraordinary events. This amount is then increased by the Schedule J increase for the current year, subject to a maximum of four (4) percent, and divided by the number of rental licenses, and applied to the first unit fee as set out in the Tiered Rental License Fee found in Appendix J and shall be applied to the first unit. The annual license fee shall be ~~nineteen dollars (\$19.00)~~ five dollars (\$5.00) for each additional dwelling unit under common ownership in the same building. A change in ownership shall require a new license application and payment of the license fee. An increase in the number of licensed dwelling units during the license year shall require an amended license application and the payment of an additional license fee to cover the additional units. ~~The annual license fee schedule for licenses issued under this article for each additional dwelling unit under common ownership in the same building shall be reviewed by city council in 2012.~~

(b) The annual license fee shall be increased by ~~fifty (50)~~ twenty-five (25) percent when more than fifteen (15) calendar days late. Late applicants shall not be entitled to prorated license fees. ~~After November 15th of the license year renewal of an expired license shall require the payment of the administrative fee set forth in (d) instead of the fee set forth in this paragraph. When more than forty five (45) days late, the annual license fee shall be additionally increased by twenty-five (25) percent.~~

(c) License fees shall be prorated as follows:

Issued during first half of license year-	Full fee
Issued during second half of license year-	½ fee

~~(d) Operation of an unlicensed dwelling unit shall be subject to an additional administrative fee of two hundred fifty dollars (\$250.00) for the first dwelling unit, and twenty dollars (\$20.00) for each additional dwelling unit under common ownership in the same building. This fee shall be in addition to any other appropriate enforcement action or fees due~~

Section 2. That Section 244.1890 of the above-entitled ordinance be amended to read as follows:

244.1890. Inspection guidelines.

The director of regulatory services shall adopt a policy for inspecting all rental dwellings which are required to be licensed under this article, consistent with inspection procedures set forth in section 244.130 or section 244.1855. The policy shall contain objectives for the systematic inspection of all rental dwellings and priorities for the use of scarce inspection resources. The guidelines shall be based upon, but not limited to, the following factors ~~and any other factors~~ deemed by the director to promote an efficient inspections program:

(a) ~~Geographic distribution and concentration of rental dwellings.~~ The number of administrative citations and/or special assessments associated with code enforcement at a property.

(b) ~~Designation of rental dwellings as Category 4 or 5 in the records of the city assessor.~~ The number of notices, of Director's Determination of Non-Compliance issued pursuant to section 244.1930 for violations of rental licensing standards in section 244.1910, issued to a property.

(c) Rental dwellings with delinquent property taxes.

~~(d) Property identified by the housing inspections division as having an excessive number of housing code violations or a history of noncompliance or slow compliance with housing inspection orders. The number of residential inspections occurring at a property and the number of residential violations found at a property.~~

~~(e) Rental dwellings for which no license or provisional license has been applied, or which were unregistered under former Article III of this chapter. The number of letters of intent to condemn, for lack of maintenance, that have been issued to a property.~~

~~(f) Rental dwellings with an excessive number of police calls incidents for drug offenses, prostitution, crimes of force or violence, and loud disturbances or parties. Calls for emergency assistance as set out in Minnesota Statute 504B.205 shall not be used for purposes of this provision.~~

(g) Sale of the equitable interest in a rental dwelling property.

(h) The director shall inform rental dwelling licensees that the City, owners and managers are not allowed to limit tenants' rights to call for emergency services.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance, as amended, was adopted.

CD&RS & W&M – Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals to establish a list of “eligible providers” with whom the Department of Community Planning and Economic Development will contract for employment and training services for a five-year period from January 1, 2016 to December 31, 2020.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The INTERGOVERNMENTAL RELATIONS Committee submitted the following report:

IGR – Your Committee, having under consideration the Minneapolis Sister Cities program, now recommends the temporary postponement of the creation of any new sister city connections and that the proper City officers be directed to:

a) evaluate the number of sister cities that Minneapolis currently has and the capacity to have more;

b) evaluate the engagement/involvement of the sister cities that Minneapolis has at the current time and whether they should be continued; and

c) explore other options, including tiered status or other reviewed mechanisms, for sister city connections.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The INTERGOVERNMENTAL RELATIONS and WAYS & MEANS Committees submitted the following report:

IGR & W&M – Your Committee recommends that the proper City officers be authorized to amend Contract #C-35752 with FaegreBD Consulting for federal representation services in Washington, D.C., extending through July 31, 2015, and increasing by \$50,000 for a new, not-to-exceed amount of \$410,000, to allow the Department of Intergovernmental Relations staff to complete a new Request For Proposals and present to the Permanent Review Committee by June 30, 2015.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee, having under consideration the establishment of a process and procedure to obtain permits to attach communications equipment to City-owned infrastructure, and having held a public hearing thereon, now recommends:

a) Passage of Ordinance 2015-Or-007 amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks, adding a new Chapter 451 entitled "Use of City-Owned Infrastructure";

b) Passage of Resolution 2015R-164 establishing permit fees to attach equipment to City-owned infrastructure; and

c) Adoption of the Right-of-Way Pole Attachment Policy, as set forth in Petition No. 278247.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report, ordinance, and resolution were adopted.

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

ORDINANCE 2015-Or-007
By Reich
Intro & 1st Reading: 3/20/2015
Ref to: T&PW
2nd Reading: 4/17/2015

Amending Title 17, of the Minneapolis Code of Ordinances relating to Streets and Sidewalks by adding a new Chapter 451 entitled “Use of City-Owned Infrastructure”.

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 451 to read as follows:

CHAPTER 451. USE OF CITY-OWNED INFRASTRUCTURE

451.10. Definitions.

(a) Except as provided in Subsection (b), in this chapter:

(1) “*applicant*” means a person who applies to use City infrastructure.

(2) “*attachment*” includes:

a. on a pole, each aerial cable, together with its associated messenger cable, guy wire, anchors and other appurtenant and incidental facilities;

b. in a conduit, each linear foot of occupancy of a City-owned conduit or duct by each cable or other attachment; and

c. each antenna, transceiver, amplifier, repeater or other device or equipment of a user supported by, affixed to, contained in, or placed on or in a unit of City-owned infrastructure.

(3) “*attachment permit*” means the permit for a user to place, install, construct, replace, move, remove, keep, maintain, operate, or use an attachment on or in City-owned infrastructure under this chapter or a permit issued under this chapter.

(4) “*cable*” means a wire rope or a bound or sheathed assembly of conductors, wires, or fibers, including fiber optic cable, coaxial cable, and twisted pair copper cable. Each cable that is lashed to another cable or to a common messenger cable is a separate attachment.

(5) “*communications services provider*” means a user who provides or offers to provide cable, telecommunications, or video services pursuant to a franchise or a federal or state certificate or other authority and who has a right to use the City’s public right-of-way for the provision of those services under federal, state, or local law.

(6) “*Director*” means the Director of the Minneapolis Public Works Department or, unless the context indicates otherwise, the Director’s designees.

(7) “*Director of Public Works*” means the specific individual, who has been appointed Director of the Minneapolis Public Works Department, or in the case of such person’s absence from duties, the duly determined Acting Director of Public Works.

(8) “*user*” means a person who has been granted the right to install an attachment under this chapter.

(9) “*City*” means the City of Minneapolis.

(10) “*city-owned infrastructure*” includes city-owned facilities as defined specifically in the Minneapolis Pole Attachment Policy that are located in the public right-of-way. It does not mean poles or other structures owned by a city contractor. It does not mean State, County or other municipally or government entity-owned infrastructure on City-owned right-of-way. It does not mean infrastructure owned by a public utility. It does not mean infrastructure located outside of the public right-of-way.

(11) “*person*” has the meaning given in Section 3.60 of this code.

