

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
JULY 10, 2015**

(Published July 18, 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 Glidden, the agenda was adopted.

On motion by Glidden, the minutes of the regular meeting of June 19, 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 July 15, 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:

On behalf of the Committee of the Whole, Glidden offered Resolution 2015R-267 renewing the City's continued commitment to a performance measurement system that collects and reports the performance measures developed by the State of Minnesota Council on Local Results and Innovation.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2015R-267
By Glidden

Renewing the City's continued commitment to a performance measurement system that collects and reports the performance measures developed by the State of Minnesota Council on Local Results and Innovation.

Be It Resolved that The City Council of The City of Minneapolis:

- 1) Has adopted and implemented the minimum 10 performance measures developed by the State of Minnesota Council on Local Results and Innovation;
- 2) Has implemented or is in the process of implementing a local performance measurement system as developed by the State of Minnesota Council on Local Results and Innovation;
- 3) Has or will report the results of the 10 adopted measures to its residents before the end of the calendar year through publication, direct mailing, posting on the website or through a public hearing; and
- 4) Has or will survey its residents by the end of the calendar year on the services included in the performance benchmarks.

Be It Further Resolved that the ten performance measures identified for Minneapolis are:

- 1) Rating of the overall quality of services provided by your city (Resident Survey)
- 2) Percent change in the taxable property market value (Finance and City Assessor)
- 3) Citizens' rating of the overall appearance of the city (Resident Survey)
- 4) Part I and II crime rates (Police)
- 5) Citizens' rating of the quality of fire protection services (Resident Survey)
- 6) Average city street pavement condition rating (Public Works)
- 7) Citizens' rating the quality of snowplowing on city streets (Public Works)
- 8) Citizens' rating of the dependability and quality of city water supply (Resident Survey)
- 9) Citizens' rating of the dependability and quality of city sanitary sewer service (Resident Survey)
- 10) Citizens' rating of the quality of city recreational programs and facilities (parks, trails, park buildings) (Resident Survey)

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 COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-268 authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-850 at 5147 Penn Ave N, Minneapolis to PRG, Inc. for \$10,000, subject to conditions.

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

RESOLUTION 2015R-268
By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-850 at 5147 Penn Ave N, Minneapolis.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-850 in the Shingle Creek neighborhood, from PRG, Inc., hereinafter known as the Redeveloper, the Parcel TF-850, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-850; 5147 Penn Avenue N: Lot 4, Block 16, "Englewood, Hennepin Co. Minn."; and

Whereas, the Redeveloper has offered to pay the sum of \$10,000, for Parcel TF-850; the offer includes a development plan and commitment to improve by rehabilitating the existing structure. This offer is in accordance with the Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, June 12, 2015, a public hearing on the proposed sale was duly held on June 23, 2015, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$10,000, for Parcel TF-850.

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

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

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director.

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

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

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, 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-269 authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-803 at 3901 22nd Ave S, Minneapolis to Accent Homes, Inc. for \$25,200, subject to conditions; and if Accent Homes, Inc. fails to close, approve the sale of property to Paramount Investment Group, LLC., subject to conditions.

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

RESOLUTION 2015R-269

By Goodman

Authorizing sale of land Vacant Housing Recycling Program Disposition Parcel TF-803 at 3901 22 Ave S, Minneapolis.

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop disposition Parcel TF-803, in the Standish neighborhood, from Accent Homes, Inc., hereinafter known as the Redeveloper and another offer to purchase and develop Parcel TF-803, from Paramount Investment Group, LLC., hereinafter known as the Alternate Redeveloper, the Parcel TF-803, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-803; 3901 22nd Avenue South: Lot 28, Block 2, Byrona Addition to the City of Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$25,200 for Parcel TF-803 to the City for the land, and the Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

Whereas, the Alternate Redeveloper has offered to pay the sum of \$25,200 for Parcel TF-803 to the City for the land, and the Alternate Redeveloper's proposal is in accordance with the applicable Redevelopment Plan and/or Program; and

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

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

Whereas, pursuant to due notice thereof published in *Finance and Commerce* on June 12, 2015, a public hearing on the proposed sale was duly held on June 23, 2015, at the regularly scheduled Community Development & Regulatory Services Committee meeting of the City Council, at the Minneapolis City Hall, 350 South 5th Street, Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value for uses in accordance with the Vacant Housing Recycling Program plan, as amended, is hereby estimated to be the sum of \$25,200 for Parcel TF-803.

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

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

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

Be It Further Resolved that the sale conditions described above may be waived or amended with the approval of the CPED Director.

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

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

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, 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-270 giving host approval to the issuance of obligations by the Cities of Lilydale and Mendota, Minnesota to finance a project by Minnehaha Academy.

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

RESOLUTION 2015R-270

By Goodman

Giving host approval to the issuance of obligations by the Cities of Lilydale and Mendota, Minnesota to finance a project by Minnehaha Academy.

Whereas, Minnehaha Academy (the "Borrower") located at 4015 Inglewood Avenue South, Minneapolis, Minnesota, has represented to the City (i) that it is a Minnesota nonprofit corporation and organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code") (ii) that it desires to refinance the following obligations issued by the City of Minneapolis, Minnesota (the "City"): \$10,000,000 Variable Rate Demand Revenue Bond (Minnehaha Academy Project), Series 2001, dated May 25, 2001, and \$10,200,000 Revenue Bond (Minnehaha Academy Project), Series 2007, dated March 13, 2007 (collectively, the "Prior Obligations"), and (iii) that the Prior Obligations were incurred for the activities described below:

(a) refinancing a project which consisted of (i) a new approximately 38,000 square foot gymnasium building, (ii) approximately 32,000 square feet of renovations comprised of new performance, rehearsal and storage space for drama productions, choir, band and orchestra concerts and other performing and visual arts events, as well as community gatherings, an art room, a photography darkroom, four classrooms, student commons and locker areas and an approximately 2,800 square foot enclosed pedestrian walkway connecting the auditorium and gymnasium, (iii) office space for the Admissions and Development offices of the Borrower, (iv) various site improvements and enhancements of existing 9th through 12th grade school facilities located at 3107 – 47th Avenue South in the City, and (v) expansion, renovation, remodeling, equipping and various site improvements and enhancements of the pre-kindergarten through 8th grade school facilities located at 4200 West River Parkway in the City;

(b) refinancing a debt obligation incurred by the Borrower with respect to the Prior Obligations; and
(c) paying costs associated with the proposed revenue obligations (the "Project"); and

Whereas, it is anticipated by the Borrower that the refinancing will be pursuant to an issue of tax-exempt obligations to be purchased by a lending institution which will require that such obligations be designated by the issuer thereof as "qualified tax exempt obligations" under Section 265(b)(3) of the Internal Revenue Code of 1986, as amended; and

Whereas, each issuer of "qualified tax exempt obligations" is limited to issuance of not more than \$10,000,000 of such obligations during each calendar year, whether designated or not; and

Whereas, it is anticipated that the City will issue obligations in calendar year 2015 in an amount in excess of \$10,000,000; and

Whereas, the Borrower has represented that the Cities of Lilydale and Mendota, Minnesota (together, the "Issuers") have agreed to issue tax-exempt bank qualified revenue obligations, in one or more series, whether taxable or tax exempt in an amount not to exceed \$13,500,000 (the "Obligations") to finance the Project and payment of the issuance costs of the Obligations; and

Whereas, the Borrower has represented that the Obligations are expected to be issued pursuant to Minnesota Statutes, Sections 469.152 through 469.165 as amended, relating to municipal industrial development (the "Act"); and

Whereas, Minnesota Statutes, Section 471.656 provides that a municipality may not issue obligations to finance the acquisition or improvement of real property located outside of the corporate boundaries of the issuer unless the municipality in which the real property to be improved is located consents to the issuance of such obligations; and

Whereas, the tax-exempt bond provisions of the Internal Revenue Code of 1986, as amended, require that each jurisdiction containing a project to be financed with tax-exempt obligations hold a public hearing on the issuance; and

Whereas, a Notice of Public Hearing was published in the *Star Tribune*, the City's official newspaper and a newspaper of general circulation, calling a public hearing on the proposed issuance of the Obligations by the Issuers and the proposal by the Issuers to undertake and finance the Project; and

Whereas, the Community Development & Regulatory Services Committee of the City Council has, on June 23, 2015, held a public hearing on the proposal to undertake and finance, through the issuance of the Obligations by the Issuers, the portion of the Project located within the jurisdictional limits of the City, at which all those appearing who desired to speak were heard and written comments were accepted;

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

That the City Council consents to the issuance by the Issuers of the Obligations.

Be It Further Resolved that the Finance Officer, or the authorized designee of the Finance Officer, is authorized and directed to execute and deliver such documents or certificates needed by the Issuers from the City for the sale of the Obligations.

Be It Further Resolved that the Obligations, when and if issued for the Project, shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City, and will not be a charge against the general credit or taxing power of the City. (There will, however, be a charge, lien or encumbrance on the Project, which is not an asset of the City.) The Obligations, when and if issued, shall recite in substance that the Obligations and the interest thereon shall not constitute a debt of 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 resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-271 authorizing the issuance and sale of revenue bonds of the City of Minneapolis on behalf of Fairview Health Services, up to \$135,000,000, and the execution of documents.

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

RESOLUTION 2015R-271

By Goodman

Authorizing the issuance and sale of revenue bonds of the City of Minneapolis on behalf of Fairview Health Services and the execution of documents.

Whereas, this Council has previously received a proposal from Fairview Health Services, a Minnesota nonprofit corporation (the "Corporation") that the City of Minneapolis (the "City") issue its revenue bonds (the "Bonds") under Minnesota Statutes, Sections 469.152 to 469.165, as amended, the Minnesota Municipal Industrial Development Act (the "Act"), in one or more series, on behalf of the Corporation; and

Whereas, the Corporation owns and operates (i) University of Minnesota Medical Center, located at 500 Harvard Street in the City, which consists of hospital and other health care related facilities, and owns and operates other facilities in the City located at 2450 Riverside Avenue, 420 Delaware Street Southeast and 2020 Minnehaha Avenue South in the City (the "Minneapolis Facilities"), (ii) Fairview Southdale Hospital, an acute care hospital and other health care related facilities located at 6401 and 6400 France Avenue South, Edina, Minnesota (the "Edina Facilities"), (iii) Fairview Ridges Hospital, an acute care hospital and other health care related facilities located at 201 Nicollet Boulevard, Burnsville, Minnesota (the "Burnsville Facilities"), (iv) Fairview Lakes Medical Center, an acute care hospital and other health care related facilities located at 5200 Fairview Boulevard, Wyoming, Minnesota (the

“Wyoming Facilities”), (v) Fairview Northland Medical Center, an acute care hospital and other health care related facilities located at 911 Northland Drive, Princeton, Minnesota (the “Princeton Facilities”) and (vi) Fairview Clinics – Chisago City, a clinic located at 11725 Stinson, Chisago City, Minnesota (the “Chisago Facilities”). The Corporation is the sole member of Range Regional Health Services, which owns and operates Fairview Range Medical Center, an acute care hospital and other health care related facilities located at 750 East 34th Street, Hibbing, Minnesota (the “Hibbing Hospital”). Range Regional Health Services is the sole member of Mesaba Clinic, which owns and operates Fairview Mesaba Clinic which is attached to the Hibbing Hospital (the “Hibbing Clinic”; together with the Hibbing Hospital, the “Hibbing Facilities”). The Corporation was previously the sole member of Fairview Red Wing Health Services, which owned and operated the facility formerly known as Fairview Red Wing Medical Center, an acute care hospital and other health care related facilities located at 701 Fairview Boulevard, Red Wing, Minnesota (the “Red Wing Facilities”); and

Whereas, the Bonds will be issued to: (a) refund all or a portion of the Health Care System Revenue Bonds, Series 1997A (Fairview Hospital and Healthcare Services) (the “Series 1997A Bonds”), issued by the Minnesota Agricultural and Economic Development Board (the “Board”) for the purpose of (i) financing the acquisition, construction and improvement of a portion of the Minneapolis Facilities and the acquisition and installation of items of equipment therein, (ii) financing the construction and equipping of the Wyoming Facilities, (iii) financing the remodeling of the Chisago Facilities, (iv) financing the acquisition of cooling towers and chillers at the Edina Facilities, (v) refunding bonds issued by the City of Edina to finance the construction of improvements to the Edina Facilities and the acquisition and installation of items of equipment therein, and (vi) refunding bonds issued by the City of Hibbing to finance the construction and equipping of the Hibbing Hospital and the acquisition and installation of items of equipment therein; (b) refund all or a portion of the Health Care System Revenue Bonds, Series 2000A (Fairview Health Services) (the “Series 2000A Bonds”) issued by the Board for the purpose of (i) financing the construction and equipping of the Red Wing Facilities, (ii) financing the construction of an addition to and renovation of the Burnsville Facilities and the acquisition and installation of items of equipment therein, (iii) financing the construction of an addition to and the renovation of the Edina Facilities and the acquisition and installation of items of equipment therein and of a new parking ramp to serve the Edina Facilities, (iv) financing the construction and equipping of the Hibbing Clinic, (v) financing of an addition to the Wyoming Facilities, and (vi) refund certain outstanding bonds of the City of Red Wing issued to finance and refinance a hospital facility in the City of Red Wing; (c) refund all or a portion of the Health Care System Revenue Refunding Bonds, Series 2002B (Fairview Health Services) (the “Series 2002B Bonds”), issued by the City for the purpose of refunding all or a portion of the City’s Hospital System Revenue Refunding Bonds, 1991 Series A (Fairview Hospital and Healthcare Services), the City’s Hospital System Revenue Bonds, 1991 Series B (Fairview Hospital and Healthcare Services), and the City of Princeton’s Hospital System Revenue Bonds, 1991 Series C (Fairview Hospital and Healthcare Services), which bonds were issued to refund the Minneapolis Community Development Agency Hospital System Revenue Refunding Bonds, 1985 Series A (Fairview Community Hospitals), financing the acquisition of certain assets, including real estate and equipment, and costs related to the Minneapolis Facilities, and finance costs of acquiring land and constructing and equipping the Princeton Facilities; (d) refund all or a portion of the Health Care System Revenue Bonds (Fairview Health Services), Series 2005D (the “Series 2005D Bonds”) issued by the City for the purpose of financing the construction of improvements to and remodeling of the Edina Facilities, Burnsville Facilities, Wyoming Facilities and Princeton Facilities and the acquisition and installation of items of equipment therein; (e) finance a project under the Act (the “Project”) consisting of the acquisition, improvement and equipping of the Minneapolis Facilities, including campus-wide elevator modernizations and decommissions at the Minneapolis Facilities, and the acquisition, improvement and equipping of the Edina Facilities, including the construction of a new and expanded emergency department; and (f) pay certain costs of issuance of the Bonds; and

Whereas, upon the sale of the Red Wing Facilities, proceeds of the Series 2000A Bonds allocable to such facilities were reallocated to the Minneapolis Facilities; and

Whereas, at a public hearing, duly noticed and held on June 23, 2015, in accordance with the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended, on the proposal to issue the Bonds to finance the Project and the refunding of the Series 1997A Bonds, the Series 2000A Bonds, the Series 2002B Bonds and the Series 2005D Bonds (collectively the "Refunded Bonds"), all parties who appeared at the hearing were given an opportunity to express their views with respect to the financing, and interested persons were given the opportunity to submit written comments to the City Clerk before the time of the hearing; and

Whereas, this Council hereby finds that the issuance and sale of up to \$135,000,000 aggregate principal amount of the Bonds in one or more series under the authority contained in the Act to finance the Project and to refund the Refunded Bonds would promote the purposes contemplated and described in Section 469.152 of the Act and further promote the public purposes and legislative objectives of the Act by providing the City and surrounding area with necessary healthcare facilities, is in the best interest of the City and the City hereby determines to issue and sell such Bonds; and

Whereas, the proceeds of the Bonds will be lent by the City to the Corporation (the "Loan") in order to finance the Project and the refunding of the Refunded Bonds, and to pay certain costs of issuance of the Bonds; and

Whereas, pursuant to one or more Loan Agreements (whether one or more, the "Loan Agreement"), to be entered into between the City and the Corporation, drafts of which have been made available to the Council prior to this meeting and which have been reviewed to the extent deemed necessary, the Corporation will issue to the City its note or other evidence of indebtedness (whether one or more, the "Note") under the Master Trust Indenture (the "Master Indenture"), dated as of August 1, 2015, between the Corporation and its affiliates from time to time obligated thereunder, and U.S. Bank National Association, as trustee (the "Master Trustee"), as supplemented and amended by one or more supplemental indentures thereto (whether one or more the "Supplemental Indenture") to be entered into between the Corporation, as the Combined Group Representative (as defined in the Master Indenture), and the Master Trustee. Under the Note, the Corporation and other Obligated Affiliates (as defined in the Master Indenture), if any, will unconditionally agree to repay or guaranty, respectively, the Loan made by the City under the Loan Agreement in specified amounts and at specified times sufficient to make the necessary payments of principal of, premium, if any, and interest on the Bonds, when due. In addition, the Loan Agreement contains provisions relating to the payment by the Corporation of administrative costs of the Bond Trustee (as defined herein), and indemnification, insurance and other agreements and covenants which are required by the Act or which are permitted by the Act and which the City and the Corporation deem necessary or desirable for the sale of the Bonds. Pursuant to the Loan Agreement between the City and the Corporation, the Corporation will agree to pay the administrative fee of the City with respect to the Bonds; and

Whereas, pursuant to one or more Indentures of Trusts (whether one or more, the "Bond Indenture") to be entered into between the City and Wells Fargo Bank, National Association, as bond trustee (the "Bond Trustee"), drafts of which have been made available to the Council prior to this meeting and which have been reviewed to the extent deemed necessary, the City assigns and pledges all of its right, title and interest in the Loan Agreement (other than rights specifically retained by the City including, but not limited to, indemnification and administrative fees and expenses), the Note, the Master Indenture and the Supplemental Indenture to the Bond Trustee. In addition, the Bond Indenture, among other things, sets the interest rates, maturity dates and redemption provisions for the Bonds, establishes the various funds and

accounts for the deposit and transfer of money and contains other provisions which are required by the Act or which are permitted by the Act and which the City and the Corporation deem necessary or desirable in connection with the sale of the Bonds; and

Whereas, pursuant to the terms of the Bond Indenture, the bond indentures relating to the Refunded Bonds or of one or more Escrow Agreements (whether one or more, the "Escrow Agreement"), which may be entered into between the Corporation and an escrow agent (the "Escrow Agent"), a portion of the proceeds of the Bonds will be deposited with the Escrow Agent or the trustee for the Refunded Bonds and applied, with other available funds of the Corporation and any funds held by the trustee of the Refunded Bonds, for the purpose of defeasing the Refunded Bonds; and

Whereas, the Bonds will be special limited obligations of the City payable solely from amounts payable by the Corporation and Obligated Affiliates under the Note, other than to the extent payable from the proceeds of the Bonds. The Bonds shall not be payable from or charged upon any funds other than the revenue pledged to the payment thereof, nor shall the City be subject to any liability thereon. No holder or holders of any Bond shall ever have the right to compel any exercise of the taxing power of the City to pay any such Bond or the interest thereon, nor to enforce payment thereof against any property of the City except the Note and Loan Agreement. The Bonds shall not constitute a debt of the City within the meaning of any charter, constitutional or statutory limitation; and

Whereas, the Bonds will be purchased from the City by Citigroup Global Markets Inc. and RBC Capital Markets Corporation or such other investment banking firm selected by the Corporation, either acting jointly or separately with respect to a series of Bonds (the original purchaser or purchasers of any series of Bonds is herein called the "Underwriter") pursuant to one or more Purchase Contracts (whether one or more, the "Bond Purchase Agreement") between the City, the Corporation and the Underwriter of the Bonds to which such Bond Purchase Agreement relates, a draft of which has been made available to the Council prior to this meeting and which has been reviewed to the extent deemed necessary; and

Whereas, one or more Preliminary Official Statements related to the Bonds (whether one or more, the "Preliminary Official Statement"), have been made available to the Council prior to this meeting. The Preliminary Official Statement will be distributed by the Underwriter to potential purchasers of the Bonds. The City has not participated in the preparation of or the review of the Preliminary Official Statement;

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

That in order to provide for the financing of the Project and the refunding of the Refunded Bonds, the City hereby authorizes the issuance of the Bonds as revenue bonds under the Act in one or more series, in the aggregate principal amount not to exceed \$135,000,000. The City Finance Officer is hereby authorized to approve (i) the purchase price of the Bonds, provided that the purchase price equals or exceeds 98% of the principal amount of the Bonds less any portion of such principal amount which represents original issue discount; (ii) the aggregate principal amount of the Bonds, provided that such principal amount is not in excess of \$135,000,000; (iii) the maturity schedule of the Bonds, provided that the Bonds mature at any time or times in such amount or amounts not exceeding 40 years from the date of issuance thereof; (iv) the provisions for prepayment and redemption of the Bonds prior to their stated maturity; and (v) the initial interest rates for any series of Bonds, provided that no initial interest rate exceeds 7.00% per annum. Such approval shall be conclusively evidenced by the execution of the Bond Purchase Agreement as provided herein by the City Finance Officer. The issuance of the Bonds is subject to the approval by the Minnesota Department of Employment and Economic Development as required by the Act.

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Be It Further Resolved that each of the Bonds shall be executed on behalf of the City by the manual or facsimile signature of the City Finance Officer. The Bonds, when executed and delivered, shall contain a recital that they are issued pursuant to the Act. The Bond Trustee is hereby designated as authenticating agent pursuant to Minnesota Statutes, Section 475.55. If any officer who shall have signed any of the Bonds shall cease to be such officer of the City before the Bonds so signed shall have been actually authenticated by the Trustee or delivered by the City, such Bonds nevertheless may be authenticated, issued and delivered with the same force and effect as though the person who signed such Bonds had not ceased to be such officer of the City.

Be It Further Resolved that the Bond Indenture and the Loan Agreement are hereby made a part of this Resolution as fully as though set forth in full herein and are hereby approved in the forms made available to the Council prior to this meeting, and the City Finance Officer is hereby authorized and directed to execute, acknowledge and deliver the Bond Indenture and the Loan Agreement, on behalf of the City, with such changes, insertions and omissions therein as do not change the substance of the Bond Indenture or Loan Agreement, and as may be approved by the City Finance Officer, such approval of such officer and the City to be evidenced conclusively by his execution of the Bond Indenture and the Loan Agreement.

Be It Further Resolved that the City hereby consents (i) to the distribution by the Underwriter to potential purchasers of the Bonds of the Preliminary Official Statement in substantially the form of the Preliminary Official Statement made available to the Council prior to this meeting if it is determined by the Underwriter and the Corporation to be necessary to distribute a Preliminary Official Statement to potential purchasers of the Bonds, and (ii) to the distribution by the Underwriter of one or more Official Statements related to the Bonds (whether one or more, the "Official Statement") by the Underwriter to purchasers of the Bonds in substantially the form of the Preliminary Official Statement made available to the Council prior to this meeting. The City has not participated and will not participate in the preparation of the Preliminary Official Statement or Official Statement and has made no independent investigation with respect to the information contained therein or in the appendices thereto, and the City assumes no responsibility for the sufficiency, accuracy or completeness of such information.

Be It Further Resolved that the Bond Purchase Agreement is hereby made a part of this Resolution as fully as though set forth in full herein and is hereby approved in the form made available to the Council prior to this meeting and, upon the determination of the terms of the Bonds (within the limitations set forth herein) and the execution of the Bond Purchase Agreement by the Corporation and the Underwriter, the City Finance Officer is hereby authorized and directed to execute the Bond Purchase Agreement on behalf of the City, with such further changes, insertions or omissions therein as do not change the substance of the Bond Purchase Agreement and as may be approved by the City Finance Officer, such approval of such officer and the City to be evidenced conclusively by his execution of the Bond Purchase Agreement.

Be It Further Resolved that the City Finance Officer is hereby authorized and directed to execute and deliver all other documents which may be required under the terms of the Bond Indenture, the Loan Agreement or the Bond Purchase Agreement, and to take such other action as may be required or appropriate for the performance of the duties imposed thereby or to carry out the purposes thereof.

Be It Further Resolved that in the absence or disability of the City Finance Officer the Assistant City Finance Officer or such other officer of the City as, in the opinion of the City Attorney, may act on his behalf, may execute such instrument. The execution of any instrument by an officer of the City shall be conclusive evidence of its approval by this Council.

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Be It Further Resolved that the City Finance Officer is hereby designated for all purposes of the Loan Agreement, the Bond Indenture and the Bond Purchase Agreement as the City official authorized to execute on behalf of the City certificates, requests or consents as provided in the Loan Agreement, the Bond Indenture and the Bond Purchase Agreement.

Be It Further Resolved that the City's contracting requirements incorporated into the Loan Agreement shall apply only to construction which has taken place or will take place within the City limits of the City.

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

Be It Further Resolved that this resolution shall take effect upon publication.

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-272 consenting to and approving the issuance by the City of St. Louis Park, Minnesota, of revenue obligations to refinance certain facilities located in the City for the benefit of Jones-Harrison Residence.

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

RESOLUTION 2015R-272

By Goodman

Consenting to and approving the issuance by the City of St. Louis Park, Minnesota of revenue obligations to refinance certain facilities located in the City for the benefit of Jones-Harrison Residence.

Whereas, Jones-Harrison Residence, a Minnesota nonprofit corporation (the "Corporation"), has proposed that the City of St. Louis Park, Minnesota (the "City of St. Louis Park") issue its revenue obligations, in or more series, as taxable or tax-exempt obligations (the "Bonds"), in an aggregate principal amount not to exceed \$13,000,000, and apply the proceeds thereof to (i) refund the outstanding Health Care Facilities Revenue Bonds (Jones-Harrison Residence Project), Series 2005 (the "Prior Bonds"), issued by the City of Minneapolis (the "City") in the original aggregate principal amount of \$14,030,000; (ii) fund a debt service reserve fund; and (iii) pay certain costs of issuance of the Bonds; and

Whereas, the Corporation applied the proceeds of the Prior Bonds to (i) refinance the Corporation's 163-bed skilled nursing facility and 57-unit assisted living facility located at 3700 Cedar Lake Avenue in the City (the "Facilities") through the redemption and prepayment of revenue obligations issued by the City in 1998; (ii) finance various capital improvements to the assisted living facility; (iii) fund a debt service reserve fund; and (iv) pay costs of issuance of the Prior Bonds; and

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Whereas, pursuant to Minnesota Statutes, Section 471.656, as amended, a city may issue obligations to finance and refinance the acquisition or improvement of property located outside of the corporate boundaries of such city if the obligations are issued under a joint powers agreement in which one or more of the parties to the joint powers agreement issue such obligations and the property is located entirely within the boundaries of one or more of the parties to the joint powers agreement; and

Whereas, pursuant to Minnesota Statutes, Section 471.59, as amended, by the terms of a joint powers agreement entered into through action of their governing bodies, two municipalities may jointly or cooperatively exercise any power common to the contracting parties or any similar powers, including those which are the same except for the territorial limits within which they may be exercised and the joint powers agreement may provide for the exercise of such powers by one or more of the participating municipalities on behalf of the other participating municipalities; and

Whereas, there has been presented before the City Council a form of Cooperative Agreement, to be dated on or after July 1, 2015 (the "Cooperative Agreement"), proposed to be entered into between the City of St. Louis Park and the City, pursuant to which the City, as host city, will consent to the issuance of the Bonds and the refinancing of the Facilities (the "Project") by the City of St. Louis Park and the City of St. Louis Park will agree to issue the Bonds; and

Whereas, a notice of public hearing (the "Public Notice") was published at least fifteen (15) days before the regularly scheduled meeting of the Community Development & Regulatory Services Committee of the Minneapolis City Council in *Finance and Commerce*, the official newspaper, and the *Star Tribune*, a newspaper circulating generally in the City, with respect to the required public hearing under Section 147(f) of the Code; and

Whereas, on June 23, 2015, the Community Development and Regulatory Services Committee of the City Council conducted a duly noticed public hearing on the issuance of the Bonds and the Project;

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

That the City Council hereby consents to the issuance of the Bonds by the City of St. Louis Park for the purposes of (i) refinancing the Facilities through the redemption and prepayment of the Prior Bonds; (ii) funding a debt service reserve fund; and (iii) paying costs of issuance of the Bonds.

