

**OFFICIAL PROCEEDINGS  
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF  
JANUARY 13, 2017**

(Published January 21, 2017, in *Finance and Commerce*)

**CALL TO ORDER**

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

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

Absent - Council Member John Quincy.

On motion by Glidden, the agenda was amended to include under the Order of Resolutions a resolution honoring the Tilsenbilt Homes as one of the first FHA-Backed Residential Housing Developments in the United States to be Marketed to Buyers of All Races.

The agenda, as amended, was adopted.

On motion by Glidden, the minutes of the adjourned session held December 7, 2016, and the regular meeting of December 9, 2016, were accepted.

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

The following actions, resolutions, and ordinances were signed by Mayor Betsy Hodges on January 15, 2017. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

**REPORTS OF STANDING COMMITTEES**

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

On motion by Glidden, the proposed Charter amendment by the Committee of the Whole relating to the use of premiums received in a bond sale was tabled.

January 13, 2017

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On behalf of the Committee of the Whole, Glidden offered Ordinance 2017-001 amending Title 2, Chapter 40 of the Minneapolis Code of Ordinances relating to Administration: Workplace Regulations.

The following is the complete text of the unpublished summarized ordinance.

**ORDINANCE 2017-001**  
**By Glidden**  
**Intro & 1st Reading: 11/18/2016**  
**Ref to: COW**  
**2nd Reading: 1/13/2017**

**Amending Title 2, Chapter 40 of the Minneapolis Code of Ordinances relating to Administration: Workplace Regulations.**

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

Section 1. That the definition of "Employee" in Section 40.40 of the above-entitled ordinance be amended to read as follows:

**Definitions.** The following words and phrases when used in this chapter shall have the meanings ascribed to them in this section:

*Employee* means any individual employed by an employer, including temporary employees and part-time employees, who perform work within the geographic boundaries of the city for at least eighty (80) hours in a year for that employer. For purposes of this chapter, "employee" does not include the following:

(1) Employees classified as extended employment program workers as defined in Minnesota Rules part 3300.2005, subpart 18 and participating in the Minnesota Statutes, Section 268A.15 extended employment program.

(2) Independent contractors.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (11)

Noes: (0)

Absent: Warsame, Quincy (2)

The ordinance was adopted.

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

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-001 approving the sale of the property at 3956 Snelling Ave S (Disposition Parcel No. TF-923) to Ahmed A. Jama for \$50,000, subject to conditions.

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

January 13, 2017

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**RESOLUTION 2017R-001**  
**By Goodman**

**Authorizing sale of land Disposition Parcel TF-923, under the Vacant Housing Recycling Program at 3956 Snelling Ave S.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-923 in the Howe neighborhood, from Ahmed A. Jama, hereinafter known as the Redeveloper, the Parcel TF-923, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-923; 3956 Snelling Ave S: That part of Lots 17, 18 and 19, Block 30, Palmer's Addition To Minneapolis, beginning at the Northwest corner of Lot 17; thence Northeasterly along the Northerly line of Lots 17, 18 and 19 to the Northeast corner of Lot 19; thence Southeasterly 40 feet along the Easterly line of Lot 19; thence Southwesterly on a line parallel to the Northwesterly line of Lots 17, 18 and 19 to a point on the South line of said Lot 17; thence West along the South line of Lot 17 to the Southwest corner of Lot 17; thence Northwesterly along the Westerly line of Lot 17 to the Point of beginning ; and

Whereas, the Redeveloper has offered to pay the sum of \$50,000 for Parcel TF-923; 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 \$50,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, December 23, 2016, a public hearing on the proposed sale was duly held on January 3, 2017, at the Minneapolis City Hall, 350 S 5th St., Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$50,000 for Parcel TF-923.

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

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

occur on or before 90 days from the date this Resolution is approved by the City or 30 days after title has been cleared whichever occurs later; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

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

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-002 approving the sale of the property at 1008 Morgan Ave N (Disposition Parcel No. TF-938) to Andre Duke for \$5,000, subject to conditions.

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

**RESOLUTION 2017R-002  
By Goodman**

**Authorizing sale of land Disposition Parcel TF-938, under the Vacant Housing Recycling Program at 1008 Morgan Ave N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-938 in the Near North neighborhood, from Andre Duke, hereinafter known as the Redeveloper, the Parcel TF-938, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-938; 1008 Morgan Ave N: Lot 17, Block 24, "Oak Park Addition To Minneapolis"; and

January 13, 2017

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Whereas, the Redeveloper has offered to pay the sum of \$5,000, for Parcel TF-938; 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 \$5,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, December 23, 2016, a public hearing on the proposed sale was duly held on January 3, 2017, at the Minneapolis City Hall, 350 S 5th St., Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$5,000, for Parcel TF-938.

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

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

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

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-003 approving the sale of the property at 3726 Logan Ave N (Disposition Parcel No. TF-879) to Wilson Molina for \$8,000, subject to conditions.

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

**RESOLUTION 2017R-003**

**By Goodman**

**Authorizing sale of land Disposition Parcel TF-879, under the Vacant Housing Recycling Program at 3726 Logan Ave N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-879 in the Folwell neighborhood, from Wilson Molina, hereinafter known as the Redeveloper, the Parcel TF-879, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-879; 3726 Logan Ave N: Lot 15, Block 8, Newlon and Folwell's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$8,000 for Parcel TF-879; 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 \$8,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, December 23, 2016, a public hearing on the proposed sale was duly held on January 3, 2017, at the Minneapolis City Hall, 350 S 5th St., Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$8,000 for Parcel TF-879.

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

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

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

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-004 approving the sale of the property at 3751 Logan Ave N (Disposition of Parcel No. TF-877) to Wilson Molina for \$24,000, subject to conditions.

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

**RESOLUTION 2017R-004**

**By Goodman**

**Authorizing sale of land Disposition Parcel TF-877, under the Vacant Housing Recycling Program at 3751 Logan Ave N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-877 in the Folwell neighborhood, from Wilson Molina, hereinafter known

January 13, 2017

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as the Redeveloper, the Parcel TF-877, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-877; 3751 Logan Ave N: Lot 3, Block 1, Joseph Lowry's Addition to Minneapolis; and

Whereas, the Redeveloper has offered to pay the sum of \$24,000 for Parcel TF-877; 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 \$24,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, December 23, 2016, a public hearing on the proposed sale was duly held on January 3, 2017, at the Minneapolis City Hall, 350 S 5th St., Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$24,000 for Parcel TF-877.

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

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

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

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-005 approving the sale of the property at 3759 Colfax Ave N (Disposition Parcel No. TF-922) to Wilson Molina for \$25,000, subject to conditions.

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

**RESOLUTION 2017R-005**

**By Goodman**

**Authorizing sale of land Disposition Parcel TF-922, under the Vacant Housing Recycling Program at 3759 Colfax Ave N.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-922 in the McKinley neighborhood, from Wilson Molina, hereinafter known as the Redeveloper, the Parcel TF-922, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-922; 3759 Colfax Ave N: Lot 1, Block 4, "Walton Park"; and

Whereas, the Redeveloper has offered to pay the sum of \$25,000 for Parcel TF-922; 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 \$25,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, December 23, 2016, a public hearing on the proposed sale was duly held on January 3, 2017, at the Minneapolis City Hall, 350 S 5th St., Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

January 13, 2017

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

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$25,000 for Parcel TF-922.

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

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City or 30 days after title has been cleared whichever occurs later; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

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

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-006 approving the sale of the property at 4236 Snelling Ave S (Disposition Parcel No. TF-924) to Wilson Molina for \$30,000, subject to conditions.

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

January 13, 2017

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**RESOLUTION 2017R-006**  
**By Goodman**

**Authorizing sale of land Disposition Parcel TF-924, under the Vacant Housing Recycling Program at 4236 Snelling Ave S.**

Whereas, the City of Minneapolis, hereinafter known as the City, has received an offer to purchase and develop Disposition Parcel TF-924 in the Hiawatha neighborhood, from Wilson Molina, hereinafter known as the Redeveloper, the Parcel TF-924, being the following described land situated in the City of Minneapolis, County of Hennepin, State of Minnesota to wit:

LEGAL DESCRIPTION of TF-924; 4236 Snelling Ave S: That part of the North 44 feet front and rear of lot 2, lying East of a line drawn parallel with the Easterly line of said lot and distant 90 feet Westerly therefrom, Block 2, "Elmwood Park Addition to Minneapolis"; and

Whereas, the Redeveloper has offered to pay the sum of \$30,000 for Parcel TF-924; 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 \$30,000 re-use value for the Parcel; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on Friday, December 23, 2016, a public hearing on the proposed sale was duly held on January 3, 2017, at the Minneapolis City Hall, 350 S 5th St., Room 317, at 1:30 p.m., in the City of Minneapolis, County of Hennepin, State of Minnesota;

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

That the re-use value, for uses in accordance with the Redevelopment Plan and/or Program is hereby determined to be the sum of \$30,000 for Parcel TF-924.

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

Be It Further Resolved that the proposal be and the same is hereby accepted, subject to the execution of a contract for the sale of land and further subject to the following conditions: 1) land sale closing must occur on or before 90 days from the date this Resolution is approved by the City or 30 days after title has been cleared whichever occurs later; and 2) payment of holding costs of \$300.00 per month if the land sale closing does not occur on or before the closing deadline.

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

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

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

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0001**

The Minneapolis City Council hereby adopts the Findings of Fact, Conclusions of Law and Recommendation of the Administrative Hearing Officer that the Message and Bodywork License application of Massage Meadows, Inc., doing business as Massage Meadows, for property at 401 W Lake St, be denied.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0002**

The Minneapolis City Council hereby:

1. Approves the revocation of the Rental Dwelling License held by Jim Thomas for property at 3101/3103 Queen Ave N, for failure to meet licensing standards pursuant to Section 244.1910 (19) of the Minneapolis Code of Ordinances.

2. Adopts the Findings of Fact, Conclusions and Recommendation prepared by the Department of Regulatory Services.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0003**

The Minneapolis City Council hereby approves the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business, and Gambling licenses as set forth in File No. 17-00021, 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, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

(Published 1/18/2017)

**COUNCIL ACTION 2017A-0004**

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and Crescent Moon Market, doing business as Crescent Moon Market, allowing the licensee to obtain the Tobacco License for Crescent Moon Market at 3653 Chicago Ave, subject to adherence with the conditions contained therein.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0005**

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and Interstate Parking Company of MN, LLC, doing business as Interstate Parking Company, allowing the licensee to retain the Parking Lot Class A License for 330 1st Ave N, subject to adherence with the conditions contained therein.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0006**

The Minneapolis City Council hereby authorizes an option agreement with United Properties Development, LLC for the previously proposed Gateway Project at 30 3rd St S (Nicollet Hotel Block redevelopment).

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0007**

The Minneapolis City Council hereby approves the change in the name of the Minneapolis Workforce Council to the Minneapolis Workforce Development Board.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-007 authorizing the Finance Officer to execute a Quit Claim Deed and Waiver of Compensation in favor of Hennepin County for a temporary construction easement, a permanent sidewalk and utility easement, and a permanent streetscape easement across a portion of City-owned 30 W Lake St for the Lake Street Reconstruction Project and authorizing the CPED Director to consent to the conveyance of similar easements by the owners of 10 W Lake St.

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

**RESOLUTION 2017R-007**

**By Goodman**

**Authorizing the proper City officials to execute a Quit Claim Deed and Waiver of Compensation and other related documents in favor of Hennepin County for easements associated with the Lake Street Reconstruction Project.**

Whereas, the City of Minneapolis (the "City"), is the owner of the Parcel Nic/Lake 5; 30 W Lake St (the "City Property") and is the successor in interest to a reciprocal easement agreement with respect to the adjacent property located at 10 W Lake St (the "Kmart Site"); and

Whereas, Hennepin County Public Works (the "County") in partnership with City of Minneapolis Public Works is preparing for the Lake Street Reconstruction Project, hereinafter known as the Project; and

Whereas, the County has notified the City of the need for a temporary easement, a permanent sidewalk and utility easement and a permanent streetscape easement across a portion of the City Property (the "Easements") to facilitate the Project; and

Whereas, the County has requested a Quit Claim Deed and Waiver of Compensation from the City as needed for the Easements; and

Whereas, the County has requested similar easements across the Kmart Site;

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

That the Finance Officer or other appropriate official of the City is hereby authorized to execute and deliver a Quit Claim Deed and Waiver of Compensation and other related documents for a conveyance of the Easements to the County; 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, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-008 appointing UMB Bank, National Association, as Successor Trustee for City of Minneapolis Health Care Facilities 501 (c)(3) Tax-exempt Revenue Bonds Series 2005 for St. Olaf Residence, Inc.

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

**RESOLUTION 2017R-008**

**By Goodman**

**Appointing UMB Bank, National Association as Successor Trustee for the City's Health Care Facilities Revenue Bonds (St. Olaf Residence, Inc. Project), Series 2005.**

Whereas, pursuant to Minnesota Statutes, Section 469.152 through 469.165, the City of Minneapolis (the "City") has previously issued on behalf of St. Olaf Residence, Inc., a Minnesota nonprofit corporation (the "Corporation"), its Health Care Facilities Revenue Bonds (St. Olaf Residence, Inc. Project), Series 2005 (the "Bonds"); and

Whereas, the Bonds were issued pursuant to the terms of an Indenture of Trust, between the Issuer and Wells Fargo Bank, National Association, as trustee (the "Incumbent Trustee"), dated as of July 1, 2005 (the "Indenture"); and

Whereas, the City loaned the proceeds of the Bonds to the Corporation pursuant to a Loan Agreement between the City and the Corporation dated as of July 1, 2005 (the "Loan Agreement"), for the purpose of refinancing and renovating the Corporation's 95-bed skilled nursing facility and 48-unit assisted living facility; and

Whereas, the Incumbent Trustee, by written notice to the City and the Corporation dated October 17, 2016, tendered its resignation as trustee under the Indenture; and

Whereas, the Corporation has requested that the City appoint UMB Bank, National Association (the "Successor Trustee") as successor trustee and bond registrar under the Indenture; and

Whereas, Section 8.09(E) of the Indenture states that if an acting trustee resigns, the City, by resolution, shall promptly appoint a successor trustee acceptable to the Corporation; and

Whereas, the Successor Trustee has represented and warranted to the City, the Corporation and the Incumbent Trustee that the Successor Trustee is qualified and eligible under the Indenture to act and serve as the trustee;

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

That the Successor Trustee is appointed to serve as Trustee under the Indenture. The appointment of the Successor Trustee shall be effective upon meeting the requirements of Article VII of the Indenture. The Finance Officer is authorized to execute any City documents and certificates necessary or appropriate to accomplish the appointment of the Successor Trustee.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0008**

The Minneapolis City Council hereby approves modifications to the term sheet with Mortenson Development, Inc. or an affiliated entity, for the 800 Washington Ave S project, to reflect the construction of a ten-story mixed-use building and allowing an additional six months on the timeline for executing a redevelopment contract and closing deadline.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0009**

The Minneapolis City Council hereby:

1. Authorizes a Global Participation Agreement for the MinnDocs Project.
2. Authorizes Department of Community Planning & Economic Development and City Attorney staff to assist in developing and implementing a set of common loan documents that could be used for affordable rental housing projects that employ a variety of state and local funds.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0010**

The Minneapolis City Council hereby:

1. Approves the selection of the team led by United Properties (including THOR Development and First Avenue Productions) as “master developer” with which City and Minneapolis Park & Recreation Board (MPRB) will collaborate to pursue redevelopment of the Upper Harbor Terminal site (pending successful negotiation of an exclusive rights agreement).
2. Authorizes staff to work with MPRB staff and the master developer team to negotiate an exclusive rights agreement that will guide the collaborative planning process and then return to seek City Council authorization to execute that agreement no later than May 1, 2017.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0011**

The Minneapolis City Council hereby:

1. Passage of Resolution 2017R-009 approving up to \$30,000,000 in City of Minneapolis Taxable Limited Tax-Supported Economic Development Revenue Bonds, Series 2017, for Open Access Technology International, Inc. (OATI), or an affiliated company, for a facility at 7901 Computer Ave S, Bloomington, to be issued through the Minneapolis Common Bond Fund.
2. Authorizes amendments to the 2010 bond documents.
3. Authorizes a work force protection agreement with OATI.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**RESOLUTION 2017R-009**

**By Goodman and Quincy**

**Adopting a Supplemental Bond Resolution and Indenture for the City of Minneapolis Taxable Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2017-1.**

Whereas, the City of Minneapolis (the “Issuer”), on June 18, 2004, adopted Resolution No. 2004R-257, entitled “Amending and restating the Basic Resolution of the City of Minneapolis (A),” as amended or supplemented from time to time (the “Basic Resolution”), in order to provide for the issuance of “Common Fund Bonds” as defined therein; and

Whereas, the Issuer has received a proposal from Open Access Technology International, Inc. to issue its revenue bonds to finance the costs of a project consisting of the construction and equipping of a building located at 7901 Computer Avenue South in the City of Bloomington, Minnesota (the "Facility"); and

Whereas, on August 16, 2016, the Hennepin County Housing and Redevelopment Authority, and on August 23, 2016, the Hennepin County Board of Commissioners, approved the issuance of up to \$30,000,000 of bonds to finance the Facility, pursuant to the Joint Powers Agreement, dated as of April 1, 2004, among the Issuer, Hennepin County and the Hennepin County Housing and Redevelopment Authority; and

Whereas, the Issuer has determined to issue its Taxable Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2017-1 (the "Bonds") in the amount of up to \$30,000,000, and therefore desires to amend the Basic Resolution to permit the issuance of the Bonds;

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

That the Basic Resolution is supplemented and amended as follows:

#### ARTICLE I

#### DEFINITIONS, LEGAL AUTHORIZATION AND FINDINGS

Section 101. *Definitions.* The following terms, unless the context hereof shall require otherwise, shall have the meanings set forth below; provided, however, that any additional capitalized terms used herein and not defined herein (unless such capitalization is due solely to application of the rules of grammar) shall have the meanings assigned to such terms in the Basic Resolution or the Agreement, unless the context or use herein requires another or different meaning:

*"Act of Bankruptcy"* means the filing of a petition in bankruptcy with respect to a Person by or against such Person under the United States Bankruptcy Code.

*"Additional Supplemental Bond Resolution"* means the Additional Supplemental Bond Resolution and Indenture authorizing the issuance of Additional Common Fund Bonds.

*"Agreement"* means the Lease Agreement relating to the Facility between the Tenant and the Issuer, as amended from time to time.

*"Articles and Sections,"* mentioned by number only, means the respective Articles and Sections of this Supplemental Bond Resolution so numbered.

*"Authorized Newspaper"* means a newspaper furnishing financial news as part of its service, printed in the English language, published weekly or daily in Minneapolis, Minnesota, or its metropolitan area, and circulated throughout the State.

*"Basic Resolution"* means Resolution No. 2004R-257, entitled "Amending and restating the Basic Resolution of the City of Minneapolis (A)," adopted on June 18, 2004 by the Issuer, as amended to the date hereof, including any amendments made by this Supplemental Bond Resolution.

*“Bond Closing”* means the date on which there is delivery of and payment for the Bonds.

*“Bond Register”* means the register for the registration and transfer of the Bonds kept by the Trustee on behalf of the Issuer pursuant to Section 210 hereof.

*“Bond Year”* means from the Bond Closing to December 31, 2017, inclusive, and thereafter the period commencing on the day after expiration of the preceding Bond Year and ending on the earlier of the day preceding the first anniversary of such commencement date or the date on which no Bonds are Outstanding.

*“Bonds”* means the obligations of the Issuer designated the Taxable Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2017-1, issued pursuant to the Basic Resolution and the Supplemental Bond Resolution in the aggregate principal amount specified in Section 203 hereof, as such principal amount may be adjusted by certification of the Finance Officer of the Issuer.

*“Chapter 424”* means Code of Ordinances, Title 16, Chapter 424, as amended.

*“Code”* means the Internal Revenue Code of 1986, as amended as of the date hereof, and applicable Regulations promulgated thereunder.

*“Code of Ordinances”* means the Minneapolis Code of Ordinances, as amended.

*“Computation Date”* means any of the following dates: (i) the date on which the IDB Account is first fully depleted after the date hereof; and (ii) any date on which money has been drawn from the Tax Reserve Fund as a result of a certification by the Trustee pursuant to Section 415 hereof. The IDB Account shall be deemed to have been first fully depleted on the first date that no cash, investments, or letters of credit are credited to the IDB Account.