(b) If state law governing attachments to City-owned utility infrastructure provides a definition of “attachment” in conflict with and preemptive of the definition in this section, the state definition controls.

451.20. Purpose.

This chapter establishes a uniform policy for use of City-owned infrastructure to enable the City to:

(1) permit fair, reasonable, and non-discriminatory access to the available capacity on City-owned infrastructure located within the public right-of-way;

(2) safeguard the reliability and integrity of City-owned infrastructure located in the public right-of-way;

(3) obtain fair compensation for the use of City-owned infrastructure through fees and usage and other charges;

(4) comply with applicable and constitutional federal, state, and local regulation as applied to City-owned infrastructure placed within the right-of-way;

(5) support cost-effective, optimal use of public resources and support economic development;

(6) manage the public right-of-way to protect the public health, safety, and welfare by minimizing the congestion, inconvenience, cost, visual impacts, deterioration, safety hazards and other adverse effects on the public right-of-way which could result from the construction, operation, and maintenance of additional structures constructed by service providers.

451.30. Restrictions on use of City-owned infrastructure.

(a) *The right to use City-owned infrastructure not granted by franchise.* The eligibility of a person to apply for or use City-owned infrastructure is governed by this chapter. The grant of a franchise pursuant to the City Charter, the grant of permits pursuant to Chapter 429 and 430 of

this Code or the grant of rights under other authority provided by this Code is not a grant of an attachment permit or authorization for the use of City-owned infrastructure without compliance with this chapter.

(b) *Authority of the Director as to City-owned infrastructure.* The Director shall operate, maintain, and control City-owned infrastructure, and administer this chapter. The Director shall develop non-discriminatory policies and regulations to implement, administer, and enforce this chapter, which shall become effective following approval by the City Council. The Director may delegate the operation, maintenance, or control of specific types or units of City-owned infrastructure to another City department or unit if the Director determines it is in the best interests of the City.

(c) *Priority of usage.* The City has priority of use of City-owned infrastructure.

(d) *Reservation and restrictions.*

(1) The City retains the exclusive use of:

- a. Any pole, truss, arm or other structure that supports traffic signal equipment,
- b. Any street light pole less than 25 feet high,
- c. Variable message signs,
- d. City-owned conduit,
- e. City-owned infrastructure not on, in, or over the public right-of-way, and
- f. Any City-owned structure on right-of-way not listed specifically in the Minneapolis Pole Attachment Policy.

The Director may permit third party use of reserved City-owned infrastructure only in exceptional cases, upon terms and conditions determined by the Director.

(2) The Director may determine that, in addition to the infrastructure listed in paragraph (1) above, certain classes of City-owned infrastructure or specific units of City-owned infrastructure are necessary for the City's exclusive use due to legal, mechanical, structural, safety, environmental, service, or other requirements, and are unavailable for use by another person.

(3) City-owned infrastructure is the property of the City and a payment made by a user does not create a right, title, or interest in City-owned infrastructure for the use.

(4) This chapter does not require the City to replace, upgrade, or alter existing City-owned infrastructure to create additional capacity for an attachment. The City retains complete discretion as to use of City-owned infrastructure as to both current and subsequent requests to use any particular item of City-owned infrastructure, including requests for co-location or modification. Decisions regarding the use of City-owned infrastructure, pursuant to this Chapter, are discretionary proprietary decisions as to proper use of City-owned infrastructure placed within the right-of-way and are not regulatory decisions.

(e) *Unauthorized use prohibited.* An applicant, user, or other party does not have the right to place an attachment on City-owned infrastructure except as authorized by the Director. If an unauthorized attachment is discovered, the Director may remove the unauthorized attachment from City-owned infrastructure without incurring liability to the owner, and at the owner's sole expense, if the owner of the unauthorized attachment does not:

- (1) remove the unauthorized attachment within 3 business days; or
- (2) apply for permission to have the attachment on City-owned infrastructure within 3 business days, including payment of applicable charges or penalties.

An attachment can be removed immediately if necessary to protect public safety or prevent imminent damage to City-owned infrastructure.

451.40. Fees and charges.

(a) Except as otherwise provided by this section, the City Council shall establish fees and charges under this chapter by separate ordinance or by separate resolution.

(b) A charge established under this chapter may not exceed the maximum amount permitted by applicable law.

(c) Filing fees and usage charges shall be calculated and applied in a consistent manner for all similarly situated users. If state law or regulation preempts a filing fee or usage charge under this chapter, the filing fee and usage charge collected by the City shall be the maximum amount permitted by state law or regulation.

451.50. Application to use City-owned infrastructure.

(a) *Authorized user.* Unless otherwise required by law, only a person who holds a valid permit, franchise or license to use or cross a City street, highway, or right-of-way will be granted an attachment permit for City-owned infrastructure. An applicant's use of City-owned infrastructure is limited to the purposes specified in the applicant's franchise, permit or license. An attachment used for a purpose not authorized by an applicant's permit, franchise or license is an unauthorized attachment. A person who applies to use City-owned infrastructure for a private purpose will not be granted an attachment permit.

(b) *Application process.* An applicant must file an application with the City to use City-owned infrastructure as prescribed by the Director. Subject to the availability of City-owned infrastructure capacity, the Director shall consider each application on a first come, first served basis. If an application cannot be approved as presented, the Director may approve a conditional application.

(c) *Denial of an application.*

(1) The Director may deny an application for an attachment if:

- a. the applicant fails to submit a complete application;
- b. the applicant fails to supplement its application with additional information or otherwise cooperate with the City as requested in the evaluation of the application;

- c. the applicant fails to pay the filing fee;
- d. the applicant fails to submit a structural engineering analysis by a Minnesota registered professional engineer certifying that the pole or other structure that is proposed to support the attachment can reasonably support the proposed attachment considering the conditions of the street, the anticipated hazards from traffic to be encountered at the location and considering the wind, snow, ice and other conditions reasonably anticipated at the proposed location;
- e. the Director determines in the Director's judgment that the proposed attachment may be of excessive size or weight or would, in the opinion of the Director, otherwise subject City-owned infrastructure to unacceptable levels of additional stress;
- f. the Director reasonably determines in the Director's judgment that the proposed attachment may jeopardize the reliability or integrity of the electric system or of individual units of City-owned infrastructure, or violate generally applicable engineering principles;
- g. the proposed attachment would present a safety hazard;
- h. approval would impair the City's ability to operate or maintain City-Owned infrastructure in a reasonable manner as determined in the discretion of the Director;
- i. there is insufficient capacity or placement of the attachment would violate the National Electric Safety Code or the City's standard design criteria, and the City infrastructure cannot reasonably be modified or enlarged at the cost of the applicant;
- j. the applicant is not in compliance with any provision of this chapter; or
- k. the applicant fails or refuses to sign a written agreement presented by the Director to the applicant intended to assist with the implementation of the provisions of this chapter, intended to assist with the implementation of the policies and regulations developed by the Director pursuant to Section 451.30(b) of this Code and intended to preserve the City's right to exclusive control of its City-owned infrastructure placed within the right-of-way.

(2) If an application is denied, the Director shall notify the applicant in writing of the reason for the denial. If an application is denied, an applicant may file a new application that corrects the reason for the denial. If an application is denied, applicant may appeal the denial to the Director of Public Works no later than the 30th day after the date of the denial as prescribed by the Director. The Director of Public Works may appoint a specific staff member or third party to make a report and recommendation regarding the matter to the Director of Public Works. If the Director of Public Works upholds an original decision which denies an applicant all or substantially all requested attachment rights, the applicant may appeal to the City Council under Section 451.70 (*Appeal to City Council*).

(d) *Additional costs.* The applicant or user is responsible for all costs as determined by the City to replace, enlarge, or upgrade City-owned infrastructure to accommodate the applicant's or user's proposed attachment.