Be It Further Resolved that the Bonds will not constitute a general or moral obligation of the City nor be secured by any taxing power of the City.

Be It Further Resolved that the City has determined that it is in the best interest of the City to approve the issuance of the Bonds by the City of St. Louis Park for the purposes of refinancing the Facilities.

Be It Further Resolved that the Finance Officer of the City or his authorized delegate is hereby authorized and directed to execute the Cooperative Agreement, and when executed and delivered as authorized herein, the Cooperative Agreement shall be deemed to be a part of this resolution as fully and to the same extent as if incorporated verbatim herein and shall be in full force and effect from the date of execution and delivery thereof. The Cooperative Agreement shall be substantially in the form on file with the City on the date hereof, which is hereby approved, with such necessary variations, omissions, and insertions as are not materially inconsistent with such forms and as the officers of the City, in their discretion, shall determine;

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provided that the execution thereof by the officers of the City shall be conclusive evidence of such determination.

Be It Further Resolved that officers, employees, and agents of the City are hereby authorized and directed to prepare and furnish to Kennedy & Graven, Chartered, as Bond Counsel, and to the purchasers of the Bonds certified copies of all proceedings and records of the City relating to the approval of the Bonds, including a certification of this resolution. Such officers, employees, and agents are hereby authorized to execute and deliver, on behalf of the City, all other certificates, instruments, and other written documents that may be requested by Bond Counsel, the purchasers of the Bonds, or other persons or entities in conjunction with the issuance of the Bonds.

Be It Further Resolved that the Corporation will pay and upon demand, reimburse the City for payment of, any and all costs incurred by the City in connection with this resolution and the execution of the Cooperative Agreement whether or not the Bonds are issued.

Be It Further Resolved that this resolution shall take effect and be in force from and after its approval and publication. Pursuant to Chapter 4, Section 9, of the Charter of the City, only the title of this resolution and a summary of this resolution conforming to Minnesota Statutes, Section 331A.01, subdivision 10, shall be published in the official paper of 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 resolution was adopted.

CD&RS – Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code, amending provisions related to conduct on licensed premises, required rental property management training and license reinstatement requirements, now recommends that Ordinance 2015-Or-051 be given its second reading for amendment and passage.

Further, that City staff be directed to return to the Community Development & Regulatory Services Committee in one year with a report evaluating data relating to conduct on premises incidents, monitoring, and other relevant information.

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

ORDINANCE 2015-Or-051
By Glidden
Intro & 1st Reading: 2/21/2014
Ref to: CD&RS
2nd Reading: 7/10/2015

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 244.1840 of the above-entitled ordinance be amended to read as follows.

244.1840. Application for license. Within ninety (90) days after the effective date of this article, the owner of each rental dwelling shall make written application to the director regulatory services for a license to carry on the business of renting residential property. In addition, the owner of each such rental dwelling constructed after the effective date of this article shall make written application to the director of regulatory services for a license as herein provided prior to initial occupancy. Such application shall be made on a form furnished by the director of regulatory services for such purpose and shall set forth the following information:

(1) Name, business or residence address, telephone number, and date of birth of the owner of the dwelling. If the owner is a partnership, the name of the partnership, the name, residence address, and date of birth of the managing partner, and the full name and address of all partners. If the owner is a corporation, the name and address of the corporation, and the name of the chief operating officer; in cases where the owner of a dwelling resides outside of the sixteen-county metropolitan area consisting of the following counties: Hennepin, Rice, Wright, Anoka, Washington, McLeod, Ramsey, Dakota, Scott, Carver, Sherburne, Isanti, Chisago, Sibley, Le Sueur and Goodhue; the owner's agent/contact person shall reside within the sixteen county area.

a. All partnerships, corporations, limited liability companies or other recognized business associations which own a dwelling required to be licensed under this chapter shall submit, upon request of the director of regulatory services or the director's designee, the name and address of all partners, shareholders or interest holders. If requested by the director of regulatory services or the director's designee, information regarding the names and addresses of all partners, shareholders or interest holders must be submitted in a sworn affidavit. Failure to provide this information upon request and in proper form may result in a \$500.00 fine or other appropriate enforcement action.

(2) If the owner has appointed an agent authorized to accept service of process and to receive and give receipt for notices, the name, business or residence address, telephone number, and date of birth of such agent.

(3) Every applicant, whether an individual, partnership, or corporation, shall identify in the application, by name, residence or business street address, telephone number, and date of birth, a natural person who is actively involved in, and responsible for, the maintenance and management of the premises. Said natural person shall, if other than the owner, affix his or her notarized signature to the application, thereby accepting joint and several responsibility with the owner (including any potential criminal, civil, or administrative liability) for the maintenance and management of the premises. A post office box or commercial mail receiving service are not acceptable as an address for such person. The individual designated herein may also be the owner of the dwelling or an agent identified in subsection (2) above. The phone number herein required shall be of a phone number that shall be normally answerable twenty-four (24) hours a day, seven (7) days a week, not subject to normal business hours. The person designated as the person responsible for the maintenance and management of the premises, whether that person is also the owner of the property or a designee of the owner, shall be required to respond to inquiries from the department of regulatory services or the environmental health division of the Minneapolis Health Department within a reasonable period of time. Failure to respond in a reasonable period of time may lead to adverse license action pursuant to Section 244.1910(19) of this Code.

a. When an owner and/or the agent/contact person designated in subsection (3), have never owned or managed rental property, the owner and/or the agent/contact person shall, after the first instance in which an administrative citation issued pursuant to CHAPTER 2 of this Code has been paid, upheld upon appeal, or has been neither paid nor appealed, provide proof of attendance and successful completion of a recognized fundamentals of rental property management course approved by the director of regulatory services. Any costs associated with that workshop will be the sole responsibility of the licensee or agent/contact person.

(4) Street address of the dwelling.

(5) Number and kind of units within the dwelling (dwelling units, rooming units, or shared bath units). For each unit, specify the floor number, and the unit number and/or letter and/or designation.

(6) In the event that any of the information required to be provided by this section changes, the applicant or licensee shall, within fourteen (14) days, notify in writing the director of regulatory services, or an authorized representative of the director, of the change. However, if the natural person designated in subsection (3) changes, the licensee or applicant shall file an entirely new application within fourteen (14) days. Furthermore, for just cause, the director of regulatory services, or an authorized representative of the director, may request that an applicant or licensee complete and file a new or replacement application for any rental dwelling, giving the licensee or applicant a minimum of fourteen (14) days to comply.

Section 2. That Section 244.1945 of the above-entitled ordinance be amended to read as follows:

244.1945. Reinstatement requirements. A fee of one thousand dollars (\$1,000.00) must accompany any application for reinstatement of any license or provisional license that has been denied, revoked or suspended pursuant to 244.1940, if the applicant is a new owner of the property. If the applicant for reinstatement was the owner of the property or held any interest in the rental dwelling license when the license or provisional license was denied, revoked or suspended ~~under 244.2020~~, a fee of three thousand dollars (\$3,000.00) must accompany any application for reinstatement. This reinstatement fee is in addition to the license fees imposed pursuant to section 244.1880. ~~If the applicant for reinstatement was the owner of the property when the license or provisional license was denied, revoked or suspended pursuant to section 244.2020, the owner or other natural person as defined in section 244.1840(3) shall provide proof of prior attendance and successful completion within one (1) year prior to the date of application of a recognized fundamentals of rental property management course approved by the director of regulatory services.~~ Prior to reinstatement of any license or provisional license that has been denied, revoked or suspended,

(1) the license applicant shall submit a satisfactory written management plan to be approved by the police department which details all actions taken and proposed to be taken by the applicant to prevent disorderly use of the premises and to ensure that the premises are operated in compliance with the Code, and

(2) the owner or other natural person as defined in section 244.1840(3) shall provide proof of prior attendance and successful completion within one (1) year prior to the date of application of a recognized fundamentals of rental property management course approved by the director of regulatory services.

Section 3. That Section 244.2020 of the above-entitled ordinance be amended to read as follows:

244.2020. Conduct on licensed premises. (a) It shall be the responsibility of the licensee to take appropriate action, with the assistance of crime prevention specialists or other assigned personnel of the Minneapolis

Police Department, following conduct by tenants and/or their guests on the licensed premises which is determined to be disorderly, in violation of any of the following statutes or ordinances, to prevent further violations.

- (1) Minnesota Statutes, Sections 609.75 through 609.76, which prohibit gambling;
 - (2) Minnesota Statutes, Section 609.321 through 609.324, which prohibits prostitution and acts relating thereto;
 - (3) Minnesota Statutes, Sections 152.01 through 152.025, and Section 152.027, Subdivisions 1 and 2, which prohibit the unlawful sale or possession of controlled substances;
 - (4) Minnesota Statutes, Section 340A.401, which prohibits the unlawful sale of alcoholic beverages;
 - (5) Section 389.65 of this Code, which prohibits noisy assemblies;
 - (6) Minnesota Statutes, Sections 97B.021, 97B.045, 609.66 through 609.67 and 624.712 through 624.716, and section 393.40, 393.50, 393.70, 393.80, 393.90 and 393.150 of this Code, which prohibit the unlawful possession, transportation, sale or use of a weapon; or
 - (7) Minnesota Statutes, Section 609.72, and Section 385.90 of this Code, which prohibit disorderly conduct, when the violation disturbs the peace and quiet of the occupants of at least two (2) units on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation; or when at least two distinct violations, separated by no more than sixty (60) days, disturb the peace and quiet of at least one (1) unit on the licensed premises or other premises, other than the unit occupied by the person(s) committing the violation, and the violations are reported by distinct and separate complaints.
- (b) The police department and the inspections division shall be jointly responsible for enforcement and administration of section 244.2020.
- (c) Upon determination by a crime prevention specialist, or other assigned police department employee, utilizing established procedures, that a licensed premises was used in a disorderly manner, as described in subsection (a), the responsible crime prevention specialist or other assigned police department employee shall notify the licensee by mail of the violation and direct the licensee to take appropriate action with the assistance of the Minneapolis Police Department to prevent further violations. If the instance of disorderly use of the licensed premises involved conduct specified in paragraphs (a)(2), (a)(3) or (a)(6) of this section, the licensee shall submit a satisfactory written management plan to the police department within ten (10) days of receipt of the notice of disorderly use of the premises. The written management plan shall comply with the requirements established in paragraph (d) of this section. The licensee shall implement all provisions of the written management plan within twenty (20) days after acceptance of the management plan by the crime prevention specialist or other assigned police department employee. The notice provided to the licensee of the violation shall inform the licensee of the requirement of submitting a written management plan. That notice shall further inform the licensee that failure to submit a written management plan or failure to implement all provisions of the management plan within twenty (20) days after its acceptance may result in the city council taking action to deny, refuse to renew, revoke, or suspend the license. The established procedures manual is available to the public from the Minneapolis Police Department.

(1) If the instance of disorderly use of the licensed premises involved conduct specified in paragraphs (a)(1), (a)(4), (a)(5), (a)(7) of this section, the licensee shall contact the police department or department of regulatory services within 10 days to discuss the instance of disorderly use.

(d) If another instance of disorderly use of the licensed premises occurs within eighteen (18) months, if the premises contains between one (1) and six (6) distinct and separate residential units, or within twelve (12) months, if the premises contains ~~more than six (6)~~ between seven (7) and fifty (50) distinct and separate residential units, or within nine (9) months, if the premises contains between fifty-one (51) and one hundred (100) distinct and separate residential units, or within six (6) months, if the premises contains more than one hundred (100) distinct and separate units, of an incident for which a notice in subsection (c) was given, the crime prevention specialist or other assigned police department employee shall notify the licensee by mail of the violation. The licensee shall submit an updated satisfactory written management plan to the police department within ten (10) days of receipt of the notice of disorderly use of the premises. The written management plan shall detail all actions taken by the licensee in response to all notices of disorderly use of the premises within the preceding twelve (12) months. The written management plan shall also detail all actions taken and proposed to be taken by the licensee to prevent further disorderly use of the premises. The licensee shall implement all provisions of the written management plan within twenty (20) days after acceptance of the management plan by the crime prevention specialist or other assigned police department employee. The notice provided to the licensee of the violation shall inform the licensee of the requirement of submitting a written management plan. That notice shall further inform the licensee that failure to submit a written management plan or failure to implement all provisions of the management plan within twenty (20) days after its acceptance may result in the city council taking action to deny, refuse to renew, revoke, or suspend the license. The licensee or the listed agent/contact person for the licensee shall also successfully complete a property owner's workshop at the direction of and in accordance with a schedule set forth by the police department. Any costs associated with that workshop will be the sole responsibility of the licensee. The notice provided to the licensee of the violation shall inform the licensee of the requirement of the licensee or the listed agent/contact person for the licensee of the requirement to successfully complete a property owner's workshop. That notice shall further inform the licensee that failure to successfully complete the property owner's workshop may result in the city council taking action to deny, refuse to renew, revoke, or suspend the license.

(e) When required by paragraph (d), the rental dwelling license for the premises may be denied, revoked, suspended, or not renewed if the licensee fails to submit a written management plan that satisfies the requirements set forth in paragraph (d), or if the licensee fails to timely implement all provisions of an accepted written management plan, or if the licensee or the listed agent/contact person for the licensee fails to successfully complete a property owner's workshop after a minimum of two (2) approved workshops have been scheduled, offered and held. An action to deny, revoke, suspend, or not renew a license under this section shall be initiated by the director of inspections in the manner described in section 244.1940, and shall proceed according to the procedures established in sections 244.1950, 244.1960, and 244.1970.

(f) If another instance of disorderly use of the licensed premises occurs within eighteen (18) months, if the premises contains between one (1) and six (6) distinct and separate residential units, or within twelve (12) months, if the premises contains ~~more than six (6)~~ between seven (7) and fifty (50) distinct and separate residential units, or within nine (9) months, if the premises contains between fifty-one (51) and one hundred (100) distinct and separate residential units, or within six (6) months, if the premises contains more than one hundred (100) distinct and separate units, after the second of any two (2) previous instances of disorderly use for which notices were sent to the licensee pursuant to this section, the rental dwelling license for the premises may be denied, revoked, suspended, or not renewed. An action to deny, revoke, suspend, or not

renew a license under this section shall be initiated by the director of inspections in the manner described in section 244.1940, and shall proceed according to the procedures established in sections 244.1950, 244.1960, and 244.1970.

(g) No adverse license action shall be imposed where the instance of disorderly use of the licensed premises occurred during the pendency of eviction proceedings (unlawful detainer) or within thirty (30) days after a notice is given by the licensee to a tenant to vacate the premises, where the disorderly use was related to conduct by that tenant or his/her guests. Eviction proceedings shall not be a bar to adverse license action, however, unless they are diligently pursued by the licensee. A notice to vacate shall not be a bar to adverse license action unless a copy of the notice is submitted to the crime prevention specialist or other assigned police department employee within ten (10) days of receipt of the violation notice. Further, an action to deny, revoke, suspend, or not renew a license based upon violations of this section may be postponed or discontinued by the director of inspections at any time if it appears that the licensee has taken appropriate action to prevent further instances of disorderly use.

(h) A determination that the licensed premises have been used in a disorderly manner as described in subsection (a) shall be made upon substantial evidence to support such a determination. It shall not be necessary that criminal charges be brought to support a determination of disorderly use, nor shall the fact of dismissal or acquittal of such a criminal charge operate as a bar to adverse license action under this section.

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 ordinance were adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Ordinance 2015-Or-052 amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau, amending combustible contaminate levels relating to commercial hood and exhaust cleaning.

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

ORDINANCE 2015-Or-052
By Goodman
Intro & 1st Reading: 6/5/2015
Ref to: CD&RS
2nd Reading: 7/10/2015

Amending Title 9, Chapter 174 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Minneapolis Fire Department; Fire Prevention Bureau.

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

Section 1. That Section 174.500 of the above-entitled ordinance be amended to read as follows:

174.500. Commercial hood and exhaust cleaning program. (a) Permit fees authorized. Minneapolis Fire Inspection Services, based on authority granted to it by the Minnesota State Fire Code, Section 104.3 and state amendment 101.6, is hereby authorized to issue a commercial hood and exhaust cleaning permit for

any commercial hood and exhaust cleaning required hereunder. The permit requirement imposed by this section shall be required every six (6) months, or upon system activation and apply to all commercial cooking and food service establishments utilizing Type-I and Type-II exhaust hoods inside any building or portion thereof; portable and/or stationary, or equipped motorized mobile food service vehicles conducting business within City of Minneapolis limits for the preparation and serving of food. The term "food service" shall include operations such as preparing, handling, cleaning, cooking, and packaging food items of any kind.

(b) Hood cleaning/testing permit. A permit is required every six (6) months to conduct cleaning and/or testing of all Type-I and Type-II hoods to coincide with Minnesota State Fire Code Sections 904.11.6 to 904.11.6.5. Every application for such a permit shall be made in writing to Minneapolis Fire Inspection Services at least five (5) working days in advance of the proposed cleaning/testing date. Cleaning shall be required when exhaust systems contain combustible contaminate levels that exceed ~~0.002~~ 2000 microns (0.078 inches) upon examination by a city approved licensed contractor. All exhaust systems that fall below this measurable limit shall be exempt from the immediate cleaning cycle provided sufficient documentation is provided to fire inspection services of such condition by the licensed contractor and fire inspection services approves the same. Permits shall be obtained every six (6) months to correspond with Minnesota State Fire Code Section 904.11.6.4 and shall only be issued to approved City of Minneapolis licensed kitchen exhaust contractors after the fire code official or the fire code official's designee have reviewed and approved the application and the applicant has paid the required fee. Businesses and establishments with commercial hood systems that require quarterly or more frequent cleanings shall only be subject to the six (6) month permit requirements and fees.

(c) Cleaning. All hoods, grease-removal devices, fans, ducts and other appurtenances shall be cleaned at intervals necessary to prevent the accumulation of grease, as specified by Minnesota State Fire Code Section 904.11.6.3 and NFPA-96 and 17A. Upon inspection, if exhaust system(s) are found to be contaminated with grease laden vapor deposits, the entire exhaust system shall be cleaned.

(d) Type I and II exhaust systems. Type I and Type II exhaust systems shall only be cleaned by approved/certified City of Minneapolis licensed kitchen exhaust contractors.

(e) Fee. The fee for any permit required by this section shall be as established in the director's fee schedule pursuant to section 91.70.

(f) Required conditions authorized. The fire code official is authorized to place conditions upon kitchen exhaust contractor applicants requesting hood cleaning permits, including but not limited to the following:

(1) The entire exhaust system shall be inspected for grease and residue buildup by an approved/certified City of Minneapolis licensed kitchen exhaust contractor.

(2) Inspection and servicing of cooking equipment shall be completed at least annually. Cooking equipment that collects grease below the surface or behind the equipment, such as griddles or char broilers, shall be inspected and, if found with grease accumulation, cleaned to the manufacturer's recommendations.

(3) Hoods, grease removal devices, fans, ducts, and other appurtenances shall be cleaned to remove combustible contaminants to a minimum of 0.002 inches pursuant to NFPA-96 Section 11.6.2

(4) There shall be no grease or carbonized grease left in the hood, duct system, filters, or fan assemblies.

(5) No coatings shall be sprayed or applied on the clean ductwork.

(6) All exhaust/ductwork access panels/doors shall be properly reassembled and secured after cleaning.

(7) Any portion of the exhaust hardware/appurtenances removed for cleaning and/or maintenance shall be reinstalled to code specifications.

(8) Kitchen exhaust contractors shall identify all damaged equipment, deficiencies, missing parts, or lack of necessary access panels and notify in writing the tenant and owner and the fire code official upon completion.

(9) Upon completion and submittal of each job, any portion of the hood, plenum, exhaust duct and associated building trunk-line system(s) found contaminated with grease-residue the entire system fails and shall not be approved.

(10) Upon completion, and within thirty (30) days, kitchen exhaust contractors shall submit to fire inspection services cleaning photographs of the entire hood, plenum, exhaust duct, including associated building trunk-line system(s) and appurtenances in a format and specification designated by the fire code official.

(11) At the discretion of the fire code official, periodic fire inspections shall be conducted. Each permitted cleaning shall only be approved pursuant to kitchen exhaust contractors submittal of documented photographs to fire inspection 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 was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Ordinance 2015-Or-053 amending Title 13, Chapter 297 of the Minneapolis Code of Ordinance related to Licenses and Business Regulations: Hotels, modernizing the code and allowing hotels with less than 50 guest rooms.

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

ORDINANCE 2015-Or-053
By Frey
Intro & 1st Reading: 1/30/2015
Ref to: CD&RS
2nd Reading: 7/10/2015

Amending Title 13, Chapter 297 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Hotels.

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

Section 1. That Section 297.10 of the above-entitled ordinance be amended to read as follows:

297.10. – ~~Defined~~ Definitions. ~~For the purposes of this chapter, every building or structure kept, used, maintained, advertised or held out to the public to be a place where sleeping or rooming accommodations are furnished to the general public for a shorter period of time than one week, with or without meals, shall be deemed a "hotel." The person in charge of any such hotel, whether as owner, lessee, manager or agent, shall be deemed to be the proprietor of such hotel.~~

Extended stay hotel. An establishment in which all rooms contain accommodations for sleeping and a kitchen equipped with a full-sized refrigerator, built-in cooking facilities, microwave, sink, cooking utensils, dishes and cutlery.

Hotel. An establishment containing more than twenty (20) guest rooms, which is used or advertised as a place where lodging accommodations are supplied for pay to guests for transient occupancy.

Hotel, boutique. An establishment containing a minimum of five (5) and a maximum of twenty (20) rooming units for providing transient occupancy to the general public with rooms having access to the outside through an interior hallway connected to the main lobby of the building, and which may provide additional services such as a restaurants, meeting rooms, entertainment and recreational facilities.

Motel. "Motel" shall mean "hotel" as defined in this Code.

Section 2. That Section 297.20 of the above-entitled ordinance be amended to read as follows:

297.20. - License required. No person shall keep, maintain or operate a boutique hotel, extended stay hotel, or hotel within the city without first having obtained a license to do so as hereinafter provided.

Section 3. That Section 297.30 of the above-entitled ordinance be amended to read as follows:

297.30. - Application for license. ~~Any person desiring to engage in the business of operating a hotel as provided for in this chapter shall first make application therefor in writing to the city council by filing with the licensing official a written application for such license, designating therein the character of the business to be conducted, giving in such application the full name and address of the proprietor or owner, or both, of such proposed hotel and such other information as the licensing official may require to verify that the terms and conditions of this chapter have been met. Upon receipt of an application, the licensing official shall refer the application to the commissioner of health, building official, and fire department, for investigation and report whether the applicant meets the terms and conditions of this chapter and all applicable city codes relating to zoning, building, housing, health, and fire. The application for a license shall be made only upon forms furnished by the licensing official.~~

Section 4. That Section 297.40 of the above-entitled ordinance be amended to read as follows:

297.40. – Investigation Qualifications of the applicant. ~~The licensing official shall make report to the city council upon such application, together with recommendations as to the granting or refusal of such license and as to the truth or falsity of any statement contained in such application. Such report shall also give what information the licensing official has as to the character of the applicant or the general reputation of the building within which such hotel is to be conducted, and shall state as to whether or not in the knowledge of licensing official such applicant, proprietor or owner has ever been charged with conducting a disorderly house or with having sold intoxicating liquors illegally. No license shall be issued to any applicant who does not meet the following qualifications:~~

(1) Applicant must be the actual owner of the premises or the business at the licensed premises, or in case of a corporation, he or she must be the manager of such premises or business.

(2) The provisions of Minnesota Statutes, Chapter 364 shall govern the eligibility of an applicant or license holder to acquire or maintain a hotel license based on a prior or present criminal conviction or convictions.

(3) If the applicant is a corporation, it must be authorized to do business in Minnesota.

(4) No license shall be issued or transferred to any person who has had a license revoked within five (5) years prior to the date of application under the terms of this chapter or the statutes of the State of Minnesota nor shall any license be issued or transferred to the spouse of such person.

Section 5. That Section 297.50 of the above-entitled ordinance be amended to read as follows:

297.50. - ~~Issuance of license; License fee.~~ ~~(a) Upon the receipt of reports from the commissioner of health, director of regulatory services, building official, fire department, and licensing official, the city council may, in its discretion, grant or refuse such license, but no such license shall be issued until all the regulations relating to hotels have been complied with.~~

~~(b) The annual license fee for such license shall be as established in Appendix J, the License Fee Schedule.~~

~~For not more than 20 rooms\$306.00~~

~~(c) Upon action by the city council authorizing and directing the issuance of a license to any such applicant, and payment of the license fee, the licensing official shall issue to such applicant the license authorized and directed to be issued by such resolution.~~

Section 6. That Chapter 297 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 297.65 to read as follows:

297.65. Limitations on duration of occupancy. (a) It shall be unlawful for any person to put up or stay at the same boutique hotel or hotel for longer than twenty-nine (29) days in a sixty (60) consecutive day period. It shall also be unlawful for the owner, operator, manager, or person in charge of a boutique hotel or hotel to permit or allow a person to stay at the hotel or motel in excess of twenty-nine (29) days in a sixty (60) consecutive day period. This section shall not apply to extended stay hotels as defined in 297.10 of this chapter.