*“Construction Fund”* means the fund by that name created pursuant to Section 403 hereof.

*“Designated Common Fund Bonds”* means Common Fund Bonds designated by the Issuer under Chapter 424 as Bonds to which Chapter 424 applies.

*“Expected Available Tax Revenue”* means the product of the total tax capacity of all taxable property in the City of Minneapolis on the Computation Date and one-half percent.

*“Financial Advisor”* means Dougherty & Company LLC.

*“Hereby,” “herein,” “hereof,” “hereto,” “hereunder”* and any similar terms refer to this Supplemental Bond Resolution as a whole; the term *“heretofore”* means before the date of execution and delivery hereof, and the term *“hereafter”* means after the date of execution and delivery hereof.

*“Interest Payment Date”* means June 1, 2017, and each June 1 and December 1 thereafter until all Bonds are paid.

*“Issuer”* means the City of Minneapolis, Minnesota.

*“Joint Powers Agreement”* means the Joint Powers Agreement, dated as of April 1, 2004, among the Issuer, Hennepin County and the Hennepin County Housing and Redevelopment Authority.

*“Other Redemption Funds”* means all funds or accounts not within the Common Bond Fund or IDB Account established by any resolution authorizing Common Fund Bonds (other than the Bonds) which are pledged to the payment of principal, premium and interest due on any such series of Common Fund Bonds on any date for which any redemption thereof was duly called.

*“Outstanding”* means when used with reference to all series of Common Fund Bonds, the same as that term is defined in the Basic Resolution and also means, when used with reference to the Bonds and as of any particular date, all Bonds theretofore and thereupon being authenticated and delivered except:

(a) any Bond canceled by the Trustee or the Paying Agent or surrendered to the Trustee or the Paying Agent for cancellation at or before said date;

(b) any Bond for payment or redemption of which money equal to the principal or Redemption Price thereof, as the case may be, with interest to the date of maturity or Redemption Date, shall have theretofore been deposited with the Trustee or any Paying Agent in trust (whether upon or prior to maturity or the Redemption Date of such Bond) and, except in the case of a Bond to be paid at maturity, of which notice of redemption shall have been duly given; and

(c) any Bond for which in lieu thereof or in substitution therefor another Bond shall have been authenticated and delivered pursuant to Section 213 hereof;

provided, however, that in determining whether the Holders of the requisite principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver hereunder, Bonds owned by the Issuer or the Tenant or any affiliate of the Tenant shall be disregarded and deemed not to be Outstanding except that, in determining whether the Trustee shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Trustee knows to be so owned shall be so disregarded (an *“affiliate”* of any specified Person means any other Person directly or indirectly controlling or controlled by or under direct or indirect common control with such specified Person; for the purposes of this definition, *“control,”* when used with respect to any specified Person, means the power to direct the management and policies of such Person, directly or indirectly, whether through the ownership of voting securities, by contract or otherwise, and the terms *“controlling”* and *“controlled”* have meanings correlative to the foregoing); provided, further, that Bonds so owned which have been pledged in good faith may be regarded as *“Outstanding”* if the pledgee establishes to the satisfaction of the Trustee the pledgee’s right so to act with respect to such Bonds and that the pledgee is not the Issuer or the Tenant or any affiliate of the Tenant. A Bond that would be considered *“Outstanding”* but for the fact that money sufficient for the payment or redemption thereof has theretofore been deposited in full with the Trustee or any Paying Agent in trust for the Holder thereof (or that the Basic Resolution has theretofore been discharged with respect to the series of which such particular Bond is a part pursuant to Article VI of the Basic Resolution) shall, for the purposes of Article III of the Basic Resolution and Article VII of the Basic Resolution, be deemed to be *“Outstanding”* unless such Bond shall be due and payable in accordance with its terms or through redemption proceedings or otherwise as provided in the Basic Resolution and herein.

*“Paying Agent”* means Wells Fargo Bank, National Association, in Minneapolis, Minnesota, and its successor or successors designated pursuant to the provisions of Article VII of the Basic Resolution and Section 204 hereof as the agent of the Issuer to receive and disburse the principal or Redemption Price of and interest on the Bonds.

*“Payment Date”* means the date on which any payment of principal of or interest on any Common Fund Bonds is due.

*“Preference Funds”* means any money credited to the Common Bond Fund or IDB Account, other than either money derived from a draw under the Letter of Credit or earnings received on amounts held by the Trustee, held by the Trustee for less than ninety-one (91) days or concerning which the depositor thereof was subject to an Act of Bankruptcy within ninety-one (91) days after deposit of such amounts with the Trustee.

*“Property Insurance and Award Fund”* means the fund by that name created pursuant to Section 406 hereof.

*“Redemption Date”* means, when used with respect to any Bond to be redeemed, the date fixed for such redemption in accordance with the provisions hereof.

*“Redemption Fund”* means the fund by that name created pursuant to Section 411 hereof.

*“Redemption Price”* means, when used with respect to a Bond or portion thereof, the principal amount of such Bond or portion thereof plus the applicable premium, if any, payable upon redemption thereof in accordance with its terms and as provided herein.

*“Supplemental Bond Resolution”* means this Supplemental Bond Resolution and Indenture.

*“Tax Reserve Fund”* means the fund by that name created by Chapter 424, held by the Issuer separate and apart from the Common Bond Fund.

*“Tax Reserve Requirement”* means zero Dollars (\$0) prior to the first Computation Date and, thereafter, an amount equal to twice the Expected Available Tax Revenue, determined as of the most recent Computation Date.

*“Tenant”* means Computer Avenue, LLC, a Minnesota limited liability company, or an affiliate thereof, its successors and assigns.

*“Trustee”* means Wells Fargo Bank, National Association, in Minneapolis, Minnesota, its successors and co-trustees, as permitted under the Basic Resolution.

*“Underwriter”* or *“Underwriters”* means RBC Capital Markets Corporation and Piper Jaffray & Co.

*“Underwriting Agreement”* means the Underwriting Agreement, to be dated as of the date of execution thereof, among the Underwriters, the Issuer and the Tenant.

*“United States Bankruptcy Code”* means 11 U.S.C. Sections 101 *et seq.*, as amended.

Section 102. *Legal Authorization.* The Issuer is a municipal corporation under the laws of Minnesota and is authorized under the Joint Powers Agreement and the Act to finance the Facility and to issue and sell the Bonds for that purpose in the manner and upon the terms and conditions set forth in the Basic Resolution and herein.

Section 103. *Findings.* The Issuer has heretofore determined and does hereby determine and find as follows:

(a) The Issuer is authorized by the Act to adopt this Supplemental Bond Resolution and execute and deliver the Agreement.

(b) The Issuer has made the necessary arrangements with the Tenant for the financing of the Facility, which Facility consists of certain property used in connection with the operation of a revenue producing enterprise contemplated by Minnesota Statutes, Section 469.153 Subdivision 2, which property is of the character and accomplishes the purposes provided by the Act, and the Issuer has by this Supplemental Bond Resolution authorized execution of the Agreement and all other documents in relation thereto and has specified the terms and conditions of the financing of the Facility.

(c) In authorizing the issuance of Bonds, the Issuer's purpose is and, in the Issuer's judgment, the effect thereof shall be to promote the public welfare by: the attraction, encouragement and development of economically sound commerce and industry so as to prevent, so far as possible, blighted and marginal lands and areas of chronic unemployment and the emergence of such land and areas, the development of commerce and industry to use the available resources of the community in order to retain the benefit of the community's existing investment in educational and public service facilities and to halt the movement of talented, educated personnel of mature age to other areas, thus preserving the economic and human resources needed as a base for providing governmental services and facilities, the provision of accessible employment opportunities for residents in the area, and the expansion of an adequate tax base of Hennepin County to finance the increase in the amount and cost of governmental services.

(d) The amount estimated to be necessary to finance the Facility shall require the Issuer to issue, sell and deliver the Bonds in the aggregate principal amount authorized herein.

(e) The Bonds are Common Fund Bonds within the meaning of Section 202 of the Basic Resolution and are payable from revenues derived by the Issuer from a revenue-producing enterprise and shall be on a parity of lien with all other Common Fund Bonds which have heretofore and may hereafter be issued by the Issuer and made payable from funds pledged and appropriated thereto pursuant to the Basic Resolution and hereunder.

(f) The issuance and sale of the Bonds, the execution and delivery of the Agreement and the performance of all covenants and agreements of the Issuer contained herein and in the Agreement and the Basic Resolution and of all other acts and things required under the Constitution and laws of the State to make the Agreement and the Bonds valid and binding obligations of the Issuer in accordance with their terms are authorized by the Act, the Basic Resolution and this Supplemental Bond Resolution.

(g) The Underwriters are expected to offer to purchase the Bonds in accordance with the terms and conditions of the Underwriting Agreement and this Supplemental Bond Resolution.

## ARTICLE II

### AUTHORIZATION, TERMS AND PROVISIONS OF BONDS

Section 201. *Qualification under the Basic Resolution, IDB Account Resolution and Chapter 424.* The Bonds shall be issued and secured under the provisions of the Basic Resolution, and all applicable terms, covenants and conditions contained therein are hereby incorporated into and made a part hereof of the

same as if said terms, covenants and conditions were set out herein in their entirety. It is hereby found, determined and declared that upon the issuance of the Bonds in accordance herewith and execution of the Agreement, the Agreement shall provide for Basic Rent, which if collected in full and when due shall be sufficient to pay the interest when due and to pay and redeem the Bonds at maturity or when required or permitted pursuant to the terms hereof. In accordance with Sections 202 and 402(d) of the Basic Resolution, at or prior to the Bond Closing for the Bonds, cash in the amount, or an Approved Letter of Credit drawable in the amount, of the Minimum Deposit shall be delivered to or by the Issuer as required for the Bonds and further, all other conditions required to be met under Section 202 of the Basic Resolution shall have been met as have the conditions specified herein. Consistent with the provisions of the Basic Resolution and the IDB Account Resolution, the Issuer specifically pledges to further secure the Bonds (on a parity basis with all Common Fund Bonds) with the funds held in the A Subaccount and Issuer Subaccount of the IDB Account established in accordance with the provisions of the IDB Account Resolution. The Issuer covenants to make appropriations, advances and payments in respect of the Bonds in accordance herewith and with the terms of the Basic Resolution and the IDB Account Resolution. The Bonds shall also be secured by amounts available, if any, in the Tax Reserve Fund, pursuant to Chapter 424. The Issuer hereby designates the Bonds as bonds secured by the pledge made pursuant to Chapter 424.

Section 202. *Forms Generally.* The Bonds shall be in substantially the form set forth in Schedule A hereof with such other appropriate insertions, omissions, substitutions and other variations as are required or permitted hereby and may have such letters, numbers or other marks of identification and such legends or endorsements placed thereon as may, consistently herewith, be placed thereon by the officials of the Issuer executing the Bonds, as evidenced by their execution thereof. Any part of the text of any Bond may be set forth on the reverse side thereof with an appropriate reference thereto on the face of the Bond.

The definitive Bonds shall be printed, lithographed, engraved, typewritten, mimeographed or otherwise reproduced or produced by a combination of these methods or may be produced in any other manner permitted by the rules of any securities exchange, all as determined by the officials of the Issuer executing such Bonds, as evidenced by their execution thereof.

The approving opinion of Bond Counsel may be printed on the Bonds.

Section 203. *Authorization of Bonds and Terms.* Pursuant to the Basic Resolution, the Bonds are hereby authorized to be and shall be issued under and secured by the Basic Resolution and this Supplemental Bond Resolution. The Bonds and any Additional Common Fund Bonds shall bear CUSIP numbers or any other identification, notations or symbols as the Issuer may determine, and when issued shall be numbered separately from R-1 consecutively upward. The Bonds shall be issued in the aggregate principal amount of up to \$30,000,000. The Bonds shall bear interest from the date thereof, payable semiannually on June 1 and December 1 in each year, commencing June 1, 2017, at the interest rates per annum to be determined by the Finance Officer of the Issuer prior to the issuance of the Bonds (with the average weighted interest rate not to exceed 7.00 % per annum), and shall mature on or before December 1, 2040.

The foregoing aggregate principal amount, initial interest payment date, maturity dates and principal amounts maturing on such dates shall be finally and specifically designated at Bond Closing by a certification of the Finance Officer of the Issuer. Such adjustment may include the creation of one or more serial maturities and/or term bonds that are subject to mandatory sinking fund redemption in

accordance with Section 305 hereof. The Finance Officer's certification shall also establish the interest rate for each maturity of Bonds.

Section 204. *Accrual and Payment of Interest.* Each Bond shall bear interest from its date, which shall be as of the date six (6) months preceding the Interest Payment Date next following the date of authentication thereof by the Paying Agent, provided that: (a) if such date of authentication shall be an Interest Payment Date, such Bond shall be dated as of such date of authentication, (b) if such date of authentication shall be before the first Interest Payment Date, such Bond shall be dated as of the date of issuance of such Bond, and (c) if interest on such Bond shall not have been paid in full when due, then notwithstanding any of the foregoing provisions of this Section 204, such Bond shall be dated as of the date on which interest was last paid in full on such Bond. All Bonds shall be payable as to principal or Redemption Price at the principal office of Wells Fargo Bank, National Association, in Minneapolis, Minnesota, hereby designated as Paying Agent for the Bonds, or at the office of any successor Paying Agent designated by the Issuer pursuant to Article VII of the Basic Resolution, and interest on Bonds shall be payable by check or draft drawn upon the Paying Agent mailed on the Interest Payment Date to the registered Holder thereof as reflected as of the close of business on the 15th day of the month immediately preceding any Interest Payment Date at the address of such Holder as it appears on the Bond Register maintained by the Trustee. Overdue principal or Redemption Price of and (to the extent legally enforceable) overdue interest on any Bond shall bear interest at the rate borne by such Bond.

Section 205. *Conditions Precedent to the Delivery of Bonds.* In addition to the performance of such acts and the occurrence of such events as are required under Section 202 of the Basic Resolution, prior to or simultaneously with the delivery of the Bonds:

(a) there shall be delivered to the Trustee a written order by the Representative of the Issuer to authenticate and deliver the Bonds to or upon the order of the Underwriters, upon the payment to the Trustee for the account of the Issuer of a specified sum plus a specified amount of accrued interest, together with a copy of this Supplemental Bond Resolution, duly certified by the recording officer of the Issuer; and

(b) there shall be delivered to the Issuer the following items:

(i) an executed original of the Agreement and the Disbursing Agreement;

(ii) the executed original or copies thereof satisfactory to the Issuer of all Subleases of the Facility then in effect, if any;

(iii) financing statements endorsed as having been filed with the Secretary of State of the State of Minnesota and the County Recorder or Registrar of Titles of Hennepin County, Minnesota, or both, whichever is applicable, showing the interest of the Issuer in the Facility Equipment;

(iv) a policy or binder of title insurance in current ALTA form acceptable to the Issuer and Bond Counsel in an amount not less than the original principal of the Bonds insuring the Issuer's fee simple title to the Facility Premises, subject only to Permitted Encumbrances and insuring against all standard exceptions, including mechanics' liens, survey and zoning restrictions;

(v) the manually signed Opinion of Bond Counsel approving the legality of the Bonds;

(vi) written evidence from the Underwriters, Hennepin County, the Hennepin County Housing and Redevelopment Authority and the City of Bloomington consenting to the issuance of the Bonds;

(vii) an original of the Underwriting Agreement;

(viii) written acceptance by the Paying Agent and the Trustee;

(ix) evidence of insurance complying with Section 4.06 of the Agreement;

(x) all executed Construction Contracts, including any related architects' contracts and payment and performance bonds required by the Agreement, if any;

(xi) an executed original of each Guaranty; and

(xii) such other documents as Bond Counsel reasonably determines are necessary as a precondition to the delivery of the Bonds;

provided, however, that the Issuer may waive the requirement that one or more of the foregoing items be filed with the Trustee on or prior to Bond Closing, except the manually signed Opinion of Bond Counsel approving the validity of the Bonds.

Section 206. *[Intentionally Omitted]*.

Section 207. *Form and Denominations.* All Bonds shall be in fully registered form without coupons and payable to a named Person or registered assigns. Bonds shall each be of the denomination of \$5,000 or any integral multiple thereof. The Bonds may contain or have endorsed thereon such provisions, specifications and descriptive words as are:

(a) not inconsistent with those provisions hereof and of the Basic Resolution that are applicable to all Bonds or to Common Fund Bonds generally;

(b) necessary or desirable to comply with custom or the rules of any securities exchange or commission or brokerage board; or

(c) authorized hereby or by any Additional Supplemental Bond Resolution adopted prior to the authentication and delivery of the Bonds.

Section 208. *Execution of Bonds.* Each Bond shall be executed, as provided by law, in the name and on behalf of the Issuer by the manual or facsimile signature of its Finance Officer (or such other person acting in the stead of the Finance Officer in accordance with law). Any Bond may be signed on behalf of the Issuer by any person who, at the date of such act, shall hold the proper office, and the validity thereof shall not be impaired by the fact that one or more of such officers authorized to execute such Bond shall have ceased to hold such office on the date of delivery of such Bond.

Section 209. *Authentication of Bonds.* Each Bond shall bear thereon a certificate of authentication, substantially in the following form, manually executed by the Trustee:

January 13, 2017

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“Certificate of Authentication”

This Bond is one of the Common Fund Bonds described in the within-mentioned Basic Resolution and Supplemental Bond Resolution and is one of the Bonds of the City of Minneapolis referred to herein.

WELLS FARGO BANK,  
NATIONAL ASSOCIATION,  
as Trustee

Dated: \_\_\_\_\_

By \_\_\_\_\_ [Manual]  
Authorized Signature

Only such Bonds that bear thereon the manually executed certificate of authentication shall be entitled to any security, right or benefit hereunder and under the Basic Resolution. No Bond shall be valid or obligatory for any purpose unless the certificate of authentication upon such Bond shall have been duly executed by the Paying Agent. The certificate of authentication upon any Bond executed as herein provided on behalf of the Issuer shall be conclusive and the only evidence that the Bond so authenticated has been duly authenticated and delivered hereunder and under the Basic Resolution and that the Holder thereof is entitled to the security, right or benefit hereunder and under the Basic Resolution.

Section 210. *Appointment of Trustee as Transfer Agent for Bonds.* The Trustee is hereby irrevocably appointed the agent of the Issuer for the registration, transfer or exchange of Bonds. The Trustee, on behalf of the Issuer, shall maintain and keep a Bond Register for the registration and transfer of the Bonds, and upon presentation thereof for such purpose, the Trustee shall register or cause to be registered thereon and permit to be transferred thereon or to be exchanged, under such reasonable regulations as the Trustee may prescribe, any Bond entitled to registration, transfer or exchange.

Section 211. *Transfer of Bonds.* Each Bond shall be transferable only upon the Bond Register at the office of the Trustee by the registered owner thereof in person or by his attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer satisfactory to the Trustee duly executed by the registered owner or such duly authorized attorney. Upon the transfer of any such Bond, the Issuer shall execute and the Trustee shall authenticate and deliver a new Bond or Bonds registered in the name of the transferee of the same aggregate principal amount, series designation, maturity and interest rate as the surrendered Bond.

Section 212. *Ownership of Bonds and Effect of Registration.* The Issuer, the Trustee and any Paying Agent may treat and consider the person in whose name any Bond for the time being shall be registered upon the Bond Register as the Holder and absolute owner thereof, whether or not such Bond shall have matured, for the purpose of receiving payment of the principal or Redemption Price of and interest on such Bond and for all other purposes whatsoever, and neither the Issuer, the Trustee nor any Paying Agent shall be affected by any notice to the contrary, and payment of or on account of the principal or Redemption Price of and interest on such registered Bond shall be made only to or upon the order of such registered owner thereof. All payments made as in this Section 212 provided shall be valid and effectual to satisfy and discharge the liability upon the several Bonds to the extent of the sum or sums so paid.

Section 213. *Bonds Mutilated, Destroyed, Stolen or Lost.* In the event that any Bond is mutilated, destroyed, stolen or lost, the Issuer shall execute and the Trustee shall authenticate and deliver, in lieu of any such mutilated, destroyed, stolen or lost Bond, a new Bond of like date and denomination as the Bond mutilated, destroyed, stolen or lost, provided that, in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the Trustee, and in the case of any such destroyed, stolen or lost Bond, there shall be first furnished to the Issuer and the Trustee evidence of such destruction, theft or loss satisfactory to the Issuer and the Trustee, together with indemnity satisfactory to them. The Issuer and the Trustee may charge the Holder of such Bond their reasonable fees and expenses in this connection. All such Bonds so surrendered to the Trustee shall be canceled by the Trustee.

