

**OFFICIAL PROCEEDINGS
MINNEAPOLIS CITY COUNCIL**

**REGULAR MEETING OF
APRIL 14, 2017**

(Published April 22, 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, John Quincy, Linea Palmisano, President Barbara Johnson.

Absent - Council Member Andrew Johnson

On motion by Gordon, the agenda was amended to include under the Order of Resolutions a resolution honoring the contributions of Gayle Prest.

On motion by Quincy, the agenda was amended to include under the Order of Resolutions a resolution declaring June 2017 "Lesbian, Gay, Bisexual, and Transgender Pride Month."

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

On motion by Glidden, the minutes of the regular meeting of March 24, 2017, 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 April 20, 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 COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:

COUNCIL ACTION 2017A-0265

The Minneapolis City Council hereby:

1. Passage of Resolution 2017R-155 giving preliminary and final approval to, and authorizing the issuance of up to \$1,800,000 of Tax-exempt Bank Qualified Bank Direct Revenue Bonds on behalf of AccessAbility, Incorporated, to refinance existing debt and to renovate and expand the organization's principal location at 360 Hoover St NE, and authorizing the issuance of a conduit revenue note of the Minneapolis Community Development Agency.
2. Refers the matter to the Minneapolis Community Development Agency Board of Commissioners to consider passage of a resolution authorizing the issuance of up to \$1,800,000 on Series 2017 Tax-exempt Revenue Bonds for AccessAbility, Incorporated.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2017R-155

By Goodman

Giving preliminary and final approval to and authorizing the financing of a project on behalf of AccessAbility, Incorporated, at 360 Hoover St NE, authorizing the issuance of a conduit revenue note of the Minneapolis Community Development Agency.

Whereas, in accordance with Laws of Minnesota 1980, Chapter 595, as amended, the City Council of the City of Minneapolis (the "City") established the Minneapolis Community Development Agency (the "Agency") and granted certain powers and duties to the Agency; and

Whereas, pursuant to such granted powers, the Agency has been authorized to issue revenue obligations for various purposes; and

Whereas, AccessAbility, Incorporated, a Minnesota nonprofit corporation and its affiliates (the "Borrower") has requested the participation of the Agency in the financing and refinancing of a project through the issuance by the Agency of its Revenue Note (AccessAbility, Inc. Project), Series 2017 (the "Note") in a principal amount not to exceed \$1,800,000 and through the application of the proceeds derived from the sale of the Note to make a loan (the "Loan") to the Borrower under the terms of a Loan Agreement, dated on or after the date hereof, between the Agency and the Borrower; and

Whereas, the Borrower has proposed to apply the proceeds of the Loan to: (i) consolidate and refinance existing outstanding taxable indebtedness of the Borrower; (ii) finance the renovation and expansion of the Borrower's principal facility located at 360 Hoover Street NE in the City (the "Facility"); (iii) fund required reserves for the Note, if any; and (iv) pay the costs of issuing the Note (collectively, the "Project"); and

Whereas, the Facility to be financed and refinanced with the proceeds of the Note will be owned and operated by the Borrower; and

Whereas, on the date hereof, the Board of Commissioners of the Agency will consider a resolution (the "Note Resolution") giving approval to the financing of the Project and the issuance of the Note in the aggregate principal amount not to exceed \$1,800,000; and

Whereas, under the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended, and applicable Treasury Regulations promulgated thereunder, the City Council of the City is the applicable elected representative of the Agency and, as such, must approve any private activity bonds issued by the Agency;

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

That the terms of the Note Resolution are incorporated herein by reference.

Be It Further Resolved that the City Council hereby gives preliminary and final approval to the issuance of the Note by the Agency in the aggregate principal amount not to exceed \$1,800,000.

Be It Further Resolved that the Note is hereby designated a "Program Bond" and is determined to be within the "Program," as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 1997R-402 of the City adopted December 12, 1997.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

COUNCIL ACTION 2017A-0266

The Minneapolis City Council hereby:

1. Approves the application of Target Corporation, doing business as Target T1375, for an Off Sale Liquor License at 900 Nicollet Mall (new license).
2. Adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and Target Corporation allowing the licensee to obtain the Off Sale Liquor License for Target T1375 at 900 Nicollet Mall, subject to adherence with the conditions contained therein.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0267

The Minneapolis City Council hereby:

1. Approves the application of 1328 Uptown, Inc, doing business as Bar Louie, for an On Sale Liquor with Sunday Sales, Class B License at 1348 Lagoon Ave (upgrade).

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2. Adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and 1328 Uptown, Inc. allowing the licensee to obtain the On Sale Liquor with Sunday Sales, Class B License for Bar Louie at 1348 Lagoon Ave, subject to adherence with the conditions contained therein.
3. Rescinds the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and 1328 Upton, LLC doing business as Bar Louie, relating to the On Sale Liquor with Sunday Sales, Class D License at 1348 Lagoon Ave, approved by the Minneapolis City Council on April 13, 2012.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0268

The Minneapolis City Council hereby:

1. Passage of Ordinance 2017-012 amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer, amending provisions related to temporary on-sale liquor licenses in relation to late hours entertainment.
2. Approves an amendment to the License Fee Schedule for Temporary Expansion of License, Late Hours Entertainment.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Ordinance 2017-012 amending Title 14, Chapter 362 of the Minneapolis Code of Ordinances relating to Liquor and Beer, amending provisions related to temporary on-sale liquor licenses in relation to late hours entertainment.