(b) Notwithstanding subsection (a) of this section, a stay in excess of twenty-nine (29) days in a sixty (60) day period may occur in the following situations:

(1) Where there is a written contract between the boutique hotel or hotel and a governmental, charitable, or insurance agency to house families in crisis who are receiving temporary housing assistance from said governmental, charitable or insurance agency; a specific business entity for a business purpose which requires extended temporary occupancy, an individual whose purpose of hotel occupancy is not as a primary residence, or;

(2) Where there is a written contract between the boutique hotel or hotel for an onsite resident manager or employee to live at the hotel or motel.

(c) It shall be unlawful for a boutique hotel or hotel owner, operator, manager or person in charge of a boutique hotel or hotel to permit an employee of the boutique hotel or hotel to live at the boutique hotel or hotel for more than twenty-nine (29) days in a consecutive sixty (60) day period unless the room occupied by the employee contains a kitchen separate from sanitary facilities equipped with a full-sized refrigerator, built-in stove, and microwave.

(d) It shall be unlawful for an extended stay hotel owner, operator, manager, or person in charge of an extended stay hotel to allow guest stays longer than one hundred twenty (120) days in a one hundred and fifty (150) consecutive day period in more than 30% of the rooms except in circumstances where there is a written contract between the extended stay hotel and

(1) a governmental, charitable, or insurance agency to house families in crisis,

(2) a relocation service as part of a business relocation,

(3) a specific business entity for a business purpose which requires extended temporary occupancy, or

(4) an individual whose purpose of hotel occupancy is not as a primary residence.

Section 7. That Section 297.70 of the above-entitled ordinance be amended to read as follows:

297.70. - ~~License revocation and suspension. Register to be kept.~~ Any such license to conduct a hotel may be revoked or suspended by the city council in its discretion, either upon its own motion or upon the receipt of a report from the chief of police that such hotel is being conducted in a disorderly manner or that any immoral conduct or practices are being permitted therein, or that such hotel is being conducted, operated or maintained in violation of any of the laws of the State of Minnesota or this Code of Ordinances. Every person to whom a hotel license has been issued shall at all times keep a hotel guest register within the establishment that complies with Minnesota Statute 327.10.

Section 8. That Chapter 297 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 297.80 to read as follows:

297.80. ~~Reserved.~~ Required services. All boutique hotels, extended stay hotels, and hotels shall provide the following services:

(1) The customary hotel services such as linens and maid service.

(2) Furniture, including at a minimum a bed, and upkeep of furniture.

(3) Secured rooms (lockable).

Section 9. That Section 297.90 of the above-entitled ordinance be amended to read as follows:

297.90. - ~~Report of violations. Undesirable guests: ejection of and refusal to admit.~~ The chief of police, immediately upon the receipt of any information or knowledge that any such hotel is being conducted in a disorderly manner or that any immoral conduct or practices are being permitted in any such hotel or that any law of the State of Minnesota or ordinance of the city is being violated by the conduct of such hotel, shall report such fact to the city council. The city council, immediately upon receipt of such report,

~~shall consider the same and may in its discretion revoke or suspend such license.~~ (a) The owner, operator, manager or person in charge may remove or cause to be removed from a boutique hotel, extended stay hotel, or hotel a guest or other person who:

(1) refuses or is unable to pay for accommodations or services;

(2) while on the premises acts in an obviously intoxicated or disorderly manner, destroys or threatens to destroy establishment property, or causes or threatens to cause a disturbance;

(3) the owner, operator, manager or person in charge reasonably believes is using the premises for the unlawful possession or use of controlled substances in violation of Minnesota Statute Chapter 152, sex trafficking, prostitution, or using the premises for the consumption of alcohol by a person under the age of 21;

(4) the owner, operator, manager or person in charge reasonably believes has brought property into the establishment that may be dangerous to other persons, such as firearms or explosives;

(5) violates any federal, state, or local laws, ordinances, or rules relating to the establishment; or

(6) violates a rule of the establishment that is clearly and conspicuously posted at or near the front desk and on the inside of the entrance door of every guest room.

Section 10. That Chapter 297 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 297.100 to read as follows:

297.100. ~~Reserved. Prohibited acts.~~ (a) Failure to maintain the licensed premises to all building, fire, mechanical, zoning or licensing codes.

(b) Knowingly allowing a room to be occupied for purposes of sex trafficking.

(c) Knowingly allowing a room to be occupied for purposes of illegal drug activity.

(d) Knowingly allowing a room to be occupied by a minor for the consumption of alcoholic beverage.

(e) Prohibiting the inspection of the licensed premises for purposes of inspections of the premises.

(f) Failure to report observed or suspected illegal activity to the police in a reasonable period of time.

Section 11. That Section 297.110 of the above-entitled ordinance be amended to read as follows:

297.110. - ~~Regular inspection and report by health commissioner. Denial, suspension, revocation or non-renewal of license application.~~ The commissioner of health or his or her authorized deputies shall at least twice in each year inspect all hotels in the city for the conduct of which licenses have been issued, and after such inspection shall report to the city council the name and location of any hotel that is being conducted in an unclean or unsanitary manner or in violation of any of the laws of the State of Minnesota or ordinances of the city as to public health or safety. The provisions of this section are not exclusive. Adverse license action, inclusive of, but not limited to, revocation, may be based upon good

cause at any time upon proper notice and hearing. This section shall not preclude the enforcement of any other provisions of this Code or state and federal laws and regulations.

Section 12. That Section 297.120 of the above-entitled ordinance be and is hereby repealed.

~~**297.120. Use of "hotel" name.** Any person conducting or operating a hotel without a license therefor or whose license is revoked by the city council or to whom a renewal of license shall be denied or to whom an original license is denied, shall immediately cease to operate such hotel and shall immediately cease to employ the word "hotel" or any other word or sign in any place or upon any such building in designating or advertising the premises.~~

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 Community Development & Regulatory Services Committee, Goodman offered Ordinance 2015-Or-054 amending Title 13, Chapter 321 of the Minneapolis Code of Ordinances related Licenses and Business Regulations: Secondhand Dealers, amending, consolidating and restructuring provisions related to secondhand goods.

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

ORDINANCE 2015-Or-054

By A. Johnson

Intro & 1st Reading: 5/1/2015

Ref to: CD&RS

2nd Reading: 7/10/2015

Amending Title 13, Chapter 321 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Secondhand Dealers.

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

Section 1. That the title of Article I, Chapter 321 of the Minneapolis Code of Ordinances be amended to read as follows:

ARTICLE I. - SECONDHAND DEALERS GOODS

Section 2. That Section 321.10 of the above-entitled ordinance be amended to read as follows:

321.10. - Definitions. ~~As used in this article~~ When used in this chapter, the following words shall mean:

Antiques shall mean any used property offered for sale upon the basis, express or implied, that the value of the property, in whole or in substantial part, is derived from its age or its historical association, and exceeds the original value of the item when new.

Auction house dealer shall mean any secondhand goods dealer where some, or all, of the secondhand merchandise is offered for sale for the highest bid or offer tendered. If the sale is conducted by means of an auction, the auctioneer must be properly licensed and bonded in accordance with applicable laws.

Billable transaction shall mean every reportable transaction conducted by a secondhand goods dealer, regardless of the number of items received in that transaction.

Business manager shall mean a person(s) designated by the licensee to operate a business in the licensee's absence. A licensee must designate a manager to operate the licensed business if the licensee does not personally provide on-site supervisory services at the business at least sixty-four (64) hours per month.

Consignment shall mean a written agreement between a dealer and a seller that enables the dealer to take temporary possession of secondhand property, owned by the seller, for the purpose of offering it for sale to the public. Agreement shall state the terms under which the seller will be compensated, and the amount of that compensation. All sales must be consummated at a central point or register.

Dealer shall mean any natural person, partnership or corporation, either as principal or agent or employee thereof, licensed under this article.

Precious gems shall mean any gem that is valued for its character, rarity, beauty or quality, including diamonds, rubies, emeralds, sapphires or pearls, or any other such semi-precious gems or stones, whether as a separate item or in combination as a piece of jewelry or other crafted item.

Precious metals shall mean gold, silver, platinum, ~~and sterling silver,~~ silver, and titanium, whether as a separate item or in combination as a piece of jewelry or other crafted item, except items plated with precious metal(s) and the plating equals less than one (1) percent of the items total weight.

Receive shall mean to purchase, accept for sale on consignment, broker, or receive in trade for an item of equal or lesser value, any tangible personal property previously owned, used, rented or leased.

Recordable transaction shall mean every transaction conducted by a secondhand goods dealer in which merchandise defined in section 321.100 is received, ~~offered for sale,~~ or intended for sale, whether inside or outside the City of Minneapolis.

Reportable transaction shall mean every transaction conducted by a secondhand goods dealer, ~~inside the City of Minneapolis,~~ in which merchandise defined in section 321.110(a) is received, ~~and for which a daily report to the police department is required~~ or intended for sale, whether inside or outside the City of Minneapolis.

Secondhand goods dealer shall mean any natural person, partnership or corporation, either as principal or agent or employee thereof, whose ~~regular~~ business includes selling or receiving tangible personal properties, excluding motor vehicles, previously owned, used, rented or leased. The term secondhand goods dealer shall include auction house and antique dealers.

Secondhand goods are any items that have been previously owned, used, rented or leased. For the purpose of this section, secondhand goods will also include items that are described as antiques.

Unique identifier shall mean a serial number, identification number, model number, owner applied identifier or engraving, "operation ID" number or symbol, or other unique marking.

Section 3. That Section 321.20 of the above-entitled ordinance be amended to read as follows:

321.20. - License required. No person shall engage in the business of secondhand ~~dealer~~ goods without a secondhand ~~dealer~~ goods license. No secondhand ~~dealer~~ goods license may be transferred to a different location or a different person. Licenses shall be conspicuously displayed. Issuance of a license under this article shall not relieve the ~~dealer~~ licensee from obtaining any other licenses required to conduct business at the same or any other locations. A secondhand goods dealer licensed under this article shall also obtain a precious metal dealer's license if required to do so under Chapter 322. Persons licensed under Chapter 324 shall not be eligible for a license under this chapter for the same location.

Section 4. That Section 321.30 of the above-entitled ordinance be amended to read as follows:

321.30. - Exceptions. The following transactions shall not require a license under this article:

(a) The sale of secondhand or antique goods at events commonly known as "garage sales," "yard sales" or "estate sales" where all of the following are present:

(1) The sale is held on property occupied as a dwelling by the seller or owned, rented or leased by a charitable or political organization.

(2) The occupant owns the items offered for sale and ~~that~~ none of the items offered for sale ~~shall~~ have been purchased for resale or received on consignment for purpose of resale.

(3) The owner of the property conducts the sale and receives all proceeds from the sale.

(4) ~~That no~~ No sale exceeds a period of seventy-two (72) consecutive hours. ~~That no~~ No more than two (2) sales are held in any twelve (12) month period at any residential dwelling.

(b) The sale or receipt of secondhand books, magazines, post cards, postage stamps, or philatelic material.

(c) Goods sold at ~~the~~ a public market pursuant to the provisions of Chapter 201 of the Minneapolis Code of Ordinances.

~~(d) Transactions conducted by an antique dealer licensed under Article II of this chapter.~~

~~(e)~~ d) Goods sold at an exhibition pursuant to Article III of this chapter.

~~(f)~~ e) Transactions conducted by a precious metals dealer licensed under Chapter 322 of the Minneapolis Code of Ordinances, and for which a precious metal dealer's license is required.

~~(g)~~ f) Transactions conducted by a pawnbroker licensed under Chapter 324 of the Minneapolis Code of Ordinances.

~~(h g)~~ Transactions conducted by a used auto parts dealer licensed under Chapter 348 of the Minneapolis Code of Ordinances.

(h) A business that offers items for consignment as set forth in this chapter at a business that maintains a secondhand goods Class B license.

Section 5. That Section 321.40 of the above-entitled ordinance be amended to read as follows:

321.40. - License classifications. (a) Licenses renewed under provisions of this article shall be classified first according to the number of reportable transactions submitted annually to the police department during the twelve (12) month period ending thirty (30) days prior to their renewal date, and then by the type of license. The classifications shall be:

(1) Class A—Dealers that submitted four hundred (400) or more reportable transactions.

(2) Class B—Dealers that submitted fewer than four hundred (400) reportable transactions.

~~(b) All new licenses issued pursuant to this article after July 1, 1998 shall be deemed to be Class A licenses unless:~~

~~(1) Applicant's business plan clearly indicates business will conduct fewer than four hundred (400) reportable transactions in any consecutive twelve (12) month period, or~~

~~(2) If the applicant has any ownership, management or financial interest in any other businesses licensed under Chapters 321, 322 or 324, and the total number of reportable transactions from all businesses licensed pursuant to these chapters, including the current application, is fewer than four hundred (400) in any consecutive twelve (12) month period.~~

~~(e b)~~ All new Class B licenses issued pursuant to this article after July 1, 1998 shall be monitored by the police license inspector and ~~upgraded to~~ shall be required to apply for a Class A license whenever four hundred (400) or more reportable transactions are, or should have been, submitted within any twelve (12) consecutive month period. Licensees shall be subject to all applicable Class A fees and regulations sixty (60) days after being notified in writing of the upgrade, ~~but not sooner than January 1, 1999.~~

Section 6. That Section 321.50 of the above-entitled ordinance be amended to read as follows:

321.50. - License and billable transaction fees. (a) The annual license and billable transaction fees for Class A and ~~B Secondhand Dealers and Auction House Dealers~~ licenses issued under this article shall be as established in ~~Appendix J,~~ the License Fee Schedule.

~~(b) The billable transaction fee shall be classified according to the medium by which daily reports required by section 321.110 are submitted to the police department. These classifications shall be as follows:~~

~~(1) Modem. Required of all Class A dealers, optional for Class B dealers.~~

~~(2) Manual. Required of all Class B dealers who do not fulfill Class A reporting requirements.~~

(~~e~~ b) The billable transaction license fee shall reflect the cost of processing transactions ~~from the respective classifications~~ and other related regulatory compliance and associated expenses as determined by the city council, and shall be reviewed and adjusted, if necessary, every six (6) months. ~~Dealers~~ Licensees shall be notified in writing thirty (30) days before any adjustment is implemented. ~~The billable transaction fee for modem transactions shall not exceed the billable transaction fee for manual transactions.~~

~~(1) The initial billable transaction fee for modem transaction shall be one dollar fifty cents (\$1.50) per transaction, regardless of the number of items in that transaction.~~

~~(2) The initial billable transaction fee for manual transaction shall be two dollars fifty cents (\$2.50) per transaction, regardless of the number of items in that transaction.~~

(~~d~~ c) Billable transaction fees shall be billed monthly and are due and payable within thirty (30) days. Failure to pay in accordance with these terms is a violation of this article.

Section 7. That Section 321.80 of the above-entitled ordinance be amended to read as follows:

321.80. - Application required. (a) Contents. Every applicant for a license defined in this article must submit a complete and accurate application on forms provided by the licensing official. All applicants, in addition to a general personal and criminal history, shall be required to submit adequate information to enable a fair determination of their eligibility to hold the license for which they are applying, including:

(1) Whether the applicant holds a current secondhand goods dealer, precious metal dealer, antique dealer or pawnbroker license from this or any other governmental unit.

(2) Whether the applicant has previously been denied, or has had a revoked or suspended, ~~a~~ secondhand goods dealer, precious metal dealer, antique dealer or pawnbroker license from this or any other governmental unit.

(3) The location of the business premises.

(4) The location at which the applicant's business records are maintained.

(5) If the applicant does not own the business premises, a true and complete copy of the executed lease, and the legal description of the premises to be licensed.

(6) Whether all real estate and personal property taxes that are due and payable for the premises to be licensed have been paid, and if not paid, the years and amounts which are unpaid.

~~(7) Whenever the application is for premises either planned or under construction or undergoing substantial alteration, the application must be accompanied by a set of preliminary plans showing the design of the proposed premises to be licensed.~~

~~(8) The applicant's hours of operation, on site management and parking facilities.~~

(~~9~~ 7) An executed data privacy advisory and consent form authorizing the release of criminal history information.

~~(10 8)~~ Such other information as the city council or issuing authority may require.

(b) New manager. When a ~~dealer~~ licensee places a manager in charge of a business, or if the named manager(s) in charge of a licensed business changes, the ~~dealer~~ licensee must complete and submit the appropriate application, on forms provided by the licensing official, within fourteen (14) days of the change. The application must include all appropriate information required in section 321.80.

(c) Application execution. All applications for a license under this chapter must be signed and sworn to under oath or affirmation by the applicant. If the application is that of a natural person, it must be signed and sworn to by such person; if that of a corporation, by an officer thereof; if that of a partnership, by one (1) of the general partners; and if that of an unincorporated association, by the manager or managing officer thereof.

(d) Investigation. The police license inspector shall investigate into the truthfulness of the statements set forth in the application and shall endorse the findings thereon. The applicant shall furnish to the police license inspector such evidence as the inspector may reasonably require in support of the statements set forth in the application, or in answer to any questions raised by the investigation.

(e) Public hearing. The council member of the ward in which the proposed business would be located may request a public hearing at council, or in the evening hours at a location in the approximate vicinity of the proposed location.

(f) Persons ineligible for a license. No licenses under this chapter will be issued to an applicant who is a natural person, a partnership if such applicant has any general partner or managing partner, a corporation or other organization if such applicant has any manager, proprietor or agent in charge of the business to be licensed, if the applicant:

(1) Is a minor at the time that the application is filed;

(2) Applying for a Class A license ~~Has~~ been convicted of any crime directly related to the occupation licensed as prescribed by Minnesota Statutes, section 364.03, subd. 2, and has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of a ~~dealer~~ licensee under this article as prescribed by Minnesota Statutes, section 364.03, subd. 3 ~~or~~.

~~(3) Is not of good moral character or repute.~~

Section 8. That Section 321.90 of the above-entitled ordinance be amended to read as follows:

321.90. - Bond required. Before a license will be issued for a Class A secondhand goods dealer, every applicant must submit a five thousand dollar (\$5,000.00) bond on the forms provided by the licensing official. All bonds must be conditioned that the principal will observe all laws in relation to secondhand goods dealers, and will conduct business in conformity thereto, and that the principal will account for and deliver to any person legally entitled, any goods which have come into the principal's hand through the principal's business as a secondhand goods dealer, or in lieu thereof, will pay the reasonable value in money to the person. The bond shall contain a provision that no bond may be canceled except upon thirty (30) days' written notice to the city, which shall be served upon the licensing official.

Section 9. That Section 321.100 of the above-entitled ordinance be amended to read as follows:

321.100. - Records required. (a) *Exempt transactions.* The following items, when received by a ~~dealer licensee~~, are exempt from recording and reporting requirements in this article, regardless of the purchase price paid by the ~~dealer licensee~~, asking price if consigned or brokered, or value attributed to it if accepted in trade:

(1) The receipt of new or used merchandise from an owner, merchant, manufacturer or wholesaler having an established permanent place of business, and the retail sale or transactions as defined in section 321.30 of said merchandise, ~~provided the secondhand dealer must maintain a record of all such transactions which describes each item, and must identify such items in a manner which relates them to that transaction record. Any identification code used by the dealer must be provided to the police license inspector or the inspector's designee(s) upon request.~~

(2) The sale or receipt of used merchandise donated to recognized non-profit organizations and for which no compensation is paid.

(3) The sale or receipt of large secondhand household kitchen and laundry appliances such as ranges, refrigerators, washers or dryers.

(4) The sale or receipt of secondhand furniture, excluding audio, video and other electronic devices.

(5) The sale or receipt of secondhand cookware, glassware and eating utensils that do not contain precious metals.

(6) The sale or receipt of secondhand clothing and shoes.

(7) The sale or receipt of secondhand infant's, toddler's or children's clothing, appliances, furniture, or safety devices.

(b) *Recordable transactions.* Every ~~dealer licensee~~, at the time of receipt of any item ~~which has a unique identifier, or is or contains precious metals or gems, regardless of the purchase price, asking price if consigned or brokered, or value attributed to it if accepted in trade, listed in section 321.110(a), or any other item for which the dealer licensee paid fifteen twenty-five dollars (\$15.00 \$25.00) or more, by check or other consideration, or which the dealer intends to offer for sale, or broker, for thirty dollars (\$30.00) or more, and which is not exempted in section 321.100(a), shall immediately and legibly record, using the English language, in ink or other indelible medium in a book, ~~on forms,~~ or into the APX Bix data capture software or other a computerized record system approved by the police license inspector, the following information:~~

(1) A complete and accurate description of each item including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such an item.

(2) The purchase price, asking price if consigned, or value attributed to item if accepted in trade, for each item received.

(3) Date and time the ~~dealer~~ licensee received the item of property.

(4) Full name, residence address, residence telephone number, date of birth, and accurate description of the person from whom the item of property was received, including: sex, height, weight, race, color of eyes and color of hair.

(5) The identification number and state of issue from any of the following forms of identification presented by the seller:

a. Current valid Minnesota driver's license.

b. Current valid Minnesota identification card.

c. Current valid photo driver's license or photo identification card issued by another state or province of Canada.

d. Current valid tribal identification card issued by the Minnesota or Wisconsin tribal government of a tribe recognized by the Bureau of Indian Affairs, United States, Department of the Interior, that contains security features as outlined in MN SS 171.027 © and is listed in the current version of the APS interchange file specifications.

(6) The signature of the person identified in the transaction.

(7) Class A ~~dealers~~ licensees only. In addition to requirements of section 321.100(b)(1) through (6), effective sixty (60) days from the date of notification by the police license inspector of acceptable video standards, ~~but no sooner than January 1, 1999,~~ all Class A ~~dealers~~ licensees must take a color digital photograph or color video recording of:

~~a. Each customer person, from whom the item of property was received, involved in a reportable transaction as defined in section 321.110(a).~~

~~b. Every item received which does not have a unique identifier, and which is, or contains, precious metal(s) or precious gem(s).~~

~~(8) If a photograph is taken, it must be done in a format that will produce a picture at least two (2) inches in length by two (2) inches in width and must be maintained in such a manner that the photograph, if the film is developed, or frame, if the film is exposed but not developed, can be readily matched and correlated with all other records of the transaction to which it relates. Such photographs, or the undeveloped film containing them, must be available to the chief of police or the chief's designee upon request. The major portion of the photograph must include an identifiable front facial close-up of the person who sold, consigned or traded the item. Items photographed must be accurately depicted.~~

~~If a video photograph is taken, the video camera must record the person selling, consigning or trading the item so as to include an identifiable close up of that person's face. Items photographed by video must be accurately depicted. Video photographs must be electronically referenced by time and date so they can be readily matched and correlated with all other records of the transaction to which they relate. The dealer must inform the person that they are being photographed or videotaped by displaying~~

~~a sign of sufficient size in a conspicuous place on the premises. The dealer must keep the photographs or exposed videotape or film for ninety (90) days.~~

Digital photographs. Effective sixty (60) days from the date of notification by the police license representative, Class A licensees must fulfill the color photograph requirements in section 321.100(b)(7) by submitting them as digital images, in the format specified in the current image file requirement section of the current version of the APS interchange file specifications.

The major portion of the digital image photograph of the customer must include a clear identifiable front facial close up of the customer. Photographs of the items must show a clear close up of the item accurately depicting any unique and identifiable features and markings. The digital images of the person and items must be uploaded daily along with their referenced and corresponding transaction records in accordance with the APS interchange file specifications. Notwithstanding the digital images may be captured from required video recordings, this provision does not alter or amend the requirements in section 321.100(b)(9). Items photographed must be accurately depicted and show all identifying or unique features and markings. The Class A licensee must orally inform the person that he or she is being photographed and by displaying a sign of sufficient size in a conspicuous place in the premises indicating the same.

~~(9) Digitized photographs.~~ Effective sixty (60) days from the date of notification by the police license inspector, but no sooner than July 1, 1999, Class A dealers must fulfill the color photograph requirements in section 321.100(b)(7) by submitting them as digital images, in a format specified by the issuing authority, and electronically cross referenced to the reportable transaction they are associated with. ~~Notwithstanding the digital images may be captured from required video recordings, this provision does not alter or amend the requirements in section 321.100(b)(7).~~ Video recordings. The video photograph taken must zoom in on the person selling the item so as to include an identifiable close up of that person's face. Items photographed by video must be accurately depicted. Video photographs must be electronically referenced by time and date so they can be readily matched and correlated with all other records of the transaction to which they relate. The Class A licensee must orally inform the person that he or she is being videotaped and display a sign of sufficient size in a conspicuous place on the premises indicating the same. The Class A licensee must keep the exposed videotape for ninety (90) days in a safe and secure manner so as not to denigrate the conditions and quality of the images. Such video must be available to the chief of police or the chief's designee, upon request.

This provision does not alter or amend the requirements in section 321.100(b)7.

(10) *Inspection of records.* The records must at all reasonable times be open to inspection by the police department or licensing official. Records of all transactions shall be retained for at least three (3) years from the date of transaction. Entries of digital images, when implemented, shall be retained a minimum of ninety (90) days.

Section 10. That Section 321.110 of the above-entitled ordinance be amended to read as follows:

321.110. - Daily reports to police. (a) Reportable transactions. Except for items received through consignment, or for which payment in full is made with a credit or voucher redeemable for merchandise from the ~~dealer licensee~~, every ~~dealer~~ Class A licensee shall report daily, to the police department, any ~~recordable~~ transaction in which one (1) or more of the following items is received, regardless of the purchase price, asking price if consigned or brokered, or value attributed to it if accepted in trade:

- (1) Any item with a unique identifier, serial number, owner applied number or other identifier.
- (2) Items containing precious metals.
- (3) Items containing precious or semi-precious gems.
- (4) Firearms.
- (5) Any of the following items: ~~for which the dealer paid twenty five dollars (\$25.00) or more, in cash or other consideration, or which the dealer intends to offer for sale, or broker, for fifty dollars (\$50.00) or more.~~
 - a. Electronic audio equipment.
 - b. Electronic video equipment.
 - c. Musical instruments and accessories.
 - d. Photographic and optical equipment, scopes, night vision equipment, and security cameras.
 - e. Electronic ~~office equipment~~ game player units.
 - f. Computers, monitors, printers, scanners, ~~and computer hardware,~~ global positioning systems (GPS), cameras, lenses, electronic multi-media devices, electronic readers, iPads, and wrist monitor computers, etc.
 - g. Cellular telephones, ~~and pagers,~~ and voice recorders.
 - h. Outboard motors, inboard ~~drives~~ motors, and powered golf carts.
 - i. Electric and gas powered yard or garden equipment and tools.
 - j. Electric, pneumatic or hydraulic powered construction or mechanic's equipment or tools.
- (6) Sporting equipment limited to bicycles, golf clubs, snow boards, skis, ski boots, snowboards, and hockey ~~goalie pads,~~ ~~regardless of the purchase price, asking price if consigned or brokered, or value attributed to them if accepted in trade, or any other item for which the secondhand dealer paid one hundred dollars (\$100.00) or more, in cash or other consideration, or which the secondhand dealer intends to offer for sale, or broker, for two hundred dollars (\$200.00) or more~~ skates and equipment.
- (7) Architectural elements, lighting fixtures or lamps that are, or contain, stained, etched, leaded, beveled or art glass, limited to those which the ~~secondhand dealer~~ licensee paid one hundred fifty dollars (\$150.00) or more, in cash or other consideration, or which the ~~secondhand dealer~~ licensee intends to offer for sale, or broker, for three hundred dollars (\$300.00) or more.