In case any such mutilated, destroyed, stolen or lost Bond has become or is about to become due and payable, the Issuer may, instead of issuing a new Bond, cause the Trustee to pay such Bond out of money held by the Trustee and available for such purpose.

The provisions of this Section 213 are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement or payment of mutilated, destroyed, stolen or lost Bonds.

Section 214. *Payment for and Limitations on Exchanges and Transfers.* In all cases in which the privilege of exchanging or transferring Bonds is exercised, the Issuer shall execute and the Trustee shall authenticate and deliver the Bonds in accordance with the provisions hereof and of the Basic Resolution. The Bonds so delivered shall be in such form or denominations as shall permit the exchange or transfer for the surrendered Bonds in such manner that no gain or loss of interest results from such exchange or transfer. All Bonds surrendered in any such exchanges or transfers shall forthwith be canceled by the Trustee. For every such exchange or transfer of Bonds, the Trustee may make a charge sufficient to reimburse the Trustee for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer. The cost of preparing each new Bond upon each exchange or transfer and any other expenses (except any applicable tax, fee or other governmental charge) of the Issuer or the Trustee incurred in connection with such exchange or transfer shall be paid by the Tenant pursuant to Section 2.03 of the Agreement. Neither the Issuer nor the Trustee shall be required to register, transfer or exchange Bonds for a period of fifteen (15) days next preceding any Interest Payment Date on Bonds or next preceding any selection of Bonds to be redeemed or thereafter until after the later of the first publication or mailing of notice of redemption of Bonds selected, called or being called for redemption as a whole or the portion being redeemed of any Bonds selected, called or being called for redemption in part.

Section 215. *Delivery of Temporary Bond.* In order to facilitate timely delivery of the Bonds, the Underwriters may elect, with respect to the Bonds, to receive in lieu of definitive Bonds a single temporary registered Bond that may be printed, lithographed, engraved, typewritten, mimeographed or otherwise reproduced, which Bond shall, upon the printing of the appropriate Bonds and the execution and authentication thereof, be exchanged therefor and canceled.

Section 216. *Book Entry Provisions.* Notwithstanding any provision of this Supplemental Bond Resolution to the contrary:

(a) Upon initial issuance of the Bonds the ownership of one fully registered Bond for each maturity of the Bonds shall be registered in the name of Cede & Co. (“Cede”), as nominee of The Depository Trust Company (“DTC”), New York, New York. Payments of interest on, principal of and any premium on the

Bonds shall be made to the account of Cede on each payment date at the address indicated for Cede in the Bond Register kept by the Trustee in accordance with arrangements acceptable to DTC and the Trustee. DTC has represented to the Issuer that it will maintain a book-entry system in recording ownership interests of its participants (the "Direct Participants"), and the ownership interests of a purchaser of a beneficial interest in the Bonds (a "Beneficial Holder") will be recorded through book entries on the records of the Direct Participants.

(b) With respect to Bonds registered in the name of Cede, the Issuer and the Trustee shall have no responsibility or obligation to any Direct Participant or to any Beneficial Holder of such Bonds. Without limiting the immediately preceding sentence, the Issuer and the Trustee shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede or any Direct Participant with respect to any beneficial ownership interest in the Bonds, (ii) the delivery of any Direct Participant, Beneficial Holder or other Person, other than DTC, of any notice with respect to the Bonds, including any notice of redemption, (iii) the payment of any Direct Participant, Beneficial Holder or other Person, other than DTC, of any amount with respect to the principal or redemption price of, or any interest on, the Bonds or (iv) any consent given or other action taken by DTC as Holder of the Bonds. With respect to the Bonds registered in the name of Cede, the Issuer and the Trustee may treat DTC as, and deem DTC to be, the absolute owner of each Bond for all purposes whatsoever including (but not limited to) (i) payment of the principal or redemption price of, and interest on, each such Bond, (ii) giving notices of purchase or redemption and other matters with respect to such Bonds and (iii) registering transfers with respect to such Bonds. The Trustee shall pay the principal or redemption price of, and interest on, all such Bonds only to or upon the order of DTC, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to such principal or redemption price, and interest, to the extent of the sum or sums so paid. Until and unless the services of DTC as depository of the Bonds are terminated or discontinued, no Person other than DTC shall receive a Bond evidencing the obligation of the Issuer to make payments of principal or redemption price of, and interest on, the Bonds pursuant to this Supplemental Bond Resolution. Upon delivery by DTC to the Trustee of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede, and subject to the transfer provisions hereof, the word "Cede" in this Supplemental Bond Resolution shall refer to such new nominee of DTC.

(c) (i) DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving reasonable written notice to the Issuer and the Trustee and discharging its responsibilities with respect thereto under applicable law.

(ii) The Trustee shall terminate the services of DTC with respect to the Bonds if the Issuer determines that the continuation of the system of book-entry-only transfers through DTC (or a successor securities depository) is not in the best interests of the Beneficial Holders of the Bonds or is burdensome to the Trustee, and shall terminate the Services of DTC with respect to the Bonds upon receipt by the Trustee of written notice from DTC to the effect that DTC has received written notice from Direct Participants having interests, as shown in the records of DTC, in an aggregate principal amount of not less than 50% of the aggregate principal amount of the Bonds then Outstanding to the effect that; (a) DTC is unable to discharge its responsibilities with respect to the Bonds or (b) a continuation of the requirement that all of the Bonds be registered in the Bond Register in the name of Cede, as nominee of DTC, is not in the best interest of the Beneficial Holders of such Bonds.

(d) Upon the termination of the services of DTC with respect to the Bonds pursuant to subsection (c)(ii)(b) hereof, or upon the discontinuance or termination of the services of DTC with respect to the

Bonds pursuant to subsection (c)(i) or subsection (c)(ii)(a) hereof after which no substitute securities depository willing to undertake the functions of DTC hereunder can be found or which, in the opinion of the Trustee, is willing and able to undertake such functions upon reasonable and customary terms, the Bonds shall no longer be restricted to being registered in the registration books kept by the Trustee in the name of Cede as nominee of DTC. In such event, the Trustee shall transfer and exchange Bond certificates as requested by DTC or Direct Participants and confirmed by DTC of like principal amount, series and maturity, in Authorized Denominations to the identifiable Beneficial Holders in replacement of such Beneficial Holders' beneficial interests in the Bonds.

(e) Notwithstanding any other provision of this Supplemental Bond Resolution to the contrary, so long as any Bond is registered in the name of Cede, as nominee of DTC, all payments with respect to the principal or redemption price of, and interest on, such Bond and all notices with respect to such Bond shall be made and given, respectively, to DTC as provided in the representation letter addressed to DTC with respect to the Bonds.

(f) In connection with any notice or other communication to be provided to Holders pursuant to this Supplemental Bond Resolution by the Trustee with respect to any consent or other action to be taken by Holders, the Trustee shall establish a record date for such consent or other action and give DTC notice of such record date not less than 15 calendar days in advance of such record date to the extent the Trustee is reasonably able to do so.

(g) Notwithstanding any provision herein to the contrary, the Trustee may agree to allow DTC, or its nominee, Cede, to make a notation on any Bond redeemed in part to reflect, for informational purposes only, the principal amount and date of any such redemption.

### ARTICLE III

#### REDEMPTION OF BONDS

Section 301. *Privileges of Redemption and Redemption Prices.* The Bonds issued pursuant hereto which are redeemable prior to maturity shall be subject to redemption upon notice as and to the extent provided in this Article III, at such time or times, in such order, and on such other terms and conditions, in addition to and consistent with this Article III, as is provided in the form of Bonds set forth herein and as shall be provided in the forms thereof with respect to Additional Common Fund Bonds issued pursuant to Section 206 hereof consistent with the Additional Supplemental Bond Resolution pursuant to which such Additional Common Fund Bonds may be issued (but shall not be redeemed prior to maturity except as so provided). In all cases any such redemption made shall be at a price equal to the principal amount of each Bond or portion thereof to be redeemed, plus such redemption premium or differing redemption premiums, if any, as shall be set forth in said Bonds and applicable upon such redemption, together with interest accrued to the Redemption Date. Except as may be otherwise provided herein, if less than all of the Bonds then Outstanding are to be redeemed, the particular Bonds to be redeemed shall be selected by inverse order of maturity and within a maturity as set forth in Section 302 hereof.

Section 302. *Selection of Bonds to be Redeemed.* In the event of redemption of Bonds of like maturity, the Trustee shall assign a distinctive number for each \$5,000 of principal amount of each Bond to be so redeemed and shall select the principal amount to be so redeemed, using such method of selection from the assigned numbers as the Trustee shall deem proper in its discretion. The Bonds to be

redeemed shall be the Bonds to which were assigned numbers so selected, but only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. For the purposes of this Section 302, Bonds, or portions thereof, which have been selected for redemption shall not be deemed Outstanding, and the order of selection for such Bonds shall remain the same upon exchange or transfer thereof pursuant to Section 211 hereof.

Section 303. *Notice of Redemption.*

(a) In the case of the redemption of any Bonds, the Trustee, in accordance with the terms and provisions of all Bonds and of this Supplemental Bond Resolution, shall select the Bonds to be redeemed and shall give notice of the redemption of such Bonds. However, the Trustee shall not give notice for redemption pursuant to Section 306 hereof prior to deposit of the applicable Redemption Price in the Redemption Fund.

(b) The notice shall specify the maturities of the Bonds to be redeemed, the Redemption Date and the place or places where amounts due upon such redemption shall be payable and, if less than all of the Bonds of any like maturity are to be redeemed, the letters and numbers or other distinguishing marks of such Bonds so to be redeemed, and, in the case of a Bond to be redeemed in part only, such notice shall also specify the portion of the principal amount thereof to be redeemed. Such notice shall further state that on such Redemption Date there shall become due and payable upon each Bond to be redeemed the Redemption Price thereof or the Redemption Price of the specified portion of the principal thereof in the case of a registered Bond to be redeemed in part only, together with interest accrued to such Redemption Date, and that from and after such date interest thereon shall cease to accrue and be payable. The Trustee shall mail a copy of such notice, first-class mail, postage prepaid, not less than thirty (30) nor more than sixty (60) days before such Redemption Date, to the registered owner of each Bond all or a portion of which is to be redeemed, at said owner's last address, if any, appearing upon the Bond Register maintained by the Trustee, but failure to receive such notice or any defect therein or in the mailing thereof shall not affect the validity of any proceedings for the redemption of Bonds. Such notice shall additionally be sent to [www.emma.msrb.org](http://www.emma.msrb.org). Notwithstanding the foregoing, the Trustee shall, to the extent required by law, publish notice of any redemption of Bonds in an Authorized Newspaper.

(c) For the purpose of discharging Bonds as provided in Section 603 of the Basic Resolution greater than 60 days prior to a redemption date for the Bonds, notice of redemption shall be deemed given if the Issuer shall have given the Trustee irrevocable instructions to provide the notice of redemption as required in (b) above.

Section 304. *Payment of Redeemed Bonds.* Notice having been given in the manner provided in Section 303 hereof, the Bonds or portions thereof called for redemption and specified in said notice shall become due and payable on the Redemption Date specified in said notice at the applicable Redemption Prices on such Redemption Date, plus unpaid interest on the Bonds or portions thereof accrued to such Redemption Date, and upon presentation and surrender thereof at the place or places specified in the notice together with a written instrument of transfer duly executed by the registered owner or by his attorney duly authorized in writing, the Bonds or portions thereof shall be paid at the Redemption Prices, plus unpaid interest on the Bonds or portions thereof accrued to the Redemption Date. If there shall be called for redemption less than all of a Bond, the Issuer shall execute and the Paying Agent shall

authenticate and cause to be delivered, upon the surrender of such Bond, without charge to the owner thereof, for the unredeemed balance of the principal amount of the Bond so surrendered, Bonds of like series designation, interest rate and maturity in any of the authorized denominations and registered in such name or names as may be requested. If on such Redemption Date, money for the redemption of all the Bonds of any like maturity to be redeemed, together with interest thereon accrued and unpaid to such Redemption Date, shall have been on deposit with the Paying Agent so as to be available therefor on such Redemption Date and if notice of redemption thereof shall have been given as aforesaid, then from and after such Redemption Date interest on the Bonds or portions thereof of such maturity so called for redemption shall cease to accrue and become payable and said Bonds shall no longer be considered as Outstanding hereunder. All money on deposit with the Paying Agent for the redemption of particular Bonds shall be held in trust for the account of the Holders of the Bonds to be so redeemed. Any Bonds redeemed shall be paid, to the extent available, from funds held by the Trustee other than Preference Funds.

Section 305. *Sinking Fund Redemption.* In the event that the Finance Officer by certification under Section 203 hereof designates one or more term bonds, such term bonds shall be subject to mandatory sinking fund redemption, in part, in integral multiples of \$5,000, with the particular Bonds to be redeemed to be selected by the Trustee and notice of redemption to be given by the Trustee in accordance with the provisions of this Supplemental Bond Resolution. Such mandatory sinking fund redemptions shall be at a redemption price equal to one hundred percent (100%) of par, plus accrued interest to the date fixed for mandatory sinking fund redemption (the "Mandatory Sinking Fund Redemption Date").

In the event that Bonds are purchased by the Issuer or the Tenant, or Bonds are redeemed pursuant to Section 306 hereof, the Bonds so purchased, or redeemed, at the option of the purchaser (in the case of purchased Bonds) or the Issuer (in the case of redeemed Bonds), may be applied as a credit against any subsequent mandatory sinking fund redemption payment for the Bonds, and such credit shall be equal to the principal amount of Bonds so purchased or redeemed, provided that notice of such election has been delivered to the Trustee not less than sixty days prior to the date of such mandatory sinking fund redemption. In such case, the principal amount of Bonds to be redeemed on such Mandatory Sinking Fund Redemption Date shall be reduced by the principal amount of Bonds so purchased or redeemed that are delivered to the Trustee on or before the date the notice of such election has been delivered to the Trustee. Any credit given to a mandatory sinking fund redemption pursuant to this paragraph shall not affect any subsequent mandatory sinking fund redemption which shall remain payable in such amounts and on such terms as otherwise set forth herein.

Section 306. *Optional Redemption.* The Bonds maturing after December 1, 2026, are subject to redemption prior to maturity, at the option of the Issuer, in whole or in part and from time to time, on December 1, 2026, and on any Interest Payment Date thereafter, after the notice of redemption given in accordance with the terms of this Supplemental Bond Resolution, at a Redemption Price (expressed as a percentage of the principal amount to be redeemed) set forth below, plus accrued interest to the Redemption Date:

<u>Redemption Date</u>	<u>Redemption Price</u>
December 1, 2026 and thereafter	100%

The terms set forth in this Section 306 are subject to adjustment and modification and if adjusted, such terms shall be finally designated by certification of the Finance Officer of the Issuer delivered in connection with Bond Closing. Such adjustment may include the addition of a redemption premium on certain dates.

Section 307. *Extraordinary Optional Redemption.* The Bonds are subject to redemption prior to maturity, at the option of the Issuer, in whole but not in part, on any date upon notice as provided in Section 303 hereof, at a Redemption Price equal to the principal amount thereof, plus accrued interest to the Redemption Date, following termination of the Agreement and prepayment by the Tenant of all amounts payable thereupon pursuant to Section 7.03 of the Agreement, which termination may occur at the election of Tenant only upon the occurrence of certain events of casualty, condemnation, changes of law, or other occurrences as described in such provision of the Agreement.

Section 308. *Default Redemption.* The Bonds are subject to redemption prior to maturity, at the option of the Issuer, in whole but not in part, on any date upon notice as provided in Section 303 hereof, at a Redemption Price equal to the principal amount thereof, plus accrued interest to the Redemption Date, following the occurrence of all of the following: (i) an Event of Default, as defined in the Agreement, has occurred and is continuing; (ii) the Issuer has exercised its option to declare an acceleration of all Basic Rent to become due under the Agreement pursuant to Section 8.02(a) of the Agreement; and (iii) the Issuer has determined that sufficient amounts can be derived from the Facility, proceeds of the Bonds (or any refunding bonds) available therefor, sums in the Common Bond Fund available therefor, or any combination of the foregoing amounts or otherwise to discharge the Bonds pursuant to the Basic Resolution.

#### ARTICLE IV

##### ADDITIONAL GENERAL COVENANTS AND FUNDS

Section 401. *Maintenance and Repair.* The Issuer covenants that the Issuer shall at all times use its best efforts to cause the Tenant to maintain, preserve and keep the Facility in good condition, repair and working order.

Section 402. *Recording and Filing.* The Trustee shall cause the Agreement or a short form thereof and all related financing statements concerning the Facility to be kept, recorded, and filed in such manner and in such places as may be required by law in order to fully preserve and protect the Issuer's title to and security interest in the Facility and shall cause rerecording and refiling of each financing statement and each supplement thereto as is necessary to maintain, preserve and protect such title and security interest.

Section 403. *Construction Fund.*

(a) There is hereby created and established a separate and special Construction Fund to be held by the Trustee, in which there shall be deposited at the Bond Closing or thereafter, the additional contributions, if any, required by the Agreement, all proceeds of the Bonds, including any capitalized interest, but excluding proceeds required to be deposited in the Common Bond Fund pursuant to Section 405 hereof and proceeds of the Bonds deposited in the Costs of Issuance Account of the Construction Fund pursuant to this Section 403. Amounts in the Construction Fund shall be withdrawn or disbursed pursuant to Section 3.03 and 3.04 of the Agreement and this Article IV.

(b) Subject to Section 413 hereof, but notwithstanding any other provision herein or in the Agreement, upon the occurrence and continuance of an Event of Default as defined in the Agreement, the Issuer may apply any amounts in the Construction Fund (i) to discharge any obligations of the Tenant under the Agreement, or (ii) to redeem Bonds if the Issuer elects to redeem all outstanding Bonds upon acceleration of the Basic Rent due under the Agreement pursuant to Section 8.02(a) of the Agreement.

(c) Subject to Section 413 hereof, but notwithstanding any other provision herein, any sums transferred from the Construction Fund as Retained Funds shall be credited and be applied by the Issuer in accordance with the applicable requirements of the Agreement.

(d) Subject to Section 413 hereof, upon any purchase of the Facility by Tenant pursuant to Sections 6.09 or 7.04 of the Agreement, amounts in the Construction Fund shall be transferred to the Debt Service Account.

(e) There is hereby created and established a separate and special account in the Construction Fund to be known as the "Costs of Issuance Account" to be held by the Trustee, in which there shall be deposited at the Bond Closing any money contributed by the Tenant and designated by the Tenant to be deposited in the Costs of Issuance Account, together with proceeds of the Bonds designated by the Tenant for deposit to the Costs of Issuance Account. Amounts in the Costs of Issuance Account shall be disbursed within 30 days of the date of issuance of the Bonds to pay costs of issuance of the Bonds.

Section 404. *Common Bond Fund.* Any accrued interest on the Bonds delivered at Bond Closing, all Net Revenues with respect to the Facility and the Agreement, Basic Rent, interest accruing on past due Basic Rent, all Retained Funds, Collateral Proceeds, Prepaid Net Revenues, and all other sums payable into the Common Bond Fund pursuant hereto or the Agreement, shall be credited to the Common Bond Fund, as received, and, subject to the Tenant's rights (if any) to earnings on the Reserve Deposit pursuant to the terms of the Agreement, are hereby pledged to the Common Bond Fund to the extent and in the manner provided in the Basic Resolution and herein. Subject to Section 413 hereof, amounts deposited in the Common Bond Fund (or any subaccounts therein) shall be credited against installments of Basic Rent or to the benefit of the Tenant only as and to the extent provided in the Agreement; provided that, subject to the Agreement, earnings on sums in the Common Bond Fund (including earnings on money credited to the Debt Service Account, the Common Reserve Account, and all subaccounts therein) shall not be credited against any installments of Basic Rent or otherwise to the benefit of the Tenant, but shall accrue to the benefit of the Issuer and shall be credited and applied in accordance with the Basic Resolution. Except as otherwise set forth in the Agreement, all amounts deposited in the Common Bond Fund pursuant hereto shall secure the payment of Common Fund Bonds to the extent and in the manner provided in the Basic Resolution.