(e) *Permit Requirements.*

(1) An applicant or user must pay the estimated usage charges for the first year of use in advance when the applicant obtains the permit.

(2) A user may not change the number, kind, location of attachments, the method of construction or installation, or the use of the attachments authorized under a permit without the prior written consent of the Director.

(3) Termination, revocation, or expiration of a user's franchise, permit or license to use a City street, highway, or right-of-way automatically terminates the user's attachment permit without further action by the City or notice to user.

451.60. User's duties and responsibilities.

(a) *Compliance with law.* A use shall comply with all applicable federal, state, and local laws, rules, and regulations, City policies, the National Electrical Code, the National Electrical Safety Code, and applicable industry standards.

(b) *Operational and maintenance requirements.*

(1) A user shall install, and continuously operate and maintain an approved attachment to prevent interference with the City's facilities, the City's use of City-owned infrastructure, or the facilities or operations of other users.

(2) A user may not construe a contract, permit, correspondence, or other communication as affecting a right, privilege or duty previously conferred or imposed by the City to or on another person. The City reserves the right to continue or extend a right, privilege, or duty or to contract with additional users without regard to resulting economic competition.

(3) A user shall trim trees, with the appropriate permissions of the Minneapolis Park and Recreation Board, as necessary for the safe and reliable operation, use, and maintenance of the user's attachments, as prescribed by the standards promulgated by the Minneapolis Park and Recreation Board, the city arborist, the Director or other authority.

(4) A user may not co-lash or co-locate attachments without the prior written consent of the Director and subject to the conditions the Director reasonably requires.

(5) A user is solely responsible for the risk and expense of installation, operation, and maintenance of the user's attachments. The City does not warrant or represent that the City-owned infrastructure is suitable for placement of a user's attachments. A user shall submit a structural engineering analysis by a Minnesota registered professional engineer certifying that the pole or other structure that is proposed to support the attachment can reasonably support the proposed attachment considering the conditions of the street, the anticipated hazards from traffic to be encountered at the location and considering the wind, snow, ice and other conditions reasonably anticipated at the proposed location. A user shall inspect the City-owned infrastructure on which the user's attachments will be placed and shall base its determination of the suitability of the City-owned infrastructure for user's purposes on such inspection, on a structural engineering analysis by a Minnesota registered professional engineer certifying that the pole or other structure that is proposed to support the attachment can reasonably support the proposed attachment considering the conditions of the street, the anticipated hazards from traffic to be encountered at the location and considering the wind, snow, ice and other conditions reasonably anticipated at the proposed location. and upon such further information as the user determines is relevant. A user must accept the City-owned infrastructure "as is" and "where is" and assumes all risks related to the use. The City is not liable for any damage to attachment(s) due to an event of damage to the pole or premises.

(6) If the Director determines that a user's attachments impair the safety or structural integrity of City-owned infrastructure, the Director may require the user, at user's sole expense and risk, to change, move, remove, or rearrange the attachments. The Director may also require a user to move or rearrange its attachments to maximize the available useable infrastructure and accommodate the attachments of an additional user, unless the movement or rearrangement of attachments materially impairs the use or function of the existing user's system. An existing user is only required to comply with this paragraph if the additional user agrees to compensate the existing user for its actual costs to move or rearrange attachments. If a user fails or refuses to comply with the Director's request to change, move, remove or rearrange any of its attachments, the attachments become unauthorized. The City may change, move, remove, or rearrange an unauthorized attachment without liability to user and at user's sole cost.

(7) The Director may inspect, at any time, the construction or installation of a user's attachments on City-owned infrastructure. If the Director determines that a user's installation or construction may violate this chapter, the National Electric Code, the National Electric Safety Code, the City's standards for the City-owned infrastructure involved, or the conditions of the user's application or permit, the Director may immediately suspend the user's construction or installation activities. The Director shall send written notice to the user not later than the third business day after a suspension identifying the alleged violation. A suspension under this paragraph is effective until the user corrects the alleged violation, at the user's sole expense. A user may appeal a suspension under this subsection to the Director of Public Works.

(8) A user may not transfer, assign, convey, or sublet an attachment permit without Director's prior written consent. A transfer, assignment, conveyance, or subletting of an attachment permit without the Director's prior written consent is not binding on the City.

(9) As a condition of the user having its facilities in City right-of-way and on City-owned infrastructure placed within the right-of-way, the user agrees to and shall, to the extent permitted by law, defend, indemnify and hold harmless the City, its employees, officers, agents and contractors against any claim of liability or loss of any kind, including administrative orders and regulations, and specifically including, without limitation, any claim of liability or loss from personal injury or property damage resulting from or arising out of the presence of user's equipment in City right-of-way or on City-owned infrastructure placed within the right-of-way and also as to any willful misconduct of the user, its employees, contractors or agents, except to the extent such claims or damages may be due to or caused by the willful misconduct of the City, or its employees, officers, contractors or agents.

(10) The City shall not be liable to the user, or any of its respective agents, representatives, or employees for any lost revenue, lost profits, loss of technology, use of rights or services, incidental, punitive, indirect, special or consequential damages, loss of data, or interruption or loss of use of service, even if the City has been advised of the possibility of such damages, whether under theory of contract, tort (including negligence), strict liability or otherwise that is related to, arises out of, flows from or is, in some part, caused by user's attachment to or use of City-owned infrastructure.

(c) Termination.

(1) The City may immediately suspend the permission of a user to make new or additional attachments if the user materially fails to comply with the terms of its franchise, permit or license, or if the City provides written notice to the user. If the user fails to cure the default on or

before the 60th day after receipt of the notice, the City may terminate the user's attachment permit.

(2) A user shall immediately begin removal of its attachments after termination of a user's attachment permit for violations of the terms of a franchise, permit, license or other authority, a voluntary termination by a user, or a termination by the City for cause. Unless the Director grants an extension of time, a user must remove all attachments not later than the 60th day after the effective date of termination.

(3) After termination of a user's attachment permit, the user must comply with the terms of this chapter, the user's franchise, permit, license, or other authority until all attachments are removed.

(4) A user may appeal the termination of its attachment permit in accordance with Sections 451.50 (Application to Use City-Owned Infrastructure) and 451.70 (Appeal to City Council). While an appeal is pending, a user may continue to use its existing attachments but may not make, change, move, rearrange, construct, or install an additional attachment.

451.70. Appeal to City Council.

(a) If an applicant has been denied attachment rights substantially in their entirety under Section 451.50 (*Application to Use City-Owned Utility Infrastructure*), or if a user's attachment permit has been terminated substantially in their entirety under Section 451.60 (*User's Duties and Responsibilities*), the applicant or user may appeal the denial to the city council. A person must file a written notice of appeal to the city council and with the Director no later than the 20th day after the date of the Director of Public Work's denial of the applicant or user's appeal. The notice of appeal shall include:

(1) the name, address, and telephone number of the appellant;

(2) the name, address, and telephone number of any current users of the specific item of infrastructure occupied by, or proposed to be occupied by, the appellant;

(3) the decision being appealed;

(4) the date of the decision being appealed; and

(5) the basis of the appeal, including a concise statement describing the reasons the appellant believes it was wrongfully denied an attachment permit or its attachment permit was wrongfully terminated.

(b) Upon receipt of a notice of appeal, the Director shall schedule a hearing before the appropriate City Council committee, and notify the appellant and any current users of the specific item of infrastructure occupied by, or proposed to be occupied by, the appellant of the time and date of the hearing by first class mail at least ten days before the date of the hearing. The appellant is the only party to the appeal.

(c) The appellant has the burden of proof to establish that the decision being appealed is incorrect and, in the case of a decision requiring discretion or judgment, that the decision is an abuse of discretion.

(d) The City Council shall decide preliminary issues, including a request for postponement or continuance, or questions of appellant's standing to bring an appeal, before the hearing is opened.