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

ORDINANCE 2017-012
By Goodman and Frey
Intro & 1st Reading: 2/10/2017
Ref to: CDRS
2nd Reading: 4/14/2017

Amending Title 14, Chapter 362 of the Minnesota Code of Ordinances relating to Liquor and Beer: Liquor Licenses.

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

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

362.36. - Temporary expansion of license. (a) On-sale liquor, wine and beer establishments may obtain a temporary expansion of license for premises directly adjacent and contiguous to a permanently licensed premises, ~~and~~ for entertainment not otherwise allowed under the establishment's permanent license, and for late hours entertainment beyond what is not otherwise under Title 14.

(1) Application for a temporary expansion of license shall be made on forms provided by the licensing official and shall contain the following:

- a. The name and addresses of the on-sale license holder and its owners, officers or partners.
- b. A specific description and diagram of the area in which the temporary expansion activity is to occur. This area must be compact and contiguous to the permanently licensed premises, and be contained by physical enclosure devices.
- c. Written consent of the owner or manager of the premises, or a person or group with lawful responsibility for the premises.
- d. The purpose for which the temporary expansion is sought, and a detailed description of the planned activities including projected attendance, entertainment, food and beverage service, security plans, and hours of operation.
- e. Proof that auxiliary permits for purposes of amplified music, short term food, block event, temporary structures, temporary utilities, etc., have been obtained.
- f. Such other information as the licensing official may deem necessary.

(2) An individual licensee may be granted up to twelve (12) temporary expansion licenses for the duration of not more than two (2) consecutive days so as not to exceed twelve (12) days in any twelve-month period. Additionally, an individual licensee may be granted up to three (3) temporary expansions of hours for the duration of not more than two (2) consecutive days so as not to exceed six (6) days in any twelve-month period. A temporary expansion of hours shall only be authorized in an indoor area in the Downtown Business Improvement Special Service District as specified in Section 465.10. The limitation on the number of temporary expansion licenses granted in a twelve-month period may be waived by the licensing official for special events.

(3) The applicant shall file proof that the liability insurance required by this Code of Ordinances and by Minnesota Statutes Chapter 340A apply to the expanded area.

(4) The hours of operation of a temporary expansion of license shall not exceed those hours authorized at the permanent premises, or any lesser hours specified as a condition of the temporary expansion of premises license unless otherwise authorized by a temporary expansion of hours per this section.

(5) The fees for a temporary expansion license shall be as established in the License Fee Schedule.

(6) The city council may deny, revoke, suspend a license for any of the following reasons:

- a. The existence of a temporary expansion disturbs the peace, quiet or repose of surrounding residential or commercial areas.

- b. The existence of a temporary expansion contributes to crime, disorderly behavior, noise, traffic, litter or parking problems in the area near the establishment.
- c. Any violation of the laws relating to the sale or service of alcoholic beverages.
- d. Any violation of the terms of this section.
- e. Any other good cause related to the operation of the establishment.

(7) Licenses issued under this section are subject to all laws and ordinances governing the sale of intoxicating liquor except those laws and ordinances which by their nature are not applicable.

(8) Licensing official to grant temporary expansion license in certain instances. When an application for a license for temporary expansion license has been filed too late to be considered on the regular agendas of the city council or the appropriate committee of the council prior to the scheduled date of the event, the licensing official may issue the license if the application is filed and complete, the fee including a fifty (50) percent late fee has been paid, and the required conditions listed above have been met. The licensing official may also deny, suspend or revoke those licenses which he/she has issued based on the reasons listed above for which the city council may deny, suspend or revoke such licenses. The issuance of a temporary expansion license is subject to compliance with all applicable health and safety laws. The limitation on the number of temporary expansion licenses granted in a twelve-month period may be waived by the licensing official for special events.

(b) Licensing official to grant temporary expansion of premises and temporary entertainment licenses in certain places. When an application for a permit for temporary expansion of premises has been filed fewer than thirty (30) days prior to the scheduled date of the event or too late to be considered on the regular agendas of the city council or the appropriate committee of the council prior to the scheduled date of the event, the licensing official may issue the permit if the following conditions have been met:

(1) The application form has been completed and filed.

(2) The fee, including a fifty (50) percent late fee has been paid.

(3) The applicant has not been denied an application for temporary expansion of premises by the city council since any temporary expansion granted within the previous eighteen (18) months.

(4) The premises have not been designated by resolution of the city council pursuant to subsection 362.36(c) as requiring city council approval for a temporary expansion of premises.

(c) The city council may by resolution establish a list of premises for which a temporary expansion of premises must be approved by the city council and for which the licensing official may not issue a permit for a temporary expansion under subsection 362.36(b).

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The ordinance was adopted.