(8) Artist signed or artist attributed works of art, other than architectural elements, lighting fixtures or lamps, limited to those for which the ~~secondhand dealer licensee~~ paid two hundred fifty dollars (\$250.00) or more, in cash or other consideration, or which the ~~secondhand dealer licensee~~ intends to offer for sale, or broker, for five hundred dollars (\$500.00) or more.

(b) *Method.* ~~Dealers Class A licensees~~ must provide all the required reportable transaction data to the police department with the information required in section 321.100(b)(1) through (6), in writing, on forms approved by the police license inspector, by inputting the data into the APS Biz data capture software or via an electronic upload to APS from the PDS system in accordance with the current version of the APS interchange files specifications, or in another manner, if approved by the police license inspector. Class B licensees must make reportable transactions available to the police license inspector as required by section 321.100(b)(10) for all reportable transactions. The ~~dealer Class A licensee~~ must display a sign of sufficient size, and in a conspicuous place in on the premises, so as to inform all patrons that transactions are reported to the police department daily. ~~Effective sixty (60) days from the date the police license inspector provides dealers with computerized record standards, but no sooner than January 1, 1999, dealers must submit every reportable transaction to the police department daily in the following manner:~~

~~(1) Class A dealers must, and Class B dealers may, provide to the police department the information required in section 321.100(1) through (5), for all reportable transactions, by transferring it from their computer to the police department via modem. All required records must be transmitted completely and accurately after the close of business each day in accordance with standards and procedures established by the issuing authority using a dial callback protocol or other procedures that address security concerns of the dealers and the issuing authority.~~

~~(2) Class B dealers who do not fulfill requirements of section 321.110(b)(1) must provide to the police department the information required in section 321.100(b)(1) through (6), in writing, on forms approved by the police department, by 12:00 noon the first business day following the date of the transaction.~~

(c) *Billable transaction fees.* ~~Dealers, regardless of class, Licensees~~ will be charged for billable transactions at the current rate for the medium by which they were reported to the police department ~~except:~~ listed in the License Fee Schedule. If a licensee is unable to successfully upload the required reports due to computer, ISP or software problems, the licensee must provide the police department with printed copies of all reportable transactions for that date for 12:00 noon the next business day.

~~(1) If a Class A dealer, or a Class B dealer who has consistently reported via modem, is unable to successfully transfer the required reports by modem, the dealer must provide the police department printed copies of all reportable transactions for that date by 12:00 noon the next business day, and must be charged at the modem rate for billable transactions;~~

~~(2) If the problem is determined to be in the dealer's system and is not corrected by the close of the first business day following the failure, the dealer must provide the required reports as detailed in section 321.110(c)(1), and must be charged at the modem rate for transactions through the close of the first business day following the failure, and at the manual rate for all subsequent billable transactions, until the error is corrected; or~~

~~(3) If the problem is determined to be outside the dealer's system, the dealer must provide the required reports as detailed in section 321.110(c)(1), and will be billed at the modem rate for billable transactions until the error is corrected.~~

~~(4) If a Class A dealer, or a Class B dealer who has consistently reported via modem, is unable to capture, digitize or transmit the photographs required in section 321.100(7) and (8), when implemented, the dealer shall immediately take all required photographs with a still camera, develop the pictures, cross-reference the photographs to the related transaction, and deliver them to the police department by twelve (12) o'clock noon the next business day. Billable transactions will be charged at the modem rate for transactions through the close of the first business day following the failure, and at the manual rate for all subsequent billable transactions, until the error is corrected.~~

~~(5) Section 321.110(c)(1) through (5) notwithstanding, the police license inspector may, upon presentation of extenuating circumstances, extend the period that a qualifying dealer is billed at the modem rate for billable transactions.~~

Section 11. That Section 321.120 of the above-entitled ordinance be amended to read as follows:

321.120. - Receipt required. Every dealer licensee must provide a receipt, upon request, to any person from whom they received goods for which a record was required in section 321.100, and must maintain a duplicate of that receipt for three (3) years. The receipt must include sufficient information to enable the police license inspector or the inspector's designee(s) to identify the transaction, and every item related to it, in the dealer's licensee's records.

Section 12. That Section 321.130 of the above-entitled ordinance be amended to read as follows:

321.130. - Payment by check or credit card only. When a dealer licensee buys or otherwise receives an item, payment shall be made by check or credit card only. Checks shall be made payable to a named payee who is the actual and identified seller.

Section 13. That Section 321.140 of the above-entitled ordinance be amended to read as follows:

321.140. - Holding period. Any item received by a dealer licensee, for which a report to the police is required in section 321.110, shall not be sold or otherwise transferred for thirty (30) days after the date the police receive such report except as provided in section 321.200. Items may not be altered, modified or changed in anyway during the holding period. Items cannot be removed from the business to another physical location during the holding period except to an approved off-site storage facility as stated in section 321.200.

Section 14. That Section 321.150 of the above-entitled ordinance be amended to read as follows:

321.150. - Police order to hold property. (a) *Investigative hold.* Whenever a law enforcement official from any agency notifies a dealer licensee ~~not~~ to not sell an item, the item must not be sold or removed from the premises. The investigative hold shall be confirmed in writing by the originating agency within seventy-two (72) hours and will remain in effect for fifteen (15) days from the date of initial notification, or until the investigative order is canceled, or until an order to hold/confiscate is issued, pursuant to section 321.150(b), whichever comes first.

(b) *Order to hold.* Whenever the chief of police or the chief's designee notifies a ~~dealer not~~ licensee to not sell an item, the item must not be sold or removed from the licensed premises until authorized to be released by the chief of police or the chief's designee. The order to hold shall expire ninety (90) days from the date it is placed unless the chief of police or the chief's designee determines the hold is still necessary and notifies the ~~dealer~~ licensee in writing.

(c) *Order to confiscate.* If an item is identified as stolen or evidence in a criminal case, the chief of police or the chief's designee may:

(1) Physically confiscate and remove it from the shop, pursuant to a written order from the chief of police or the chief's designee, or

(2) Place the item on hold or extend the hold as provided in section 321.150(b), and leave it in the shop.

When an item is confiscated, the person doing so shall provide identification upon request of the ~~dealer~~ licensee, and shall provide the ~~dealer~~ licensee the name and phone number of the confiscating agency and investigator, and the case number related to the confiscation. When an order to hold/confiscate is no longer necessary, the chief of police or the chief's designee shall so notify the ~~dealer~~ licensee.

Section 15. That Section 321.170 of the above-entitled ordinance be amended to read as follows:

321.170. - Label required. ~~Dealers~~ Licensees must attach a label to every item, for which a report to the police department is required in section 321.110, at the time it is received in inventory. Permanently recorded on this label must be the number or name that identifies the transaction in the ~~dealer's~~ licensee's records, the name of the item, and the date the item can be sold. Labels shall not be re-used.

Section 16. That Section 321.180 of the above-entitled ordinance be amended to read as follows:

321.180. - Prohibited acts. The following acts are prohibited under this article:

(a) No person under the age of eighteen (18) years may sell or consign, or attempt to sell or consign, any goods with any ~~dealer~~ licensee, nor may any ~~dealer~~ licensee receive any goods from a person under the age of eighteen (18) years.

(b) No ~~dealer~~ licensee may receive any goods from a person of unsound mind or an intoxicated person.

(c) No ~~dealer~~ licensee may receive any goods unless the seller presents one of the following forms of identification:

(1) Current valid Minnesota driver's license.

(2) Current valid Minnesota identification card.

(3) Current valid photo driver's license or photo identification card issued by another state or province of Canada.

(4) Current valid tribal identification card issued by a Minnesota or Wisconsin tribal government of the tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains security features as outlined in MN SS 171.027(c) and that is listed in the current version of the APS interchange file specifications.

(d) No ~~dealer~~ licensee may receive any item of property that possesses an altered or obliterated serial number or "operation identification" number, or any item of property that has had its serial number removed.

Section 17. That Section 321.190 of the above-entitled ordinance be amended to read as follows:

321.190. - Denial, suspension or revocation. Any license under this article may be denied, suspended or revoked for one or more of the following reasons:

(a) The proposed use does not comply with the Minneapolis Zoning Code.

(b) The proposed use does not comply with any health, building, building maintenance or other provisions of this Code of Ordinances or state law.

(c) The applicant or ~~dealer~~ licensee has failed to comply with one or more provisions of this chapter.

~~(d) The applicant is not a citizen of the United States or a resident alien, or upon whom it is impractical or impossible to conduct a background or financial investigation due to the unavailability of information.~~

(e d) Fraud, misrepresentation, or bribery in securing or renewing a license.

(f e) Fraud, misrepresentation or false statements made in the application and investigation for, or in the course of, the applicant's business.

(g f) Business practices, or conduct, deemed by the issuing authority to be contrary to the best interests, or safety, of the public.

(h g) Violation within the preceding five (5) years, of any law relating to theft, damage or trespass to property, sale of a controlled substance, or the operation of a business.

(i h) The owner of the premises licensed or to be licensed would not qualify for a license under the terms of this article.

Section 18. That Section 321.200 of the above-entitled ordinance be amended to read as follows:

321.200. - Off-site storage. Upon written request, the police license inspector may approve an off-site locked and secured storage facility. The ~~dealer~~ licensee shall permit inspection of the facility in accordance with section 321.160. All provisions of this article regarding record keeping and reporting apply to the facility and its contents. Property shall be stored in compliance with all provisions of the city code. The ~~dealer~~ licensee must either own the building in which the business is conducted, and any approved off-site storage facility, or have a lease on the business premises.

Section 19. That Article II, Chapter 321 of the Minneapolis Code of Ordinances be and is hereby repealed.

ARTICLE II. ~~ANTIQU~~ DEALERS

~~321.220. Definitions.~~ When used in this article:

~~Antique shall mean any used property offered for sale upon the basis, express or implied, that the value of the property, in whole or in substantial part, is derived from its age or its historical association and exceeds the original value of the item when new.~~

~~Antique dealer shall mean any natural person, partnership or corporation, either as principal or agent or employee thereof, whose regular business includes selling or receiving goods previously owned, used, rented or leased, and where at least ninety (90) percent, measured according to value, of the used goods on hand at all times, consists of antiques, offered for sale upon the basis, express or implied, that the value of the property, in whole or in substantial part, is derived from its age or its historical association and exceeds the original value of the item when new. For purposes of this article, antique dealer shall include antique mall operator and antique mall dealer unless otherwise delineated.~~

~~Antique mall dealer shall mean an antique dealer who leases space from, or conducts business at, a location licensed by an antique mall operator.~~

~~Antique mall operator shall mean any natural person, partnership or corporation, either as principal, or agent thereof, who operates a business at which one (1) or more antique mall dealers are engaged in business by maintaining separate sales space and identifying themselves to the public as individual antique dealers, and where all of the following requirements are met:~~

~~(a) The business has a single name and address.~~

~~(b) The business operates in a compact and contiguous space.~~

~~(c) The business is under the unified control and supervision of one (1) person, partnership, firm or corporation, which shall hold the antique mall operator license.~~

~~(d) All sales are consummated at a central point or register operated by the antique mall operator and the antique mall operator maintains a comprehensive account of all sales.~~

~~(e) Each antique mall dealer operating at the antique mall operator's location is properly licensed and complies with all applicable requirements of this article.~~

~~(f) The antique mall operator maintains a complete and accurate file of the current and valid licenses issued to each of the antique mall dealers conducting business at that location.~~

~~(g) Individuals, partnerships or corporations that are a part of the business entity licensed as the antique mall operator, and who maintain separate sales space, or identify themselves to the public as an individual antique dealer at that location, are also individually licensed as antique mall dealers.~~

~~Billable transaction shall mean every reportable transaction conducted by an antique dealer, regardless of the number of items received in that transaction.~~

~~Business manager shall mean a person(s) designated by the licensee to operate a business in the licensee's absence. A licensee, other than an antique mall dealer, must designate a manager to operate the licensed business if the licensee does not personally provide on-site supervisory services at the business at least sixty four (64) hours per month.~~

~~Consignment shall mean a written agreement between a dealer and a seller that enables the dealer to take temporary possession of secondhand property, owned by the seller, for the purpose of offering it for sale to the public. Agreement shall state the terms under which the seller will be compensated, and the amount of that compensation.~~

~~Dealer shall mean any natural person, partnership or corporation, either as principal or agent or employee thereof, licensed under this article.~~

~~Precious gems shall mean any gem that is valued for its character, rarity, beauty or quality, including diamonds, rubies, emeralds, sapphires or pearls, or any other such precious gems or stones, whether as a separate item or in combination as a piece of jewelry or other crafted item.~~

~~Precious metals shall mean gold, silver, platinum, and sterling silver, whether as a separate item or in combination as a piece of jewelry or other crafted item, except items plated with precious metal(s) and the plating equals less than one (1) percent of the items total weight.~~

~~Receive shall mean to purchase, accept for sale on consignment, broker, or receive in trade for an item of equal or lesser value, any tangible personal property previously owned, used, rented or leased.~~

~~Recordable transaction shall mean every transaction conducted by a secondhand dealer in which merchandise defined in section 321.310 is received, offered for sale, or intended for sale, whether inside or outside the City of Minneapolis.~~

~~Reportable transaction shall mean every transaction conducted by an antique dealer, inside the City of Minneapolis, in which merchandise defined in section 321.320(a) is received, and for which a daily report to the police department is required.~~

~~Unique identifier shall mean a serial number, identification number, model number, owner applied identifier or engraving, "operation ID" number or symbol, or other unique marking.~~

~~**321.230. — License required.** (a) No person shall engage in the business of antique dealer without a license. No license may be transferred to a different location or a different person. Licenses shall be conspicuously displayed. Issuance of a license under this article shall not relieve the dealer from obtaining any other licenses required to conduct business at the same or any other locations. A dealer licensed under this article shall also obtain a precious metal dealer's license if required to do so under Chapter 322. Persons licensed under Chapter 324 shall not be eligible for a license under this chapter for the same location.~~

~~(b) Chapter 321.230(a) notwithstanding, antique dealers may receive reportable property at a private residence or other private location, providing they fulfill all applicable requirements in this article.~~

321.240. — Exceptions. The following transactions shall not require a license under this article:

~~(a) The sale of reportable goods at events commonly known as "garage sales," "yard sales" or "estate sales" where all of the following are present:~~

~~(1) The sale is held on property occupied as a dwelling by the seller or owned, rented or leased by a charitable or political organization.~~

~~(2) The occupant owns the items offered for sale and that none of the items offered for sale shall have been purchased for resale or received on consignment for purpose of resale.~~

~~(3) The owner of the property conducts the sale and receives all proceeds from the sale.~~

~~(4) That no sale exceeds a period of seventy-two (72) consecutive hours. That no more than two (2) sales are held in any twelve-month period at any residential dwelling.~~

~~(b) The sale or receipt of secondhand books, magazines, post cards, postage stamps, or philatelic material.~~

~~(c) Transactions conducted by a secondhand goods dealer pursuant to Article I of this chapter.~~

~~(d) Goods sold at an exhibition pursuant to Article III of this chapter.~~

~~(e) Goods sold at the public market pursuant to the provisions of Chapter 201 of the Minneapolis Code of Ordinances.~~

~~(f) Transactions conducted by a precious metals dealer licensed under Chapter 322 of the Minneapolis Code of Ordinances, and for which a precious metal dealer's license is required.~~

~~(g) Transactions conducted by a pawnbroker licensed under Chapter 324 of the Minneapolis Code of Ordinances.~~

~~(h) Transactions conducted by a used auto part dealer licensed under Chapter 348 of the Minneapolis Code of Ordinances.~~

321.250. — License classifications. ~~(a) Licenses renewed under provisions of this article shall be classified first according to the number of transactions submitted annually to the police department during the twelve (12) month period ending thirty (30) days prior to their renewal date, and then by the type of license. The classifications shall be:~~

~~(1) Class A—Licensees that submitted four hundred (400) or more transactions.~~

~~(2) Class B—Licensees that submitted fewer than four hundred (400) transactions.~~

~~(b) All new licenses issued pursuant to this article after July 1, 1998 shall be deemed to be Class A licenses unless:~~

~~(1) Applicant's business plan clearly indicates business will conduct fewer than four hundred (400) reportable transactions in any consecutive twelve (12) month period, or~~

~~(2) If the applicant has any ownership, management or financial interest in any other businesses licensed under Chapters 321, 322 or 324, and the total number of reportable transactions from all businesses licensed pursuant to these chapters, including those projected from the new business, is fewer than four hundred (400) in the consecutive twelve (12) month period ending thirty (30) days prior to the date of the new application.~~

~~All new Class B licenses issued pursuant to this article after July 1, 1998 shall be monitored by the police license inspector and upgraded to a Class A license whenever four hundred (400) or more reportable transactions are, or should have been, submitted within any consecutive twelve (12) month period. Licensees shall be subject to all applicable Class A fees and regulations sixty (60) days after being notified in writing of the upgrade, but not sooner than January 1, 1999.~~

321.260. License fees. ~~(a) The annual license fees for licenses issued under this article shall be as established in Appendix J, License Fee Schedule.~~

~~(b) The billable transaction fee shall be classified according to the medium by which daily reports required by section 321.320 are submitted to the police department. These classifications shall be as follows:~~

~~(1) Modem. Required of all Class A dealers, optional for Class B dealers.~~

~~(2) Manual. Required of all Class B dealers who do not fulfill Class A reporting requirements.~~

~~(c) The billable transaction fee shall reflect the cost of processing transactions from the respective classifications and other related regulatory expenses as determined by the city council, and shall be reviewed and adjusted, if necessary, every six (6) months. Licensees shall be notified in writing thirty (30) days before any adjustment is implemented. The billable transaction fee for modem transactions shall not exceed the billable transaction fee for manual transactions.~~

~~(1) The initial billable transaction fee for modem transaction shall be one dollar fifty cents (\$1.50) per transaction, regardless of the number of items in that transaction.~~

~~(2) The initial billable transaction fee for manual transaction shall be two dollars fifty cents (\$2.50) per transaction, regardless of the number of items in that transaction.~~

~~(d) Billable transaction fees shall be billed monthly and are due and payable within thirty (30) days. Failure to pay in accordance with these terms is a violation of this article.~~

321.270. Investigation fee. ~~An applicant for a new license under this article, or for the renewal of an existing license that is more than six (6) months past due, or for a new manager as specified in section 321.90, subd. (b), shall reimburse the city for any extraordinary costs or investigative expenses involved in verifying the license application or assuring compliance with this ordinance. When the police license inspector or the inspector's designee determine an application may require extraordinary investigative expenses, the applicant will be notified and given the opportunity to withdraw the application. If the investigation process is conducted solely within the State of Minnesota, the fee shall not exceed five hundred dollars (\$500.00). If~~

the investigation is conducted outside the State of Minnesota, the issuing authority may recover the actual investigation costs not exceeding ten thousand dollars (\$10,000.00).

~~321.280. — When licenses expire.~~ Licenses issued under this article shall expire on July first of each year.

~~321.290. — Application required.~~ (a) Contents. Every applicant for a license defined in this article must submit a complete and accurate application on forms provided by the licensing official. All applicants, in addition to a general personal and criminal history, shall be required to submit adequate information to enable a fair determination of their eligibility to hold the license for which they are applying, including all of the following which are reasonably applicable:

~~(1) Whether the applicant holds a current secondhand dealer, precious metal dealer, antique dealer or pawnbroker license from this or any other governmental unit.~~

~~(2) Whether the applicant has previously been denied, or had revoked or suspended, a secondhand dealer, precious metal dealer, antique dealer or pawnbroker license from this or any other governmental unit.~~

~~(3) The location of the business premises.~~

~~(4) The location at which the applicant's business records are maintained.~~

~~(5) If the applicant does not own the business premises, a true and complete copy of the executed lease, and the legal description of the premises to be licensed.~~

~~(6) Whether all real estate and personal property taxes that are due and payable for the premises to be licensed have been paid, and if not paid, the years and amounts which are unpaid.~~

~~(7) Whenever the application is for premises either planned or under construction or undergoing substantial alteration, the application must be accompanied by a set of preliminary plans showing the design of the proposed premises to be licensed.~~

~~(8) The applicant's business plan including, at a minimum, hours of operation, on-site management and parking facilities.~~

~~(9) An executed data privacy advisory and consent form authorizing the release of criminal history information.~~

~~(10) Such other information as the city council or issuing authority may require.~~

~~(b) New manager. When a dealer places a manager in charge of a business, or if the named manager(s) in charge of a licensed business changes, the dealer must complete and submit the appropriate application, on forms provided by the licensing official, within fourteen (14) days of the change. The application must include all appropriate information required in section 321.290.~~

~~(c) Application execution. All applications for a license under this chapter must be signed and sworn to under oath or affirmation by the applicant. If the application is that of a natural person, it must be signed and sworn to by such person; if that of a corporation, by an officer thereof; if that of a~~

partnership, by one (1) of the general partners; and if that of an unincorporated association, by the manager or managing officer thereof.

~~(d) Investigation. The police license inspector shall investigate into the truthfulness of the statements set forth in the application and shall endorse the findings thereon. The applicant shall furnish to the police license inspector such evidence as the inspector may reasonably require in support of the statements set forth in the application, or in answer to any questions raised by the investigation.~~

~~(e) Public hearing. The council member of the ward in which the proposed business would be located may request a public hearing at council, or in the evening hours at a location in the approximate vicinity of the proposed location.~~

~~(f) Persons ineligible for a license. No licenses under this chapter will be issued to an applicant who is a natural person, a partnership if such applicant has any general partner or managing partner, a corporation or other organization if such applicant has any manager, proprietor or agent in charge of the business to be licensed, if the applicant:~~

~~(1) Is a minor at the time that the application is filed;~~

~~(2) Has been convicted of any crime directly related to the occupation licensed as prescribed by Minnesota Statutes, section 364.03, subd. 2, and has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of a dealer under this article as prescribed by Minnesota Statutes, section 364.03, subd. 3; or~~

~~(3) Is not of good moral character or repute.~~

321.300. — Bond required. ~~(a) Antique dealers. Before a license will be issued for an antique dealer, every applicant must submit a five thousand dollar (\$5,000.00) bond on the forms provided by the licensing official. All bonds must be conditioned that the principal will observe all laws in relation to dealers, and will conduct business in conformity thereto, and that the principal will account for and deliver to any person legally entitled, any goods which have come into the principal's hand through the principal's business as a dealer, or in lieu thereof, will pay the reasonable value in money to the person. The bond shall contain a provision that no bond may be canceled except upon thirty (30) days' written notice to the city, which shall be served upon the licensing official.~~

~~(b) Antique mall operators. Before a license will be issued for an antique mall operator, every applicant must submit a ten thousand dollar (\$10,000.00) antique mall operator bond on forms provided by the licensing official. All antique mall operator bonds must be conditioned that the operator, and all mall antique dealers licensed to conduct business at the operator's location, will observe all laws in relation to dealers, will conduct business in conformity thereto, and that the operator will account for and deliver to any person legally entitled, any goods which have come into the hands of the operator, or the hands of any of its antique mall dealers, through their business as a dealer, or in lieu thereof, will pay the reasonable value in money to the person. The bond shall contain a provision that no bond may be canceled except upon thirty (30) days' written notice to the city, which shall be served upon the licensing official.~~

~~(c) Antique mall dealers. Before a license will be issued for an antique mall dealer, the licensing official must have in its possession a valid antique mall operator bond issued to the licensed antique mall operator at the location for which the applicant is applying.~~

~~**321.310. — Records required.** (a) Exempt transactions. The following item(s), when received by a dealer, are exempt from recording and reporting requirements in this article, regardless of the purchase price paid by the dealer, asking price if consigned or brokered, or value attributed to it if accepted in trade:~~

~~(1) The receipt of new or used merchandise from a merchant, manufacturer or wholesaler having an established permanent place of business, and the retail sale of said merchandise, provided the secondhand dealer must maintain a record of all such transactions which describes each item, and must identify such items in a manner which relates them to that transaction record. Any identification code used by the dealer must be provided to the police license inspector or the inspector's designee(s) upon request.~~

~~(2) The sale or receipt of used merchandise donated to recognized non profit organizations and for which no compensation is paid.~~

~~(3) The sale or receipt of secondhand clothing and shoes.~~

~~(b) Recordable transactions. Every dealer, at the time of receipt of any item which the dealer was required to pay for by check, and which has a unique identifier, or is or contains precious metals or gems, regardless of the purchase price, asking price if consigned or brokered, or value attributed to it if accepted in trade, or any other item for which the dealer paid fifteen dollars (\$15.00) or more, by check or other consideration, or which the dealer intends to offer for sale, or broker, for thirty dollars (\$30.00) or more, and which is not exempted in section 321.310(a), shall immediately and legibly record, using the English language, in ink or other indelible medium in a book, on forms, or in a computerized record approved by the police license inspector, the following information:~~

~~(1) A complete and accurate description of each item including, but not limited to, any trademark, identification number, serial number, model number, brand name, or other identifying mark on such an item.~~

~~(2) The purchase price, asking price if consigned, or value attributed to item if accepted in trade, for each item received.~~

~~(3) Date and time the dealer received the item.~~

~~(4) Full name, residence address, residence telephone number, date of birth, and accurate description of the person from whom the item of property was received, including: sex, height, weight, race, color of eyes and color of hair.~~

~~(5) The identification number and state of issue from any of the following forms of identification presented by the seller:~~

~~a. — Current valid Minnesota driver's license.~~

~~b. Current valid Minnesota identification card.~~

~~c. Current valid photo driver's license or photo identification card issued by another state or province of Canada.~~

~~(6) The signature of the person identified in the transaction.~~

~~(7) Class A dealers only. In addition to requirements of section 321.310(b)(1) through (6), effective sixty (60) days from the date of notification by the police license inspector of acceptable video standards, but no soon than January 1, 1999, all class A dealers must take a color photograph or color video recording of:~~

~~a. Each customer involved in a reportable transaction as defined in section 321.320(a).~~

~~b. Every item received that does not have a unique identifier, and which is, or contains, precious metal(s), precious gem(s) or precious stone(s).~~

~~(8) If a photograph is taken, it must be done in a format that will produce a picture at least two (2) inches in length by two (2) inches in width and must be maintained in such a manner that the photograph, if the film is developed, or frame, if the film is exposed but not developed, can be readily matched and correlated with all other records of the transaction to which it relates. Such photographs, or the undeveloped film containing them, must be available to the chief of police or the chief's designee upon request. The major portion of the photograph must include an identifiable front facial close-up of the person who sold, consigned or traded the item. Items photographed must be accurately depicted.~~