Section 405. *Debt Service Account and Common Reserve Account.*

(a) At Bond Closing the Issuer shall deposit into the Debt Service Account in the Common Bond Fund proceeds of the Bonds to the extent of interest accrued on the Bonds from their nominal issuance date to the Bond Closing. All Net Revenues with respect to the Facility or the Agreement and Basic Rent (and all interest accruing on past due amounts therefor) shall be deposited in the Debt Service Account in the Common Bond Fund, together with any amounts transferred from the Common Reserve Account which are being credited in accordance herewith or the Agreement to the benefit of the Tenant against installments of Basic Rent or other payments due under the Agreement.

(b) At Bond Closing there shall be deposited in the Common Reserve Account by the Issuer cash in an amount, or an Approved Letter of Credit drawable in an amount, not less than the Reserve Deposit. Any amounts drawn under an Approved Letter of Credit shall be deposited in the Common Reserve Account. The Issuer may substitute an Approved Letter of Credit for all or a portion of the cash deposited in the Common Reserve Account at the Bond Closing by providing an Approved Letter of Credit for deposit therein in the amount of such withdrawal.

(c) Any funds in the Construction Fund transferred pursuant to Section 3.04 of the Agreement shall be deposited in the Common Reserve Account as Retained Funds, together with any amounts otherwise required hereunder to be deposited in the Common Reserve Account or subaccount thereof. Amounts deposited hereunder or pursuant to the Agreement in a subaccount in the Common Reserve Account shall be credited to the benefit of the Tenant and applied, if at all, only in accordance with Sections 2.02 and 2.03 of the Agreement, and such amounts so credited, to the extent they are or become available therefor, shall be transferred from any such subaccount in the Common Reserve Account into the Debt Service Account as and to the extent such amounts are applied against payments of Basic Rent or other items due and payable under the Agreement.

Section 406. *Property Insurance and Award Fund.*

(a) The proceeds of fire and extended coverage insurance on the Facility received under the Agreement from a claim for loss in excess of \$50,000 per occurrence or \$100,000 per calendar year in the aggregate and any award in the event of Condemnation of the Facility or any part thereof as referred to in Section 5.02 of the Agreement are to be paid to the Issuer. The Issuer shall deposit all such insurance proceeds and any award received in the Property Insurance and Award Fund to be established and held by the Trustee in the event that the Trustee receives any such insurance proceeds or any such award. Any money deposited in the Property Insurance and Award Fund shall be withdrawn only for the purposes and upon the conditions stated in this Section 406.

(b) The Issuer shall first deduct from any Condemnation Award or insurance proceeds any costs reasonably incurred by the Issuer or the Tenant in connection with the Condemnation proceedings or the collection of the insurance, including, but not limited to, attorneys' fees, witness fees and any extraordinary expenses of the Issuer or the Tenant in connection therewith. The amount remaining after such payments is referred to in this Section 406 as the "Net Proceeds."

(c) In the event that the Tenant exercises its option to terminate the Agreement as provided in Section 7.03 of the Agreement, the Net Proceeds shall be deemed "Prepaid Net Revenues" under Section 101 of the Basic Resolution and shall be deposited in a separate subaccount in the Common Reserve Account and may be applied therein as provided in Section 403(d) of the Basic Resolution.

(d) Subject to Section 5.04 of the Agreement, if the conditions for termination under Section 7.03 of the Agreement do not exist or the option to terminate thereunder is not exercised, the Net Proceeds shall be retained in the Property Insurance and Award Fund, and the Tenant is required under Article V of the Agreement to restore the Facility after any such casualty or Condemnation. The following items shall be deposited with the Issuer and the Trustee before any disbursement is made from the Property Insurance and Award Fund to pay such cost of restoration:

(i) plans and specifications reasonably satisfactory to the Issuer for restoration of the Facility, which restoration the Tenant is required to effect in accordance with Section 5.01 or Section 5.02 of the Agreement, as the case may be;

(ii) a contract or contracts for the furnishing of work and materials required for restoration in accordance with the plans and specifications, with a payment and performance bond or bonds (unless otherwise agreed by the Issuer) in an aggregate amount at least equal to the total cost of restoration under the contract or contracts conditioned for the completion thereof in accordance with the plans and specifications and for the payment of all claims for labor and materials to be incorporated in the Facility in the course of restoration;

(iii) a certificate of a member of the Issuer's staff approving: (A) the plans and specifications for such restoration, (B) the contract or contracts, and (C) the payment and performance bond or bonds, if any, which approval the Issuer has agreed shall not be unreasonably withheld, provided that upon the passage of fifteen (15) days from the receipt of such plans and specifications, contracts, and bonds during which the Issuer has not given such certificate, the requirement of this subparagraph (iii) need not be satisfied; and

(iv) cash or a certified check (or a letter of credit in form and substance reasonably acceptable to the Issuer) for any amount by which the total cost of restoration as then ascertained or estimated exceeds the balance then on hand in the Property Insurance and Award Fund.

(e) After compliance with Section 406(d) hereof, where applicable, the Trustee shall pay costs of restoration to the Tenant or other persons entitled thereto, subject to customary restrictions on disbursement, as such restrictions are deemed applicable or appropriate by the Issuer; provided that, unless waived by the Issuer, not more than ninety percent (90%) of the total cost of restoration as so certified pursuant to Section 3.03 of the Agreement shall be paid until receipt by the Issuer of (i) an Opinion of Independent Counsel stating that all filings and other steps necessary to perfect the security interests and title created by the Agreement in all personal property which constitutes part of the Facility as a result of such restoration, as against third party creditors of or purchasers for value from the Tenant, have been completed and that the personal property which constitutes part of the Facility is subject to no liens and encumbrances except Permitted Encumbrances or such other encumbrances consented to by the Issuer and the Tenant, and (ii) an endorsement to the title insurance policy delivered under Section 205(b)(iv) hereof with respect to the real property constituting part of the Facility in form and substance acceptable to the Issuer. In the event that the restoration of the Facility to substantially the condition existing before a taking by Condemnation would require the furnishing of land or rights or interests in land additional to or in substitution for any part or all of the Facility Premises, the cost thereof may be added to the cost of restoration to be paid under the provisions of this Section 406 if such acquisition is authorized by the Issuer and there are filed with the Issuer evidence of the acquisition of such land or an interest therein, together with an endorsement to the title insurance policy delivered under Section 205(b)(iv) hereof in relation to such additional or substituted land and rights or interests therein, all in form and manner acceptable to the Issuer. Any additional property or rights or interest therein so acquired shall be and become part of the Facility as fully as though originally set forth and described in Exhibits A and B of the Agreement.

(f) Any Net Proceeds not used for such restoration shall, upon completion of such restoration, be credited to a separate subaccount of the Common Reserve Account in the Common Bond Fund and applied and credited in accordance with the Basic Resolution and the Agreement.

(g) All earnings on sums in the Property Insurance and Award Fund shall be credited to such fund for the purposes permitted in this Section 406.

Section 407. *Prepayment of Basic Rent.* Any prepayment by the Tenant of Basic Rent as provided in Section 7.02 of the Agreement shall be deposited in a separate subaccount of the Common Reserve Account for Retained Funds and credited and applied as provided in such Section 7.02 of the Agreement.

Section 408. *[Intentionally Omitted].*

Section 409. *[Intentionally Omitted].*

Section 410. *[Intentionally Omitted].*

Section 411. *Redemption Fund.*

(a) There is hereby created and established a separate and special Redemption Fund, to be held by the Trustee as a fund separate from the Common Bond Fund and the IDB Account. Amounts deposited therein are hereby pledged solely to the payment of the Redemption Price on the Bonds duly called for redemption or repayment to the Issuer as provided herein.

(b) There shall be deposited in the Redemption Fund, all amounts to be paid as the Redemption Price on any Bonds to be called for redemption pursuant to Sections 306, 307 and 308 hereof. Such amounts shall be deposited prior to notice of such redemption being given pursuant to Section 303 hereof. Earnings on the investment of amounts deposited in the Redemption Fund shall also be deposited in such fund.

(c) Subject to Section 413 hereof, amounts in the Redemption Fund shall be applied to payment when due of the Redemption Price payable on any Bonds duly called for redemption by transfer thereof to the Paying Agent on the date when due. Amounts remaining in the Redemption Fund and not required for the payment of any Redemption Price of Bonds duly called for redemption, shall be transferred by the Trustee at the direction of the Issuer.

(d) Amounts in the Redemption Fund shall be invested solely in direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America, the Government National Mortgage Association, Federal Intermediate Credit Banks, Banks for Cooperatives, Federal Land Banks, the Export-Import Bank of the United States or the Federal Home Loan Bank; provided, however, no amounts may be invested for a period expiring later than the earlier of ninety-one (91) days or the next succeeding Interest Payment Date on which Bonds will be redeemed.

Section 412. *Draws on the Approved Letter of Credit.* The following shall be applicable only if there is an Approved Letter of Credit constituting all or part of the Reserve Deposit for the Bonds:

(a) if (i) the Tenant shall fail at any time or times to pay when due (including any applicable grace period) any Basic Rent (including amounts due by acceleration), or (ii) any Basic Rent previously paid is required by law to be disgorged by the Issuer, the Trustee, or holders because of the bankruptcy or insolvency of the Tenant, or (iii) any amount is then drawable under the Basic Resolution from the applicable subaccount for Reserve Deposits established in the Common Reserve Account, then to the extent of amounts drawable the Trustee may submit a draw under the Approved Letter of Credit, and shall provide a notice of such draw to the Tenant. Amounts so drawn shall be deposited in the Common Reserve Account, subject to withdrawal pursuant to the Basic Resolution.

(b) The Trustee shall submit a draft to fully draw under the Approved Letter of Credit no more than forty-five (45) days and no less than thirty (30) days prior to its expiration unless (i) such expiration is on or after the date on which all principal of, premium, if any, and interest on the Bonds is paid in full, or (ii) prior to such draw an Approved Substitute Letter of Credit drawable in an amount not less than the amount drawable under the expiring Approved Letter of Credit shall have been delivered to the Trustee, or immediately available funds (in United States currency) in an amount equal to the amount drawable under the expiring Approved Letter of Credit shall be delivered to the Trustee for deposit in a subaccount in the Common Reserve Account. Amounts so drawn shall be deposited in a subaccount in the Common Reserve Account.

Section 413. *[Intentionally Omitted]*.

Section 414. *[Intentionally Omitted]*.

Section 415. *Tax Reserve Fund.* Whenever all amounts in the Common Reserve Fund and the IDB Account have been expended and all amounts have been drawn under the Letter of Credit or further draws thereunder are for any reason unavailable (or if the Letter of Credit is no longer outstanding) and the Trustee has determined that without receipt of amounts from the Tax Reserve Fund principal, interest or the Redemption Price of the Bonds would not be paid when due under the terms of the Bonds or would continue past due, the Trustee shall certify the same to the Finance Officer and shall further certify to the Finance Officer the amount then required to be received and applied to the payment of the principal, interest or Redemption Price of Outstanding Designated Common Fund Bonds in order to prevent the Issuer from defaulting on any such payment. Funds received by the Trustee from the Finance Officer shall be applied only to the payment of principal, interest or Redemption Price of Outstanding Designated Common Fund Bonds. Except as otherwise provided herein, the Issuer is under no obligation to provide money to the Trustee except from amounts in the Tax Reserve Fund that have been deposited in the Tax Reserve Fund pursuant to the terms of Chapter 424. If the amount received, together with all other amounts available to the Trustee, is not sufficient to pay all principal or Redemption Price of and interest then due on Designated Common Fund Bonds, the Trustee shall apply the balance first to pay pro rata the interest then due on all such Designated Common Fund Bonds and the Trustee shall apply any remaining balance first to the pro rata payment of principal of the then matured (but unaccelerated) Outstanding Designated Common Fund Bonds and then to the payment of all other principal due on Common Fund Bonds and other items payable from the Common Bond Fund in respect of such Outstanding Designated Common Fund Bonds.

Section 416. *Earnings Pledge.* The Issuer agrees that it shall irrevocably pledge all earnings on the IDB Account to the repayment of Common Fund Bonds on the same terms as other funds in the IDB Account (irrespective of whether, at such time or any time thereafter, the sum in the IDB Account may exceed \$10,000,000); provided, however, that no sums in the IDB Account in excess of \$20,000,000 need be pledged by reason of this Section 416.

Section 417. *Investments by Issuer.* All sums held in the funds or accounts established hereunder, to the extent practicable and permitted by the Act, will be invested as provided in Section 501 of the Basic Resolution. The Issuer, at its discretion, may allow the Tenant to direct the investment of the Reserve Deposit with respect to the Bonds. In such event, the Trustee shall value the investments in the Reserve Deposit on each January 1, April 1, July 1 and October 1, at the lower of cost or fair market value. If, pursuant to such valuation, the Reserve Deposit is less than the Minimum Deposit, the Trustee shall immediately notify the Tenant and the Issuer.

Section 418. *Reimbursement Agreement.* The Issuer shall comply with the terms of the Reimbursement Agreement (as defined in the Joint Powers Agreement), including providing notices to Hennepin County as described therein.

**ARTICLE V**

**POSSESSION, USE AND RELEASE OF PROPERTY**

Section 501. *Possession and Use.* Subject to the terms of this Supplemental Bond Resolution and the Agreement, until the occurrence of an “Event of Default” as defined in the Agreement, the Tenant shall be permitted to possess, use and enjoy the Facility (except cash or other personal property deposited or pledged or determined by the terms hereof to be deposited or pledged to the Issuer) as permitted under the Agreement and to receive and use the issues and profits of the Facility.

Section 502. *Conveyance for Access or Other Easement.* Subject to the terms of the Agreement, the Tenant is authorized, without consent of or notice to the Holders of any Bonds, to grant such conveyance or easement as the Issuer deems necessary to give adequate ingress or egress to and from the Facility Premises and to grant any other easement on the Facility Premises as the Issuer deems appropriate so long as the Issuer determines that such easement shall not materially impair the structural integrity of the Facility.

Section 503. *Release of Encumbered Facility Equipment.* The Issuer is authorized, without consent or notice to the Holders of any Bonds, to permit the Tenant to remove Facility Equipment from time to time in accordance with the terms and conditions set forth in Section 4.04 of the Agreement and release the same from the Issuer’s security interest therein or on such other terms as the Issuer deems appropriate, so long as the Issuer determines that such removal and release shall not materially impair the structural integrity of the Facility.

**ARTICLE VI**

**SUPPLEMENTAL AND AMENDATORY RESOLUTIONS**

Section 601. *Supplemental and Amendatory Resolutions Not Requiring Consent of Holders.* The Issuer may, from time to time and at any time, without the consent of or notice to any of the Holders of any Bonds, and, when so required by this Supplemental Bond Resolution, shall adopt a resolution or resolutions supplemental hereto or amendatory hereof so as to thereby:

- (a) cure any ambiguity, formal defect, omission or error herein or in any other supplemental bond resolution concerning Common Fund Bonds;
- (b) grant for the benefit of the Holders of any Common Fund Bonds or any Holders of the Bonds herein authorized any additional rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon such Holders;
- (c) substitute or add additional equipment, machinery or land or release land or property in the manner, if any, specifically provided herein or more precisely identify any machinery forming a part of the Facility;
- (d) make any other change deemed by the Issuer necessary to reconcile this Supplemental Bond Resolution with the Agreement or any amendment thereto; or

(e) make any change to this Supplemental Bond Resolution which, in the reasonable judgment of the Issuer, is not to the prejudice of any Holders of Bonds.

Section 602. *Supplemental and Amendatory Resolutions Requiring Consent of Holders.* Exclusive of supplemental and amendatory resolutions covered by Section 601 hereof and subject to the terms and provisions contained in this Section 602 and not otherwise, the Issuer, upon receipt of an instrument evidencing the consent to the below-mentioned supplemental or amendatory resolution by the Holders of not less than fifty-one percent (51%) of the aggregate principal amount of the Bonds then outstanding, such consent being secured in accordance with the provisions of Sections 801 and 802 hereof, shall adopt such other resolution or resolutions supplemental or amendatory thereto as shall be deemed necessary and desirable for the purpose of modifying, altering, amending, adding to or rescinding, in any particular, any of the terms or provisions contained herein or in any other supplemental or amendatory resolution; provided, however, that nothing herein contained shall permit or be construed as permitting:

(a) any amendment which is inconsistent with the terms and conditions of the Basic Resolution and the provisions relating to the IDB Account established by the IDB Account Resolution;

(b) an extension of the maturity of the principal of any Bond or an extension of the interest on any Bond not held by a consenting Holder;

(c) a reduction in the principal amount of any Bond or a reduction in the rate of interest due on any Bond not held by a consenting Holder;

(d) a privilege or priority of any Bond or Bonds over any other Bond or Bonds, except as otherwise provided herein; or

(e) a reduction in the aggregate principal amount of the Bonds required for consent to such supplemental or amendatory resolution (except as otherwise provided herein or in the Agreement or any amendment thereto made without Holder consent under Section 601 hereof), without the consent of the Holders of one hundred percent (100%) of the principal amount of the Bonds (or, in the case of an amendment described in Section 602(a) hereof, all Common Fund Bonds) then Outstanding, such consent being secured in accordance with Section 801 hereof.

Anything herein to the contrary notwithstanding, a supplemental or amendatory resolution under this Article VI which adversely affects the rights of the Tenant under the Agreement shall not become effective unless and until the Tenant shall have consented in writing to the adoption and delivery of such resolution. In this regard, the Issuer shall cause notice of the proposed adoption of any such Additional Supplemental Bond Resolution, together with a copy of the proposed Additional Supplemental Bond Resolution, to be mailed by certified or registered mail to the Tenant at least twenty (20) days prior to the proposed date of adoption of any such Additional Supplemental Bond Resolution. The Tenant shall be deemed to have consented to the adoption of any such Additional Supplemental Bond Resolution if the Issuer does not receive a letter of protest or objection thereto, signed by an authorized representative of the Tenant, on or before 4:30 p.m., Central Standard or Central Daylight Time, whichever is then in effect, on the fifteenth (15th) day after the mailing of said notice and a copy of the proposed Additional Supplemental Bond Resolution to the Tenant, unless such fifteenth (15th) day falls on a Sunday or legal holiday, in which event, the letter of objection must be received on the next succeeding Business Day.

**ARTICLE VII**

**AMENDMENT TO AGREEMENT**

Section 701. *Amendments Without Holder Consent.* The Issuer and the Tenant may, without the consent of or notice to any of the Holders of Bonds, consent to any amendment to or change or modification of the Agreement to effect any change therein which, in the reasonable judgment of Bond Counsel, is consistent with the terms and conditions of the Basic Resolution and this Supplemental Bond Resolution (without amendment pursuant to Section 601(e) hereof), including, but not limited to, changes for the following purposes:

- (a) to meet the requirements of the provisions hereof or of the Agreement;
- (b) to cure any ambiguity, formal defect, omission or error;
- (c) in connection with any property or equipment acquired and which constitutes a part of the Facility so as to more precisely identify the same;
- (d) to reconcile the Agreement with any supplement or amendment to this Supplemental Bond Resolution; or
- (e) to effect any other change therein which, in the reasonable judgment of the Issuer, is not to the prejudice of any Holders of the Bonds.

Section 702. *Amendments Requiring Holder Consent.* Neither the Issuer nor the Tenant shall consent to any amendment to or change or modification of the Agreement which, in the reasonable judgment of the Bond Counsel, is inconsistent with the terms and conditions of the Basic Resolution. If at any time the Tenant shall request the consent of the Issuer to any proposed amendment to or change or modification of the Agreement requiring Holder consent, the Issuer shall, upon being satisfactorily indemnified with respect to expenses, cause notice of such proposed amendment, change or modification to be published in the same manner as provided in Section 802 hereof.

**ARTICLE VIII**

**MISCELLANEOUS**

Section 801. *Consent of Holders.* Any consent, request, direction, approval, objection or other instrument required hereby to be signed and executed by any Holders of Bonds may be in any number of concurrent writings of similar tenor and must be in writing and signed. Proof of the execution of any such consent, request, direction, approval, objection or other instrument or of the writing appointing any agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes hereof and shall be conclusive in favor of the Issuer or the Trustee with regard to any action taken by the Issuer or Trustee under such request or other instrument, namely:

- (a) The fact and date of the execution by any Person of any such writing may be proved by the certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the Person signing such writing acknowledged before him the execution thereof or by an affidavit of any witness to such execution.