(e) The city council may approve, modify, or overrule the Director's decision. The City Council shall consider the grounds for denial in Section 451.50 (Application to Use City-Owned Infrastructure) in its determination of an appeal of the denial of attachment rights. Council shall consider the grounds for termination in Section 451.50 (Application to Use City-Owned Infrastructure) and 451.60 (User's Duties and Responsibilities) in its determination of an appeal of the termination of attachment.

451.80. Unauthorized attachments prohibited.

(a) No person shall knowingly affix, install, place, attach, maintain, or fail to remove an unauthorized attachment to City-owned infrastructure or other property of the City on demand by the City or any authorized representative thereof.

(b) No person shall use an attachment on City-owned infrastructure or other property of the City to provide a service not authorized by a City franchise, permit, license, or other authority.

(c) Each unauthorized attachment or use is a separate offense. Each day a violation of this chapter continues is a separate offense.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

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

RESOLUTION 2015R-164
By Reich

Establishing fees for permits to attach equipment to City-owned infrastructure pursuant to Chapter 451 of the Minneapolis Code of Ordinances.

Whereas, pursuant to Chapter 451 of the Minneapolis Code of Ordinances, and policies established pursuant thereto, the City has established procedures and policies in certain cases and pursuant to specified conditions to obtain permits to attach specified equipment to City-owned infrastructure; and

Whereas, Section 451.40 of the Minneapolis Code of Ordinances authorizes establishing fees and charges for these permits and specifies that charges and fees may be established by separate resolution;

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

That these fees and charges are established as follows:

Starting April 24, 2015, to provide fair compensation to the City including but not limited to its costs related to the management and use of the Premises the user shall pay to the City a Base Rent ("Base Rent") equal to seven hundred twenty dollars (\$720.00) for the year for each

Premises (i.e., Pole, whether new or existing) upon which the user has installed their attachment. This fee includes operational costs and City staff costs which include administration, inspections, pole depreciation, and additional work due to attachment.

This Base Rent does not include the Encroachment Fee that the City might otherwise impose for installations in the right-of-way.

User shall pay to the City a one-time, lump-sum administrative and power installation fee of four thousand dollars (\$4,000.00) per pole which shall be paid before commencement. This one-time fee does not include the cost of a new pole or any foundation work which may be required.

Before the Commencement Date, the user shall pay the City in advance for rental payments owed to complete annual rental payments pro-rated for the remainder of the calendar year. After the first of the year, rental payments shall commence and be due at a total annual rental as set forth in the policies established pursuant to Section 451.30 of the Minneapolis Code of Ordinances, to be paid in advance annually to the City on or before January 1 of every year thereafter.

Commencing January 1, 2016, and on January 1 of each subsequent year, the Base Rent shall be increased automatically by three percent (3%) each year. This fee is subject to change upon 30 days' notice should there be a substantial change in any of the above-listed costs.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2015R-165 designating the improvement of certain existing streets in the 2015 Street Resurfacing Program, Powderhorn West Residential Area Street Resurfacing Project, Special Improvement of Existing Street No. 5278.

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

**RESOLUTION 2015R-165
By Reich**

**2015 STREET RESURFACING PROGRAM
POWDERHORN WEST RESIDENTIAL AREA STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 5278**

Designating the improvement of certain existing streets in the 2015 Street Resurfacing Program at the locations described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c), by asphalt mill and overlay and including other street resurfacing related improvements as needed:

32nd, 33rd and 34th St E from 2nd Ave S to Chicago Ave;
3rd, 4th, Oakland and Columbus Ave S from Lake St to 36th St E; and
Clinton Ave S from Lake St to 34th St E and from 35th St E to 36th St E.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy,
A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

T&PW - Your Committee, having received a cost estimate of \$1,397,796 for street resurfacing improvements and a list of benefited properties for certain locations in the Powderhorn West Residential Area Street Resurfacing Project, Special Improvement of Existing Street No. 5278, as designated by Resolution 2015R-165 passed April 17, 2015, now recommends that the City Engineer be directed to prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2015 Uniform Assessment Rates as per Resolution 2014R-503, passed December 5, 2014.

Your Committee further recommends that a public hearing be held on May 19, 2015, in accordance with Article IX, Section 9.6(c) of the Minneapolis City Charter and Section 24.110 of the Minneapolis Code of Ordinances, to consider approving the resurfacing of the above-designated street locations, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy,
A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS Committees submitted the following reports:

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2015R-166 ordering the work to proceed and adopting the special assessments for the 34th Ave S and 43rd St E Street Resurfacing Project, 2015 Street Resurfacing Program, Special Improvement of Existing Street No. 5275.

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

**RESOLUTION 2015R-166
By Reich and Quincy**

**2015 STREET RESURFACING PROGRAM
34TH AVE S AND 43RD ST E
STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 5275**

Ordering the work to proceed and adopting the special assessments for the 34th Ave S and 43rd St E Street Resurfacing Project.

APRIL 17, 2015

Whereas, a public hearing was held on April 7, 2015, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2015R-068, passed February 13, 2015, to consider the proposed special assessments, as on file in the office of the City Clerk, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2015R-068, passed February 13, 2015.

Be It Further Resolved that the proposed special assessments in the total amount of \$32,390.96 for the 34th Ave S and 43rd St E Street Resurfacing Project No. 5275, as on file in the office of the City Clerk, are hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to begin on the 2016 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the rate determined by the City Council for assessments collected over the aforementioned time period, with collection of the special assessments to be on the 2016 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2015R-167 requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$32,395 for certain purposes other than the purchase of public utilities.

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

RESOLUTION 2015R-167
By Reich and Quincy

Requesting the Board of Estimate and Taxation to authorize the City to issue and sell City of Minneapolis bonds in the amount of \$32,395 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the

assessed costs of street improvements in the 34th Ave S and 43rd St E Street Resurfacing Project, Special Improvement of Existing Street No. 5275, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collected in five (5) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

T&PW & W&M - Your Committee, having under consideration solicitation of Hennepin County funds through the Bicycle and Sidewalk Grant Program, now recommends:

a) That the proper City officers be authorized to submit a series of applications for 2015 funding; and

b) That the proper City officers be authorized to commit local funds per Hennepin County's requirements to support the approved projects.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW & W&M - Your Committee, having under consideration the Minnehaha Ave (CSAH 48) Street Reconstruction Project No. 9664, now recommends that the proper City officers be authorized to execute an amendment to Cooperative Agreement No. PW 22-20-13 with Hennepin County to show the prices obtained through the bid process and to show that there will be a \$491,500 increase in the City's financial obligation, from the originally estimated City obligation of \$4,603,334, as a result of the bid unit prices.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW & W&M - Your Committee, having under consideration Lake Nokomis Area Private Stormwater Management Practices agreements, now recommends:

a) That the proper City officers be authorized to negotiate and execute an agreement with Hennepin County to receive \$50,000 from the Natural Resource Grant Program for reimbursement for activities that reduce stormwater runoff to the storm sewer system leading to Lake Nokomis;

b) Passage of Resolution 2015R-168 increasing the appropriation and revenue in the Stormwater Fund by \$50,000; and

c) That the proper City officers be authorized to negotiate and execute an agreement with Metro Blooms in the amount of \$474,425 to carry out the Nokomis Neighbors for Clean Water Work Plan.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

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

**RESOLUTION 2015R-168
By Reich and Quincy**

Amending The 2015 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Stormwater Fund in the PW-Surface Water & Sewers Department (07300-6300220-507001) by \$50,000 and increasing revenue source (07300-6300220-Source 3225) by \$50,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

T&PW & W&M - Your Committee recommends that the proper City officers be authorized to amend the existing contract with URS Corporation to complete additional environmental review and pre-project development tasks for the Nicollet-Central Modern Streetcar Project for an amount not to exceed \$97,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW & W&M - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No. 8066 from Lunda Construction Company, for an estimated expenditure of \$20,179,229.65, to furnish and deliver all labor, materials, and incidentals necessary for the construction of the St. Anthony Bridge (27B97) S.P. 141-454-001. Further,

that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 4/20/2015.