~~If a video photograph is taken, the video camera record the person selling, consigning or trading the item so as to include an identifiable close-up of that person's face. Items photographed by video must be accurately depicted. Video photographs must be electronically referenced by time and date so they can be readily matched and correlated with all other records of the transaction to which they relate. The dealer must inform the person that they are being photographed or videotaped by displaying a sign of sufficient size in a conspicuous place on the premises. The dealer must keep the photographs or exposed videotape or film for ninety (90) days.~~

~~(9) Digitized photographs. Effective sixty (60) days from the date of notification by the police license inspector, but not sooner than July 1, 1999, Class A dealers must fulfill the color photograph requirements in section 321.310(b)(7) by submitting them as digital images, in a format specified by the issuing authority, and electronically cross-referenced to the reportable transaction they are associated with. Notwithstanding the digital images may be captured from required video recordings, this provision does not alter or amend the requirements in section 321.310(b)(7).~~

~~(10) Inspection of records. The records must at all reasonable times be open to inspection by the police department or licensing official. Records of all transactions shall be retained for at least three (3) years from the date of transaction. Entries of required digital images, when implemented, shall be retained a minimum of ninety (90) days.~~

~~**321.320. Daily reports to police.** (a) Reportable transactions. Except for items received through consignment, or for which payment in full was made with a credit or voucher redeemable for merchandise from the dealer, every dealer shall report daily, to the police department, any recordable transaction in~~

~~which one or more of the following items is received, regardless of the purchase price, asking price if consigned or brokered, or value attributed to it if accepted in trade:~~

~~(1) Any item with a unique identifier.~~

~~(2) Any item containing precious metals.~~

~~(3) Any item containing precious gems.~~

~~(4) Firearms.~~

~~(5) Any of the following for which the dealer paid two hundred fifty dollars (\$250.00) or more, in cash or other consideration, or which the dealer intends to offer for sale, or broker, for five hundred dollars (\$500.00) or more.~~

~~a. Antique audio or video equipment.~~

~~b. Antique musical instruments.~~

~~c. Antique photographic and optical equipment.~~

~~d. Antique sporting equipment.~~

~~(6) Architectural elements, lighting fixtures or lamps that are, or contain, stained, etched, leaded, beveled or art glass, limited to those which the dealer paid one hundred fifty dollars (\$150.00) or more, in cash or other consideration, or which the dealer intends to offer for sale, or broker, for three hundred dollars (\$300.00) or more.~~

~~(7) Artist signed or artist attributed works of art, other than architectural elements, lighting fixtures or lamps, limited to those for which the dealer paid two hundred fifty dollars (\$250.00) or more, in cash or other consideration, or which the dealer intends to offer for sale, or broker, for five hundred dollars (\$500.00) or more.~~

~~(b) Method. Dealers must provide to the police department the information required in section 321.310(b)(1) through (6), in writing, on forms approved by the police license inspector, for all reportable transactions. The dealer must display a sign of sufficient size, and in a conspicuous place in the premises, so as to inform all patrons that transactions are reported to the police department daily. Effective sixty (60) days from the date the police license inspector provides dealers with computerized record standards, but no sooner than January 1, 1999, dealers must submit every reportable transaction to the police department daily in the following manner:~~

~~(1) Class A dealers must, and Class B dealers may, provide to the police department the information required in section 321.310(b)(1) through (5), for all reportable transactions, by transferring it from their computer to the police department via modem. All required records must be transmitted completely and accurately after the close of business each day in accordance with standards and procedures established by the issuing authority using a dial callback protocol or other procedures that address security concerns of the dealers and the issuing authority.~~

~~(2) Class B dealers who do not fulfill requirements of section 321.320(b)(1) must provide to the police department the information required in section 321.310(b)(1) through (6), in writing, on forms approved by the police department, by 12:00 noon the first business day following the date of the transaction.~~

~~(c) Billable transaction fees. Dealers, regardless of class, will be charged for billable transactions at the current rate for the medium by which they were reported to the police department except:~~

~~(1) If a Class A dealer, or a Class B dealer who has consistently reported via modem, is unable to successfully transfer the required reports by modem, the dealer must provide the police department printed copies of all reportable transactions for that date by 12:00 noon the next business day, and must be charged at the modem rate for billable transactions;~~

~~(2) If the problem is determined to be in the dealer's system and is not corrected by the close of the first business day following the failure, the dealer must provide the required reports as detailed in section 321.320(c)(1), and must be charged at the modem rate for transactions through the close of the first business day following the failure, and at the manual rate for all subsequent billable transactions until the error is corrected; or~~

~~(3) If the problem is determined to be outside the dealer's system, the dealer must provide the required reports as detailed in section 321.320(c)(1), and will be billed at the modem rate for billable transactions until the error is corrected.~~

~~(4) If a Class A dealer, or a Class B dealer who has consistently reported via modem, is unable to capture, digitize or transmit the photographs required in section 321.310(b)(7) and (8), when implemented, the dealer shall immediately take all required photographs with a still camera, develop the pictures, cross-reference the photographs to the correct transaction, and deliver them to the police department by twelve (12) o'clock noon the next business day. Billable transactions will be charged at the modem rate for transactions through the close of the first business day following the failure, and at the manual rate for all subsequent billable transactions until the error is corrected.~~

~~(5) Section 321.320(c)(1) through (5) notwithstanding, the police license inspector may, upon presentation of extenuating circumstances, extend the period that a qualifying antique dealer is billed at the modem rate for billable transactions.~~

~~**321.330. — Receipt required.** Every dealer must provide a receipt, upon request, to any person from whom they received goods for which a record was required in section 321.310, and must maintain a duplicate of that receipt for three (3) years. The receipt must include sufficient information to enable the police license inspector or the inspector's designee(s) to identify the transaction, and every item related to it, in the dealer's records.~~

~~**321.340. — Payment by check.** When a dealer buys or otherwise receives merchandise at any location other than those identified in section 321.240(a), payment shall be made by check only, made payable to a named payee who is the actual and identified seller.~~

~~**321.350. — Holding period.** Any item received by a dealer, for which a report to the police is required in section 321.320, shall not be sold or otherwise transferred for thirty (30) days after the date the police receive such report except as provided in section 321.410. Items may not be altered, modified or changed in anyway during the holding period.~~

~~**321.360. — Police order to hold property.** (a) Investigative hold. Whenever a law enforcement official from any agency notifies a dealer not to sell an item, the item must not be sold or removed from the premises. The investigative hold shall be confirmed in writing by the originating agency within seventy-two (72) hours and will remain in effect for fifteen (15) days from the date of initial notification, or until the investigative order is canceled, or until an order to hold/confiscate is issued, pursuant to section 321.150(b), whichever comes first.~~

~~(b) Order to hold. Whenever the chief of police or the chief's designee notifies a dealer not to sell an item, the item must not be sold or removed from the licensed premises until authorized to be released by the chief of police or the chief's designee. The order to hold shall expire ninety (90) days from the date it is placed unless the chief of police or the chief's designee determines the hold is still necessary and notifies the antique dealer in writing.~~

~~(c) Order to confiscate. If an item is identified as stolen, or evidence in a criminal case, the chief of police or the chief's designee may:~~

~~(1) Physically confiscate and remove it from the shop, pursuant to a written order from the chief of police or the chief's designee, or~~

~~(2) Place the item on hold or extend the hold as provided in section 321.360(a), and leave it in the shop.~~

~~When an item is confiscated, the person doing so shall provide identification upon request of the licensee, and shall provide the licensee the name and phone number of the confiscating agency and investigator, and the case number related to the confiscation. When an order to hold/confiscate is no longer necessary, the chief of police or the chief's designee shall so notify the licensee.~~

~~**321.370. — Inspection of items.** The licensee must allow the police license inspector or the inspector's designee(s) to enter the premises where the licensed business is located or business records are maintained, including all off-site storage facilities as authorized in section 321.390, during normal business hours, except in an emergency, for the purpose of inspecting such premises and inspecting the items, ware and merchandise and records therein to verify compliance with this chapter or other applicable laws.~~

~~**321.380. — Label required.** Dealers must attach a label to every item, for which a report to the police department is required in section 321.320, at the time it is received in inventory. Permanently recorded on this label must be the number or name that identifies the transaction in the dealer's records, the name of the item, and the date the item can be sold. Labels shall not be re-used.~~

~~**321.390. — Prohibited acts.** The following acts are prohibited under this article:~~

~~(a) No person under the age of eighteen (18) years may sell or consign, or attempt to sell or consign, any goods with any dealer, nor may any dealer receive any goods from a person under the age of eighteen (18) years.~~

~~(b) No dealer may receive any goods from a person of unsound mind, or an intoxicated person.~~

~~(c) No dealer may receive any goods for which payment by check is required in section 321.340 unless the seller presents one of the following forms of identification:~~

~~(1) Current valid Minnesota driver's license.~~

~~(2) Current valid Minnesota identification card.~~

~~(3) Current valid photo driver's license or photo identification card issued by another state or province of Canada.~~

~~(d) No dealer may receive any item of property that possesses an altered or obliterated serial number or "operation identification" number, or any item of property that has had its serial number removed.~~

~~**321.400. — Denial suspension or revocation.** Any license under this article may be denied, suspended or revoked for one (1) or more of the following reasons:~~

~~(a) The proposed use does not comply with the Minneapolis Zoning Code.~~

~~(b) The proposed use does not comply with any health, building, building maintenance or other provisions of this Code of Ordinances or state law.~~

~~(c) The applicant or licensee has failed to comply with one (1) or more provisions of this chapter.~~

~~(d) The applicant is not a citizen of the United States, or a resident alien, or upon whom it is impractical or impossible to conduct a background or financial investigation due to the unavailability of information.~~

~~(e) Fraud, misrepresentation, or bribery in securing or renewing a license.~~

~~(f) Fraud, misrepresentation or false statements made in the application and investigation for, or in the course of, the applicant's business.~~

~~(g) Business practices, or conduct, deemed by the issuing authority to be contrary to the best interests, or safety, of the public.~~

~~(h) Violation within the preceding five (5) years, of any law relating to theft, damage or trespass to property, sale of a controlled substance, or operation of a business.~~

~~(i) The owner of the premises licensed or to be licensed would not qualify for a license under the terms of this article.~~

~~**321.410. — Off site storage.** Upon written request, the police license inspector may approve an off-site locked and secured storage facility. The antique dealer shall permit inspection of the facility in accordance with section 321.370. All provisions of this article regarding record keeping and reporting apply to the facility and its contents. Property shall be stored in compliance with all provisions of the city code. The licensee must either own the building in which the business is conducted, and any approved off-site storage facility, or have a lease on the business premises.~~

~~**321.420. — Separability.** Should any article, section, subsection, clause or other provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not effect the validity of the ordinance as a whole, or any part, other than the part so declared invalid.~~

Section 20. That Article III, Chapter 321 of the Minneapolis Code of Ordinances be amended to read as follows:

ARTICLE III - EXHIBITIONS AND TEMPORARY MARKETS

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.

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. 278532 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 7/10/2015.

(Published 7/14/2015)

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2015R-273, supporting the Job Creation Fund Application to the State of Minnesota Department of Employment and Economic Development in connection with Ability Network Inc., 1000 N 6th St, Minneapolis.

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

RESOLUTION 2015R-273

By Goodman

Supporting the Job Creation Fund Application to the State of Minnesota Department of Employment and Economic Development in connection with Ability Network Inc.

Whereas, the City of Minneapolis (the “City”) desires to assist Ability Network Inc., a Minneapolis-based corporation, which is proposing to expand their facility in the City; and

Whereas, the City understands that Ability Network Inc, through and with the support of the City, intends to submit to the Minnesota Department of Employment and Economic Development an application for an award and/or rebate from the Job Creation Fund Program; and

Whereas, the City considered this matter at a regularly scheduled City Council meeting on July 10, 2015;

JULY 10, 2015

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

That the City hereby expresses its approval of the Ability Network, Inc. application for an award and/or rebate from the Job Creation Fund Program.

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.

Approved by Mayor Betsy Hodges 7/10/2015.

(Published 7/14/2015)

STATE OF MINNESOTA)

COUNTY OF HENNEPIN) ss.

CITY OF MINNEAPOLIS)

I, Casey Joe Carl, City Clerk of the City of Minneapolis, County of Hennepin, State of Minnesota, do hereby certify that the following report, as acted upon by the City Council of Minneapolis, Minnesota, was not presented to the Mayor. Therefore, in accordance with the provisions of Article 4, Section 4.4 (c) of the City Charter, said actions have become and are valid, and I hereby certify that they have the same force and effect as if approved by said Mayor.

CD&RS – Your Committee recommends approving the award of exclusive development rights to the Indigenous Peoples Task Force to be the developer of the City-owned property at 2313 13th Ave S, Minneapolis, for a period of 24 months with a possible extension of up to 6 months approvable by the Department of Community Planning & Economic Development Director, and that the proper City officers be authorized to negotiate business terms with the Indigenous Peoples Task Force for a land sale redevelopment agreement subject to future City Council review and approval.

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.

(Republished 7/22/2015)

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

STATE OF MINNESOTA)

COUNTY OF HENNEPIN) ss.

CITY OF MINNEAPOLIS)

I, Casey Joe Carl, City Clerk of the City of Minneapolis, County of Hennepin, State of Minnesota, do hereby certify that the following report and resolution, as acted upon by the City Council of Minneapolis, Minnesota, were not presented to the Mayor. Therefore, in accordance with the

JULY 10, 2015

provisions of Article 4, Section 4.4 (c) of the City Charter, said actions have become and are valid, and I hereby certify that they have the same force and effect as if approved by said Mayor.

CD&RS & W&M - Your Committee recommends that the proper City officers be authorized to accept grant funds from Hennepin County in the amount of \$30,000 to manage industry-specific and geographically-targeted job fairs in 2015. Further, passage of Resolution 2015R-274 appropriating said funds to the Department of Community Planning & Economic Development.

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

**RESOLUTION 2015R-274
By Goodman and 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 by increasing the appropriation in the Department of Community Planning and Economic Development Grants-Other Fund (01600-8900610) by \$30,000 and increasing the revenue source (01600-8900610-322002) by \$30,000.

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 and resolution were adopted.

(Republished 7/22/2015)

CD&RS & W&M – Your Committee, having under consideration the Finance and Department of Community Planning & Economic Development (CPED) staff recommendation that the \$350,000 City loan to the Landmark 201 W Broadway Project be restructured based on the revised terms and conditions contained in the CPED report, now recommends:

CD&RS – sending the matter forward without recommendation.

W&M - Approving the staff recommendation, with the following substitute language to No. 13 of the Revised Terms and Conditions referred to in the staff report:

13) If a scheduled monthly payment is not received by the 10th day of the month, then staff will notify the Borrower by certified mail that the entire outstanding loan balance is due to the City within 10 business days of receipt of the notice. If the City does not receive full payment within the prescribed period, from either the Borrower (Landmark 201 West Broadway LLC) or the Guarantor (Master Properties Minnesota LLC), then the loan will be considered in default. If the Borrower defaults on the loan, then staff is directed by the City Council to take legal action, as soon as possible, to collect on the loan pursuant to the authorization that was granted staff at the Adjourned Session of the City Council on August 15, 2014. Such actions may include, but are not limited to, a foreclosure action, a deed in lieu of foreclosure, and a lawsuit.

Goodman moved approval of the recommendation of the Ways & Means Committee.

On roll call, the result was:

Ayes: Warsame, Glidden, Bender, Quincy, President Johnson (5)

Noes: Reich, Gordon, Frey, Yang, Goodman, Cano, A. Johnson, Palmisano (8)

The motion failed, and the report was not adopted.

CD&RS & W&M – Your Committee, having under consideration the Department of Community Planning & Economic Development (CPED) staff recommendation to approve a \$450,000 Community Development Block Grant Great Streets gap financing loan and to approve the subordination of \$400,293 (\$319,273.53 current balance) in Neighborhood Revitalization Program Loan Pool loans originated in 2003 for the Eastside Food Co-op Expansion Project at 2551 Central Ave NE, Minneapolis, now recommends:

CD&RS – forwarding the matter without recommendation to the Ways & Means Committee.

W&M - Approving a \$450,000 CDBG Great Streets gap financing loan and the subordination of a \$400,293 (\$319,273.53 current balance) NRP loan originated in 2003, and requiring that the borrower provide a three-month debt service reserve for all subordinate debt to the project. The total of the three reserves for the two City loans and a subordinate loan from LISC would be approximately \$20,000.

On motion by Goodman, the report was amended to approve the recommendation of the Ways & Means Committee, to read as follows:

CD&RS & W&M – Your Committee, having under consideration the Department of Community Planning & Economic Development (CPED) staff recommendation to approve a \$450,000 Community Development Block Grant Great Streets gap financing loan and to approve the subordination of \$400,293 (\$319,273.53 current balance) in Neighborhood Revitalization Program Loan Pool loans originated in 2003 for the Eastside Food Co-op Expansion Project at 2551 Central Ave NE, Minneapolis, now recommends approving a \$450,000 CDBG Great Streets gap financing loan and the subordination of a \$400,293 (\$319,273.53 current balance) NRP loan originated in 2003, and requiring that the borrower provide a three-month debt service reserve for all subordinate debt to the project. The total of the three reserves for the two City loans and a subordinate loan from LISC would be approximately \$20,000.

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, as amended, was adopted.

Approved by Mayor Betsy Hodges 7/10/2015.

(Published 7/14/2015)

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

HE&CE - Your Committee recommends approval of the following appointments and reappointment to the Neighborhood and Community Engagement Commission (NCEC) for two-year terms beginning July 2015 and expiring June 2017:

- a) Braulio Carrasco, City Council appointment, Ward 9.
- b) Raya Esmaeili, City Council appointment, Ward 10.
- c) Nasser Mussa, Mayoral appointment, Ward 6.
- d) Tessa Wetjen, City Council appointment, Ward 9 (reappointment).

Your Committee further recommends approval of the staff direction that Neighborhood & Community Relations (NCR) staff carry out targeted recruiting for NCEC appointments in wards that are geographically underrepresented for the 2016 open appointments. Further, NCR staff directed to explore NCEC appointment options and guidelines that better ensure geographic distribution for all future open appointments.

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.

HE&CE - Your Committee, having under consideration the staff recommendation that the proper City officers be authorized to submit comments to the Minnesota Pollution Control Agency (MPCA) regarding the MPCA's Draft Environmental Justice Framework 2015-2018, now recommends that said subject matter be **sent forward without recommendation**.

On motion by Gordon, the report was amended to approve the staff recommendation, to read as follows:

HE&CE - Your Committee, having under consideration the staff recommendation that the proper City officers be authorized to submit comments to the Minnesota Pollution Control Agency (MPCA) regarding the MPCA's Draft Environmental Justice Framework 2015-2018, now recommends that said subject matter be approved.

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, as amended, was adopted.

On behalf of the Health, Environment & Community Engagement Committee, Gordon offered Ordinance 2015-Or-055 amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tobacco Dealers, regulating tobacco sales.

On motion by Gordon, Section 281.45 (f) and (g) were amended to change the effective date from September 1, 2015, to January 1, 2016.

JULY 10, 2015

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

ORDINANCE 2015-Or-055
By Yang and Gordon
Intro & 1st Reading: 5/15/2015
Ref to: HE&CE
2nd Reading: 7/10/2015

Amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tobacco Dealers.

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

Section 1. That Section 281.15 of the above-entitled ordinance be amended to read as follows:

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

Cigar means any roll of tobacco that is wrapped in tobacco leaf or in any substance containing tobacco, with or without a tip or mouthpiece, which is not a cigarette as that term is defined in Minn. Statute Section 297F.01.

Component part means any element of a tobacco product, including, but not limited to, the tobacco, filter and paper, but not including any constituent.

Constituent means any ingredient, substance, chemical or compound, other than tobacco, water or reconstituted tobacco sheet, that is added by the manufacturer to a tobacco product during the processing, manufacture or packing of the tobacco product. Such term shall include a smoke constituent.

Flavored tobacco product means any tobacco product or component part thereof that contains a constituent that imparts a characterizing flavor, unless it imparts only the taste or aroma of menthol, mint or wintergreen. As used in this definition, the term "characterizing flavor" means a distinguishable taste or aroma, other than the taste or aroma of tobacco, imparted either prior to or during consumption of a tobacco product, including, but not limited to, tastes or aromas of chocolate, vanilla, honey, cocoa, any candy, any dessert, any alcoholic beverage, any fruit, any herb, and any spice; provided, however, that no tobacco product shall be determined to have a characterizing flavor solely because of the use of additives or flavorings or the provision of ingredient information. A public statement or claim made or disseminated by the manufacturer of a tobacco product, or by any person authorized or permitted by the manufacturer to make or disseminate such statements or claims, that a tobacco product has or produces a characterizing flavor shall establish that the tobacco product is a flavored tobacco product.

Self service merchandising means open displays of tobacco, tobacco products, or tobacco related devices in any manner where any person shall have access to the tobacco, or tobacco related devices, without the assistance or intervention of the licensee or licensee's employee. The assistance or intervention shall entail the actual physical exchange of the tobacco or tobacco related device between the customer and the licensee or employee.

Self service method means a method of sales of tobacco or tobacco related devices whereby the customer does not need to make a verbal or written request to an employee of the licensed premise in order to receive the tobacco, or tobacco related device, and no physical exchange of the tobacco or tobacco related device occurs between the customer and the licensee, or an employee or agent of the licensee.

Tobacco means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

~~*Tobacco products* means any products containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; little cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco, and other kinds and forms of tobacco but does not include cigarettes as defined in this section. Tobacco products excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose, but includes tobacco as defined in this section and any electronic delivery device as defined in Minn. Statute Section 609.685.~~

Tobacco products shop means a retail establishment with an entrance door opening directly to the outside that derives ~~more than~~ at least ninety (90) percent of its gross revenue from the sale of tobacco products, loose tobacco, plants, or herbs and cigars, cigarettes, pipes, and other smoking devices for burning tobacco and related smoking accessories and in which the sale of other products is merely incidental. "Tobacco products shop" does not include a tobacco department or section of any individual business establishment with any type of liquor, food, or restaurant license.

Tobacco related devices mean any tobacco product as well as a pipe, rolling papers or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, ingesting, absorbing, or smoking of tobacco or tobacco products.

Vending machine means a mechanical, electric or electronic device, regardless of locking mechanism which is used for the purposes of dispensing tobacco or tobacco related devices.

Section 2. That Section 281.45 of the above-entitled ordinance be amended to read as follows:

281.45. ~~Method of~~ Restrictions on sales of cigarettes tobacco products. (a) No person shall sell cigarettes in any manner other than by the package or multiples thereof to which a stamp has been affixed in accordance with Minnesota Statutes 297.03, Subd. 1.

(b) Self-service methods of sales and self service methods of merchandising tobacco, tobacco products or tobacco related products as defined in section 281.15 of this Code, shall be prohibited.

(c) Every person applying for a license to sell tobacco products at retail shall certify on the annual license application that the person has implemented a training program for employees regarding laws related to the sale of tobacco products and has trained all employees to comply with state and federal laws and/or regulations regarding the sale of tobacco products.

~~(d) Self service restrictions shall not apply to retail tobacco products shops which derive at least ninety (90) percent of their revenue from tobacco and tobacco-related products and which cannot be entered at any time by persons younger than eighteen (18) years of age. Any establishment wishing to apply for this exemption must provide an independent accountant's statement showing total sales for the previous year to the office of licenses and consumer services at renewal.~~

(e) No operator or employee of a tobacco products shop shall allow, permit or suffer any person younger than eighteen (18) years of age to enter or be present upon the licensed premises. It shall be the duty of the operator and operator's employees to identify and ascertain the age of any such person and to refuse admittance to any person younger than eighteen (18) years of age.

(f) No person shall sell, offer for sale, give away, barter, exchange, or otherwise deal in flavored tobacco products or samples of such products. This subsection does not apply to tobacco products shops or to a licensed tobacco dealer that otherwise meets the definition of and requirements applicable to a tobacco products shop except for the lack of an entrance door opening directly to the outside but which has an entrance door opening directly to the public area of a skyway, mall or other space that is not part of the premises of another business establishment. This subsection shall become effective January 1, 2016.

(g) No person shall sell, offer for sale, or otherwise distribute cigars in original packages containing three (3) or fewer cigars for a sale price, after any coupons, multipack or buy-one-get-one promotions, or any other discounts are applied and prior to applicable sales taxes being imposed, of less than two dollars and sixty cents (\$2.60) per cigar contained within. In addition, no person shall sell, offer for sale, or otherwise distribute cigars in original packages of four (4) or more cigars for a sale price, after any coupons, multipack or buy-one-get-one promotions, or any other discounts are applied and prior to applicable sales taxes being imposed, of less than ten dollars and forty cents (\$10.40) per package. This subsection shall become effective January 1, 2016.

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.

The HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS Committees submitted the following reports:

HE&CE & W&M - Your Committee recommends that the proper City officers be authorized to accept estimated revenue in an amount not to exceed \$60,000 from Environmental Initiative for the Green Business Program, and passage of Resolution 2015R-275 increasing the appropriation for the Health Department by \$60,000.

JULY 10, 2015

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

RESOLUTION 2015R-275
By Gordon and 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 by increasing the appropriation for the Health Department Agency in the Grants-Other Fund (01600-8600155) by \$60,000 and increasing the revenue estimate (01600-8600155-Revenue Code 372001) by \$60,000.

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 and resolution were adopted.

HE&CE & W&M - Your Committee recommends that the proper City officers be authorized to accept revenue in an amount not to exceed \$15,000 from the Minnesota Coalition for Battered Women for participation in Project Connect to assist youth experiencing intimate partner violence, and passage of Resolution 2015R-276 increasing the appropriation for the Health Department by \$15,000.

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

RESOLUTION 2015R-276
By Gordon and 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 by increasing the appropriation for the Health Department Agency in the Grants-Other Fund (01600-8600152) by \$15,000 and increasing the revenue estimate (01600-8600152-Revenue Code 372001) by \$15,000.

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 and resolution were adopted.

The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS Committees submitted the following reports:

PSCR&EM & W&M - Your Committee recommends that the proper City officers be authorized to accept grant funds from the Minneapolis Public Schools, The Metropolitan Council, Greater Twin Cities United

Way, PCL Construction, The Minneapolis Parks and Recreation Board, and the State of Minnesota (Urban Scholar partner organizations) in the amount of \$27,753 to cover professional services for Urban Scholars programming. Further, passage of Resolution 2015R-277 appropriating said funds to the Department of Civil Rights.

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

RESOLUTION 2015R-277
By Yang and 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 by increasing the appropriation for the Civil Rights Agency in the Grants-Other Fund (01600-3000500) by \$27,753 and increasing the revenue source (01600-3000500-372001) by \$27,753.

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.