(b) The fact of the holding by any Person of Bonds and the amounts and numbers of such Bonds and the date of the holding of the same may be proved by a certificate executed by any trust company, bank or banker, wherever situated, stating that at the date thereof the party named therein did exhibit to an officer of such trust company or bank or to such banker, as the property of such party, the Bonds if such certificate shall be deemed by the Issuer or the Trustee, as the case may be, to be satisfactory. The Issuer or Trustee may, in its discretion, require evidence that such Bonds shall have been deposited with a trust company, bank or banker before taking any action based on such ownership.

Section 802. *Notice of Amendments.* If at any time the Issuer desires to adopt any supplemental or amendatory resolution hereto or to amend the Agreement as herein provided without consent of all of the Holders of Outstanding Bonds, unless consent of and notice to any of the Holders is not required hereunder, the Issuer shall cause notice of the proposed resolution or amendment to be published at least once in a financial periodical or newspaper of general circulation published in the City of Minneapolis, Minnesota, and shall, in addition, cause such notice to be mailed by registered mail, return receipt requested, to the Holders of all Bonds as such Holders' names and addresses appear on the Bond Register. Such notice shall set forth the nature of the proposed resolution or amendment and shall state that copies thereof are on file at the office of the Issuer for inspection by all Holders. The Issuer shall not, however, be subject to any liability to any Holder by reason of its failure to publish or mail such notice, and any such failure shall not affect the validity of such resolution or amendment when consented to and approved as herein provided. If the Holders of not less than the requisite percentage in aggregate principal amount of Bonds Outstanding at the time have consented to and approved the adoption thereof as provided in this Supplemental Bond Resolution, no Holders of any Bonds shall have any right to object to any of the terms and provisions contained therein or the operation thereof or in any manner question the propriety of the adoption thereof or enjoin or restrain the Issuer or the Tenant from adopting or executing the same or from taking any action pursuant to the provisions thereof.

Section 803. *Severability.* If any provision hereof shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions or in all cases because it conflicts with any provisions of any Constitution, statute, rule or public policy or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance or of rendering any other provision or provisions herein contained invalid, inoperative or unenforceable to any extent whatsoever and shall not affect the remaining portions of this Supplemental Bond Resolution or any part hereof.

Section 804. *Limitation of Liability.* No provision, covenant or agreement contained herein shall give rise to or impose any pecuniary liability upon the Issuer or any of either of its officers, employees or agents.

Section 805. *Authentication of Transcript.* The officers of the Issuer are directed to furnish to Bond Counsel certified copies of this Supplemental Bond Resolution and all documents referred to herein and affidavits or certificates as to all other matters which are reasonably necessary to evidence the validity and marketability of the Bonds. All such certificates and affidavits, including any heretofore furnished, shall constitute recitals of the Issuer as to the correctness of all statements contained therein made by or on behalf of such officers or the Issuer.

January 13, 2017

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Section 806. *Approval of Tenant.* The Tenant has examined and given approval of this Supplemental Bond Resolution and all terms hereof and approves the sale of the Bonds as provided for herein for the price and terms set forth herein.

Section 807. *Authorization to Execute Agreement and Incidental Documents.*

(a) The Agreement, the Disbursing Agreement and the Underwriting Agreement are hereby approved in substantially the forms now on file in the offices of the Issuer, and the Finance Officer of the Issuer is authorized to execute, in the name of and on behalf of the Issuer, those documents (and all other agreements required therein or in this Supplemental Bond Resolution) in substantially the forms hereby approved, subject to changes thereto approved by the Finance Officer executing the same (which approval shall be conclusively presumed upon execution thereof) and such other documents as Bond Counsel shall consider appropriate for Bond Closing. The Finance Officer is authorized to approve the Preliminary Official Statement and final Official Statement used in connection with the sale of the Bonds. The Finance Officer of the Issuer is also authorized to execute an amendment to the Lease Agreement, dated as of December 1, 2010, between the Issuer and 3660 Technology Drive, LLC (the "2010 Lease Agreement"), to provide that an "Event of Default" under the Agreement shall constitute an "Event of Default" under the 2010 Lease Agreement. In the event of the disability or the resignation or other absence of the Finance Officer of the Issuer, such other officers of the Issuer who may lawfully act in the Finance Officer's behalf shall, without further act or authorization of the Issuer, do all things and execute all instruments and documents required to be done or to be executed by such absent or disabled official. The Finance Officer of the Issuer is hereby authorized to deliver this Supplemental Bond Resolution and such certificates attesting to its authenticity as may be required by and to Bond Counsel, the Holders of the Bonds, the Underwriters and such other persons as the Finance Officer may deem appropriate.

(b) The delivery of the certifications referenced in Sections 203, 305 and 306 is hereby authorized and upon delivery of such certifications, if any, the terms thereof shall be conclusive as to the matters therein addressed and shall be deemed to be a part of this Supplemental Bond Resolution as if set forth fully herein.

Section 808. *Schedules.* Schedule A hereto is hereby incorporated by reference and made a part hereof as though the same shall have been set forth in full herein. Such Schedule A shall control over any contrary provisions herein not contained in such Schedule A.

SCHEDULE A

BOND FORM

UNITED STATES OF AMERICA  
STATE OF MINNESOTA  
COUNTY OF HENNEPIN  
CITY OF MINNEAPOLIS

No. R-\_\_\_\_

\$\_\_\_\_\_

January 13, 2017

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TAXABLE LIMITED TAX SUPPORTED DEVELOPMENT REVENUE BOND,  
Common Bond Fund Series 2017-1

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
		February ____, 2017	

Registered Owner: CEDE & CO.  
Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS that the City of Minneapolis (the "Issuer"), a municipal corporation of the State of Minnesota, for value received hereby promises to pay to the Registered Owner specified above or registered assigns, upon presentation and surrender hereof, the principal amount specified above on the maturity date specified above, solely from the Common Bond Fund (the "Common Bond Fund") held by Wells Fargo Bank, National Association, as Trustee, or its successor or successors as trustee (the "Trustee"), as provided in the Amended and Restated Basic Resolution and Indenture adopted by the Issuer on June 18, 2004, as amended (the "Basic Resolution") and from the IDB Account as defined in the Basic Resolution (the "IDB Account"), or if this Bond is subject to redemption prior to maturity as stated below, on a prior date on which this Bond shall have been duly called for redemption (the "Redemption Date"), and to pay to the registered owner hereof solely from the Common Bond Fund and IDB Account interest on said principal sum from the date hereof until the principal sum is paid, at the rate per annum specified above, payable on June 1, 2017, and semiannually thereafter on June 1 and December 1 in each year. Overdue principal or redemption price and (to the extent legally enforceable) interest on this Bond shall bear interest at the rate borne by this Bond. This Bond, as to principal or redemption price, when due, shall be payable at the principal office of Wells Fargo Bank, National Association, in Minneapolis, Minnesota, as Paying Agent, or a successor Paying Agent duly designated by the Issuer (the "Paying Agent"). Interest on this Bond is payable by check or draft drawn upon the Paying Agent or any successor Paying Agent duly designated by the Issuer, mailed on each interest payment date to the person who was the registered holder hereof at the close of business on the 15th day of the month immediately preceding each such interest payment date at the address of such holder as it appears on the Bond Register maintained by the Trustee. Principal, premium, and interest on this Bond is payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

The Bonds have been designated by the City Council of the Issuer as an issue to which Chapter 424 of the Minneapolis Code of Ordinances applies.

This Bond is one of a duly authorized issue of obligations of the Issuer issued in accordance with the Basic Resolution (such Bonds, together with other Limited Tax Supported Development Revenue Bonds of the Issuer being referred to as "Common Fund Bonds"). This Bond is one of the series of Common Fund Bonds designated as "Taxable Limited Tax Supported Development Revenue Bonds, Common Bond Fund Series 2017-1" (the "Bonds"), issued in the aggregate principal amount of \$30,000,000, under and pursuant to *Minnesota Statutes*, Section 469.152 *et seq.* and any acts amendatory thereof and supplemental thereto in effect on the date of delivery of the Supplemental Bond Resolution and Indenture adopted by the Issuer with respect to the Bonds (the "Supplemental Bond Resolution"), all of like date and tenor, except as to serial number, interest rate, maturity and redemption privilege, in

accordance with the Basic Resolution and the Supplemental Bond Resolution, setting forth the terms and conditions upon which such Bonds are issued and describing the security therefor. The Bonds are issued by the Issuer for the purpose of financing the construction and equipping of a building located in the City of Bloomington, Minnesota, which facility (the "Facility") is leased to Computer Avenue, LLC or an affiliate thereof (the "Tenant"), pursuant to a Lease Agreement, dated as of February 1, 2017 (the "Agreement"), thereby assisting activities in the public interest and for the public welfare of the Issuer. As provided in the Basic Resolution and the Supplemental Bond Resolution, Additional Common Fund Bonds (as defined in the Basic Resolution), equally and ratably secured by the pledge and covenants made in the Basic Resolution and the Supplemental Bond Resolution, may be issued by the Issuer which shall be equally and ratably payable from the Common Bond Fund and the IDB Account and secured by such pledge and covenants for any purpose authorized in accordance with the terms provided in Section 202 of the Basic Resolution.

Unless this Bond is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Paying Agent for registration of transfer, exchange or payment, and any Bond issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSONS IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

As provided in the Supplemental Bond Resolution, until the termination of the system of book-entry-only transfers through DTC (or any successor security depository appointed pursuant to the Supplemental Bond Resolution), and notwithstanding any other provision of the Supplemental Bond Resolution to the contrary, this Bond may be transferred, in whole but not in part, only to a nominee of DTC, or by a nominee of DTC to DTC or a nominee of DTC, or by DTC or a nominee of DTC to any successor securities depository or any nominee thereof.

This Bond is transferable, as provided in the Supplemental Bond Resolution, only upon the Bond Register kept for such purpose at the office of the Trustee, by the registered owner hereof in person or by his attorney duly authorized in writing upon surrender hereof, together with a written instrument of transfer satisfactory to the Trustee duly executed by the registered owner or such duly authorized attorney, and thereupon the Issuer shall execute and issue and the Trustee shall authenticate and deliver in the name of the designated transferee a new Bond or Bonds of the same aggregate principal amount and series designation, maturity and interest rate as the surrendered Bond as provided in the Supplemental Bond Resolution and upon the payment of any charges therein prescribed. The Issuer, the Trustee and any Paying Agent may treat and consider the person in whose name this Bond is registered as the holder and absolute owner hereof for the purpose of receiving payment of or on account of the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever.

The Bonds are issuable in the form of fully registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. Subject to such conditions and upon the payment of such charges provided for in the Supplemental Bond Resolution, Bonds may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same series designation, maturity and interest rate, in any of the authorized denominations and registered in such name or names as may be requested upon surrender thereof at the office of the Trustee with a written

instrument of transfer satisfactory to the Trustee duly executed by the registered owner thereof or by his attorney duly authorized in writing.

The Bonds maturing \_\_\_\_\_ are subject to mandatory sinking fund redemption on the dates and in the principal amounts as provided in the Supplemental Bond Resolution.

The Bonds maturing after December 1, 2026 are subject to redemption prior to maturity, at the option of the Issuer, in whole or in part and from time to time, on December 1, 2026 and any interest payment date thereafter, at a redemption price (expressed as a percentage of the principal amount of the Bonds to be redeemed) set forth below, plus accrued interest to the redemption date:

<u>Redemption Date</u>	<u>Redemption Price</u>
December 1, 2026 and thereafter	100%

The Bonds are also subject to optional redemption in whole and without premium in accordance with the terms of the Supplemental Bond Resolution, upon certain events of casualty, condemnation, changes of law or other occurrences as provided in the Agreement, or upon a default by the Tenant under the Agreement.

If less than all of the Bonds outstanding under the provisions of the Basic Resolution and the Supplemental Bond Resolution at any time are to be redeemed, the particular Bonds to be redeemed shall be selected by inverse order of maturity and by lot within a maturity as provided in the Supplemental Bond Resolution. Notice of any redemption shall be given to holders of Bonds by mail to such holders' addresses as such appear in the Bond Register, all pursuant to the Supplemental Bond Resolution. If notice of redemption shall have been given as aforesaid, the Bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the Redemption Date therein designated, and if on or before said Redemption Date money for the payment of the redemption price of all the Bonds to be redeemed, together with interest to the Redemption Date, is on deposit with the Paying Agent for such payment on said date, then from and after the Redemption Date interest on such Bonds shall cease to accrue and become payable. Less than all of a Bond in a denomination in excess of \$5,000 may be so redeemed, and in such case, upon surrender of such Bond, there shall be issued to the registered owner thereof, without charge therefor, for the unredeemed balance of the principal amount of such Bond, a Bond or Bonds, of the same series designation, maturity and interest rate in any of the authorized denominations and registered in such name or names as may be requested, all as more fully set forth in the Supplemental Bond Resolution.

The Bonds, together with other Common Fund Bonds of the Issuer issued pursuant to Section 202 of the Basic Resolution, are payable from the Common Bond Fund established and maintained pursuant to the Basic Resolution. The Bonds and such other Common Fund Bonds are further secured by the IDB Account and are further secured by the Issuer under Chapter 424 of the Issuer's Code of Ordinances. Reference is made to the Basic Resolution, the Supplemental Bond Resolution, and Chapter 424 of the Issuer's Code of Ordinances for a complete statement of: (a) the terms and conditions upon which the Bonds have been issued; (b) the provisions made for their security and for the issuance of other Common Fund Bonds payable on a parity therewith; and (c) the rights, duties and obligations of the Issuer and the holders from time to time of all Common Fund Bonds. The principal, redemption price of or interest on the Bonds do not constitute an indebtedness of the Issuer within the meaning of any

January 13, 2017

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constitutional or statutory limitation and do not constitute or give rise to a charge against the general credit and taxing powers of the Issuer except as provided in Chapter 424 of the Issuer's Code of Ordinances and neither the full faith and credit nor the taxing powers of the Issuer are pledged to the payment of the Bonds or the interest thereon except as provided in Chapter 424 of the Issuer's Code of Ordinances. No holder of the Bonds will ever have the right to enforce payment of the principal, redemption price or interest thereof against any property of the Issuer other than the funds specifically pledged to the payment thereof, nor shall the Bonds constitute any charge, lien or encumbrance upon any property of the Issuer pledged and appropriated thereto or the Tax Reserve Fund of the Issuer created by Chapter 424 of the Issuer's Code of Ordinances.

Neither the councilmembers of the Issuer nor any person executing the Bonds for the Issuer shall be liable personally on said Bonds by reason of the issuance thereof.

It is hereby certified and recited that the Facility constitutes a project as defined in *Minnesota Statutes*, Section 469.153, Subdivision 2, and that all conditions, acts and things required by the Constitution or statutes of the State of Minnesota or the Basic Resolution or the Supplemental Bond Resolution to exist, to have happened or to have been performed precedent to or in the issuance of this Bond do exist, have happened and have been performed and that the issuance of this Bond and the issue of which it forms a part are within every debt and other limit prescribed by said Constitution and statutes.

This Bond and the interest hereon shall not be entitled to any security, right or benefit under the Basic Resolution or the Supplemental Bond Resolution hereinafter defined or be valid or obligatory for any purpose unless the certificate of authentication hereon has been duly executed by the Trustee.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be executed in its name and on its behalf by the manual or facsimile signature of its Finance Officer.

CITY OF MINNEAPOLIS, MINNESOTA

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

"Certificate of Authentication"

This Bond is one of the Common Fund Bonds described in the within-mentioned Basic Resolution and Supplemental Bond Resolution and is one of the Bonds of the City of Minneapolis, Minnesota referred to herein.

WELLS FARGO BANK,  
NATIONAL ASSOCIATION,  
as Trustee

Dated: \_\_\_\_\_

By \_\_\_\_\_  
Authorized Signature

January 13, 2017

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(Form of Transfer)

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_ (Tax Identification or Social Security No. \_\_\_\_\_), the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, his attorney, to transfer the within Bond on the Bond Register with full power of substitution.

Dated: \_\_\_\_\_

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed:

Signature(s) must be guaranteed by a national bank or trust company or by a brokerage firm which is a member of a major stock exchange.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0012**

The Minneapolis City Council hereby authorizes a new agreement (Contract HC#A165792) with Hennepin County for the City of Minneapolis' Employment and Training staff to provide administrative assistance in implementing and monitoring the Minnesota Family Investment Program's employment and training services, in an amount not exceed \$95,000, for the duration of Jan. 1, 2017 to Dec. 31, 2017.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0013**

The Minneapolis City Council hereby authorizes acceptance of the single bid of Pete's Water and Sewer submitted on Official Publication No. 8360 for an estimated expenditure of \$75,000, to furnish and deliver private service water disconnects and sewer cut offs, and authorizing a contract for the services, all in accordance with City specifications.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0014**

The Minneapolis City Council hereby:

1. Directs Department of Community Planning & Economic Development (CPED) staff to return to Community Development & Regulatory Services and Ways & Means Committees with proposed modifications to infill housing land sale and subsidy programs that achieves objectives of the Infill Housing Working Group.
2. Authorizes acceptance of \$500,000 in Minnesota Housing Finance Agency Impact Fund for Infill Housing Development, and execution of related agreements.
3. Passage of Resolution 2017R-010 approving appropriation of funds to the CPED Department.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**RESOLUTION 2017R-010  
By Goodman and Quincy**

**Amending The 2017 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the Department of Community Planning & Economic Development (CPED) appropriation in [Other Grants – State & Local Fund 01600-8900230 by \$500,000, and increasing the CPED revenue estimate in Other Grants – State & Local Fund 01600-8900230-321519 by \$500,000.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

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

**COUNCIL ACTION 2017A-0015**

The Minneapolis City Council hereby approves the following appointments to the Public Health Advisory Committee for two-year terms beginning Jan. 1, 2017, and ending Dec. 31, 2018:

1. Council appointments of Amal Karim, Ward 3, Seat 3; and Kowsar Mohamed, Ward 6, Seat 6.
2. Council reappointments of Akisha Everett, Ward 4, Seat 4; Jahana Berry, Ward 5, Seat 5; Kathy Tuzinski, Ward 13, Seat 13; Jane Auger, Member Representative from Hennepin County Public Health Department, Seat 16; Yolonde Adams-Lee, Member at Large, Seat 18; and Joseph Colianni, Member at Large, Seat 20.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0016**

The Minneapolis City Council hereby directs Health Department staff, with a target date of June 15, 2017, to develop and implement a variance process to Minnesota Rule 4626.1585 6-501.115 "Prohibiting Animals" in accordance to Minnesota Rule 5626.1690 8-103.10 "Variance Request; Procedures" in such a manner as to allow companion animals accompanied by their owner/designee into certain establishments where such activity is currently prohibited by the Minnesota Food Code. This variance should, as much as possible, be written to allow such activity in tap rooms and coffee houses in addition to other possible establishments. Changes should require clear signage indicating that dogs are allowed in the establishment. Additionally, reasonable requirements limiting where dogs are permitted within an establishment to keep them from areas where food is directly made or prepared, and clear expectations of animal handling should be included.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0017**

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-39087 with the Center for Energy and Environment (CEE), increasing the contract by up to an additional \$70,000 and extending the contract through March 31, 2018, to continue professional building benchmarking and disclosure services.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0018**

The Minneapolis City Council hereby authorizes Amendment No. 1 to Agreement No. 40446 with Omada to continue on-line diabetes education services for a no-cost date extension only through Dec. 31, 2017.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0019**

The Minneapolis City Council hereby:

1. Authorizes the submittal of a grant application to the Department of Housing and Urban Development, Office of Healthy Homes and Lead Hazard Control, for an amount not to exceed \$3,500,000 for a three-year period to provide lead remediation and healthy homes services for up to 300 homes of low income residents.
2. Approves the matching contribution requirement of 10% to be met within department budget and match funds from property owners receiving grant funds.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0020**

The Minneapolis City Council hereby authorizes:

1. Acceptance of federal Department of Education funding from Wilder Research Center in the amount of \$24,000 to participate in a study on intervention strategies in School Based Clinics.
2. An agreement with Wilder Research Center for the grant.
3. Passage of Resolution 2017R-011 appropriating funds to the Health Department.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**RESOLUTION 2017R-011  
By Gordon and Quincy**

**Amending The 2017 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department in the Grants-Federal Fund (01300-8600152) by \$24,000 and increasing the revenue estimate (01300-8600152-321005) by \$24,000.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0021**

The Minneapolis City Council hereby authorizes:

1. Acceptance of federal funding from the Minnesota Department of Health in the amount of \$1,534,194 for public health nurse home visiting for low income and at risk families.
2. Passage of Resolution 2017R-012 appropriating funds to the Health Department.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**RESOLUTION 2017R-012  
By Gordon and Quincy**

**Amending The 2017 General Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Health Department in the Grants-Federal Fund (01300-8600151) by \$1,534,194 and increasing the revenue estimate (01300-8600151-321007) by \$1,534,194.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0022**

The Minneapolis City Council hereby authorizes an agreement with Pillsbury United Communities in an amount not to exceed \$85,000 to provide sexual health services for young men of color for the period Feb. 1, 2017, through Dec. 31, 2017, with the option to extend the contract for \$85,000 annually for up to two additional years contingent upon funding and performance.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On motion by Gordon, the proposed Council Action directing Health Department staff to request up to \$100,000 in 2016 rollover funds to support sexual health services for young people of color was referred back to the Health, Environment & Community Engagement Committee.