(Published 4/22/2015)

T&PW & W&M - Your Committee recommends acceptance of the low bid submitted to the Public Works Department on OP No. 8073 from A and M Construction, Inc., for an estimated expenditure of \$173,148.00, to furnish and deliver all labor, materials, and incidentals necessary to complete the 2015 Water Plant Exterior Stabilization Project for the Water Treatment and Distribution Division. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

T&PW & W&M - Your Committee recommends acceptance of the low responsive bid submitted to the Public Works Department on OP No. 8082 from Otto Environmental Systems (NC), LLC, for an estimated expenditure of \$1,069,300.00, to furnish and deliver 32 to 38 gallon capacity carts for the Solid Waste and Recycling Division. Further, that the proper City officers be authorized to execute a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The WAYS & MEANS Committee submitted the following reports:

On behalf of the Ways & Means Committee, Quincy offered Ordinance 2015-Or-008 amending Appendix H of the Minneapolis Code of Ordinances relating to the Minneapolis Cable Communication Franchises and adopting and granting new Cable Franchise between the City of Minneapolis and Comcast of Arkansas/Florida/Louisiana/Minnesota/Mississippi/Tennessee, Inc., amending the Comcast franchise provisions in accordance with the Franchise Settlement Agreement.

APRIL 17, 2015

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

ORDINANCE 2015-Or-008
By Quincy
Intro & 1st Reading: 3/20/2015
Ref to: W&M
2nd Reading: 4/17/2015

Amending Appendix H of the Minneapolis Code of Ordinances relating to the Minneapolis Cable Communication Franchises and adopting and granting new Cable Franchise between the City of Minneapolis and Comcast of Arkansas/Florida/Louisiana/Minnesota/Mississippi/Tennessee, Inc.

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

Section 1. That Appendix H, Chapter 1, Section 2.1 (z) of the Minneapolis Code of Ordinances be amended to read as follows:

(z) *Access Channels*. The Grantee shall provide nine (9) channels to be used for Public, Educational or Government programming.

~~(1) In its sole discretion, Grantee may elect to provide video-on-demand ("VOD") government access with up to 20 hours of government access programming stored on the Grantee's server at no cost to the City continuing through the term of the Franchise, reducing the number of PEG channels by one channel; video-on-demand educational access with up to 20 hours of educational access programming, as selected by the City, stored on the Grantee's server at no cost to the City continuing through the term of the Franchise, reducing the number of PEG channels by another channel; and, government training video-on-demand programming, with up to 20 hours of government training programming, as selected by the City, stored on the Grantee's server at no cost to the City starting in 2008-2009 and continuing through the term of the Franchise, reducing the number of PEG channels by another channel. The City may identify VOD programming described herein that shall be viewable only by the City and not Grantee's subscribers generally. To the extent feasible, Grantee, at no cost to the City, shall block access to such identified VOD programming to its subscribers generally and provide access to the City discretely. The City may change the video programming stored on the Grantee's server on a regular basis;~~

(1) Grantee shall provide video-on-demand ("VOD") PEG access with (1) up to 10 hours of standard definition programming capacity, or (2) up to 2 hours of high definition programming capacity and 5 hours of standard definition programming capacity. The City or its designated PEG Access Programmer shall have sole discretion as to the selection of VOD content. The City or the designated PEG Access Programmer shall be responsible for uploading PEG content to the VOD FTP server pursuant to the procedures required by Franchisee's VOD system and in the required format, and shall be responsible for entering all necessary information for populating the VOD menu system. Grantee shall determine the placement of PEG VOD programming within the VOD menu

system, typically under a "Local" menu with other local VOD content. The City will have its own VOD folder under the service menu. Grantee shall use reasonable efforts to promote the PEG VOD, which could include bill messages or inserts, and/or email and social media marketing.

Twenty-four months after the City commences utilizing PEG VOD capacity, upon the City's request Franchisee will review the available PEG VOD viewership statistics for the prior six months with the City. If for the prior six months the City's PEG VOD programs attain an average viewership of 1000 views per month, the City may request (1) an additional 10 hours of standard definition PEG VOD programming, or (2) and additional 2 hours of high definition PEG VOD programming capacity (a total of 4 hours of HD programming) and an additional 5 hours of standard definition PEG VOD programming capacity (a total of 10 hours of SD programming). "Views" means a user watched at least half of the available program.

~~(2) In its sole discretion, the City may elect at any time during the franchise term in 2009 or after to convert one of the PEG channels to high definition, reducing the number of PEG channels by another channel, not counting the channel converted;~~

(2) a. Upon 90 days' notice, Grantee will carry one of the existing standard definition (SD) PEG channels in high definition (HD) format on the cable system such that the City will have 9 PEG Channels, 8 SD and 1 HD PEG channels. The City represents that it has or will have available by that date sufficient local, non-character generated programming in HD format so as to provide content of value to viewers and not have a blank channel. Any time after twelve months from the date of this Agreement, Grantee upon request will carry an additional PEG channel in HD in the same manner as the first HD channel, such that the City will continue to have 9 PEG Channels; 7 carried in SD and 2 carried in HD. Any time after thirty-six months from the date of this Agreement, Grantee upon request will carry one additional PEG channel in HD in the same manner as the first HD channel, such that the City will continue to have 9 PEG Channels; 6 carried in SD and 3 carried in HD. Grantee may choose to simulcast all of the SD PEG Channels in HD.

b. Grantee will deliver the high definition signal to subscribers so that it is viewable without degradation, provided that it is not required to deliver an HD PEG Channel at a resolution higher than the highest resolution used in connection with the delivery of local broadcast signals to the public. Grantee may implement HD carriage of the PEG channel in any manner (including selection of compression, utilization of IP, amount of system capacity or bandwidth, and other processing characteristics) that produces a signal as accessible, functional, useable and of a quality comparable (meaning indistinguishable to the viewer) to broadcast HD channels carried on the cable system.

c. The HD PEG channel will be assigned a number near the other high definition local broadcast stations if such channel positions are not already taken, or if that is not possible, near high definition news/public affairs programming channels if such channel positions are not already taken, or if not possible, as reasonably close as available channel numbering will allow.

d. City acknowledges that HD programming may require the viewer to have special viewer equipment (such as an HDTV and an HD-capable digital device/receiver), but any subscriber who can view an HD signal delivered via the cable system at a receiver shall also be able to view the HD PEG channels at that receiver, without additional charges or equipment. By

agreeing to make PEG available in HD format, Grantee is not agreeing it may be required to provide free HD equipment to customers including complimentary municipal and educational accounts and universal service accounts, nor modify its equipment or pricing policies in any manner. City acknowledges that not every customer may be able to view HD PEG programming (for example, because they don't have an HDTV in their home or have chosen not to take an HD capable receiving device from Grantee or other equipment provider) or on every TV in the home.

e. Grantee will provide a bill message announcing the launch of each HD PEG channel; however City acknowledges that not all customers may receive the bill message notice in advance of the channel launch in the interests of launching the channel sooner.

f. Grantee will make available to the City the ability to place PEG channel programming information on the interactive channel guide by putting the City in contact with the electronic programming guide vendor ("EPG provider") that provides the guide service. Grantee will be responsible for providing the designations and instructions necessary to ensure the channels will appear on the programming guide throughout the City and any necessary headend costs associated therewith. The City shall be responsible for providing programming information to the EPG provider. Grantee shall pay any costs the EPG provider charges to programmers who participate in its service.

g. Grantee will continue to provide, at no cost to the City, air time on non-PEG channels during periods in which ample unsold/unused air time on such channels exists, in a manner consistent with past informal practice, for City public service announcements (PSAs). The City will provide a 30-second PSA prior to the start of each month on a mutually agreed-upon schedule.

h. In the event Grantee makes any change in the Cable System and related equipment and facilities or in its signal delivery technology, which requires the City to obtain new equipment in order to be compatible with such change for purposes of transport and delivery of the Access Channels to the Grantee's headend, Grantee shall, at its own expense and free of charge to the City or its designated entities, purchase such equipment as may be necessary to facilitate the cablecasting of the Access Channels in accordance with the requirements of the Franchise.

i. Grantee shall provide, at no cost to the City, a technically reliable upstream and downstream path for transmission of certain public Access Channels, which will in no way degrade the technical quality of the public Access Channels, from the Minneapolis Telecommunications Network, 1620 Central Avenue NE, Suite 175, Minneapolis, MN 55413.