PSCR&EM & W&M - Your Committee recommends that the proper City officers be authorized to amend the contract with Horsemen, Inc. for the boarding of police mounted patrol horses, extending by one year (up to June 2016) and increasing by \$96,000, and that the proper City officers be authorized to execute any documents necessary to effectuate the agreement. Further, that the Purchasing Department be authorized to continue payments for services provided, up to \$25,000 while this agreement is approved and executed.

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 recommends approval of the following City Council appointments to the Pedestrian Advisory Committee for two-year terms beginning July 1, 2015, and expiring June 30, 2017:

<u>Appointee Name</u>	<u>Seat</u>	<u>Ward</u>	<u>Previous Member Being Replaced</u>
Greta Alquist	1	3	n/a
Julia Kumba YingHua Curran	5	7	n/a
Alex Cecchini	7	10	n/a
Tamir Ali Mohamud	9	6	n/a
Tom Dunnwald	14	1	Trevor Born

Don Ostrom	2	7	n/a
Julia Tabbut	3	2	n/a
Emily Antin	4	12	n/a
Philip Ailiff Jr.	6	3	n/a.

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 - Your Committee recommends approval of the following City Council appointments to the 50th & France Special Service District Advisory Board for two-year terms beginning July 1, 2015, and expiring July 1, 2017:

<u>Appointee Name</u>	<u>Ward</u>
Jeffrey Peterson	13
Luke Shimp	13
Laura Steffes	13
<u>Appointee Name</u>	<u>Ward</u>
Robert Sykes	13
Steve Young	13.

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 - Your Committee, having under consideration the Protected Bikeway Update to the Minneapolis Bicycle Master Plan, now recommends:

a) Approval of the Protected Bikeway Update, as amended to move Project 19A, Washington Ave (5th Ave S to 19th Ave S), from Tier 3 to Tier 1.

b) Approval of a staff direction that Public Works staff conduct a bicycle and pedestrian facility winter maintenance evaluation to be piloted in the winter of 2015-2016. The evaluation should include examples of all bicycle facility types including off-street trails, protected bikeways, on-street bike lanes, and bicycle boulevards, and also include sidewalk snow clearance on pedestrian priority corridors. The results of this evaluation will help better define budget needs and practices for bicycle and pedestrian facilities.

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 and Ways & Means Committees, Reich offered Resolution 2015R-278 amending the 2015 capital budget by establishing the 8th St SE Street Reconstruction and Street Lighting Project by increasing the appropriation for the project by \$186,698, to be funded from assessments of \$80,593 and University of Minnesota funding of \$106,105.

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

**RESOLUTION 2015R-278
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 establishing the 8th St SE Street Reconstruction and Street Lighting Project CPV120 (No. 2283) with the following appropriations: Increasing the appropriation in the Capital Improvements Fund (04100-9010937) by \$186,698 and increasing the revenue sources (04100-9010937-Revenue Source 384601) by \$80,593 from assessments and (04100-9010937-Revenue Source 322502) by \$106,105 from the University of Minnesota.

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 and Ways & Means Committees, Reich offered Resolution 2015R-279 declaring the City's intent to reimburse expenditures up to \$80,593 with proceeds from tax exempt bonds related to the 8th St SE Street Reconstruction & Street Lighting Project.

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

**RESOLUTION 2015R-279
By Reich and Quincy**

Declaring the City's intent to pay for the 8th St SE Street Lighting and Paving Project with tax exempt assessment bond proceeds.

Resolved by The City Council of The City of Minneapolis:

That pursuant to IRS Treasury Regulations Section 1.150-2, the City of Minneapolis hereby declares its official intent to reimburse the University of Minnesota \$80,593 from the proceeds of tax exempt debt of the City. The expenditures to be reimbursed include all preliminary expenses for planning, design, legal, consulting services and staff costs reasonably allocated to the project as well as costs incurred and paid for the design and construction of the 8th St SE Street Lighting and Paving Project No. 2283. The

reasonably expected source of funds to pay such original expenditures and to pay debt service on the tax exempt debt to be issued by the City consists of assessments against benefitted properties.

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 and Ways & Means Committees, Reich offered Resolution 2015R-280 amending the 2015 capital budget by increasing the appropriation for the 7th St Ramp Project by \$1,000,000 from Municipal State Aid funds and decreasing the Transportation and Economic Development grant funds for the project by \$1,019,645.

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

**RESOLUTION 2015R-280
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 7th Street Ramp Project in the Capital Improvements Fund (04100-9010937-CBR130-Revenue Source 321514 Minnesota State Aid) by \$1,000,000 and decreasing the Transportation and Economic Development Program Fund (04100-9010937-CBR130-Revenue Source 321510) by \$1,019,645.

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 and Ways & Means Committees, Reich offered Resolution 2015R-281 authorizing acceptance of a donation from the Minneapolis Downtown Council of annual plantings at Peavey Plaza valued at approximately \$15,000.

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

**RESOLUTION 2015R-281
By Reich and Quincy**

Accepting donation of annual plantings at Peavey Plaza from the Minneapolis Downtown Council.

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 forth below to the City:

<u>Name of Donor</u>	<u>Gift</u>
Minneapolis Downtown Council	Annual plantings at Peavey Plaza; and

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 enhancing the appearance of Peavey Plaza, as allowed by law; and

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

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

That the donations described above are accepted and shall be used for the public purpose of enhancing and beautifying the public space at Peavey Plaza.

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 execute a collaborative research project agreement with the University of Minnesota Board of Regents to conduct research to determine the design and operating parameters that will lead to improved performance of granular activated carbon filters in the Minneapolis drinking water process.

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 on OP No. 8099 from Lunda Construction Company, in the amount of \$8,243,364.39, to furnish and deliver all labor, materials, and incidentals necessary for the construction of the 7th Street/Trunk Highway 94 Ramp Project. 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 7/10/2015.

(Published 7/14/2015)

The WAYS & MEANS Committee submitted the following reports:

W&M - Your committee recommends approving the legal settlement Steven Meldahl v. City of Minneapolis, Hennepin County District Court file No. 27-CV-14-20251, by cancelling the following special assessments: RFS 13-0971475 in the amount of \$550, RFS 13-0971186 in the amount of \$150, RFS 12-0939541 in the amount of \$150, RFS 12-0906479 in the amount of \$150, RFS 13-0984478 in the amount of \$150; additionally, reducing special assessment RFS 13-0959682 from \$300 to \$250 and reducing the \$3,000 rental license reinstatement fee required by M.C.O. 244.1945 for the property at 3111 Upton Ave. down to \$1,950, and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

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.

W&M - Your committee recommends approving the legal settlement Norman Bradford v. City of Minneapolis by payment of \$15,500 payable to Norman Bradford and/or his attorneys, the Johnson Law Office, and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

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.

W&M - Your committee recommends approving the legal settlement Luis A. Palaguchi v. Wilson and City of Minneapolis, Hennepin County District Court file No. 27-CV-14-15903, by payment of \$10,000 payable to Luis A. Palaguchi and his attorneys, Paige J. Donnelly, Ltd., and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

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.

W&M - Your committee recommends approving the legal settlement Christopher Jilek v. City of Minneapolis, et al., Hennepin County District Court file No. 14-CV-3258, by payment of \$5,000 to the Plaintiff and his attorney, Zorislav Layderman, and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

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.

W&M - Your committee recommends approving the legal settlement of four personal injury claims by payment of: \$11,000 payable to Ulysses Bridges and his attorneys, Paige J. Donnelly, Ltd., \$19,000 payable to Lugine Miller and his attorneys, Paige J. Donnelly, Ltd., \$14,000 payable to Roosevelt Johnson and his attorneys, Paige J. Donnelly, Ltd., and \$7,000 payable to Teddy Lawrence Roark and his attorneys, Paige J. Donnelly, Ltd., and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

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.

W&M - Your committee recommends approving the legal settlement Claim of David Grady by payment of \$9,000 to the Claimant and his attorney, Brantingham Law Office, P.A., and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

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.

W&M - Your committee recommends approving the legal settlement Jessica Porter f/k/a Joshua Nordyke v. City of Minneapolis et al., Hennepin County District Court file No. 13-CV-2499 (MJD/FLN), by payment of \$45,000 to Hazelton Law Firm, PLLC, Trust Account, and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

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.

W&M - Your committee recommends authorizing the proper City officials to amend the 2015 agreement between the City of Minneapolis and Jeane Thorne so that it includes the Firm's name change to AllStaff Recruiting Inc., d/b/a Jeane Thorne Staffing, and to increase the not-to-exceed amount in the agreement to \$100,000.

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.

W&M - Your committee recommends authorizing the appropriate city staff to negotiate and enter into contracts with consultant pool vendors for the Minneapolis Convention Center for a term of three years.

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.

W&M - Your committee recommends approving increase of contract C-38878 with All State Communications, OP No. 7990, by \$154,275.32, resulting from submitted change orders, for a new total of \$1,374,275.32 to allow for close out and final payment (Petition No. 278577).

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.

W&M - Your committee recommends approving low bid of Morcon Construction Company, Inc. (OP No. 8111) for an estimated expenditure of \$848,400 to furnish and deliver all labor, materials and incidentals necessary for the elevator upgrade project for City of Lakes, 309 2nd Ave S, the Traffic Maintenance Facility, 300 Border Ave, and the Harriet Maintenance Facility, 6024 Harriet Ave S, and authorizing the proper City officers to execute a contract for the project.

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-282 accepting conference and related travel expenses donation for participation in the SharePoint Fest Annual Conference.

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

RESOLUTION 2015R-282

By Quincy

Accepting conference and related travel expenses donation for participation in the SharePoint Fest Annual Conference.

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 forth below to the city:

<u>Name of Donor</u>	<u>Gift</u>
SharePoint Fest Seattle c/o Ameritech 7800 E. Dorado Place Suite 150 Greenwood Village, CO 80111	Conference and travel expenses for Tamara Bredemus, Minneapolis Senior Collaboration Architect and Director of Collaboration Services; for participation in the SharePoint Fest Annual Conference, August 19 and 20, 2015 in Seattle, Washington; and

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: participating in out-of town IT conferences; sharing ideas and challenges with public sector peers and industry experts; and keeping current with IT trends, opportunities and solutions for local government, as allowed by law; and

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

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

The donations described above are accepted and shall be used for efficient and effective leadership and management of the City's IT Department.

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 authorizing proper City officials to amend the contract for Aercor Wireless, Inc., contract No. C-36960, by extending the contract for licensing, support, and maintenance of the NetMotion and 2FA (Factor Authentication) Dual Authentication Solutions for three additional years through Dec 31, 2018, and increasing the contract by \$85,000 for a new not-to-exceed total of \$335,000 over the life of the contract, as well as updating Terms and Conditions to reflect current standards.

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 ZONING & PLANNING Committee submitted the following reports:

Z&P – Your Committee, having under consideration an appeal filed by The Lander Group, on behalf of 3535 Grand II, LLC, of the decision of the City Planning Commission denying the following land use applications (BZZ-7112):

1. Variance to reduce the north interior side yard setback for the proposed parking area;
2. Variance to reduce the south interior side yard setback for the proposed parking area;

to allow for a new multiple-family residential structure located at 3535-43 Grand Ave S in the R5 Multiple Family District, now recommends, notwithstanding staff recommendation, that said appeal be granted with the following condition of approval:

1. That the applicant shall work with staff to determine if using permeable materials is feasible on the parking lot walkway as part of mitigation for stormwater drainage issues in the surrounding area.

Your Committee further recommends that the Findings of Fact and Recommendation prepared by the City Attorney's Office on file in the Office of the City Clerk, be adopted and made a part of this report by reference.

On roll call, the result was:

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

Noes: Goodman (1)

The report was adopted.

Z&P – Your Committee, having under consideration an appeal filed by Tran Muehler of the decision of the City Planning Commission approving the following land use applications (BZZ-7112):

1. Variance to reduce the off-street parking requirement;
2. Variance to increase the percentage of required parking spaces that may be satisfied by providing compact parking stalls;
3. Variance to reduce the front yard setback along Grand Ave S;
4. Variance to reduce the south interior side yard setback for the proposed structure;
5. Site plan review;

to allow for a new multiple-family residential structure located at 3535-43 Grand Ave S in the R5 Multiple Family District, now recommends that said appeal be denied in full, and that the related findings prepared by the Community Planning & Economic Development staff be adopted.

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 having under consideration an application by Debi Grant-Smith, Oaks Hotel, Inc., for an interim use permit (BZZ-7180) to allow a 60-foot temporary, freestanding telecommunications tower ("Cell-on-Wheels") in a surface parking lot from July 23, 2015, to December 31, 2015, at the property located at 2407 University Ave SE, a public hearing having been held thereon, now recommends adoption of staff findings as prepared by the Department of Community Planning & Economic Development, and approval of said application, subject to the following conditions:

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1. The cell-on-wheels will be removed no later than one week following the final home game of the Minnesota Vikings 2015-16 season.
2. Staff will review the location and type of fence that will encircle the cell-on-wheels.

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, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations for hotels, motels, and bed and breakfast establishments, now concurs in the recommendation of the Planning Commission that the related findings be adopted and that the following ordinances be given their second reading for amendment and passage:

- a. Ordinance 2015-Or-056 amending Chapter 536, relating to Specific Development Standards.
- b. Ordinance 2015-Or-057 amending Chapter 547, relating to Office Residence Districts.
- c. Ordinance 2015-Or-058 amending Chapter 548, relating to Commercial Districts.
- d. Ordinance 2015-Or-059 amending Chapter 549, relating to Downtown Districts.
- e. Ordinance 2015-Or-060 amending Chapter 550, relating to Industrial Districts.

Further, your Committee recommends returning Chapters 520, 537, 541, 546, and 551 to author.

On motion by Frey, Table 547-1 in the Commercial Uses section was amended by deleting the permitted use of "Hotel, 21 rooms or more" in the OR3 Institutional Office Residence District.

On motion by Frey, Table 548-1 in the Commercial Recreation, Entertainment and Lodging section was amended by deleting the permitted use of "Hotel, 21 rooms or more" in the C2 Neighborhood Corridor Commercial 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 report and ordinances, as amended, were adopted.

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

ORDINANCE 2015-Or-056
By Frey
Intro & 1st Reading: 1/30/2015
Ref to: Z&P
2nd Reading: 7/10/2015

Amending Title 20, Chapter 536 of the Minneapolis Code of Ordinances relating to Zoning Code: Specific Development Standards.

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

Section 1. That Section 536.20 of the above-entitled ordinance be amended to read as follows:

536.20. -Specific Development Standards.

Bed and breakfast home.

(1) The owner or operator of the bed and breakfast home shall occupy the property as his or her primary residence and reside in the home when it is in operation.

(2) There shall be no more than ~~three (3)~~eight (8) bedrooms available to bed and breakfast guests.

(3) Separate kitchen facilities shall not be available for guests. Meals shall be prepared and served by the operator and shall be available to registered guests only.

(4) The home shall have a minimum of two thousand (2,000) square feet of habitable residential floor area.

(5) The home shall be licensed in accordance with Chapter 297A, Bed and Breakfast Facilities, of the Minneapolis Code of Ordinances.

(6) Exterior alterations or modifications that change the residential character or appearance of the dwelling, any accessory buildings or the zoning lot shall be prohibited.

(7) Exterior stairways shall be prohibited.

~~(8) Signs shall be subject to the provisions of Chapter 543, On-Premise Signs, and shall not include the words "hotel" or "motel."~~

~~(9)~~ 8) Historically designated structures may apply for a variance from the regulations regarding bed and breakfast homes, as specified in ~~Chapter 34~~ Title 23, Heritage Preservation Commission, of the Minneapolis Code of Ordinances.

~~*Hotel, 5-20 rooms.* The use shall provide a minimum of fifty (50) guest sleeping rooms, except when located in the downtown districts.~~

(1) The use shall provide customary hotel services such as linen, maid service, and the use and upkeep of furniture.

(2) The use shall include an office and/or lobby that is staffed twenty-four (24) hours per day.

Hotel, 21 rooms or more.

(1) The use shall provide customary hotel services such as linen, maid service, and the use and upkeep of furniture.

(2) The use shall include an office and/or lobby that is staffed twenty-four (24) hours per day.

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.

ORDINANCE 2015-Or-057
By Frey
Intro & 1st Reading: 1/30/2015
Ref to: Z&P
2nd Reading: 7/10/2015

Amending Title 20, Chapter 547 of the Minneapolis Code of Ordinances relating to Zoning Code: Office Residence Districts.

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

Section 1. That Table 547-1 of the above-entitled ordinance be amended to read as follows:

Table 547-1 Principal Uses in the Office Residence Districts

Use	OR1	OR2	OR3	Specific Dev. Standards
RESIDENTIAL USES				
Dwellings				
Single or two-family dwelling	P			
Single or two-family dwelling existing on the effective date of this ordinance		P	P	
Cluster development	C	C	C	✓
One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	
Multiple-family dwelling, three (3) and four (4) units	P	P	P	
Multiple-family dwelling, five (5) units or more	P	P	P	
Planned Unit Development				
	C	C	C	✓
Congregate Living				
Community residential facility serving six (6) or fewer persons	P	P	P	✓
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons		C	C	✓
Board and care home/ Nursing home/ Assisted living		C	C	✓
Dormitory		C	C	✓
Faculty house		C	C	✓
Fraternity or sorority		C	C	✓
Hospitality residence		C	C	✓
Residential hospice		C	C	✓

Supportive housing		C	C	✓
INSTITUTIONAL AND PUBLIC USES				
Educational Facilities				
College or university			C	✓
Early childhood learning center	P	P	P	✓
Preschool	P	P	P	✓
School, grades K—12	C	P	P	✓
School, vocational or business		P	P	✓
Social, Cultural, Charitable and Recreational Facilities				
Athletic field	C	C	C	✓
Cemetery	C	C	C	
Club or lodge, with limited entertainment		C	C	✓
Community center		P	P	✓
Community garden	P	P	P	✓
Developmental achievement center	P	P	P	✓
Educational arts center	P	P	P	✓
Library	C	P	P	
Museum		P	P	
Park, public	P	P	P	
Theater, indoor, live performances only	P	P	P	✓
Religious Institutions				
Convent, monastery or religious retreat center		P	P	✓
Place of assembly	P	P	P	
Medical Facilities				
Birth center	C	P	P	✓
Blood/plasma collection facility			P	✓
Hospital			C	✓
Laboratory, medical or dental		P	P	
COMMERCIAL USES				
Office	P	P	P	
Bed and breakfast home	C	€P	€P	✓
Child care center	P	P	P	✓
Clinic, medical or dental	C	P	P	
Farmers' market		P	P	✓
Funeral home		C	C	✓
<u>Hotel, 5-20 rooms</u>		<u>P</u>	<u>P</u>	<u>✓</u>
Market garden, with a planting area of 10,000 sq. ft. or less	P	P	P	✓
Market garden, with a planting area greater than 10,000 sq. ft.	C	P	P	✓
Neighborhood serving retail sales and services		P	P	
Planned Unit Development	C	C	C	✓
PARKING FACILITIES				
Parking facility		C	C	

Parking lot, serving institutional and public uses	C	C	C	
Parking lot, serving multiple-family dwellings	C	C	C	
PUBLIC SERVICES AND UTILITIES				
Bus turnaround	C	C	C	
Communication exchange			C	C C
Electric or gas substation			C	C C
Fire station			C	C C
Heating or cooling facility				C C
Passenger transit station			C	C C
Police station			C	C C
Post office				C C
Railroad right-of-way			C	C C
Stormwater retention pond			C	C C
Water pumping and filtration facility			C	C C

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.

ORDINANCE 2015-Or-058
By Frey
Intro & 1st Reading: 1/30/2015
Ref to: Z&P
2nd Reading: 7/10/2015

Amending Title 20, Chapter 548 of the Minneapolis Code of Ordinances relating to Zoning Code: Commercial Districts.

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

Section 1. That Table 548-1 of the above-entitled ordinance be amended to read as follows:

Table 548-1 Principal Uses in the Commercial Districts

Use	C1	C2	C3A	C3S	C4	Specific Development Standards
COMMERCIAL USES						
Retail Sales and Services						
General retail sales and services	P	P	P	P	P	
Alternative financial establishment		P		P	P	✓

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Antiques and collectibles store	P	P	P	P	P	
Art gallery	P	P	P	P	P	
Art studio	P	P	P	P	P	✓
Bank or financial institution	P	P	P	P	P	
Bed and breakfast home	P					✓
Bookstore, new or used	P	P	P	P	P	
Building material sales	P	P		P	C	
Child care center	P	P	P	P	P	✓
Consignment clothing store	P	P	P	P	P	✓
Contractor's office	C	C	C	C	C	
Day labor agency					C	✓
Exterminating shop					P	
Farmers' market	P	P	P	P	P	✓
Firearms dealer					C	✓
Funeral home	P	P	P	P	P	✓
Greenhouse, lawn and garden supply store	P	P		P	P	
Grocery store	P	P	P	P	P	✓
Laundry, self service	P	P	P	P	P	
Market garden	P	P	P	P	P	✓
Memorial monuments		P			P	✓
Motorized scooter sales	P	P	P	P	P	
Neighborhood electric vehicle sales	P	P	P	P	P	
Office supplies sales and service	P	P	P	P	P	
Pawnshop					P	✓
Performing, visual or martial arts school	P	P	P	P	P	
Pet store	P	P	P	P	P	✓
Photocopying	P	P	P	P	P	
Rental of household goods and equipment		P	P	P	P	
Secondhand goods store	P	P	P	P	P	✓
Shopping center	C	C	C	C	C	✓
Small engine repair		C		P	P	✓
Tattoo and body piercing parlor	P	P	P	P	P	

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Tobacco shop		P	P	P	P	✓
Veterinary clinic	P	P	P	P	P	✓
Video store	P	P	P	P	P	
Offices	P	P	P	P	P	
Automobile Services						
Automobile convenience facility existing on the effective date of this ordinance	C	C		C	C	✓
Automobile convenience facility		C		C	C	✓
Automobile rental		C			C	✓
Automobile repair, major					C	✓
Automobile repair, minor		C		C	C	✓
Automobile repair, minor, existing on the effective date of this ordinance	C	C		C	C	✓
Automobile sales		C		C	C	✓
Car wash		C		C	C	✓
Food and Beverages						
Catering	P	P	P	P	P	
Coffee shop, with limited entertainment	P	P	P	P	P	✓
Liquor store, off-sale		C	C	C	C	✓
Nightclub			C			✓
Restaurant, delicatessen	P	P	P	P	P	✓
Restaurant, fast food	C	C	C	C	C	✓
Restaurant, sit down, including the serving of alcoholic beverages, with limited entertainment	P	P	P	P	P	✓
Restaurant, sit down, including the serving of alcoholic beverages, with general entertainment		P	P	P	P	✓
Commercial Recreation, Entertainment and Lodging						
<u>Bed and breakfast home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>✓</u>
<u>Hotel, 5-20 rooms</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>✓</u>
<u>Hotel, 21 rooms or more</u>			P	P	P	✓
Indoor recreation area		P	P	P	P	
Outdoor recreation area		C	C	C	C	✓

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Radio or television station	P	P	P	P	P	✓
Reception or meeting hall		C	P	C	C	✓
Regional sports arena			P			✓
Sports and health facility	P	P	P	P	P	
Theater, indoor	P	P	P	P	P	✓
Medical Facilities						
Birth center	P	P	P	P	P	✓
Blood/plasma collection facility					P	✓
Clinic, medical or dental	P	P	P	P	P	
Laboratory, medical or dental	P	P	P	P	P	
Planned Unit Development	C	C	C	C	C	✓
Transportation						
Ambulance service					C	
Bus garage or maintenance facility					C	
Limousine service					C	
Package delivery service					C	✓
Taxicab service					C	
Truck, trailer, boat, recreational vehicle or mobile home sales, service and rental					C	
PARKING FACILITIES						
Parking facility	C	C	C	C	C	
RESIDENTIAL USES						
Dwellings						
Single or two-family dwelling	P	P				
Single or two-family dwelling existing on the effective date of this ordinance			P	P	P	
Cluster development	C	C	C	C	C	✓
One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	P	P	
Multiple-family dwelling, three (3) and four (4) units	P	P	P	P	P	
Multiple-family dwelling, five (5) units or more	P	P	P	P	P	

Planned Unit Development	C	C	C	C	C	✓
Congregate Living						
Community residential facility serving six (6) or fewer persons	P	P	P	P	P	✓
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	C	C	✓
Community residential facility serving seventeen (17) to thirty-two (32) persons		C	C	C	C	✓
Board and care home/Nursing home/Assisted living	C	C	C	C	C	✓
Inebriate housing		C			C	✓
Residential hospice		C			C	✓
Supportive housing		C			C	✓
INSTITUTIONAL AND PUBLIC USES						
Educational Facilities						
Early childhood learning center	P	P	P	P	P	✓
Preschool	P	P	P	P	P	✓
School, grades K—12	C	C	C	C	C	✓
School, vocational or business	C	P	P	P	P	✓
Social, Cultural, Charitable and Recreational Facilities						
Athletic field	C	C	C	C	C	✓
Club or lodge, with limited entertainment	C	P	P	P	P	
Club or lodge, with general entertainment		P	P	P	P	
Community center	C	P	P	P	P	✓
Community garden	P	P	P	P	P	✓
Developmental achievement center	P	P	P	P	P	
Educational arts center	P	P	P	P	P	
Library	C	P	P	P	P	
Mission					C	✓
Museum	C	P	P	P	P	
Park, public	P	P	P	P	P	

Religious Institutions						
Convent, monastery or religious retreat center	C	P	P	P	P	✓
Place of assembly	P	P	P	P	P	
PRODUCTION, PROCESSING AND STORAGE						
Limited production and processing	C	C	C	C	C	
Dry cleaning establishment		C			C	✓
Film, video and audio production	P	P	P	P	P	✓
Furniture moving and storage					C	
Industrial machinery and equipment sales, service and rental					C	
Laundry, commercial		C			C	✓
Packaging of finished goods					C	
Printing and publishing		C			C	
Self-service storage					C	
Urban farm					C	✓
Wholesaling, warehousing and distribution					C	
PUBLIC SERVICES AND UTILITIES						
Bus turnaround	C	C	C	C	C	
Communication exchange	C	C	C	C	C	
Electric or gas substation	C	C	C	C	C	
Fire station	C	C	C	C	C	
Garage for public vehicles					C	
Heating or cooling facility	C	C	C	C	C	
Passenger transit station	C	C	C	C	C	
Police station	C	C	C	C	C	
Post office	C	C	C	C	C	
Railroad right-of-way	C	C	C	C	C	
Regional financial service center			C			✓
Stormwater retention pond	C	C	C	C	C	

Street and equipment maintenance facility					C	
Water pumping and filtration facility	C	C	C	C	C	

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.

ORDINANCE 2015-Or-059
By Frey
Intro & 1st Reading: 1/30/2015
Ref to: Z&P
2nd Reading: 7/10/2015

Amending Title 20, Chapter 549 of the Minneapolis Code of Ordinances relating to Zoning Code: Downtown Districts.