**The INTERGOVERNMENTAL RELATIONS Committee submitted the following reports:**

On behalf of the Intergovernmental Relations Committee, Glidden offered Resolution 2017R-013 supporting the resettlement of Syrian refugees in Minneapolis calling upon other Minnesota communities to support a stronger national effort to resettle the most vulnerable Syrian refugees.

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

**RESOLUTION 2017R-013**

**By Gordon**

**Supporting the resettlement of Syrian refugees in Minneapolis calling upon other Minnesota communities to support a stronger national effort to resettle the most vulnerable Syrian refugees.**

Whereas, there are more refugees in the world today than at any time since World War II, including millions of Syrians who have fled their country since the Syrian conflict began in 2011; and

Whereas, Turkey is now hosting almost 3 million Syrian refugees, neighboring countries are hosting another 2 million; and

Whereas, Europe is processing the asylum applications of more than 1 million Syrians; and

Whereas, the UN Refugee Agency (UNHCR) has determined that 10 percent of Syrian refugees are in need of resettlement to nations outside of the region due to a heightened vulnerability to further harm, but less than 200,000 resettlement places have been pledged by nations - with the U.S. pledging only 10,000 places this year; and

Whereas, Syrian refugees in need of resettlement are identified based on their vulnerabilities and risk of further exposure to violence and exploitation - including children traveling alone, female-headed households, victims of torture, the physically disabled, and members of the LGBTI community; and

Whereas, hundreds of thousands of Syrian refugees are making life and death decisions to flee Syria and neighboring countries because they are unable to access shelter, health care, education, or protection, and neighboring countries have closed their borders to new arrivals; and

Whereas, 7,000 refugees have died trying to cross the Mediterranean into Europe since January 2015, and two children die every day in this crossing; and

Whereas, we commend the United States for the resettlement of over 14,000 Syrian refugees since the beginning of the conflict in 2011, but note the ability of and need for our country to do more; and

Whereas, all refugees resettled by the United States undergo an extensive and rigorous security screening process including biometric analysis, and all Syrians go through an additional screening procedure; and

Whereas, the refugee organizations in Minnesota, including The International Institute of Minnesota, Arrive Ministries, United Nations Association of MN, The American Refugee Committee, The Minnesota Council of Churches, The Center for Victims of Torture as well as numerous other community organizations and religious institutions have declared their support for resettling Syrian refugees in the Twin Cities; and

Whereas, Twin Cities refugee resettlement organizations have resettled more than 12,500 refugees in the Twin Cities since 2011 from 40 countries including Afghanistan, Armenia, Belarus, Bhutan, Burma, Burundi, China, Congo, Cuba, Djibouti, El Salvador, Eritrea, Ethiopia, Gabon, Guinea, India, Iran, Iraq, Israel, Kampuchea, Kazakhstan, Kenya, Laos, Liberia, Moldova, Nepal, Palestine, Russia, Sierra Leone, Somalia, South Africa, South Sudan, Sri Lanka, Sudan, Syria, Thailand, Togo, Ukraine, Vietnam, and Zaire.

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

That the City of Minneapolis declares its support for the resettlement of Syrian refugees in Minneapolis and calls upon other Minnesota communities to join them in supporting a stronger national effort to resettle the most vulnerable Syrian refugees.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (11)

Noes: (0)

Absent: Warsame, Quincy (2)

The resolution was adopted.

**COUNCIL ACTION 2017A-0023**

The Minneapolis City Council hereby approves additional updates to the 2017 Legislative Agenda as adopted by the City Council on Dec. 9, 2016, and the 2017 Policy Positions as adopted by the City Council on Nov. 18, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Goodman, Glidden, Cano, Bender, A. Johnson, Palmisano, President Johnson (11)

Noes: (0)

Absent: Warsame, Quincy (2)

The report was adopted.

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

**COUNCIL ACTION 2017A-0024**

The Minneapolis City Council hereby approves the following Council appointments to Special Service District Advisory Boards for two-year terms beginning Jan. 1, 2017, and ending Dec. 31, 2018:

1. 50th & France Special Service District (Ward 13): Robert Sykes, Seat 1; Laura Steffes, Seat 2; Steve Young, Seat 3; and Jeffrey Peterson, Seat 4.
2. 54th & Lyndale Special Service District (Wards 11 and 13): Daniel Campo, Seat 1; Vikki Johnson, Seat 2; and Jeff Linder, Seat 3.
3. Bloomington-Lake Special Service District (Ward 9): Victorino Geniz, Seat 1; Maria Lala, Seat 2; Julie Ingebretsen, Seat 3; Becky George, Seat 4; and Jose Cruz, Seat 5.
4. Central Avenue Special Service District (Ward 1): Katherine Bakke, Seat 1; Amy Fields, Seat 2; Ruksapol (Joe) Hatch-Surisook, Seat 3; James Higgins, Seat 4; Lynda MacDonald, Seat 5; Scott McCleary, Seat 6; and Patty Shoenbauer Grell, Seat 7.
5. Chicago Avenue South Special Service District (Wards 8 and 11): Joyce Tesarek, Seat 1; Harvey McLain, Seat 2; and Bob Gustafson, Seat 3.
6. Chicago-Lake Special Service District (Wards 6 and 9): Bertha Ruiz, Seat 1; Dave Burrill, Seat 2; and David Johnson, Seat 3.
7. Dinkytown Special Service District (Ward 3): Frank Vescio, Seat 1; Jeff Ashland, Seat 2; Irwin Hershkovitz, Seat 3; and Mike Mulrooney, Seat 4.
8. East Lake Special Service District (Wards 2 and 9): Andrew Papacosta, Seat 1; Alan Puder, Seat 2; Scott Cramer, Seat 3; Steve Krause, Seat 4; Thomas Frattallone, Seat 5; Zayda Harsha, Seat 6; and Naveen Shrestha, Seat 7.
9. Eat Street Special Service District (Wards 6, 7, and 10): Tammy Wong, Seat 1; Ann Benrud, Seat 2; Joanne Christ, Seat 3; and Sam Turner, Seat 4.
10. Linden Hills Special Service District (Ward 13): Donald Hawkinson, Seat 1; Mark Dwyer, Seat 2; Mark Settergren, Seat 3; Kordie Reinhold, Seat 4; and Peter Hinke, Seat 6.
11. Lyndale-Lake Special Service District (Wards 8 and 10): Linda McHale, Seat 1; Denise Arambadjis, Seat 2; Cole Rogers, Seat 3; John Meegan, Seat 4; and Christina Le, Seat 5.

12. Lowry Hill Special Service District (Wards 7 and 10): Dan Conway, Seat 1; Tom Delaney, Seat 2; Tom Fletcher, Seat 3; Jean Rottman, Seat 4; and Stephanie Shimp, Seat 5.

13. Stadium Village Special Service District (Ward 2): Paul Larson, Seat 1; Pierre Willette, Seat 2; Craig Scott, Seat 3; Jimmy Finch, Seat 4; and Daniel Oberpriller, Seat 5.

14. Uptown Special Service District (Wards 7 and 10): Jacqueline Knight, Seat 1; Robert Sorenson, Seat 2; Ross Fefercorn, Seat 3; Jeff Herman, Seat 4; Bill Frothinger, Seat 5; and Michael Finn, Seat 6.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-014 designating the improvement of certain existing streets in the 42nd Ave N (Xerxes Ave N to Lyndale Ave N) Street Reconstruction Project, Special Improvement of Existing Street No. 6756.

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

**RESOLUTION 2017R-014**

**By Reich**

**Designating the improvement of certain existing streets at the locations described hereinafter as part of the 42nd Ave N (Xerxes Ave N to Lyndale Ave N) Street Reconstruction Project, Special Improvement of Existing Street No. 6756.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of the Minneapolis City Charter, Article IX, Section 9.6(c), by paving with plant mix asphalt and concrete, with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

42nd Ave N from Xerxes Ave N to Lyndale Ave N.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0025**

The Minneapolis City Council hereby adopts a report receiving a cost estimate of \$11,500,000 for street construction improvements and a list of benefited properties for certain locations in the 42nd Ave N

(Xerxes Ave N to Lyndale Ave N) Street Reconstruction Project, Special Improvement of Existing Street No. 6756, as designated by Resolution 2017R-014, passed Jan. 13, 2017, and directs that the City Engineer prepare a proposed Street Construction Special Improvement Assessment against the list of benefited properties by applying the 2017 Uniform Assessment Rates as per Resolution 2016R-508, passed Nov. 18, 2016.

Further, a public hearing is scheduled for Feb. 14, 2017, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider approving the construction of the above-designated street location, the abandonment and removal of areaways located within the project area, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-015 directing the City Engineer to establish parking restrictions on 42nd Ave N between the limits of Xerxes Ave N and Lyndale Ave N, per the approved layout.

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

**RESOLUTION 2017R-015**

**By Reich**

**Directing the City Engineer to establish parking restrictions on 42nd Ave N between the limits of Xerxes Ave N and Lyndale Ave N.**

Whereas, the City of Minneapolis wishes to reconstruct 42nd Ave N between the limits of Xerxes Ave N and Lyndale Ave N; and

Whereas, the City of Minneapolis will be expending Municipal State Aid Funds on the improvements of this street; and

Whereas, the improvements do not provide adequate width for parking on both sides of the street, and approval of the proposed construction as a Municipal State Aid Street Project must therefore be conditioned upon certain parking restrictions;

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

That the City of Minneapolis shall ban parking of motor vehicles on 42nd Ave N between the limits of Xerxes Ave N and Lyndale Ave N with the exceptions below:

1. 42nd Ave N between the limits of Upton Ave N to Sheridan Ave N.
2. Southerly side of 42nd Ave N between the limits of Girard Ave N to Emerson Ave N.
3. Southerly side of 42nd Ave N between the limits of Bryant Ave N to Lyndale Ave N.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-016 designating the improvement of certain existing streets as part of the 2017 Concrete Street Rehabilitation Program, Special Improvement of Existing Street No. 9970.

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

**RESOLUTION 2017R-016**

**By Reich**

**Designating the improvement of certain existing streets at the locations described hereinafter as part of the 2017 Concrete Street Rehabilitation Program, Special Improvement of Existing Street No. 9970.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c), by concrete repair and diamond grind overlay and other improvements as necessary:

**Waite Park Area Residential (9970)**

1. 30th Ave NE from Cleveland St NE to Stinson Blvd NE.
2. 31st Ave NE from Cleveland St NE to Stinson Blvd NE.
3. 32nd Ave NE from Taylor St NE to Johnson St NE and from Cleveland St NE to Stinson Blvd NE.
4. 33rd Ave NE from Taylor St NE to Johnson St NE and from Cleveland St NE to Stinson Blvd NE.
5. 34th Ave NE from Taylor St NE to Johnson St NE and from Benjamin St NE to Stinson Blvd NE.
6. 35th Ave NE from Benjamin St NE to Stinson Blvd NE.
7. 36th Ave NE from Cleveland St NE to Stinson Blvd NE.
8. Brighton Ave NE from St. Anthony Pkwy to Stinson Blvd NE.
9. Taylor St NE from 32nd Ave NE to 35th Ave NE.
10. Fillmore St NE from 31st Ave NE to 35th Ave NE.
11. Pierce St NE from 31st Ave NE to 35th Ave NE.
12. Buchanan St NE from 31st Ave NE to 35th Ave NE.
13. Lincoln St NE from 31st Ave NE to 35th Ave NE.
14. Cleveland St NE from St. Anthony Pkwy to the Canadian Pacific Rail right-of-way.
15. Benjamin St NE from St. Anthony Pkwy to the Canadian Pacific Rail right-of-way.
16. McKinley St NE from St. Anthony Pkwy to the Canadian Pacific Rail right-of-way.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0026**

The Minneapolis City Council hereby adopts a report receiving a cost estimate of \$5,770,000 for street resurfacing improvements and a list of benefited properties for the 2017 Concrete Street Rehabilitation Program, Project No. 9970, as designated by Resolution 2017R-016, passed Jan. 13, 2017, and directs that the City Engineer prepare a proposed Street Resurfacing Special Improvement Assessment against the list of benefited properties by applying the 2017 Uniform Assessment Rates as per Resolution 2016R-508, passed Nov. 18, 2016.

Further, a public hearing is scheduled for Feb. 28, 2017, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider approving the resurfacing of the above-designated street locations and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-017 designating the improvement of certain existing streets in the I-35W and Lake Street Transit Access Project, Special Improvement of Existing Street No. 1014.

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

**RESOLUTION 2017R-017**

**By Reich**

**Designating the improvement of certain existing streets in the I-35W and Lake Street Transit Access Project, Special Improvement of Existing Street No. 1014.**

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c), by paving with plant mix asphalt and concrete, new curb, gutter, and utility improvements, new sidewalks with Americans with Disabilities Act (ADA) compliant pedestrian ramps, driveways, signage, and striping, storm drains, and streetscape enhancements, including other street paving related improvements as needed:

1. E 26th St from Clinton Ave S to 5th Ave S.
2. Clinton Ave S from E 26th St to 3rd Ave S.
3. 3rd Ave S from E 27th St to 2nd Ave S.
4. 4th Ave S from Franklin Ave to E 25th St.
5. Stevens Ave from Lake St to E 32nd St.
6. 2nd Ave S from E 29th St to Lake St.
7. Lake St from Blaisdell Ave to 5th Ave S.

Be It Further Resolved that the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Minneapolis City Charter, Article IX, Section 9.6(c), by asphalt mill and overlay and other improvements as necessary:

1. 28th St from Stevens Ave S to 2nd Ave S.
2. 4th Ave S from E 19th St to Franklin Ave.
3. Stevens Ave S from E 29th St to Lake St.
4. 2nd Ave S from Lake St to E 32nd St.
5. E 29th St from 2nd Ave S to 3rd Ave S.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0027**

The Minneapolis City Council hereby adopts a report receiving a cost estimate of \$150,000,000 for street construction improvements and a list of benefited properties for certain locations in the I-35W and Lake St Transit Access Project, Special Improvement of Existing Street No. 1014, as designated by Resolution 2017R-017, passed Jan. 13, 2017, and directs that the City Engineer prepare a proposed Street Construction Special Improvement Assessment against the list of benefited properties by applying the 2017 Uniform Assessment Rates as per Resolution 2016R-508, passed Nov. 18, 2016.

Further, a public hearing is scheduled for Feb. 14, 2017, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider approving the construction of the above-designated street locations, the abandonment and removal of areaways located within the project area, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0028**

The Minneapolis City Council hereby adopts a report receiving a cost estimate of \$37,000 for streetscape improvements and a list of benefited properties for certain locations in the Lake Street Streetscape Project, Special Improvement of Existing Street No. 1014, as designated by Resolution 2017R-017, passed Jan. 13, 2017, and directs that the City Engineer prepare a proposed Street Construction Special Improvement Assessment against the list of benefited properties by applying the 2017 Uniform Assessment Rates as per Resolution 2016R-508, passed Nov. 18, 2016.

Further, a public hearing is scheduled for Feb. 14, 2017, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider approving the

streetscape improvements in conjunction with the construction of the above-designated street locations, the abandonment and removal of areaways located within the project area, and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-018 directing the City Engineer to establish parking restrictions on Lake St (County State Aid Highway 3) between the limits of Blaisdell Ave S and 5th Ave S, per the approved layout.

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

**RESOLUTION 2017R-018**

**By Reich**

**Directing the City Engineer to establish parking restrictions on Lake St (County State Aid Highway 3) between the limits of Blaisdell Ave S and 5th Ave S.**

Whereas, the City of Minneapolis and Hennepin County wish to reconstruct Lake St (County State Aid Highway 3) between the limits of Blaisdell Ave S and 5th Ave S; and

Whereas, the improvements do not provide adequate width for parking on either side of the street, and approval of the proposed construction as a County State Aid Street project must therefore be conditioned upon certain parking restrictions;

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

That the City of Minneapolis shall ban parking of motor vehicles on Lake St (County State Aid Highway 3) from Blaisdell Ave S to 5th Ave S, except for the areas where parking bays will be provided, at all times.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2017R-019 authorizing negotiation and execution of a supplement agreement to Cooperative Agreement No. C-41095 with the Minnesota Department of Transportation authorizing the City of Minneapolis to perform engineering services related to watermain design for the I-35W and Lake St Transit Access Project.

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

**RESOLUTION 2017R-019**

**By Reich**

**Authorizing execution of a Supplemental Agreement to Cooperative Agreement No. C-41095 with the Minnesota Department of Transportation authorizing the City of Minneapolis to perform engineering services related to watermain design for the I-35W and Lake St Transit Access Project, Chapter 152 Bridges Project, and I-35W Rehabilitation Project S.P. 2782-327 (Trunk Highway 35W).**

Resolved by The City Council of The City of Minneapolis:

That the Minneapolis Department of Public Works is hereby authorized and directed, for and on behalf of the City of Minneapolis, to enter into Minnesota Department of Transportation Supplemental Agreement No. 1 to MnDOT Agreement No. 1025794 with the State of Minnesota, Department of Transportation, for the following purpose:

To perform engineering services related to watermain design and to describe the payment by the Minnesota Department of Transportation to the City of Minneapolis for its share of costs of the watermain design for the I-35W and Lake Street Transit Access Project, Chapter 152 Bridges Project, and I-35W Rehabilitation Project, in the corporate City limits under State Project No. S.P. 2782-327 (Trunk Highway 35W).

Be It Further Resolved that the Director of Public Works or her designee is hereby authorized to execute the agreement and any amendments to it.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0029**

The Minneapolis City Council hereby authorizes negotiation and execution of the sale of a 2003 Freightliner MT55 Step-Van (Police Command Van Unit No. 75004) to the University of Minnesota.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0030**

The Minneapolis City Council hereby:

1. Authorizes an amendment to Contract No. C-40316 with Thomas & Sons, increasing the contract by \$73,349.03, for a revised contract total of \$1,575,000, for additional conduit and fiber installation not included in the original bid for the 4th Ave S Signal Upgrade Project between 3rd St and 9th St.
2. Accepts an additional \$282,072 in Federal Highway Safety Improvement Program (HSIP) grant funds.
3. Passage of Resolution 2017R-020 adjusting the appropriation and revenue for the project to reflect the additional funding.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**RESOLUTION 2017R-020**

**By Reich and Quincy**

**Amending The 2017 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

1. Increasing Municipal State Aid revenue and appropriation in the 2015 Safety Program (04100-9010943-CTR022) by \$240,000 and decreasing Municipal State Aid revenue and appropriation in the 2014 Safety Program (04100-9010943-CTR022-MSA Revenue Code 321514) by \$240,000.
2. Increasing federal grant revenue and appropriation in the 2015 Safety Program (04100-9010943-CTR022-Federal Grant Revenue Code 321012) by \$282,072.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0031**

The Minneapolis City Council hereby:

1. Accepts a grant from the Minnesota Department of Transportation for State Safe Routes to School funds in the amount of \$310,000 for the Lyndale School Crossings Project.