~~(3) Notwithstanding Sections 3.1(z)(1) and 3.1(z)(2) above, the number of PEG channels shall not be reduced below six (6); and~~

~~(4 3) For purposes of this Franchise, the term channel shall be as commonly understood and is not any specific bandwidth amount.~~

~~(5 4) Neither the Grantee nor the officers, directors, or employees of the Grantee is liable for any penalties or damages arising from programming content not originating from or produced by the Grantee and shown on any public access channel, education access channel, government access channel, leased access channel, or regional channel.~~

(6 5) The franchisee shall provide to each of its subscribers who receive Cable Service offered on the system, reception on at least one specially designated access channel.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-169 authorizing legal settlements.

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

**RESOLUTION 2015R-169
By Quincy**

Authorizing legal settlements.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with settlement of the following:

a) Constance Anderson v. Rashaun Imani, et al. (Court File No. 27-CV-14-6313), by payment of \$85,000 to Constance Anderson and her attorney, Doug Schmidt, payable from Fund/Org. 06900-150-1500-145680.

Be It Further Resolved that the proper City officers be authorized to execute any documents necessary to effectuate said settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-170 accepting the donation of billboard display time from Clear Channel Outdoor.

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

**RESOLUTION 2015R-170
By Quincy**

Accepting the donation of billboard display time from Clear Channel Outdoor.

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 bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

Whereas, the following persons and entities have offered to contribute the gifts set for the below to the City:

<u>Name of Donor</u>	<u>Gift</u>
Clear Channel Outdoor	Billboard Display Time

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 providing communication regarding snow emergencies, showing support for a police officer injured in the line of duty, welcoming people to Minneapolis, and to inform the public about the 311 smart phone application, as allowed by law during the period January 1 through March 31, 2015; 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 accepted and shall be used for communications with the public.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

W&M - Your Committee recommends approval of the following Mayoral appointments to the Capital Long-Range Improvement Committee (CLIC) for two-year terms beginning January 1, 2015 and expiring December 31, 2016:

Erica Mauter, Ward 11; Jill Garcia, Ward 8; Elianne Farhat, Ward 3; and Laura Jean, Ward 10.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2015R-171 amending The General Appropriation to increase budgets in funds as part of the 2014 reappropriation to the 2015 operating budget.

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

**RESOLUTION 2015R-171
By Quincy**

Amending The 2015 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended to reflect the following reappropriation of 2014 funds:

2014 to 2015 Rollover Requests - General Fund

Department/Division	Amount	Department No.
DIRECTED BY COUNCIL/ORDINANCE	41,077	
Council Rollover of Ward Budgets:		
Ward 1	1,035	2600101
Ward 2	4,571	2600102
Ward 3	5,327	2600103
Ward 5	5,357	2600105
Ward 6	2,526	2600106
Ward 7	4,153	2600107
Ward 9	479	2600109
Ward 10	2,734	2600110
Ward 11	8,796	2600111
Ward 13	6,099	2600113
General Fund: Rollovers Meeting Criteria	2,106,261	
311	75,000	8320000
Civil Rights	89,500	3000000
CPED	152,500	8900000
IT	125,000	8800000
Fire	1,214,338	2800000
NCR	83,000	8450000
Police	296,923	4000000
PW - Traffic	35,000	6850000
Regulatory Services	35,000	8350000
TOTAL - GENERAL FUND 2014 TO 2015 ROLLOVER	2,147,338	

2014 to 2015 Rollover Requests - Other Funds

Department/Division			Department No.
	Fund	Amount	
Other Funds: Rollovers Meeting Criteria			
Target Center	01260	3,881,348	8700000
Convention Center	01760	4,604,983	8650000
City Clerk	06400	306,446	26000000
City Attorney	06900	53,000	1400000
CPED	Multiple	19,297,584	Multiple
Finance and Property Services	06200	196,943	8200000
IT	06400	779,125	8800000
Fleet Services	06110	5,675,578	6750000
PW - TPE Lab	06000	176,505	6000000
NCR	01CNR	3,700,000	8450000
NCR	01SNR	2,000,000	8450000
TOTAL - OTHER FUND 2014 TO 2015 ROLLOVER		40,671,512	

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration an appeal filed by Kris Schweizer, on behalf of Residents Protecting the Shoreland Overlay, of the decision of the City Planning Commission, now recommends that said appeal be denied and the following applications allowing a new mixed-use building for the property located at 4353 Upton Ave S and 2720 44th St W be approved:

1) Conditional Use Permit increasing the maximum height from 2.5 to 3 stories and from 35 feet to 39 feet, 8 inches for the building, including a 3-foot tall parapet, rising an additional 13 feet, 8 inches above the third floor roof for mechanicals and elevator and staircase overruns, subject to the following condition:

a) The conditional use permit shall be recorded with Hennepin County as required by Minn. Stat. 462.3595, subd. 4 before building permits may be issued or before the use or activity requiring a conditional use permit may commence. Unless extended by the zoning administrator, the conditional use permit shall expire if it is not recorded within two years of approval.

2) Site Plan Review allowing a new mixed use building, subject to the following conditions:

- a) A walkway, at least 4 feet in width, shall provide a connection between 44th Street and the entrances facing the parking lot as required by section 530.130 of the zoning code.
- b) All mechanicals equipment shall be screened as required by section 535.70 of the zoning code.
- c) Department of Community Planning and Economic Development staff review and approval of the final building elevations, floor, site, lighting and landscape plans.
- d) Site improvements required by Chapter 530 or by the City Planning Commission shall be completed by March 16, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Your Committee further recommends that the proposed Findings of Fact and Recommendation as submitted by staff be adopted and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Z&P - Your Committee, concurs in the recommendation of the Planning Commission granting the application submitted by Dan Moll with ATS&R Architects & Engineers, on behalf of Minneapolis Public Schools, to vacate the utility easement that extends through vacated Beard Ave S located at 3414 47th Ave W (Vac-1633), subject to the retention of easement rights by CenturyLink, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of Resolution 2015R-172 vacating said utility easement.

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

RESOLUTION 2015R-172
By Bender

Petition to vacate the utility easement that extends through vacated Beard Avenue South (Vacation 1633).