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

Section 1. That Table 549-1 of the above-entitled ordinance be amended to read as follows:

Table 549-1 Principal Uses in the Downtown Districts

Use	B4	B4S	B4C	B4N	Specific Development Standards
COMMERCIAL USES					
Retail Sales and Services					
General retail sales and services	P	P	P	P	
Alternative financial establishment		P	P	P	✓
Antiques and collectibles store	P	P	P	P	
Art gallery	P	P	P	P	
Art studio	P	P	P	P	✓
Bank or financial institution	P	P	P	P	
Bookstore, new or used	P	P	P	P	
Building material sales			P		
Child care center	P	P	P	P	✓

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Consignment clothing store	P	P	P	P	✓
Contractor's office	C	C	C	C	
Day labor agency			C		✓
Dormitory	C	C	C	C	✓
Exterminating shop			P		
Farmers' market	P	P	P	P	✓
Firearms dealer			C		✓
Funeral home		P	P	P	✓
Greenhouse, lawn and garden supply store			P		
Grocery store	P	P	P	P	✓
Laundry, self service	P	P	P	P	
Market garden	P	P	P	P	✓
Motorized scooter sales	P	P	P	P	
Neighborhood electric vehicle sales	P	P	P	P	
Office supplies sales and service	P	P	P	P	
Pawnshop			P		✓
Performing, visual or martial arts school	P	P	P	P	
Pet store	P	P	P	P	✓
Photocopying	P	P	P	P	
Rental of household goods and equipment		P	P	P	
Secondhand goods store		P	P	P	✓
Shopping center	P	P	P	P	✓
Small engine repair			P		✓
Tattoo and body piercing parlor		P	P	P	
Tobacco shop	P	P	P	P	✓
Veterinary clinic	P	P	P	P	✓
Video store	P	P	P	P	

Offices	P	P	P	P	
Automobile Services					
Automobile convenience facility		C	C	C	✓
Automobile rental	C	C	C	C	✓
Automobile repair, major		C			✓
Automobile repair, minor		C	C	C	✓
Automobile sales	C	C	C	C	✓
Car wash		C			✓
Food and Beverages					
Catering	P	P	P	P	
Coffee shop, with limited entertainment	P	P	P	P	✓
Liquor store, off-sale	P	P	P	P	✓
Nightclub	P	P	P		✓
Restaurant, delicatessen	P	P	P	P	✓
Restaurant, fast food	P	P	P	P	✓
Restaurant, sit down, including the serving of alcoholic beverages, with general entertainment	P	P	P	P	✓
Commercial Recreation, Entertainment and Lodging					
<u>Hotel, 5-20 rooms</u>	P	P	P	P	✓
<u>Hotel, 21 rooms or more</u>	P	P	P	P	✓
Indoor recreation area	P	P	P	P	
Outdoor recreation area	C	C	C	C	✓
Radio or television station	P	P	P	P	
Reception or meeting hall	P	P	P	P	
Regional sports arena		P			
Sports and health facility	P	P	P	P	
Theater, indoor	P	P	P	P	✓
Medical Facilities					
Birth center	P	P	P	P	✓

Blood/plasma collection facility			P	✓
Clinic, medical or dental	P	P	P	P
Hospital			C	C
Laboratory, medical or dental	P	P	P	P
Planned Unit Development	C	C	C	C
Transportation				
Ambulance service			C	
Limousine service			C	
Package delivery service			C	C
Truck, trailer, boat, recreational vehicle or mobile home sales, service and rental			C	
PARKING FACILITIES				
Parking facility	C	C	C	C
RESIDENTIAL USES				
Dwellings				
Cluster development	C	C	C	C
One (1) to four (4) dwelling units, as part of a mixed use building	P	P	P	P
Multiple-family dwelling, five (5) units or more	P	P	P	P
Planned Unit Development	C	C	C	C
Congregate Living				
Community residential facility serving seven (7) to sixteen (16) persons	C	C	C	C
Community residential facility serving seventeen (17) to thirty-two (32) persons	C	C	C	C
Board and care home/Nursing home/Assisted living	C	C	C	C
Dormitory	C	C	C	C
Hospitality residence	P	P	P	P
Inebriate housing			C	C
Residential hospice	C	C	C	C
Supportive housing	C	C	C	C

INSTITUTIONAL AND PUBLIC USES					
Educational Facilities					
College or university	C	C	C	C	✓
Early childhood learning center	P	P	P	P	✓
Preschool	P	P	P	P	✓
School, grades K—12	C	C	C	C	✓
School, vocational or business	P	P	P	P	✓
Social, Cultural, Charitable and Recreational Facilities					
Club or lodge, with general entertainment	P	P	P	P	
Community center	P	P	P	P	
Community garden		P	P	P	
Convention center, public		P	P	P	
Developmental achievement center		P	P	P	
Educational arts center	P	P	P	P	
Library	P	P	P	P	
Mission			C		✓
Museum	P	P	P	P	
Park, public	P	P	P	P	
Religious Institutions					
Convent, monastery or religious retreat center	P	P	P	P	✓
Place of assembly	P	P	P	P	
PRODUCTION, PROCESSING AND STORAGE					
Limited production and processing	P	P	P	P	
Dry cleaning establishment		C	C	C	✓
Film, video and audio production	P	P	P	P	✓
Furniture moving and storage			P		
Industrial machinery and equipment sales, service and rental			C		
Laundry, commercial		P	P	P	✓

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Packaging of finished goods		P	P	P	
Printing and publishing	P	P	P	P	
Self-service storage			C		
Wholesaling, warehousing and distribution	P	P	P	P	
PUBLIC SERVICES AND UTILITIES					
Bus turnaround		C	C	C	C
Communication exchange	P	P	P	P	
Electric or gas substation		C	C	C	C
Fire station		C	C	C	C
Garage for public vehicles			C		
Heating or cooling facility		C	C	C	C
Mounted patrol stable			C		✓
Passenger transit station		P	P	C	P
Police station		P	P	P	P
Post office		P	P	P	P
Pre-trial detention facility, adult			C		✓
Pre-trial detention facility, juvenile			C		✓
Railroad right-of-way		C	C	C	C
Regional financial service center		P	P	P	P
Stormwater retention pond		C	C	C	C
Street and equipment maintenance facility			C		
Water pumping and filtration facility		C	C	C	C

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.

ORDINANCE 2015-Or-060
By Frey
Intro & 1st Reading: 1/30/2015
Ref to: Z&P
2nd Reading: 7/10/2015

Amending Title 20, Chapter 550 of the Minneapolis Code of Ordinances relating to Zoning Code: Industrial Districts.

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

Section 1. That Table 550-1 of the above-entitled ordinance be amended to read as follows:

Table 550-1 Principal Uses in the Industrial Districts

Use	I1	I2	I3	Specific Development Standards
INDUSTRIAL USES				
Generalized Use Categories				
Light industrial	P	P	P	
Medium industrial		P	P	
General industrial			C	
Specific Industrial Uses				
Concrete, asphalt and rock crushing facility			C	✓
Contractor yard		P	P	
Dry cleaning establishment	C	P	P	✓
Film, video and audio production	P	P	P	✓
Food and beverage products	P	P	P	
Furniture moving and storage	P	P	P	
Grain elevator or mill			C	
Greenhouse, wholesale	P	P	P	
Industrial machinery and equipment sales, service and rental	C	P	P	
Laundry, commercial	P	P	P	✓
Packaging of finished goods	P	P	P	
Research, development and testing laboratory	P	P	P	
Recycling facility		C	C	✓
Scrap/salvage yard, metal milling facility			C	✓
Self service storage	P	P	P	
Urban farm	P	P		✓
Wholesaling, warehousing and distribution	P	P	P	
Planned Unit Development	C	C	C	✓
Commercial Uses				
Retail Sales and Services				
Art gallery	P	P		

Art studio	P	P		
Building material sales	P	P		
Child care center	P	P		✓
Contractor's office	C	P	P	
Day labor agency	C	C	P	✓
Farmers' market	P	P		✓
Liquor store, off-sale	C	C		✓
Motorized scooter sales	P	P	P	
Neighborhood electric vehicle sales	P	P	P	
Office supply sales and service	P	P		
Photocopying	P	P		
Veterinary clinic	P	P		✓
Offices	P	P	P	
Automobile Services				
Automobile convenience facility	C	C	C	✓
Automobile rental	C	C	C	✓
Automobile repair, major	C	C	C	✓
Automobile repair, minor	C	C	C	✓
Automobile sales	C	C	C	✓
Car wash	C	C	C	✓
Food and Beverages				
Catering	P	P		
Coffee shop, with limited entertainment	P	P		✓
Nightclub	C	C		✓
Restaurant, delicatessen	P	P		✓
Restaurant, fast food	C	C		✓
Restaurant, sit down, including the serving of alcoholic beverages with	P	P		✓
Commercial Recreation, Entertainment and Lodging				
Indoor recreation area	P	P		✓
<u>Hotel, 5-20 rooms</u>	<u>P</u>	<u>P</u>		<u>✓</u>
<u>Hotel, 21 rooms or more</u>	<u>P</u>	<u>P</u>		<u>✓</u>
Radio or television station	P	P		
Regional sports arena	P			✓
Sports and health facility	P			
Medical Facilities				
Birth center	P	P		✓
Clinic, medical or dental	P	P		
Hospital	C	C		✓
Laboratory, medical or dental	P	P		
Transportation				
Ambulance service	C	C	C	
Bus garage or maintenance facility	C	C	C	

Horse and carriage assembly/ transfer site	C	C	C	✓
Intermodal containerized freight facility			C	✓
Limousine service	C	C	C	✓
Motor freight terminal		C	C	✓
Motor vehicle storage lot		C	C	
Package delivery service	C	C	C	✓
Railroad switching yards and freight terminal			C	✓
Taxicab service	C	C	C	✓
Towing service		C	C	
Truck, trailer, boat, recreational vehicle or mobile home sales, service or	C	C	C	
Waste hauler		C	C	✓
PARKING FACILITIES				
Parking facility	C	C	C	
INSTITUTIONAL AND PUBLIC USES				
Educational Facilities				
School, vocational or business	P	P	P	✓
Social, Cultural, Charitable, and Recreational Facilities				
Athletic field	P	P	P	✓
Club or lodge, with general entertainment	P	P		
Community center	P	P		✓
Community garden	P	P		✓
Development achievement center	P	P		
Educational arts center	P	P		
Mission	C	C	C	✓
Park	P	P	P	
Religious Institutions				
Place of assembly	P	P		
RESIDENTIAL USES				
Community correctional facility serving up to thirty-two (32) persons	C	C	C	✓
PUBLIC SERVICES AND UTILITIES				
Animal shelter	C	C	C	✓
Bus turnaround	C	C	C	
Communication exchange	C	C	C	
Electric or gas substation	C	C	C	
Electricity generation plant, hydroelectric	C	C	C	✓
Electricity generation plant, non-nuclear			C	✓
Fire station	C	C	C	
Garage for public vehicles	C	C	C	
Heating or cooling facility	C	C	C	
Mounted patrol stable	C	C	C	✓
Passenger transit station	C	C	C	
Police station	C	C	C	

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Post office	C	C	C	
Railroad right-of-way	C	C	C	
River freight terminal			C	
Stormwater retention pond	C	C	C	
Street and equipment maintenance facility	C	C	C	
Vehicle emission testing station	C	C	C	
Waste transfer or disposal facility			C	✓
Water pumping and filtration facility	C	C	C	

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.

Z&P - Your Committee, to whom was referred ordinances amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, revising provisions relating to off-street parking, now concurs in the recommendation of the Planning Commission, that the related findings be adopted, and that the following ordinances be given their second reading for amendment and passage:

- a. Ordinance 2015-Or-061 amending Chapter 541, relating to Off-Street Parking and Loading.
- b. Ordinance 2015-Or-062 amending Chapter 551, relating to Overlay Districts.

Further, Your Committee recommends returning Chapters 520, 525, 527, 530, 531, and 536 to author.

On motion by Bender, Table 541-4.5 in the Transit Incentive for Multiple-Family Dwellings section was amended by deleting the authorized reduction in minimum parking requirements within 350 feet of a bus or rail transit stop with midday service headways of 15 minutes or less.

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 ordinances, as amended, were adopted.

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

ORDINANCE 2015-Or-061
By Bender
Intro & 1st Reading: 1/30/2015
Ref to: Z&P
2nd Reading: 7/10/2015

Amending Title 20, Chapter 541 of the Minneapolis Code of Ordinances relating to Zoning Code: Off-Street Parking and Loading.

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

Section 1. That Section 541.200 of the above-entitled ordinance be amended to read as follows:

541.200. Transit incentives. Upon determination by the zoning administrator, the minimum parking requirement may be reduced under the following conditions:

(1) *Multiple-family dwellings.* ~~The minimum parking requirement may be reduced ten (10) percent if the proposed use is located within three hundred (300) feet of a transit stop with midday service headways of thirty (30) minutes or less in each direction. Except in the UA University Area Overlay District, the minimum parking requirement for multiple-family dwellings of three (3) units or more may be reduced as specified in Table 541-4.5, Transit Incentive for Multiple-Family Dwellings.~~

Table 541-4.5 Transit Incentive for Multiple-Family Dwellings

<u><i>Transit proximity and frequency*</i></u>	<u><i>Authorized reduction from minimum parking requirement (3 – 50 dwelling units)</i></u>	<u><i>Authorized reduction from minimum parking requirement (51 dwelling units or more)</i></u>
<u>Within one-quarter (1/4) mile of a bus transit stop with midday service headways of fifteen (15) minutes or less, or within one-half (1/2) mile of a rail transit stop with midday service headways of fifteen (15) minutes or less</u>	<u>100 percent</u>	<u>50 percent</u>
<u>Within three hundred fifty (350) feet of a bus or rail transit stop with midday service headways between fifteen (15) minutes and thirty (30) minutes</u>	<u>10 percent</u>	<u>10 percent</u>

*In addition to existing transit stops, incentives shall apply to rail transit stops that are included in a project that has been approved to enter the Project Development phase by the Federal Transit Administration

(2) *Non-residential uses.* The minimum parking requirement for non-residential uses may be reduced ten (10) percent if the use provides an adequate sheltered transit stop within the development, as determined by the city engineer. The reduction shall not be awarded for sheltered transit stops that are both in the public right-of-way and detached from the principal structure.

~~(3) *Process.* The applicant for such transit incentives shall submit an application on a form approved by the zoning administrator, as specified in Chapter 525, Administration and Enforcement.~~

Section 2. That Section 541.410 of the above-entitled ordinance be and is hereby repealed.

~~**541.410. OR2 and OR3 Districts. Reserved.** (a) *Residential uses.* Dwellings and congregate living uses located in the OR2 and OR3 Districts shall be required to provide ninety (90) percent of the number of spaces specified in Table 541-1, Specific Off Street Parking Requirements.~~

~~(b) All other uses. All other uses located in the OR2 and OR3 Districts shall provide parking as required in Table 541-1, Specific Off-Street Parking Requirements.~~

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.

ORDINANCE 2015-Or-062
By Bender
Intro & 1st Reading: 1/30/2015
Ref to: Z&P
2nd Reading: 7/10/2015

Amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts.

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

Section 1. That Section 551.175 of the above-entitled ordinance be amended to read as follows:

551.175. Transit Station areas. The following additional regulations shall govern development within PO Overlay Districts in and around the following existing or proposed transit stations, as shown on the official zoning maps:

Cedar-Riverside LRT Station

Franklin Avenue LRT Station

Lake Street/Midtown LRT Station

38th Street LRT Station

46th Street LRT Station

50th Street/Minnehaha Park LRT Station

VA Medical Center LRT Station

West Bank LRT Station

Stadium Village LRT Station

Prospect Park LRT Station

(1) *Prohibited uses.* The following uses shall be prohibited in the PO Overlay District:

- a. Self service storage.
- b. Commercial parking lots, including the expansion of any existing commercial parking lot.
- c. The conversion of any accessory parking lot to a commercial parking lot.

(2) *Wholesaling, warehousing and distribution; furniture moving and storage.* Uses shall be limited to thirty thousand (30,000) square feet of gross floor area.

(3) *Density bonuses.* Where the primary zoning district or Industrial Living Overlay District provide a density bonus of twenty (20) percent, such bonus shall be thirty (30) percent.

(4) *Minimum floor area.* New development shall be subject to a minimum floor area ratio requirement, as specified in Table 551-0, Transit Station Area Minimum Floor Area Ratio Requirements. Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.

Table 551-0 Transit Station Area Minimum Floor Area Ratio Requirements

<i>Transit Station Area</i>	<i>Minimum FAR</i>		
	<i>Commercial, OR2 and OR3 Districts</i>	<i>Industrial Districts</i>	<i>Residence and OR1 Districts</i>
Cedar-Riverside	1.0	1.0	none
Franklin Avenue	1.0	1.0	none
Lake Street/Midtown	1.0	1.0	none
38th Street	1.0	1.0	none
46th Street	1.0	1.0	none
50th Street/Minnehaha Park	1.0	1.0	none
VA Medical Center	1.0	1.0	none
West Bank	1.0	1.0	none
Stadium Village	1.0	1.0	none
Prospect Park	1.0	1.0	none

(5) *Off-street parking.*

a. *Multiple-family dwellings.* The minimum off-street parking requirement for multiple-family dwellings in close proximity to frequent transit service may be reduced as authorized by Chapter 541, Off-Street Parking and Loading, shall be ninety (90) percent of the number specified in Chapter 541, Off-Street Parking and Loading. ~~In~~ except in the following transit station areas, where the minimum off-street parking requirement for multiple-family dwellings shall be seventy (70) percent of the number specified in the UA University Area Overlay District: Cedar-Riverside, West Bank, Stadium Village, and Prospect Park.

Section 2. That Section 551.765 of the above-entitled ordinance be amended to read as follows:

551.765. Specific Off-Street Parking Requirements. Except in the downtown districts, uses located in the DP Overlay District shall be subject to the maximum parking requirements specified in Table 541-1, Specific Off-Street Parking Requirements, and the bicycle parking requirements in Table 541-3, Bicycle Parking Requirements, and shall further be subject to the following off-street parking requirements:

(1) *Residential uses.* ~~Dwellings and congregate living uses shall be required to provide a minimum of ninety (90) percent of the number of spaces specified in Table 541-1, Specific Off-Street Parking Requirements, and development~~ Development projects with ten (10) or more dwelling units or rooming units shall provide no more than one and seven-tenths (1.7) spaces per unit. Development projects with fewer than ten (10) dwelling units or rooming units shall provide no more than two (2) spaces per unit. Accessible spaces required for residential uses by the Minnesota State Building Code and visitor parking spaces required by this chapter shall not count toward the maximum parking requirement. Off-site parking up to five hundred (500) feet away shall be permitted, subject to the off-site parking provisions of Chapter 541, Off-Street Parking and Loading.

a. *Visitor parking.* Multiple-family dwellings of fifty (50) or more units that provide off-street parking for residents shall also provide designated visitor parking at a ratio of not less than one (1) visitor space per fifty (50) dwelling units.

(2) *Hotels.* One (1) space per three (3) guest rooms plus parking equal to twenty (20) percent of the capacity of persons for affiliated uses such as dining or meeting rooms.

(3) *C3A district, central riverfront.* Nonresidential uses located in the C3A district in that portion of the central riverfront located between Hennepin Avenue and I-35W and between Washington Avenue and the Mississippi River shall not be required to provide accessory off-street parking facilities.

(4) *All other uses.* All other uses shall provide not less than one (1) parking space for each four thousand (4,000) square feet of gross floor area in excess of four thousand (4,000) square feet. The four (4) space minimum parking requirement in Chapter 541, Off-Street Parking and Loading, shall not apply. Off-site parking up to five hundred (500) feet away shall be permitted, subject to the off-site parking provisions of Chapter 541, Off-Street Parking and Loading.

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.

Z&P – Your Committee concurs with the recommendation of the Planning Commission denying the petition of David Bentz to rezone (BZZ-7138) the property located at 3238 Washington Ave N, to include the Industrial Living Overlay District (ILOD) to the existing I2 zoning district, to allow the current general retail sales and service uses to be legally established, and that the findings prepared by the Community Planning & Economic Development staff be adopted.

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.

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Z&P – Your Committee concurs with the recommendation of the Planning Commission, denying the petition of YanLing Boho to rezone (BZZ-7131) the property located at 3240 Washington Ave N, to include the Industrial Living Overlay District (ILOD) to the existing I2 zoning district, to allow the current general retail sales and service uses to be legally established, and that the findings prepared by the Community Planning & Economic Development staff be adopted.

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 in granting the petition of UrbanWorks Architecture, on behalf of Project for Pride in Living (PPL), (BZZ-7159) to rezone the property located at 617 Lowry Ave N, 3110 & 3116 Lyndale Ave N, and 3113 & 3117 6th St N from the R4 Multiple Family District to the OR2 High Density Office Residence District to allow for the construction of a new 3-4 story apartment building that includes a total of 71 dwelling units and two attached, two-story townhomes totaling 4 units, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of Ordinance 2015-Or-063 amending the Zoning Code.

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

ORDINANCE 2015-Or-063
By Bender
Intro & 1st Reading: 1/6/2014
Ref to: Z&P
2nd Reading: 7/10/2015

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 Lots 1-4, and 9-12, Block 8, Morrison’s Addition to North Minneapolis, Hennepin County, Minnesota.

Also, that part of vacated Lyndale Avenue North, dedicated as Eighth Street in the plat of Morrison’s Addition to North Minneapolis, Hennepin County, Minnesota, lying easterly of a line parallel with and 33 feet East, as measured at right angles, from the west line of Section 10, Township 29, Range 24, Hennepin County, Minnesota, which lies between the westerly extensions of the north line of Lot 12, Block 8, said plat, and of the south line of Lot 11, said block;

That part of vacated Lyndale Avenue North, dedicated as Eighth Street in the plat of Morrison's Addition to North Minneapolis, Hennepin County, Minnesota, lying easterly of a line parallel with and 33 feet East, as measured at right angles, from the west line of Section 10, Township 29, Range 24, which lies between the westerly extensions of the north line of Lot 10, Block 8, said plat, and of the south line of Lot 9, said block;

Also, reserving a permanent easement for highway purposes over all of Lots 1 and 12, said Block 8, and over that part of Lots 2 and 11, said Block 8 and over that part of said vacated Lyndale Avenue North adjacent to said Lots 11 and 12, all lying northerly of the following described line: Commencing at the intersection of the westerly extension of the south line of said Lot 9, Block 8, and a line that is parallel with and distant 33 feet easterly of the West line of Section 10, Township 29, Range 24; thence run northerly along said parallel line a distance of 161.00 feet to the point of beginning of the line to be described; thence easterly 345.54 feet, more or less, to a point on the east line of said Lot 2, distant 44.63 feet northerly of the southeast corner of said Lot 2, as measured along said east line, and said line there terminating, (3110 & 3116 Lyndale Avenue North, and 3113 & 3117 6th Street North - Plate 8) to the OR2 zoning 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 report and ordinance were adopted.

Z&P –Your Committee concurs in the recommendation of the Heritage Preservation Commission that the Dinkytown Commercial Historic District be designated as a local historic district and that the findings and designation study as prepared by the Department of Community Planning & Economic Development be adopted, subject to the following conditions:

1. The Dinkytown Commercial Historic District includes the 23 resources evaluated and listed in the designation study as within the proposed boundary for 1899-1929 period of significance. These resources include the properties identified in the map within the red dotted boundary and listed in Appendix 1 of the staff report.
2. The Secretary of Interior's Standards for Treatment of Historic Properties will be used to evaluate alterations in the district, as they have during interim protection, until such time local design guidelines are adopted.
3. Additionally, CPED staff is directed to work with the 3rd Ward Council Member and Zoning & Planning Committee chair on creating guidelines for the Dinkytown Historic District that: 1) allow for maximum flexibility in retaining the eclectic nature of the district; 2) will not give deference or historic designation to under-utilized space such as surface parking lots; 3) value the façade facing the streetscape with less value given to the backside of the buildings; and 4) will not limit height and the evolving character of the district.

Your Committee further recommends passage of Resolution 2015R-283 designating the Dinkytown Commercial Historic District as a local historic district.

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

RESOLUTION 2015R-283

By Bender

Designating the Dinkytown Commercial Historic District as a Historic District.

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on June 9, 2015, and recommended to the Standing Committee on Zoning and Planning that the 29 individual resources, in an area roughly bounded by 15th Avenue SE on the east, 5th Street SE on the north, 13th Avenue SE on the west, and the railroad trench on the south, as shown on the map of the district on file in the office of the City Clerk, be designated as a historic district entitled Dinkytown Commercial Historic District; and

Whereas, 23 of these resources and properties are an example of commercial growth associated with the early 20th century streetcar era, and the buildings, structures, and sites are significant as exemplary of both architectural and social history from 1899 to 1929; and

Whereas, the Planning Division of the Department of Community Planning and Economic Development compiled a list of the addresses and legal descriptions of the properties, also on file in the office of the City Clerk; and

Whereas, prior to such recommendation, and in compliance with Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation Regulations, the HPC did refer the subject matter to the City Planning Commission (CPC) for review and recommendation, such CPC recommendation being made on April 30, 2015; and further did refer the subject matter to the Minnesota State Historic Preservation Office for review and comment, such favorable comment being made in a letter dated February 25, 2015; and

Whereas, on June 25, 2015, the Standing Committee on Zoning and Planning recommends designation as a historic district the properties within the boundary for the 1899 to 1929 period of significance;

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

That the Dinkytown Commercial Historic District, encompassing 23 individual resources, within an area roughly bounded by 15th Avenue SE on the east, 5th Street SE on the north, 13th Avenue SE on the west, and the railroad trench on the south, as shown on the map of the district on file in the office of the City Clerk, be designated as a historic 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 report and resolution were adopted.

INTRODUCTION & REFERRAL CALENDAR

Pursuant to notice, on motion by A. Johnson, the subject matter of the following ordinances were introduced, given their first reading, and referred to the Health, Environment & Community Engagement Committee:

Amending Title 4 of the Minneapolis Code of Ordinances relating to Animals and Fowl (amending, repealing, renaming, and adding various provisions, sections, articles, and chapters related to the care, control, and regulation of animals).

- a. Chapter 62 relating to In General.
- b. Chapter 64 relating to Dogs, Cats, Ferrets, and Rabbits.
- c. Chapter 65 relating to Ferrets.
- d. Chapter 66 relating to Rabies Control.
- e. Chapter 67 relating to Managed Care of Feral Cats.
- f. Chapter 68 relating to Pet Shops, Kennels, Etc.
- g. Chapter 70 relating to Fowl, Pigeons, and Other Small Animals.
- h. Chapter 72 relating to Diseased, Injured or Dead Animals.
- i. Chapter 74 relating to Miscellaneous Regulations.
- j. Chapter 76 relating to Stables.