2. Authorizes a grant agreement with the Minnesota Department of Transportation for the grant.
3. Passage of Resolution 2017R-021 approving appropriation of funds to the Public Works Department.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**RESOLUTION 2017R-021**

**By Reich and Quincy**

**Amending The 2017 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

1. Increasing the appropriation and revenue for the Public Works Department in the Capital Improvement Fund (04100-9010943-CTR022-Revenue Source 321510) by \$310,000 for state grant funds.
2. Increasing the appropriation and revenue for the Public Works Department in the Capital Improvement Fund (04100-9010943-CTR022-Revenue Source 321514) by \$200,000 for Municipal State Aid (MSA) funds.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0032**

The Minneapolis City Council hereby authorizes an amendment to Contract No. C-41127 with TMI Coatings, Inc., increasing the contract by \$18,146.40, for a revised contract total of \$139,696.40, for additional services associated with the Lime Sludge Holding Tank Repair Project.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0033**

The Minneapolis City Council hereby:

1. Accepts an additional \$474,920.06 grant and authorizes a state bond funded grant agreement with the Metropolitan Council Municipal Infiltration and Inflow Grant Program to fund CIPP (cured-in-place pipe) lining and repairs of existing sewers.
2. Passage of Resolution 2017R-022 adjusting the appropriation and revenue for the program to reflect the additional funding.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

(Published 1/18/2017)

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

**RESOLUTION 2017R-022**

**By Reich and Quincy**

**Amending The 2017 Capital Improvement Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

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

1. Decreasing the appropriation for the Public Works Department in the Sanitary Fund (07100-9010932-CSA0036) by \$47,935.94.
2. Increasing the appropriation for the Public Works Department in the Sanitary Fund (07100-9010932-CSA0001) by \$522,856.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

(Published 1/18/2017)

**COUNCIL ACTION 2017A-0034**

The Minneapolis City Council hereby:

1. Authorizes an agreement with Green Minneapolis in an amount up to \$1,375,500 to operate the Downtown East Commons through an initial term of Dec. 31, 2017.

2. Authorizes waiving a Request for Proposals for any agreements between Green Minneapolis and its professional service subcontractors, but Green Minneapolis shall otherwise comply with City contracting ordinances.
3. Passage of Resolution 2017R-023 authorizing the acceptance of charitable gifts from Green Minneapolis for the operations and construction of the Downtown East Commons.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**RESOLUTION 2017R-023**  
**By Reich and Quincy**

**Authorizing the City of Minneapolis to accept additional gifts from Green Minneapolis for construction and operating costs of the Downtown East Commons.**

Whereas, pursuant to that certain Development Agreement (the “DTE Development Agreement”) dated Feb. 10, 2014, among the City, Ryan Companies US, Inc. (“Ryan”), and the Minnesota Sports Facilities Authority (“MSFA”), the City agreed to acquire certain real property referred to therein as the “Green Space Property”; and

Whereas, the Green Space Property is part of Ryan’s 5-block mixed-use development of marginal property in Downtown East, which also includes office space, retail space, multi-family housing, a public parking ramp, and skyway connections; and

Whereas, the DTE Development Agreement obligated Ryan to demolish existing improvements and construct certain basic improvements prior to conveyance of the Green Space Property to the City by July 1, 2016; and

Whereas, in December 2014 the City approved plans and specifications for such basic improvements to the Green Space Property (the “Basic Park”) pursuant to Section 7.1(c) of the DTE Development Agreement and Section 3.3.1 of that certain Green Space Construction Loan Agreement dated Feb. 10, 2014, between the City and Ryan (the “Green Space Loan Agreement”); and

Whereas, in January 2015 the City retained Hargreaves Associates (“Hargreaves”) to design enhancements to the Basic Park, in accordance with principles adopted by a City-appointed advisory committee, with input from the public, and in consultation with a technical advisory committee that included representation from the Minneapolis Park and Recreation Board, the MSFA, the Minnesota Vikings, Ryan, and other stakeholders (the “Enhancements”); and

Whereas, the Hargreaves contract contemplates that the Enhancements will be designed and constructed in phases tied to the availability of funding—currently referred to as the “Interim

Enhancements” or “Opening Day Commons” and the “Ultimate Enhancements” or “Ultimate Commons”; and

Whereas, Ryan and the City entered into three amendments to the Green Space Loan Agreement to provide for the phased construction of the Interim Enhancements to the Basic Park, now known as the Downtown East Commons (the “Commons”), prior to conveyance of the Commons to the City on June 29, 2016; and

Whereas, Green Minneapolis is undertaking a fundraising campaign for the benefit of and in cooperation with the City seeking \$22 million to fund the design and construction of the Enhancements to the Commons and the initial operating expenses of the Commons as an urban public park/plaza/green space (the “Campaign”); and

Whereas, Green Minneapolis and the City entered into that certain Donation Agreement dated Oct. 29, 2015, authorizing and establishing general parameters for the Campaign (the “Donation Agreement”); and

Whereas, on Nov. 20, 2015, the City Council adopted Resolution 2015R-490 accepting a donation from Green Minneapolis of up to \$3.5 million for construction of the Interim Enhancements and an in-kind donation from Ryan of its 3.5% fee as gifts to the City; and

Whereas, on Jan. 15, 2016, the City Council adopted Resolution 2016R-015 accepting a donation from Minnesota Vikings Football LLC in the amount of \$2 million (with between \$1,660,000 and \$1,540,000 available for capital costs and between \$340,000 and \$460,000 to be reserved for operating costs of the Commons) as a gift to the City; and

Whereas, on May 13, 2016, the City Council adopted Resolution 2016R-202 accepting a donation from Green Minneapolis in the amount of \$789,099 for construction and \$350,000 for operations of the Commons as a gift to the City; and

Whereas, in addition to Green Minneapolis donations, the City used bond proceeds, grant funds, and charitable contributions from the Minnesota Vikings to acquire and construct the Opening Day Commons; and

Whereas, the \$15,289,585 total project cost, exclusive of donated fees, of the Opening Day Commons exceeded available funding by \$1,237,065, which shortfall Ryan agreed to bridge, subject to a reservation of the right to request reimbursement from future donations and/or park dedication fees, if any; and

Whereas, the City entered into an agreement with the Minneapolis Downtown Improvement District for operation of the Commons from July 1, 2016, through Dec. 31, 2016, at a cost of \$600,000, \$350,000 of which was sourced from donations; and

Whereas, the City intends to enter into an agreement with Green Minneapolis for operation of the Commons from Jan. 1, 2017, through Dec. 31, 2017, at a cost of \$1,375,500, \$875,500 of which is anticipated to be sourced from donations; and

Whereas, Green Minneapolis has obtained additional contributions to date and intends to continue the Campaign to raise the full \$22 million contemplated by the Donation Agreement; and

Whereas, as provided in the Donation Agreement, Green Minneapolis plans to distribute 77-83% of each additional contribution to the City for current and future capital costs and 17-23% for operations; and

Whereas, Minnesota Statutes, Section 465.03, requires such gift acceptance be made by resolution of the City Council, adopted by a two-thirds majority of its members and expressing such terms in full;

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

That Green Minneapolis' prior donation of \$1,972,283 for construction draws and future donation, when and if available, of up to \$1,237,065 to reimburse Ryan for carried costs of construction of the Interim Enhancements to the Commons and \$875,750 for operations of the Commons shall be accepted as a gift on behalf of the City of Minneapolis.

Be It Further Resolved that the City, in its discretion, will provide recognition to Green Minneapolis' donors within the parameters of the Urban Park Use Agreement; acceptance of a gift does not imply endorsement of any product, service, or entity nor entitle the donor to favored treatment in pending or future procurement decisions.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0035**

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8320 from Ti-Zack Concrete, Inc., in the amount of \$395,177.80, to furnish and deliver all labor, materials, and incidentals necessary for the Lyndale Safe Routes to School Project, and further authorizes 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, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0036**

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8362 from Building Restoration Corporation, in the amount of \$317,005, to furnish and deliver all labor, materials, and incidentals necessary for the Columbia Heights Filtration Plant - Partial Masonry Project, and further authorizes 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, A. Johnson, Palmisano, President Johnson (12)

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**COUNCIL ACTION 2017A-0037**

The Minneapolis City Council hereby approves the settlement of a lawsuit by Deborah Krueger by payment of \$12,500 to Deborah Krueger and her attorneys, and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0038**

The Minneapolis City Council hereby approves the settlement of the lawsuit Dominique Sabas v. City of Minneapolis, et al. (Court File No. 27-CV-15-13631), by payment of \$175,000 to Dominique Sabas and her attorneys, and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

(Published 1/18/2017)

**COUNCIL ACTION 2017A-0039**

The Minneapolis City Council hereby approves the settlement of the lawsuit Sheila Potocnik v. Walter Carlson and City of Minneapolis (Court File No. 13-CV-2093), by payment of \$155,000 to Sheila Potocnik and her attorneys, and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0040**

The Minneapolis City Council hereby approves the settlement of the lawsuit Kelly Marie Engebretson v. Aitkin County, et al. (Court File No. 14-CV-1435), by the payment of \$7,500 to Plaintiff Kelly Engebretson and \$17,750 to her attorneys at Sapentia Law Group, PLLC, and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0041**

The Minneapolis City Council hereby authorizes the reduction of the special assessment against the property located at 2518 2nd Street North (P.I.D. 029-24-21-0049) for the reconstruction of 26th Ave N from \$118,732.52 to \$115,000.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0042**

The Minneapolis City Council hereby approves the following Council and Mayoral appointments and reappointments to Capital Long-Range Improvement Committee for two-year terms, beginning Jan. 1, 2017 and ending Dec. 31, 2018:

1. Alexander Tsatsoulis and Jeremy Bergerson, Council Ward 2
2. Theresa Upton and Adam Netland, Council Ward 3
3. Jeffrey Strand and Raymond Schoch, Council Ward 4
4. Dennis Wagner and Cecilia Clements, Council Ward 5
5. Cecil Smith, Council Ward 6
6. John Bernstein and William Gullickson, Jr, Council Ward 7
7. Christopher Schommer, Council Ward 8
8. Steve Brandt , Council Ward 8, replacing Jim Kumon
9. Katie Jones Schmitt, Council Ward 10
10. Ryan Pulkrabek and Willie Bridges, Council Ward 11
11. Cassaundra Adler, Council Ward 12
12. Tara McBride, Council Ward 12, replacing Diane Bourgeois
13. Kai Gudmestad and Jack Malone, Council Ward 13
14. Nicholas Minderman, Matt Perry, Erica Mauter and Jill Garcia, reappointed by the Mayor

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0043**

The Minneapolis City Council hereby authorizes a two-year lease with the Walker Art Center in the amount of \$385 per month for equipment storage in parking stalls at the Vineland Parking Ramp.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0044**

The Minneapolis City Council hereby:

1. Authorizes the acquisition of 2651 University Ave NE- Parcel 1 from Hennepin County for \$1,000 plus transaction costs for the East Side Storage & Maintenance Facility Project, and

2. Authorizes staff to proceed with Torrens Title Registration or Proceedings Subsequent, if needed, to ensure clear title to the four parcels comprising 2651 University Ave NE.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0045**

The Minneapolis City Council hereby approves acceptance of the single bid of United Surface Preparation (OP No. 8358) in the amount of \$99,289.70 to furnish, deliver and install rubber mill tumblast machine at the City traffic and maintenance facility.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

**COUNCIL ACTION 2017A-0046**

The Minneapolis City Council hereby approves the settlement of the claims of Deshaun A. Robinson, Devyn E. O'Curran, Chea W. Bemah, Caylea M. Wade, Michael L. Hughes, and Thalia G. Johnson, by payment of \$150,000 to Caylea M. Wade, as their designee, and authorizes the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

(Published 1/18/2017)

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

**COUNCIL ACTION 2017A-0047**

The Minneapolis City Council hereby approves the following City Council appointments and reappointments to the Heritage Preservation Commission:

1. Diana Dyste, Seat 10, Ward 12, appointment for a three-year term beginning Jan. 1, 2017, and ending Dec. 31, 2019.
2. Laurel Fritz, Seat 8, Ward 12, appointment for a one-year term, beginning Jan. 1, 2017, and ending Dec. 31, 2017.
3. Barbara Howard, Seat 3, Ward 10, appointment for a three-year term beginning Jan. 1, 2017, and ending Dec. 31, 2019.
4. Ginny Lackovic, Seat 1, Ward 2, reappointment for a three-year term beginning Jan. 1, 2017, and ending Dec. 31, 2019.
5. Ian Stade, Seat 6, Ward 11, reappointment for a three-year term beginning Jan. 1, 2017, and ending Dec. 31, 2019.
6. Madelyn Sundberg, Seat 4, Ward 8, appointment for a two-year term, beginning Jan. 1, 2017, and ending Dec. 31, 2018.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

(Published 1/18/2017)

**COUNCIL ACTION 2017A-0048**

The Minneapolis City Council hereby:

1. Approves an application submitted by Civil Site Group to vacate part of a public alley that extends from 12th Ave S to the middle of the project site, subject to retention of easements for Excel Energy and CenterPoint Energy.
2. Passage of Resolution 2017R-024 approving Vac-1650.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**RESOLUTION 2017R-024**

**By Bender**

**Vacating Alley bounded by Washington Avenue South, 12th Avenue South, and 1-35W On-Ramp. (Vacation File No. 1650).**

Resolved by The City Council of The City of Minneapolis:

The area to be vacated is legally described as follows: That part of public alley in Block 110, Town of Minneapolis, Hennepin County, Minnesota, being the same as opened by City Resolution dated August 31, 1891, which lies northwesterly of the northwesterly lines of Lots 4 and 7, said Block 110 and southeasterly of the southeasterly right of way of 12th Avenue South.

Is hereby vacated except that such vacation shall not affect the existing authority of Xcel Energy, CenterPoint Energy, and their successors and assigns, to enter upon that portion of the aforescribed area which is described in regard to each of said corporations as follows, to wit:

Xcel Energy and CenterPoint: subject to an easement over the entire area to be vacated.

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

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

**COUNCIL ACTION 2017A-0049**

The Minneapolis City Council hereby:

1. Approves an application submitted by The Ackerberg Group to rezone (PLAN-3251) the property located at 861 Hennepin Ave E to add the Industrial Living Overlay District to allow for a wider variety of commercial uses, including an esthetic salon.

2. Passage of Ordinance 2017-002 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances related to Zoning Code: Zoning Districts and Maps Generally.

On motion by Bender, the rezoning ordinance was amended by revising the legal description to read as follows:

Lots 21 24 25 28 and 29, Block 23; Also part of lot 23 and lot 25 TO 30 included, Block 24; Ramsey Lockwood & Others Addition (861 E Hennepin Ave – Plate #15), to add the Industrial Living Overlay District.

Parcel 1:

All of Lots 24, 25 and 28, and that part of Lot 21, Block 23, “Ramsey, Lockwood & Others Addition” to St. Anthony, described as follows: Commencing at a point on the South line of Lot 21 a distance of .85 feet East of the Southwest corner of said lot; thence Northeasterly 16.53 feet to a point 2.2 feet East of the West line of said lot; thence Southeasterly to a point on the East line of said lot, 5.6 feet North of the Southeast corner thereof; thence South to the Southeast corner of said lot; thence West to the point of beginning.

Lot 27, and the North 32.3 feet of Lot 30;

That part of the East 1/2 of Taylor Street vacated lying between extensions across said land of the South line of the North 32.3 feet of said Lot 30 and the North line of Lot 23,

All in Block 24, “Ramsey, Lockwood & Others Addition” to St. Anthony.

That part of Lots 23, 25, 26, 28 and 29, Block 24, “Ramsey, Lockwood & Others Addition” to St. Anthony, which lies Westerly of Line 1 described below:

Line 1. Beginning at a point on the North line of said Lot 23 distant 40 feet Easterly of the Northwest corner thereof; thence run Southeasterly to a point on the South line of said Lot 23 distant 120 feet Easterly of the Southwest corner thereof; thence run Southeasterly to a point on the North line of said Lot 28 distant 40 feet Easterly of the Northwest corner thereof; thence run Southeasterly to a point on the South line of the North 32.3 feet of said Lot 29 distant 100 feet Easterly of the Southwest corner thereof; thence continue Southeasterly on the last described course to the South line of said Lot 29 and there terminating.

That part of the West half of vacated Taylor Street, dedicated in the plat of “Ramsey, Lockwood & Others Addition” to St. Anthony as Cummings Street, which lies between the Easterly extension of the South line of Lot 28, Block 23, said addition, and a line drawn Easterly at right angles from the East line of Lot 21, said block and addition, distant 5.6 feet Northerly from the Southeast corner of said Lot 21.

Parcel 2:

That part of Lot 21, Block 23, “Ramsey, Lockwood & Others Addition” to St. Anthony which lies Westerly and Northerly of a line described as beginning at a point on the South line of said Lot 21 distant .85 feet Easterly from the Southwest corner of said Lot 21; thence Northerly 16.53 feet to a point 2.2 feet East from the West line of said Lot 21; thence Southeasterly to a point on the East line of said Lot 21 distant 5.6 feet Northerly from the Southeast corner of said Lot 21;

January 13, 2017

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That part of Lot 29, Block 23, "Ramsey, Lockwood & Others Addition" to St. Anthony, lying North of the South 7 feet thereof;

That part of the West half of vacated Taylor Street, dedicated in the plat of "Ramsey, Lockwood & Others Addition" to St. Anthony as Cummings Street, which lies between the Easterly extension of the South line of Lot 20, Block 23, said addition, and a line drawn Easterly at right angles from the East line of Lot 21, said block and addition, distant 5.6 feet Northerly from the Southeast corner of said Lot 21; and that part of the West half of said vacated Taylor Street which lies between the Easterly extensions of the North line of Lot 29, and the North line of the South 7 feet of Lot 29, said block and addition.

Parcel 3:

Together with an easement for ingress and egress created in Document No. 2680780, as amended by Amended Declaration of Easements dated July 22, 2014, filed January 12, 2015, as Document No. 5226622.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**ORDINANCE 2017-002**

**By Bender**

**Intro & 1st Reading: 1/6/2014**

**Ref to: Z&P**

**2nd Reading: 1/13/2017**

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

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

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

Parcel 1:

All of Lots 24, 25 and 28, and that part of Lot 21, Block 23, "Ramsey, Lockwood & Others Addition" to St. Anthony, described as follows: Commencing at a point on the South line of Lot 21 a distance of .85 feet East of the Southwest corner of said lot; thence Northeasterly 16.53 feet to a point 2.2 feet East of the West line of said lot; thence Southeasterly to a point on the East line of said lot, 5.6 feet North of the Southeast corner thereof; thence South to the Southeast corner of said lot; thence West to the point of beginning.

Lot 27, and the North 32.3 feet of Lot 30;

That part of the East 1/2 of Taylor Street vacated lying between extensions across said land of the South line of the North 32.3 feet of said Lot 30 and the North line of Lot 23,

All in Block 24, "Ramsey, Lockwood & Others Addition" to St. Anthony.

That part of Lots 23, 25, 26, 28 and 29, Block 24, "Ramsey, Lockwood & Others Addition" to St. Anthony, which lies Westerly of Line 1 described below:

Line 1. Beginning at a point on the North line of said Lot 23 distant 40 feet Easterly of the Northwest corner thereof; thence run Southeasterly to a point on the South line of said Lot 23 distant 120 feet Easterly of the Southwest corner thereof; thence run Southeasterly to a point on the North line of said Lot 28 distant 40 feet Easterly of the Northwest corner thereof; thence run Southeasterly to a point on the South line of the North 32.3 feet of said Lot 29 distant 100 feet Easterly of the Southwest corner thereof; thence continue Southeasterly on the last described course to the South line of said Lot 29 and there terminating.

That part of the West half of vacated Taylor Street, dedicated in the plat of "Ramsey, Lockwood & Others Addition" to St. Anthony as Cummings Street, which lies between the Easterly extension of the South line of Lot 28, Block 23, said addition, and a line drawn Easterly at right angles from the East line of Lot 21, said block and addition, distant 5.6 feet Northerly from the Southeast corner of said Lot 21.

Parcel 2:

That part of Lot 21, Block 23, "Ramsey, Lockwood & Others Addition" to St. Anthony which lies Westerly and Northerly of a line described as beginning at a point on the South line of said Lot 21 distant .85 feet Easterly from the Southwest corner of said Lot 21; thence Northerly 16.53 feet to a point 2.2 feet East from the West line of said Lot 21; thence Southeasterly to a point on the East line of said Lot 21 distant 5.6 feet Northerly from the Southeast corner of said Lot 21;

That part of Lot 29, Block 23, "Ramsey, Lockwood & Others Addition" to St. Anthony, lying North of the South 7 feet thereof;

That part of the West half of vacated Taylor Street, dedicated in the plat of "Ramsey, Lockwood & Others Addition" to St. Anthony as Cummings Street, which lies between the Easterly extension of the South line of Lot 20, Block 23, said addition, and a line drawn Easterly at right angles from the East line of Lot 21, said block and addition, distant 5.6 feet Northerly from the Southeast corner of said Lot 21; and that part of the West half of said vacated Taylor Street which lies between the Easterly extensions of the North line of Lot 29, and the North line of the South 7 feet of Lot 29, said block and addition.