Resolved by The City Council of The City of Minneapolis:

A perpetual easement for the installation, operation, maintenance, repair and reconstruction of public sewers and public water mains with the necessary appurtenances thereto, in, to, upon, over, across, under and through the East twenty (20) feet of the West one-half and the West fifteen (15) feet of the East one-half of that part of Beard Avenue South as originally constituted, now vacated, lying between the North line of West 47th Street and the Southerly segment of the circle described for the easement in Paragraph (1) as recorded in the Easement Deed recorded in Hennepin County as Document 3636910, together with the right of reasonable access to said public sewers and water mains for the purpose of inspecting, repairing and maintaining the

same, providing that the said party of the first part shall have the right to use the ground surface of the easement herein granted for any use not inconsistent with said easement and which will not interfere with normal use of said easement by the City of Minneapolis; however, no structures of a permanent nature shall be constructed, erected or maintained thereon without the written approval of the City Engineer as to the plans thereof is hereby vacated except that such vacation shall not affect the existing authority of CenturyLink, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporations as follows, to wit:

CenturyLink, subject to an easement over the entire area to be vacated.

to operate, maintain, repair, alter, inspect or remove its above-described utility facilities and said easement right and authority is hereby expressly reserved to each of the above-named corporations, and no other person or corporation shall have the right to fill, excavate, erect buildings or other structures, plant trees or perform any act which would interfere with or obstruct access to said easement upon or within the above-described areas without first obtaining the written approval of the corporation(s) having utility facilities located within the area involved authorizing them to do so.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

INTRODUCTION & REFERRAL CALENDAR

On motion by Reich, the subject matter of the following ordinances were introduced, given their first reading, and referred to the Transportation & Public Works Committee:

Amending Title 17 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks (amending Special Service District provisions to add additional options to address year-end budget surpluses or deficits, changes in certain districts advisory board composition, and two district name changes):

- a) Chapter 438 relating to Uptown Special Service District.
- b) Chapter 444 relating to Dinkytown Special Service District.
- c) Chapter 446 relating to Central Avenue Special Service District.
- d) Chapter 448 relating to Nicollet Avenue South Special Service District.
- e) Chapter 450 relating to Stadium Village Special Service District.
- f) Chapter 452 relating to 43rd Street West & Upton Avenue South Special Service District.
- g) Chapter 453 relating to Riverview Special Service District.
- h) Chapter 454 relating to South Hennepin Avenue Special Service District.
- i) Chapter 456 relating to Franklin Avenue East Special Service District.
- j) Chapter 457 relating to 48th Street East & Chicago Avenue South Special Service District.
- k) Chapter 458 relating to Hennepin Theater District Special Service District.
- l) Chapter 460 relating to Bloomington-Lake Special Service District.
- m) Chapter 461 relating to Chicago-Lake Special Service District.
- n) Chapter 462 relating to East Lake Street Special Service District.
- o) Chapter 463 relating to Lyndale-Lake Special Service District.
- p) Chapter 465 relating to Downtown Business Improvement Special Service District.

RESOLUTIONS

Resolution 2015R-173 recognizing Wingspan Life Resources Power of Love Gala was adopted.

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

RESOLUTION 2015R-173

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

Recognizing Wingspan Life Resources Power of Love Gala.

Whereas, Wingspan Life Resources has provided services to adults with developmental and other disabilities for 42 years; and

Whereas, Wingspan's mission is to help people who are challenged by age, ability, or health to realize their unique gifts, talents, and dreams. Wingspan fulfills this mission by providing individualized support services that promote personal choice, independence, dignity, and fellowship with the community; and

Whereas, Wingspan Life Resources has 24 group homes and in-home programs with 170 full-time and part-time staff, and 90 on-call staff, for those living with family or independently, along with a supportive employment program; and

Whereas, The Power of Love gala, held Friday, May 8th, 2015, is an annual event which raises awareness and funds to support Wingspan's programs. The event is a social hour with live auction, dinner, inspirational program, and performance by their Glee Club and Dance Club; and

Whereas, Power of Love gala includes a guest appearance by local celebrity singer/songwriting Kat Perkins, a finalist on season six of The Voice. Ms. Perkins will perform with the Wingspan Glee and Dance Clubs; and

Whereas, the 35W Bridge will be lit in royal blue to commemorate the 42nd anniversary of Wingspan;

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

That the City Council recognizes Wingspan Life Resources on the 8th Day of May, 2015, and does declare that the 35W Bridge be lit in royal blue on this day.

Resolution 2015R-174 recognizing Food Allergy Awareness Week was adopted.

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

RESOLUTION 2015R-174

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

Recognizing Food Allergy Awareness Week.

Whereas, in 1998, the Food Allergy & Anaphylaxis Network, now FARE, created Food Allergy Awareness Week to educate the public about food allergies, a potentially life-threatening medical condition; and

Whereas, FARE is a 501(c)(3) non-profit organization formed in 2012 as the result of a merger between the Food Allergy & Anaphylaxis Network and the Food Allergy Initiative; and

Whereas, FARE works on behalf of the 15 million Americans with food allergies, including all those at risk for life-threatening anaphylaxis; and

Whereas, this potentially deadly disease affects 1 in 13 children in the United States, or roughly two in every classroom; and

Whereas, FARE's mission is to improve the quality of life and the health of individuals with food allergies, and to provide them hope through the promise of new treatments; and

Whereas, the week of May 10, 2015, is Food Allergy Awareness Week, and the 35W Bridge will be lit in teal on Monday, May 11, 2015, in recognition of Food Allergy Awareness Week;

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

That the City Council recognizes Food Allergy Awareness Week on the 11th Day of May, 2015, and does declare that the 35W Bridge be lit in teal on this day.

Resolution 2015R-175 honoring the DeLaSalle High School Boys' Basketball 2015 Minnesota Class AAA State Champions was adopted.

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

RESOLUTION 2015R-175

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

Honoring DeLaSalle High School Boys' Basketball 2015 Minnesota Class AAA State Champions.

Whereas, DeLaSalle High School of Minneapolis won its fourth straight Minnesota Class AAA State Championship on March 14, defeating St. Paul Johnson High School, 82-64; and

Whereas, DeLaSalle is only the third high school in the history of the Minnesota State Tournament to win four straight boys' championships. The 2014-15 team finished with a record of 27-4, were champions of the Tri-Metro Conference with a 12-0 record, and champions of Section 3AAA prior to winning the State Tournament; and

Whereas, Head Coach Dave Thorson now has a career record of 477 wins and 129 losses. In his 21 years at DeLaSalle, the school has qualified for thirteen state tournaments, won seven titles and finished as runner-up twice. Going back to 1927, DeLaSalle boys' basketball teams have qualified for 46 state tournaments and won 21 state championships; and

Whereas, the team represents a microcosm of the entire DeLaSalle student body, the most diverse private high school in Minnesota – defined by every possible demographic including socio-economics, race, neighborhood and family background. The 16 players and managers on the team came to DeLaSalle from 12 different grade schools, parochial and public, including every neighborhood in Minneapolis; and

Whereas, all six Islander seniors have been accepted to colleges. During Coach Dave Thorson's career at DeLaSalle, every senior has matriculated to college; and

Whereas, in alphabetical order, the team's roster included Sacar Anim, Jack Borman, Eli Brimacombe, Joshua Collins, Jeffrey Daubanton, Philip England, Robert Hannah, Will Irvin, Jarvis Johnson,

Samm Jones, Gabe Kalscheur, Goanar Mar, Austin McGeheran, Nathaniel Podewils, Cole Tesch-Stevson, Kevin Wesseh; and

Whereas, in alphabetical order, the team's assistant coaching staff included Todd Anderson, David Collier '99, Nicholas Grue '98, C.J. Hallman '02, Jalen Jaspers '10, and Tim Mieure. The team's trainer was Cindy Schlafman;

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

That the City of Minneapolis congratulates the DeLaSalle Boys' Basketball team and coaches for winning the 2015 Class AAA State Championship.

Resolution 2015R-176 recognizing National Police Week 2015 and honoring the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy was adopted.