On motion by Frey, the subject matter of the following ordinances were introduced, given their first reading, and referred to the Elections & Rules Committee:

Amending Title 8.5 of the Minneapolis Code of Ordinances relating to Elections (updating references to Ward boundaries, compensation of Elections Judges and Sergeants at Arms, and mathematical elimination processes).

- a. Chapter 165 relating to In General.
- b. Chapter 167 relating to Municipal Elections: Rules of Conduct.

RESOLUTIONS

Resolution 2015R-284 celebrating the 35th anniversary of a sister-city friendship between Ibaraki City and the City of Minneapolis was adopted.

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

RESOLUTION 2015R-284

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

Celebrating the 35th anniversary of a sister-city friendship between Ibaraki City and the City of Minneapolis.

Whereas, the City of Ibaraki and the City of Minneapolis have enjoyed a sister-city relationship for 35 years, which was first formed in the Year 1980, a relationship which seeks to build support, enhance global cooperation at the municipal level, promote cultural awareness and understanding, and to stimulate economic development; and

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Whereas, an official delegation from the City of Ibaraki is visiting the City of Minneapolis from July 19-21 to participate in Minneapolis Sister Cities Day, professional study visits, and events celebrating the 35th anniversary of the Ibaraki-Minneapolis sister city friendship; and

Whereas, Sister Cities International is a nonprofit organization that builds and supports citizen diplomacy networks around the world, promoting peace through mutual respect, understanding, and cooperation — one individual, one community at a time, and these laudable goals underscore the relationship and mutual admiration between the cities of Ibaraki and Minneapolis; and

Whereas, Ibaraki and Minneapolis share common interests in the promotion of business and research opportunities in bioscience which are of great benefit to the world, as well as to the economic activity of both cities; and

Whereas, Ibaraki City has contributed greatly to the vitality of Minneapolis through gifts of artwork, sharing of information, and constant support as a global partner;

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

That the best wishes, admiration, and respect are hereby conveyed to the City of Ibaraki together with a warm welcome to its delegates, in token of which this resolution is presented with esteemed affection and goodwill.

Resolution 2015R-285 celebrating the 15th anniversary of a sister-city friendship between the City of Eldoret and the City of Minneapolis was adopted.

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

RESOLUTION 2015R-285

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

Celebrating the 15th anniversary of a sister-city friendship between the City of Eldoret and the City of Minneapolis.

Whereas, the City of Eldoret and the City of Minneapolis have enjoyed a sister-city relationship for 15 years, which was first formed in the Year 2000, a relationship which seeks to build support, enhance global cooperation at the municipal level, promote cultural awareness and understanding, and to stimulate economic development; and

Whereas, an official delegation from the City of Eldoret will be visiting the City of Minneapolis in July 2015 to participate in the 59th Annual Conference hosted by International Sister Cities; and

Whereas, Sister Cities International is a nonprofit organization that builds and supports citizen diplomacy networks around the world, promoting peace through mutual respect, understanding, and cooperation — one individual, one community at a time, and these laudable goals underscore the relationship and mutual admiration between the cities of Eldoret and Minneapolis; and

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Whereas, Eldoret and Minneapolis share common interests in enhancing public safety, emergency management, and response efforts, which has resulted in lives saved and which has been recognized by Sister Cities International with its award for “Innovation: Humanitarian Assistance” for a sister-city program promoting peace through mutual respect, understanding, and cooperation; and

Whereas, Eldoret has contributed greatly to the vitality of Minneapolis through gifts of artwork, sharing of information, and constant support as a global partner;

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

That the best wishes, admiration, and respect are hereby conveyed to the City of Eldoret together with a warm welcome to its delegates, in token of which this resolution is presented with esteemed affection and goodwill.

Resolution 2015R-286 recognizing Childhood Cancer Awareness Month was adopted.

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

RESOLUTION 2015R-286

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

Recognizing Childhood Cancer Awareness Month.

Whereas, the American Cancer Fund for Children and Kids Cancer Connection report cancer is the leading cause of death by disease among U.S. children between infancy and age 15; and

Whereas, this tragic disease is detected in nearly 15,000 of our country's young people each and every year; and

Whereas, one in five of our nation's children loses his or her battle with cancer and many infants, children, and teens will suffer from long-term effects of comprehensive treatment, including secondary cancers; and

Whereas, founded over twenty years ago by Steven Firestein, a member of the philanthropic Max Factor cosmetics family, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are dedicated to helping these children and their families; and

Whereas, the American Cancer Fund for Children and Kids Cancer Connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at the University of Minnesota Amplatz Children's Hospital in Minneapolis, as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

Whereas, the American Cancer Fund for Children and Kids Cancer Connection also sponsor Courageous Kid Recognition Award ceremonies, community get well cards, and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer;

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

That the City Council declares the month of September as Childhood Cancer Awareness Month in the City of Minneapolis.

NEW BUSINESS

Quincy moved that the proper City officers be authorized to execute a Memorandum of Understanding with Abbott Northwestern Hospital regarding indigent care so that Abbott Northwestern would be able to apply for the 340B Drug Pricing Program through the Office of Pharmacy Affairs, Health Resources and Services Administration, United States Department of Health and Human Services, which allows hospitals to purchase pharmaceuticals at a reduced price.

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 was adopted.

Approved by Mayor Betsy Hodges 7/10/2015.

(Published 7/14/2015)

Frey 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 new licensing standards for violations of Minnesota State Statutes related to lead contamination).

Gordon gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 3, Chapter 59 of the Minneapolis Code of Ordinances relating to Air Pollution and Environmental Protection: Construction Activities (amending requirements related to abrasive blasting permits).

Frey 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 (requiring property managers to provide information regarding registering to vote to tenants at the time the tenant takes possession of the residence).

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 relating to Zoning Code (amending development standards for multi-family, mixed use, and nonresidential development):

- a. Chapter 520 relating to Introductory Provisions.
- b. Chapter 525 relating to Administration and Enforcement.
- c. Chapter 527 relating to Planned Unit Development.
- d. Chapter 530 relating to Site Plan Review.
- e. Chapter 531 relating to Nonconforming Uses and Structures.
- f. Chapter 535 relating to Regulations of General Applicability.
- g. Chapter 536 relating to Specific Development Standards.
- h. Chapter 537 relating to Accessory Uses and Structures.

- i. Chapter 541 relating to Off-Street Parking and Loading.
- j. Chapter 546 relating to Residence Districts.
- k. Chapter 547 relating to Office Residence Districts.
- l. Chapter 548 relating to Commercial Districts.
- m. Chapter 549 relating to Downtown Districts.
- n. Chapter 550 relating to Industrial Districts.
- o. Chapter 551 relating to Overlay Districts.

Goodman 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 relating to Zoning Code (amending standards for parking lots):

- a. Chapter 520 relating to Introductory Provisions.
- b. Chapter 525 relating to Administration and Enforcement.
- c. Chapter 530 relating to Site Plan Review.
- d. Chapter 531 relating to Nonconforming Uses and Structures.
- e. Chapter 535 relating to Regulations of General Applicability.
- f. Chapter 536 relating to Specific Development Standards.
- g. Chapter 537 relating to Accessory Uses and Structures.
- h. Chapter 541 relating to Off-Street Parking and Loading.
- i. Chapter 546 relating to Residence Districts.
- j. Chapter 547 relating to Office Residence Districts.
- k. Chapter 548 relating to Commercial Districts.
- l. Chapter 549 relating to Downtown Districts.
- m. Chapter 550 relating to Industrial Districts.
- n. Chapter 551 relating to Overlay Districts.

ADJOURNMENT

On motion by Glidden, the meeting was adjourned to Room 315, City Hall, for the purpose of discussing the matter of initiating litigation against Oslund and Associates in connection with the defects in the I-35W Memorial.

ADJOURNED SESSION

Council President Johnson called the adjourned session to order at 10:57 a.m. in Room 315, a quorum being present.

Deputy City Attorney, Peter Ginder, stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters relating to the initiation of litigation against Oslund and Associates in connection with the defects in the I-35W Memorial.

At 10:58 a.m., on motion by Quincy, the meeting was closed.

Present - Council Members Kevin Reich, Cam Gordon (In at 10:59 a.m.), Jacob Frey, Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Alondra Cano (In at 11:15 a.m.), Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

JULY 10, 2015

On motion by Palmisano, Council Rule III Meeting of Council, Section 4 Closed Meetings, was waived to allow for the attendance of Ben Hecker on behalf of the Mayor's Office.

Also Present - Susan Segal, City Attorney, Peter Ginder, Deputy City Attorney, and Assistant City Attorneys Robin Hennessy and Kristin Sarff, City Attorney's Office; Steve Kotke, City Engineer, Department of Public Works; Casey Carl, City Clerk, Peggy Menshek, and Kelly Geistler, City Clerk's Office.

Ginder summarized the initiation of litigation against Oslund and Associates in connection with the defects in the I-35W Memorial from 10:58 a.m. to 11:17 a.m.

At 11:17 a.m., on motion by Quincy, the meeting was opened.

Gordon moved that the City Attorney's Office be authorized to initiate a lawsuit against Oslund and Associates, and any other necessary, related, or responsible parties, to enforce the City's legal and equitable rights or remedies for any damages to the City arising from the defective design of the I-35W Memorial.

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

On motion by Glidden, the meeting was adjourned.

Casey Joe Carl,
City Clerk

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COMMITTEE OF THE WHOLE:

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278520)
Receiving and filing the 2015 open data compliance report.

COMMITTEE OF THE WHOLE (See Rep):

COORDINATOR (278519)

Performance measures and management system usage and report resolution declaring the City of Minneapolis' commitment to 1) using and reporting out to the public the 10 city performance measures created by the State of Minnesota Council on Local Results and Innovation; 2) continued usage of a performance measurement system; and 3) continued surveying of our residents on key services as defined by the State of Minnesota Council on Local Results and Innovation.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278521)

Fairview Health Services project bond issuance.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278522)

Ability Network: Resolution supporting Ability Network's application to the State Department of Employment and Economic Development Job Creation Fund.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278523)

Development rights for 2313 13th Ave S: Award of exclusive development rights to the Indigenous Peoples Task Force.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278524)

Jones-Harrison Residence host approval for bond issuance: Authorizing the execution of a Cooperative Agreement authorizing host approval for the issuance of bonds for Jones-Harrison Residence through the City of St. Louis Park.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278525)

Land sale: 3901 22nd Ave S to Accent Homes, Inc.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278526)

Land sale: 5147 Penn Ave N to PRG, Inc.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278527)

Minnehaha Academy project host approval for bond issuance through the cities of Lilydale and Mendota.

LICENSES AND CONSUMER SERVICES (278528)

Able Seedhouse + Brewery: 1121 Quincy St NE: Application for an On-Sale Liquor Taproom, with Sunday Sales, Class E license, an Off-Sale Malt Liquor Growler license, and a Sidewalk Cafe license (New Business) (See L&CS council action).

LICENSES AND CONSUMER SERVICES (278529)

Bonicelli Kitchen: 1901 Fillmore St NE: Application for an On-Sale Charter Wine with Strong Beer, Class E license and a Sidewalk Cafe license (New Business) (See L&CS council action).

LICENSES AND CONSUMER SERVICES (278530)

Co-op Creamery Neighborhood Cafe: 2601 E Franklin Ave: Application for an On-Sale Wine with Strong Beer, Class E license (New Business) (See L&CS council action).

LICENSES AND CONSUMER SERVICES (278531)

Davanni's Pizza and Hot Hoagies: 1414 W Lake St: Application for an On-Sale Wine with Strong Beer, Class E license (License Upgrade) (See L&CS council action).

LICENSES AND CONSUMER SERVICES (278532)

Department of Licenses & Consumer Services agenda recommendations for Liquor, Business & Gambling licenses.

LICENSES AND CONSUMER SERVICES (278533)

El Taco Riendo: 2412 Central Ave NE: Application for an On-Sale Wine with Strong Beer, Class E license and a Sidewalk Cafe license (New License) (See L&CS council action).

LICENSES AND CONSUMER SERVICES (278534)

Exchange Nightclub, 10 S 5 St (New Proprietor): Application for On Sale Liquor with Sunday Sales Class A license (See L&CS council action).

LICENSES AND CONSUMER SERVICES (278535)

Henry & Son: 811 Glenwood Ave: Application for an Off-Sale Liquor license (New Business) (See L&CS council action).

LICENSES AND CONSUMER SERVICES (278536)

Hotel ordinance: Ordinance amending Title 13, Chapter 297, modernizing the code and allowing hotels with less than 50 guest rooms.

LICENSES AND CONSUMER SERVICES (278537)

Joint/Cabooze: 913-917 Cedar Ave S: Application for an On-Sale Liquor with Sunday Sales, Class B license (Expansion of Premises) (See L&CS council).

LICENSES AND CONSUMER SERVICES (278538)

Katar River Restaurant & Bakery: 2751 Minnehaha Ave: Application for an On-Sale Wine with Strong Beer, Class C-2 license (License Upgrade and Expansion of Premises) (See L&CS council action).

LICENSES AND CONSUMER SERVICES (278539)

Lake Ethiopian Restaurant and Bar, 2713 Lake E Lake St (New Proprietor): Application for On Sale Liquor Class B with Sunday Sales license (See L&C council action).

LICENSES AND CONSUMER SERVICES (278540)

Pizza Hut: 1101 Hennepin Ave: Application for an On-Sale Liquor with Sunday Sales, Class E license (New Business) (See L&CS council action).

LICENSES AND CONSUMER SERVICES (278541)

Playoffs Sports Lounge: 2501 University Ave SE: Application for an On-Sale Liquor with Sunday Sales, Class C-2 license (Expansion of Premises) (See L&CS council action).

LICENSES AND CONSUMER SERVICES (278542)

Secondhand dealers ordinance: Ordinance amending Title 13, Chapter 321, amending, consolidating and restructuring provisions related to secondhand goods.

LICENSES AND CONSUMER SERVICES (278543)

Stadium Pizza, 207 Washington Ave N (Expansion of Premises): Application for On Sale Liquor with Sunday Sales Class E License (See L&CS council action).

REGULATORY SERVICES (278544)

Commercial hood and exhaust cleaning ordinance: Ordinance amending Title 9, Chapter 174, amending combustible contaminate levels relating to commercial hood and exhaust cleaning.

REGULATORY SERVICES (278545)

Conduct on licensed premises ordinance: Ordinance amending Title 12, Chapter 244, amending provisions related to conduct on licensed premises, required rental property management training and license reinstatement requirements.

COMMUNITY DEVELOPMENT and WAYS & MEANS:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278546)

Great Streets Program Fund Balance Report.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS:

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278547)

Job fairs in 2015: Authorizing acceptance of funds from Hennepin County in the amount of \$30,000 to manage industry-specific and geographically-targeted job fairs in 2015.

COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278548)

Eastside Food Co-op expansion project (2551 Central Ave): Recommending approving \$450,000 of Community Development Block Grant Great Streets gap financing loan and approval of subordinating \$400,293 (\$319,273.53 current balance) of Neighborhood Revitalization Program Loan Pool loans originated in 2003.

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (278549)

Landmark 201 W Broadway project: Recommending that the \$350,000 City loan to the Landmark 201 West Broadway Project be restructured.

FINANCE DEPARTMENT (278550)

2014 Financial Status Report on CPED Development Programs Report.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT

COUNCIL MEMBER GORDON (278551)

Northside Achievement Zone: Progress and Sustainability Plans.

HEALTH DEPARTMENT (278552)

Ground Level Ozone Report: Presentation.

HEALTH DEPARTMENT (278553)

School Based Clinic Project Connect: Presentation.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT (See Rep):

COORDINATOR (278554)

Minnesota Pollution Control Agency Draft Environmental Justice Framework 2015-2018: Submittal of City comments.

HEALTH DEPARTMENT (278555)

Amendments to Title 13, Chapter 281, of Code relating to Licenses and Business Regulations: Tobacco Dealers, regulating sales; and Comments.

NEIGHBORHOOD AND COMMUNITY RELATIONS (278556)

Neighborhood & Community Engagement Commission: Appointments of Braulio Carrasco, Ward 9; Raya Esmaili, Ward 10; Nasser Mussa, Ward 6; and Tessa Wetjen, Ward 9.

HEALTH, ENVIRONMENT & COMMUNITY ENGAGEMENT and WAYS & MEANS (See Rep):

HEALTH DEPARTMENT (278557)

Green Business Program: Accepting revenue from Environmental Initiative and resolution appropriating funds.

HEALTH DEPARTMENT (278558)

School Based Clinic Project Connect: Accepting revenue from Minnesota Coalition for Battered Women and resolution appropriating funds.

PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS (See Rep):

POLICE DEPARTMENT (278560)

Mounted patrol horse boarding contract amendment: Authorizing amendment of contract with Horsemen, Inc. for the boarding of police mounted patrol horses, increasing by \$96,600 for one year.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (278561)

50th & France Special Service District Advisory Board: Appointing the following to two-year terms beginning July 1, 2015, and expiring July 1, 2017: Jeffrey Peterson, Luke Shimp, Laura Steffes, Robert Sykes, and Steve Young, all Ward 13.

PUBLIC WORKS AND ENGINEERING (278562)

Minneapolis Bicycle Master Plan: Approving Protected Bikeway Update and directing staff to conduct a bicycle and pedestrian facility winter maintenance evaluation in the winter of 2015-2016.

PUBLIC WORKS AND ENGINEERING (278563)

Pedestrian Advisory Committee: Appointing the following to two-year terms beginning July 1, 2015, and expiring June 30 2017: Greta Alquist, Ward 3; Julia Kumba YingHua Curran, Ward 7; Alex Cecchini, Ward 10; Tamir Ali Mohamud, Ward 6; Tom Dunnwald, Ward 1; Don Ostrom, Ward 7; Julia Tabbut, Ward 2; Emily Antin, Ward 12; and Philip Ailiff Jr., Ward 3.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS (See Rep):

PUBLIC WORKS AND ENGINEERING (278564)

7th St Ramp Project: Capital budget amendment.

PUBLIC WORKS AND ENGINEERING (278565)

8th St SE Street Reconstruction & Street Lighting Project No. 2283: Capital budget amendment and resolution declaring City's intent to reimburse expenditures with proceeds from tax exempt bonds.

PUBLIC WORKS AND ENGINEERING (278566)

Bid for 7th St Ramp Project: OP No. 8099, Low bid of Lunda Construction Company.

PUBLIC WORKS AND ENGINEERING (278567)

Collaborative Research Project: Agreement with University of Minnesota to research design and operating parameters for improved performance of granular activated carbon filters in drinking water process.

PUBLIC WORKS AND ENGINEERING (278568)

Peavey Plaza: Landscaping donation from Minneapolis Downtown Council.

WAYS AND MEANS (See Rep):

ATTORNEY (278569)

Contract Amendment with Jeane Thorne: Authorizing the proper City officials to amend the 2015 agreement between the City of Minneapolis and Jeane Thorne so that it includes the Firm's name change to AllStaff Recruiting Inc., d/b/a Jeane Thorne Staffing, and to increase the not-to-exceed amount in the agreement to \$100,000.

ATTORNEY (278570)

Legal Settlement: approving the legal settlement Christopher Jilek v. City of Minneapolis, et al., Hennepin County District Court file No. 14-CV-3258, by payment of \$5,000 to the Plaintiff and his attorney, Zorislav Layderman, and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

ATTORNEY (278571)

Legal Settlement: approving the legal settlement of four personal injury claims by payment of: \$11,000 payable to Ulysses Bridges and his attorneys, Paige J. Donnelly, Ltd., \$19,000 payable to Lugine Miller and his attorneys, Paige J. Donnelly, Ltd., \$14,000 payable to Roosevelt Johnson and his attorneys, Paige J. Donnelly, Ltd., and \$7,000 payable to Teddy Lawrence Roark and his attorneys, Paige J. Donnelly, Ltd., and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

ATTORNEY (278572)

Legal Settlement: approving the legal settlement Claim of David Grady by payment of \$9,000 to the Claimant and his attorney, Brantingham Law Office, P.A., and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

ATTORNEY (278573)

Legal settlement: approving the legal settlement Jessica Porter f/k/a Joshua Nordyke v. City of Minneapolis et al., Hennepin County District Court file No. 13-CV-2499 (MJD/FLN), by payment of \$45,000 to Hazelton Law Firm, PLLC, Trust Account, and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

ATTORNEY (278574)

Legal Settlement: approving the legal settlement Luis A. Palaguchi v. Wilson and City of Minneapolis, Hennepin County District Court file No. 27-CV-14-15903, by payment of \$10,000 payable to Luis A. Palaguchi and his attorneys, Paige J. Donnelly, Ltd., and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

ATTORNEY (278575)

Legal Settlement: approving the legal settlement Norman Bradford v. City of Minneapolis by payment of \$15,000 payable to Norman Bradford and/or his attorneys, the Johnson Law Office, and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

ATTORNEY (278576)

Legal Settlement: approving the legal settlement Steven Meldahl v. City of Minneapolis, Hennepin County District Court file No. 27-CV-14-20251, by cancelling the following special assessments: RFS 13-0971475 in the amount of \$550, RFS 13-0971186 in the amount of \$150, RFS 12-0939541 in the amount of \$150, RFS 12-0906479 in the amount of \$150, RFS 13-0984478 in the amount of \$150; additionally, reducing special assessment RFS 13-0959682 from \$300 to \$250 and reducing the \$3,000 rental license reinstatement fee required by M.C.O. 244.1945 for the property at 3111 Upton Ave. down to \$1,950, and authorizing the proper City officers to execute any documents necessary to effectuate settlements.

CONVENTION CENTER (278577)

All State Communications contract increase Authorizing increase of contract C-38878 with All State Communications, OP No. 7990, by \$154,275.32, resulting from submitted change orders, for a new total of \$1,374,275.32 to allow for close out and final payment.

- a. Change Order 1 - \$14,480 for watertight fiber in exhibit halls
- b. Change Order 2 - \$52,735.70 for 85 missed FB5 locks
- c. Change Order 3 - \$7,805 for Mighty-Mo vertical wire management
- d. Change Order 4 - \$56,689.32 for audio fiber upgrade
- e. Change Order 5 - \$3,796 for loom tubing hall floor boxes
- f. Change Order 6 - \$673 for 25-pair to 249
- g. Change Order 7 - \$7,798 for HVAC fiber
- h. Change Order 8- \$3,840 for fiber repair
- i. Change Order 9 - \$6,142 for grounding
- j. Change Order 10 - \$22,889 for engineers' fiber
- k. Change Order 11 - \$8,023 for HVAC fiber
- l. Change Order 12 - \$3,249 for irrigation upgrade
- m. Change Order 13 - \$6,250 for closet clean up
- n. Change Order 14 - \$1,690 for four cables bar area
- o. Change Order 15 - \$4,256 for HVAC cable 18-2
- p. Change Order 16 - \$3,804 for MDF wire managements

- q. Change Order 17 - (\$52,470.70) for 156 cable credit
- r. Change Order 18 - \$584 to recertify twelve-strand jazz fiber
- s. Change Order 19 - \$2,062 for Comnet switch

CONVENTION CENTER (278578)

Convention Center and Target Center consulting pool contracts: Authorizing the appropriate city staff to negotiate and enter into contracts with consultant pool vendors for a term of three years.

FINANCE DEPARTMENT (278579)

Bid for elevator upgrade project at 3 City properties: Approving low bid of Morcon Construction Company, Inc. (OP No. 8111) for an estimated expenditure of \$848,400 to furnish and deliver all labor, materials and incidentals necessary for the elevator upgrade project for City of Lakes, 309 2nd Ave S, the Traffic Maintenance Facility, 300 Border Ave, and the Harriet Maintenance Facility, 6024 Harriet Ave S, and authorizing the proper City officers to execute a contract for the project.

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278580)

Contract increase for Aercor Wireless, Inc.: Authorizing proper City officials to amend the contract for Aercor Wireless, Inc., contract No. C-36960, in the following ways:

- a. Extend the contract for licensing, support, and maintenance of the NetMotion and 2FA (Factor Authentication) Dual Authentication Solutions for three additional years, through Dec 31, 2018.
- b. Increase the contract by \$85,000 for a new not-to-exceed total of \$335,000 over the life of the contract.
- c. Update Terms and Conditions to reflect current standards

INFORMATION AND TECHNOLOGY SERVICES (ITS) (278581)

Gift acceptance of conference and related travel expenses from SharePoint Fest Seattle: Approving a resolution regarding acceptance of gifts covering conference and travel expenses for Tamara Bredemus, Minneapolis Senior Collaboration Architect, to participate in SharePoint Fest Seattle technology conference as a speaker.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (278582)

Local historic designation, Dinkytown Commercial Historic District: Approving the local historic designation of the Dinkytown Commercial Historic District, subject to conditions.

PLANNING COMMISSION/DEPARTMENT (278583)

Off-street parking ordinances: Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, revising provisions relating to off-street parking.

PLANNING COMMISSION/DEPARTMENT (278584)

Interim use permit, Telecommunications tower, 2407 University Ave SE: Application submitted by Debi Grant-Smith, Oaks Hotel, Inc., to allow for a 60-foot temporary, freestanding telecommunications tower in a surface parking lot at the property located at 2407 University Ave SE, from July 23, 2015, to Dec. 31, 2015.

PLANNING COMMISSION/DEPARTMENT (278585)

Hotel, motel, and bed and breakfast ordinance: Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending regulations for hotels, motels, and bed and breakfast establishments.

PLANNING COMMISSION/DEPARTMENT (278586)

Rezoning: Application submitted by David Bentz for the property located at 3238 Washington Ave N to include the Industrial Living Overlay District (ILOD) to the existing I2 Zoning District.

PLANNING COMMISSION/DEPARTMENT (278587)

Rezoning: Application submitted by UrbanWorks Architecture on behalf of Project for Pride in Living (PPL), for the property located at 617 Lowry Ave N, 3110 & 3116 Lyndale Ave N, and 3113 & 3117 6th St N, from the R4 Multiple Family District to the OR2 High Density Office Residence District, to allow for the construction of a new 3-4 story apartment building that includes a total of 71 dwelling units and two attached, two-story townhomes totaling 4 units.

PLANNING COMMISSION/DEPARTMENT (278588)

Rezoning: Application submitted by YanLing Boho for the property located at 3240 Washington Ave N to include the Industrial Living Overlay District (ILOD) to the existing I2 Zoning District.

PLANNING COMMISSION/DEPARTMENT (278589)

Variance and site plan review appeals, The Lander Group (appealing denials) and Tran Muehler (appealing approvals) for the property located at 3535-43 Grand Ave S: Appeals to allow for a new multiple-family residential structure.

NEW BUSINESS (See Rep):

ATTORNEY (278590)

Memorandum of Understanding with Abbott Northwestern Hospital: Authorizing the proper City officers to execute an MOU with Abbott Northwestern Hospital regarding indigent care so that Abbott Northwestern would be able to apply for the 340B Drug Pricing Program.

Official Posting: 7/18/2015

Corrections: 7/20/2015