Parcel 3:

Together with an easement for ingress and egress created in Document No. 2680780, as amended by Amended Declaration of Easements dated July 22, 2014, filed January 12, 2015, as Document No. 5226622.

(861 Hennepin Ave E – Plate #15) to add the Industrial Living Overlay District.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The ordinance, as amended, was adopted.

**COUNCIL ACTION 2017A-0050**

The Minneapolis City Council hereby:

1. Approves an application submitted by REX 26 Developers LLC to rezone (BZZ-8014) the following properties to allow for a new mixed-use development: 2601-2607 Lyndale Ave S from C1 to C2; and 2609, 2613, 2617, and 2621 Lyndale Ave S from OR2 to C2.
2. Passage of Ordinance 2017-003 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances related to Zoning Code: Zoning Districts and Maps Generally.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

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

**ORDINANCE 2017-003**

**By Bender**

**Intro & 1st Reading: 1/6/2014**

**Ref to: Z&P**

**2nd Reading: 1/13/2017**

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

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

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

#1/2601 Lyndale Avenue South Lot 026 AND N 5 FT OF LOT 025, Block 002, HOBLITT'S ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota to the C2/Neighborhood Corridor Commercial District.

#2/2607 Lyndale Avenue South Lot 025, BLOCK 002, S 40 FT, HOBLITT'S ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota, to the C2/Neighborhood Corridor Commercial District.

#3/2609 Lyndale Ave South LOT 024, Block 002, HOBLITT'S ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota, to the C2/ Neighborhood Corridor Commercial District.

#4/2613 Lyndale Ave South LOT 023, BLOCK 002, HOBLITT'S ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota, to the C2/ Neighborhood Corridor Commercial District.

#5/2617 Lyndale Ave South LOT 022, BLOCK 002, HOBLITT'S ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota, to the C2/ Neighborhood Corridor Commercial District.

#6/2621 Lyndale Ave South LOT 021, BLOCK 002, HOBLITT'S ADDITION TO MINNEAPOLIS, Hennepin County, Minnesota, to the C2/ Neighborhood Corridor Commercial District.

(2601, 2607, 2609, 2613, 2617, and 2621 Lyndale Ave S – Plate #24), to the C2/Neighborhood Corridor Commercial District.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The ordinance was adopted.

On behalf of the Zoning & Planning Committee, Bender offered Resolution 2017R-025 approving the Pilgrim Rest Baptist Church landmark designation located at 5100 James Ave N.

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

**RESOLUTION 2017R-025**

**By Bender**

**Designating the Pilgrim Rest Baptist Church as a Landmark.**

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on November 29, 2016, and recommended to the Standing Committee on Zoning and Planning that the Pilgrim Rest Baptist Church at 5100 James Avenue North be designated as a Landmark; and

Whereas, the recommended designation will apply to the exterior of the building; and

Whereas, the Pilgrim Rest Baptist Church meets Heritage Preservation Regulations significance criterion #1 (the property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history); and criterion #3 (the property contains or is associated with distinctive elements of city or neighborhood identity); 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 October 6, 2016; and further did refer the subject matter to the Minnesota State Historic Preservation Office for review and comment, such comment being made in a letter dated October 24, 2016; and

Whereas, on January 5, 2017, the Standing Committee on Zoning and Planning recommends designation as a Landmark;

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

That the Pilgrim Rest Baptist Church is hereby designated as a Landmark.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution was adopted.

On behalf of the Zoning & Planning Committee, Bender offered Resolution 2017R-026 designating the Tilsenbilt Homes Historic District.

On motion by Glidden, the roster of designated properties contained in the resolution was amended by deleting 4016 4th Ave S, 4219 4th Ave S, 4441 4th Ave S, and 4025 5th Ave S and correcting 4644 5th Ave S to read 4044 5th Ave S.

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

**RESOLUTION 2017R-026**  
**By Bender**

**Designating the Tilsenbilt Homes Historic District.**

Whereas, the Minneapolis Heritage Preservation Commission (HPC) held a public hearing on December 13, 2016, and recommended to the Standing Committee on Zoning and Planning that the Tilsenbilt Homes Historic District be designated; and

Whereas, the Tilsenbilt Homes Historic District includes the following properties:

343 41st Street East	4504 4th Avenue South
4020 4th Avenue South	3928 5th Avenue South
4021 4th Avenue South	3943 5th Avenue South
4116 4th Avenue South	4004 5th Avenue South
4121 4th Avenue South	4012 5th Avenue South
4223 4th Avenue South	4016 5th Avenue South
4227 4th Avenue South	4020 5th Avenue South
4408 4th Avenue South	4021 5th Avenue South
4412 4th Avenue South	4028 5th Avenue South
4421 4th Avenue South	4032 5th Avenue South
4445 4th Avenue South	4036 5th Avenue South
4448 4th Avenue South	4040 5th Avenue South
4500 4th Avenue South	4044 5th Avenue South
4501 4th Avenue South	4645 5th Avenue South

Whereas, the recommended designation will apply to the exterior of the buildings identified in the designation study; and

Whereas, the Tilsenbilt Homes Historic District meets Heritage Preservation Regulations significance criterion #1 (the property is associated with significant events or with periods that exemplify broad patterns of cultural, political, economic or social history); and criterion #2 (the property is associated with the lives of significant person or groups); 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 November 17, 2016; and further did refer the subject matter to the Minnesota State Historic Preservation Office for review and comment, such comment being made in a letter dated November 8, 2016; and

Whereas, on January 5, 2017, the Standing Committee on Zoning & Planning recommended designation as a Historic District;

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

That the Tilsenbilt Homes Historic District is hereby designated a Historic District.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The resolution, as amended, was adopted.

#### **REPORTS OF SPECIAL COMMITTEES**

**The AUDIT Committee submitted the following report:**

##### **COUNCIL ACTION 2017A-0051**

The Minneapolis City Council hereby approves the reappointment of Scott Neal to the Audit Committee, for a three year term, beginning Jan. 1, 2017, and ending Dec. 31, 2019.

On roll call, the result was:

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

Noes: (0)

Absent: Quincy (1)

The report was adopted.

#### **NOTICE OF ORDINANCE INTRODUCTIONS**

B. Johnson gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement, increasing the per meeting stipend paid to members of the City Planning Commission and Zoning Board of Adjustment.

Frey gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, amending occupancy regulations:

1. Chapter 520 Introductory Provisions.
2. Chapter 546 Residence Districts.
3. Chapter 547 Office Residence Districts.
4. Chapter 548 Commercial Districts.
5. Chapter 549 Downtown Districts.
6. Chapter 551 Overlay Districts.

#### **INTRODUCTION & REFERRAL CALENDAR**

Pursuant to notice, on motion by Frey, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee: Amending Title 13, Chapter 268 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Lawful Gambling, amending provisions related to organizational eligibility for gambling licensure.

Pursuant to notice, on motion by Goodman and Frey, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Transportation & Public Works Committee: Amending Title 17, Chapter 465 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Downtown Business Improvement Special Service District, amending petitioning requirement to match state statute.

#### **RESOLUTIONS**

Resolution 2017R-027 declaring February 3, 2017, National Wear Red Day in the City of Minneapolis was adopted.

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

#### **RESOLUTION 2017R-027**

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

#### **Declaring February 3, 2017, National Wear Red Day in the City of Minneapolis.**

Whereas, eight million women in the United States are living with heart disease, yet only one in six American women believes that heart disease is her greatest health threat; and

Whereas, while one in thirty American women dies from breast cancer each year, one in three dies of cardiovascular disease, claiming the lives of over 419,000 American females each year, almost one death per minute; and

Whereas, ninety percent of women have one or more risk factors for developing heart disease; and 26 percent of women die within a year of suffering a heart attack, compared with nineteen percent of men; and

WHEREAS, only 43 percent of African American women and 44 percent of Hispanic women know that heart disease is their greatest health risk, compared with sixty percent of white women; and

Whereas, nearly as many women die of heart disease, stroke, and all other cardiovascular diseases than the next three leading causes of death combined, including all cancers; and

Whereas, in women, heart disease is too often a silent killer – less than a third of women in a recent survey reported early warning signs such as chest pain or discomfort before a heart attack, compared with most men; and

Whereas, women are less likely to call 911 for themselves when experiencing symptoms of a heart attack, and most reported a delay in seeking treatment after potential symptoms of heart disease appeared; and

Whereas, Go Red For Women® is the American Heart Association’s national call to increase awareness around heart disease—the leading cause of death for women—and to inspire women to take charge of their heart health; and

Whereas, making the right choices relating to proper nutrition, physical activity, and other healthy lifestyle choices are essential to living a heart healthy life; and

Whereas, the truth is: our lives are in our hands. We can stop our number one killer together by sharing the truth, speaking up about heart disease, and empowering women to reduce their risk for cardiovascular disease;

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

That the third day of February 2017 be declared as National Wear Red Day in the City of Minneapolis in recognition of the importance of the ongoing fight against heart disease and stroke.

Be It Further Resolved that the 35W Bridge be lit red on Friday, February 3, 2017, in honor of National Wear Red Day, urging all citizens to show their support by commemorating this day by the wearing of the color red.

Resolution 2017R-028 recognizing February 15, 2017, as International Angelman Day in the City of Minneapolis was adopted.

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

**RESOLUTION 2017R-028**

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

**Recognizing February 15, 2017, as International Angelman Day in the City of Minneapolis.**

Whereas, Angelman Syndrome (AS) is a rare, genetic neurological disorder affecting one in every fifteen to twenty thousand individuals; and

Whereas, those with AS are challenged with developmental delays, minimal or no verbal communication, hindered mobility, sleep disorders, feeding disorders, and life-threatening seizures; Angelman Syndrome affects all races and both genders equally; and

Whereas, children and adults with AS require life-long care, intense therapies to help develop functional skills and improve their quality of life, and close medical supervision often involving multiple medical interventions; and

Whereas, despite these challenges, those with Angelman Syndrome typically portray happy and excitable personalities, characterized by frequent laughing, smiling, and hugging; and

Whereas, this date was chosen by global Angelman organizations to coincide with International Rare Disease Month which is recognized worldwide annually in February; the 15th day in February is selected to correlate with the 15th human chromosome which Angelman Syndrome affects; and

Whereas, the purpose of this day is to raise awareness of AS and remember those who we have lost to Angelman Syndrome; and

Whereas, the Foundation for Angelman Syndrome Therapeutics (FAST) is an all-volunteer organization of families and professionals dedicated to curing AS through funding medical and scientific research, education and advocacy; FAST is committed to assisting individuals living with Angelman Syndrome to realize their full potential and quality of life;

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

That February 15, 2017, be recognized as International Angelman Day in the City of Minneapolis, and that the 35W Bridge be lit in blue on this day.

Resolution 2017R-029 recognizing Big Brothers Big Sisters was adopted.

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

**RESOLUTION 2017R-029**

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

**Recognizing Big Brothers Big Sisters.**

Whereas, each year, January is observed as National Mentoring Month in celebration of the life-changing impact mentoring can bring to the lives of children; and

Whereas, Minnesota is a leader in high-quality youth mentoring, with century-old Big Brothers Big Sisters of the Greater Twin Cities as the largest and oldest of the local mentoring organizations; and

Whereas, mentoring has been shown time and time again to positively influence the lives of children, with mentored youth doing better in school, building healthier relationships, and being more likely to avoid risky behavior, and

Whereas, one in three youth nationwide reach adulthood never having had a mentor, and there are hundreds of children locally looking for mentors; and

Whereas, the community must come forward to provide youth with the additional support they deserve and need;

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

That January 19, 2017, is hereby declared to be “Thank Your Mentor Day” in the City of Minneapolis.

Be It Further Resolved that the City requests that the Minnesota Department of Transportation light the I-35W Memorial Bridge in purple (R 143, G35, B179) on January 19, 2017, as a sign of support for Big Brothers Big Sisters on “Thank Your Mentor Day.”

Resolution 2017R-030 honoring the 2016 Minneapolis North High Polars Football Team was adopted.

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

**RESOLUTION 2017R-030**

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

**Honoring the 2016 Minneapolis North High Polars Football Team.**

Whereas, Minneapolis North Community High School (North High) is in the Fifth Ward; and

Whereas, in 2015 the North High Polars football team was the first Minneapolis Public High School to play in the State Championship in 38 years, losing a closely contested game; and

Whereas, the team returned in 2016 with a renewed commitment to win the State Championship; and

Whereas, the team compiled an 8-0 regular season record and an undefeated 13-0 record on the year; and

Whereas, for the second year in a row, the North High football team earned the Minneapolis City Championship; and

Whereas, the North High football team won the Section 4A Finals, defeating St. Agnes, Kerkhoven-Murdock-Sunburg, and Meyer Lutheran; and

Whereas, in the Class A State Playoff North High met and defeated Janesville-Waldorf-Pemberton, and Wabasso; and

January 13, 2017

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Whereas, the North High Polars defeated Rushford-Peterson 30-14 to win the 2016 Minnesota State Class A Championship; and

Whereas, the leadership of Head Coach Charles Adams, a North High graduate and a Minneapolis Police Officer serving as the North High School Resource Officer, has been instrumental to the team's continued success; and

Whereas, Coach Adams was named the 2016 Coach of the Year by the Minnesota Vikings Youth Football Program; and

Whereas, this year Coach Adams became the first African American head coach to win a Minnesota state championship; and

Whereas, the resurgence of the North High Polars football team has reflected the growth and the resurgence of North Minneapolis; and

Whereas, the North High Polars were the first Minneapolis team to win a state championship in 39 years; and

Whereas, the City of Minneapolis is proud to recognize the accomplishments and commitment of the North High Polars football team and its players, coaches, and fans;

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

That the City Council, on behalf of the people of Minneapolis, hereby honor the 2016 Minneapolis North High Polar Football team and give recognition of their State Championship.

Resolution 2017R-031 honoring the Tilsenbilt Homes as one of the first FHA-Backed Residential Housing Developments in the United States to be Marketed to Buyers of All Races was adopted.

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

**RESOLUTION 2017R-031**

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

**Honoring the Tilsenbilt Homes as One of the First FHA-Backed Residential Housing Developments  
in the United States to be Marketed to Buyers of All Races.**

Whereas, housing discrimination based on race is part of the history of Minneapolis, and of the United States, and was enforced and encouraged by the federal government well into the 20th Century; and

Whereas, the Federal Housing Administration (FHA) and Veteran's Administration (VA), both created in the early 1930's, made home ownership accessible to millions of white Americans by guaranteeing mortgages, but discriminatorily excluded African Americans from these same benefits through its practices and procedures; and

January 13, 2017

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Whereas, the FHA utilized discriminatory practices until the United States Supreme Court's determination, in 1948, that racial covenants were unenforceable, and then continued to create and enforce racially segregated housing by refusing mortgages to interracial housing projects into the 1950's; and

Whereas, the federal government's discriminatory actions were reinforced by the actions and inaction of local and state governments, banks, realtors, and neighborhood associations, including in Minneapolis; and

Whereas, in the years immediately following World War II, the growth of racial covenants and redlining discriminatorily restricted housing opportunities, especially access to mortgages, for African Americans in Minneapolis, resulting in a severe housing shortage; and

Whereas, in 1940, 90% of Black Minneapolitans lived in just 18 of the city's 121 census tracts; between 1946 and 1952, over 9,500 single-family homes and duplexes were built in Minneapolis, yet fewer than twenty were sold to African American buyers; and

Whereas, in 1953, the Minneapolis Urban League hosted a meeting with the FHA and several African American realtors, hoping to develop a pilot integrated housing project for the region; and  
Whereas, distinguished philanthropist and developer Archie Givens, Sr., a young realtor at the time, committed himself to recruiting a builder and a location for a racially integrated housing project; and

Whereas, Archie Givens, Sr., recruited Edward Tilsen, a Ukrainian Jewish immigrant and prominent builder in the Twin Cities, who had himself experienced discriminatory treatment based on his religion, and who was the only builder at the time with experience building integrated housing; and

Whereas, Archie Givens located a collection of scattered lots in South Minneapolis, south of 38th Street on 3rd, 4th, and 5th Avenues, which were purchased for the development from Mike Kelley, former owner of the Minneapolis Millers; and

Whereas, the Tilsenbilt Homes, a group of 52 single family homes in the Bryant, Regina and Field neighborhoods, were constructed by Edward Tilsen's company between 1954 and 1956, becoming one of the first FHA-backed residential housing developments in the United States to be marketed to buyers of all races; and

Whereas, the original owners of the Tilsenbilt Homes were professors, business owners, civil servants, Pullman porters, factory workers, teachers, mechanics, and restaurant employees, enlisted military and veterans; they put love and care and respect into their homes and their neighborhoods, on behalf of their families and themselves; and

Whereas, today, the Tilsenbilt Homes are owned by a multicultural group of neighbors, who are committed to telling the stories of their homes as part of the ongoing story of race, racism and racial segregation in Minneapolis neighborhoods;

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

That the City Council honors and thanks the family of Archie Givens, Sr., the family of Edward Tilsen, the Minneapolis Urban League, the original Tilsenbilt home owners, and all others who helped establish the

Tilsenbilt homes as one of the first racially integrated residential housing developments in the United States.

Be It Further Resolved that the City Council thanks those who have fought against racism and on behalf of fair housing for all, and acknowledges the importance of reversing the present day effects of racism and racial segregation in the City of Minneapolis.

#### **MOTIONS**

##### **COUNCIL ACTION 2017A-0052**

On motion by Bender, the subject matter of an ordinance amending Title 20, Chapter 551 of the Minneapolis Code of Ordinances relating to Zoning Code: Overlay Districts, relating to the rezoning study in the Lowry Hill East Neighborhood was returned to author.

#### **NEW BUSINESS**

##### **COUNCIL ACTION 2017A-0053**

The Minneapolis City Council hereby approves the following appointments to the Workplace Advisory Committee:

1. Approving the following Council appointments for one-year terms, beginning Jan. 1, 2017, and ending Dec. 31, 2017:

Molly Glasgow, Seat 1 (Business Association), Ward 4, Metro Independent Business Alliance  
Rebecca Lucero, Seat 7 (Not for Profit), Ward 9, Minnesota Council of Nonprofits  
Christina Cortez, Seat 9 (Employee), Ward 9, CTUL  
Abou Amara, Seat 11 (Employee), Ward 6, Neighborhoods Organizing for Change  
Mae Brooks, Seat 15 (Park Board), Ward 5, Minneapolis Park & Recreation Board

2. Approving the following Council appointments for two-year terms, beginning Jan. 1, 2017, and ending Dec. 31, 2018:

Andrew Papacosta, Seat 2 (Business Association), Ward 2, Main Street Alliance  
Holly Hatch-Surisook, Seat 6 (Small/Independent Business), Ward 1, Owner, Sen Yai Sen Lek  
Wade Luneburg, Seat 8 (Employee), Ward 3, UNITE  
Ginger Jentzen, Seat 10 (Employee), Ward 10, 15 Now  
Cacje Henderson, Seat 12 (Employee), Ward 5, Take Action MN  
Chelsie Gabiou, Seat 14 (Organized Labor), Minnesota AFL-CIO  
Ben Schweigert, Seat 16 (Public Employee), Ward 8, Hennepin County.

3. Confirming the following Mayoral appointments for one-year terms, beginning Jan. 1, 2017, and ending Dec. 31, 2017:

Jim Rowader, Seat 3 (Mid to Large Employer), Ward 10, Target  
Kate Davenport, Seat 5 (Small/Independent Business), Eureka Recycling  
Brian Elliot, Seat 13 (Organized Labor), Ward 11, SEIU Minnesota State Council.

On roll call, the result was:

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

January 13, 2017

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Noes: (0)

Absent: Quincy (1)

The report was adopted.

**ADJOURNMENT**

On motion by Glidden, the meeting was adjourned to January 17, 2017, at 9:15 a.m. in the Council Chamber for the purpose of considering a proposed Charter amendment relating to the use of premiums received in a bond sale.

Casey Joe Carl,  
City Clerk