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

RESOLUTION 2015R-176

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

Recognizing National Police Week 2015 and honoring the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

Whereas, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Minneapolis Police Department; and

Whereas, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries; and

Whereas, since the first recorded death in 1791, almost 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and

Whereas, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and

Whereas, 273 names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 117 officers killed in 2014 and 156 officers killed in previous years; and

Whereas, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 27th Annual Candlelight Vigil, on the evening of May 13, 2015; and

Whereas, the service and sacrifice of all officers killed in the line of duty will be honored during the Minnesota Law Enforcement Association's Annual Candlelight Vigil on the evening of May 15, 2015; and

Whereas, the Candlelight Vigil is part of National Police Week, which takes place this year on May 10-16; and

Whereas, May 15 is designated as Peace Officers Memorial Day in honor of all fallen officers and their families; and

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

That May 10-16, 2015, be recognized as National Police Week in the City of Minneapolis, and that the 35W Bridge be lit in blue on the 15th Day of May, 2015, in honor of National Police Week. The Minneapolis City Council publicly salutes the service of law enforcement officers in our community and in communities across the nation.

Resolution 2015R-177 supporting a Strong Economy and Working Families was adopted.

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

RESOLUTION 2015R-177

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

Supporting a Strong Economy and Working Families.

Whereas, the City of Minneapolis has a long history and practice of supporting a strong economy for all and policies that create fair, safe and healthy standards for working people; and

Whereas, the City of Minneapolis has supported policies at the federal, state, regional and city level that further these goals, including adopting state legislative policy supporting an increase to the minimum wage and earned safe and sick time, as well as city policies on prevailing wage, living wage, smoke-free public and indoor spaces, equal benefits requirements for city contractors, paid parental leave, fair hiring practices for individuals with a criminal record ("ban the box"), and more; and

Whereas, the City of Minneapolis has established a community health board with responsibility for identifying local public health needs and implementing plans to address those needs; and

Whereas, the City of Minneapolis continues to support policies that create a strong economy for all and promote the health and wellness of workers and their families, including paid parental leave, earned safe and sick time, fair scheduling, preventing wage theft, and increasing wages, through city policy development, state and federal legislative agenda, and regional partnerships;

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

That the City Council directs staff to establish a workplace policies workgroup, including participation as needed from the City Attorney, Intergovernmental Relations, Community Planning and Economic Development (CPED), Health, and Civil Rights Departments, the City Council and Mayor's offices, to consider state, regional and city policy support for earned safe and sick time, fair scheduling, preventing wage theft, and living wages. City Council participation on the work group will be determined by the Council President.

The workgroup will, in 2015:

- Develop policy proposals for Council consideration, including subject matter and proposed ordinance language, for earned safe and sick, fair scheduling, and wage theft prevention in the City of Minneapolis; tasks for the workgroup shall include design of a robust stakeholder engagement process that includes workers, businesses, and other interested and affected parties.
 - Develop a recommendation for a study of the effects of establishing a minimum wage regionally and locally, including scope, funding, and development of such study, no later than third quarter 2015.
- Report to Committee of the Whole and other Council Committees as needed.

UNFINISHED BUSINESS

Z&P – Your Committee, having under consideration an interim use permit application submitted by Franklin Bakery to allow a temporary parking lot at the property located at 1919-1921 10th Ave S, and a public hearing having been held thereon, now recommends Denial by Necessity of the interim use permit.

Z&P – Your Committee, having received an application submitted by Master Properties, on behalf of Franklin Bakery, to rezone the property located at 1919 10th Ave S by adding the TP Transitional Parking Overlay District to allow a temporary parking facility, now recommends, the rezoning be denied. Your Committee further recommends adoption of the Findings as prepared by the City Planning Commission.

Bender moved to grant the petition of Master Properties, LLC, on behalf of Franklin Bakery, LLC (BZZ-6993) to rezone the property located at 1919 10th Ave S, to add the TP Transitional Parking Overlay District, to allow a temporary parking facility and to grant an interim use permit to allow a temporary parking lot at 1919-1921 10th Ave S; to adopt related findings and conditions prepared by the Department of Community Planning & Economic Development; and passage of Ordinance 2015-Or-009 amending the Zoning Code.

On motion by Warsame, the motion was amended by adding the following conditions related to the allowance of a temporary parking lot:

1. A side yard of 7 feet in width shall be provided between the parking area and property at 1915 10th Ave S in full conformance with the landscaping and screening requirements of Section 530.170 of the Zoning Code.
2. A barrier, such as a fence or boulders, shall be provided between the parking area and the landscaping to clearly define the parking area and prevent vehicles from driving on or parking in the required side yard.
3. Parking space number 14 shall be used for compact cars only and labeled as such.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The motion, as amended, and ordinance were adopted.

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

ORDINANCE 2015-Or-009
By Bender
Intro & 1st Reading: 1/6/2014
Ref to: Z&P
2nd Reading: 4/17/2015

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

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

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

That part of S 10 ft of Lot 4 and N 20 ft of Lots 5, 6, and 7, Block 4, J S & W Elliots Addn to Mpls (1919 10th Ave S- Plate 20) to add the TP Transitional Parking Overlay District.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

NEW BUSINESS

Frey gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 319 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Open Air Motor Vehicle Parking Lots (amending provisions related to forms of payment).

A. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 10 of the Minneapolis Code of Ordinances relating to Food Code (deleting redundant language, and adding or deleting language to remove conflicts with Minnesota Statutes and Rules):

- a) Chapter 186 relating to In General.
- b) Chapter 188 relating to Administration and Licensing.
- c) Chapter 190 relating to Meat and Meat Products.
- d) Chapter 198 relating to Soft Drink Manufacture and Storage.
- e) Chapter 200 relating to Milk and Dairy Products.

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 11, Chapter 231 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Public Swimming Pool Code (adding or deleting language to remove conflicts with Minnesota Statutes and Rules).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code (adding or deleting language to remove conflicts with Minnesota Statutes and Rules).

Bender gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of the following ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code (establishing flexibility related to the conversion of existing buildings to single- and two-family homes in high density districts):

- a) Chapter 531 relating to Nonconforming Uses and Structures.
- b) Chapter 546 relating to Residence Districts.
- c) Chapter 547 relating to Office Residence Districts.
- d) Chapter 548 relating to Commercial Districts.
- e) Chapter 549 relating to Downtown Districts.

A. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: In General (allowing temporary extended hours of operation licenses).

A. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 321 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Secondhand Dealers (amending, consolidating and restructuring provisions related to secondhand goods).

A. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations by repealing Chapter 315 relating to Motor Vehicle Lubricant Dealers.

A. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code (amending regulations related to commercial murals):

- a) Chapter 520 relating to Introductory Provisions.
- b) Chapter 543 relating to On-Premises Signs.

ADJOURNMENT

On motion by Glidden, the meeting was adjourned.

Casey Joe Carl,
City Clerk

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COMMUNITY DEVELOPMENT & REGULATORY SERVICES (See Rep):

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Aqua City Motel (5739 Lyndale Ave S): Approving License Settlement Conference recommendations relating to the Hotel License.

LICENSES AND CONSUMER SERVICES (278229)

Azul Nightclub (400 3rd Ave N): Approving Business License Operating Conditions relating to the On Sale Liquor and Sidewalk Cafe Licenses.

LICENSES AND CONSUMER SERVICES (278230)

Harriet's Inn (4000 Lyndale Ave S): Approving Business License Operating Conditions relating to the On Sale Wine with Strong Beer License.

LICENSES AND CONSUMER SERVICES (278231)

Hola Arepa (3501 Nicollet Ave): Application for an On-Sale Liquor license (Expansion of Premises) (See L&CS report).

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PUBLIC WORKS AND ENGINEERING (278244)

East Downtown Area: a) Pedestrian Realm Augmentation Study; and b) Draft Preferred Long-Term Vision for streets identified in study area.

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APRIL 17, 2015

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FRANKLIN STREET BAKERY (278263)

Franklin Bakery, 1919 10th Ave S: Landscape plan related to interim use permit to allow a temporary parking lot located at 1919 and 1921 10th Ave S.

Official Posting: 4/25/2015