COUNCIL ACTION 2017A-0269

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. 17-00442, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0270

The Minneapolis City Council hereby:

1. Adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and BB and D Inc. allowing the licensee to retain the On Sale Liquor with Sunday Sales, Class C-1 License for Leaning Tower of Pizza at 2324 Lyndale Ave S, subject to adherence with the conditions contained therein.
2. Rescinds the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and BB and D Inc., doing business as Leaning Tower of Pizza, relating to the On Sale Liquor with Sunday Sales, Class C-1 license at 2324 Lyndale Ave S, approved by the City Council on Aug. 7, 2015.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0271

The Minneapolis City Council hereby authorizes Department of Community Planning & Economic Development staff to negotiate exclusively with the California Building Company team on the future sale and redevelopment of 695 and 699 Lowry Ave NE.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0272

The Minneapolis City Council hereby authorizes a Joint Powers Agreement with Hennepin County for Emergency Solutions Grant funds/administration (Homeless Prevention and Rapid Re-housing Program).

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0273

The Minneapolis City Council hereby authorizes a contract with Minnesota Workforce Council Association for regional workforce planning in an amount not to exceed \$125,000, for services to be completed by May 31, 2017.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0274

The Minneapolis City Council hereby:

1. Authorizes a contract with Hennepin County to receive \$30,000 to manage industry-specific and geographically-targeted job fairs in 2017.
2. Passage of Resolution 2017R-156 approving appropriation to Community Planning and Economic Development.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

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

**RESOLUTION 2017R-156
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 Grants-State & Local Fund (01600-8900610) by \$30,000, and increasing the CPED revenue estimate in the CPED Grant-State & Local Fund (01600-8900610-322002) by \$30,000.

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On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

COUNCIL ACTION 2017A-0275

The Minneapolis City Council hereby:

1. Approves the guidelines for the Minneapolis (NOAH) Preservation Fund establishing a City loan program to assist eligible preservation buyers to acquire and preserve NOAH rental property in Minneapolis that is at risk of increased rents in order to protect low-income tenants occupying such housing that are at risk of involuntary displacement.
2. Passage of Resolution 2017R-157 delegating authority to the Director of Community Planning & Economic Development to authorize the making of loans and execute form agreements consistent with the approved guidelines and City Council adopted budgets.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2017R-157 delegating authority to make loans under the Minneapolis Naturally Occurring Affordable Housing (NOAH) Preservation Fund program and execute Loan Agreements consistent with City Council approved requirements for such funds.

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

RESOLUTION 2017R-157

By Goodman

Delegating authority to make loans under the Minneapolis Naturally Occurring Affordable Housing (NOAH) Preservation Fund program and execute Loan Agreements consistent with City Council approved requirements for such funds.

Whereas, the City Council has authorized the creation of the Minneapolis Naturally Occurring Affordable Housing (NOAH) Preservation Fund to assist eligible preservation buyers to acquire and preserve NOAH rental property in the City of Minneapolis that is at risk of increased rents in order to protect low-income tenants occupying such housing that are at risk of involuntary displacement;

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

That pursuant to Minneapolis Code of Ordinances §17.60, authority is delegated by the City Council to the Director of the Department of Community Planning and Economic Development (CPED) or his

designee, the Director of Housing Development and Policy to make and execute Loan Agreements, substantially as found in the attachment with minor changes to be approved by the City Attorney or Assistant City Attorney for the award of NOAH Preservation Fund loans consistent with the City Council adopted NOAH Preservation Fund guidelines, the policies and procedures established, maintained and modified from time to time to for the NOAH Preservation Fund and the City Council approved budgets for the NOAH Preservation Fund.

Be It Further Resolved that the NOAH Preservation Funds loans shall be for a term not to exceed fifteen (15) years, in an amount not to exceed \$25,000 per unit of housing being acquired and cumulatively all loans may not exceed the City Council adopted budget for the NOAH Preservation Fund for that year.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

On behalf of the Community Development & Regulatory Services and Ways & Means Committees, Goodman offered Resolution 2017R-158 authorizing application to the Minnesota Department of Employment and Economic Development Contamination Cleanup and Investigation Grant Program for the following projects: 10th Ave Redevelopment, 1000 N 3rd St and 1001 N 3rd St; 129 Plymouth, 129 Plymouth Ave N; 205 Park, 205 Park Ave S; 212 James Ave N (Currie Market) & Artspace LEEF North Lofts, 212 James Ave N; 1500 Nicollet, 1500 Nicollet Ave, 1510 Nicollet Ave, 1518 Nicollet Ave, 1538 Nicollet Ave, 1544 Nicollet Ave, and 11 15th St W; Azine Alley Redevelopment, 102 1st St N, 104 1st St N, 110 1st St N, and 120 1st St N; Calhoun Towers, 3404 List Place and 3430 List Place; East Town Apartments, 815 6th St S, 827 6th St S and 810 7th St S; Handicraft Building City Apartments, 1000 Marquette Ave and 1016 Marquette Ave; Hook & Ladder Apartments, 2212 Jefferson St NE, 2316 Jefferson St NE and 2320 Jefferson St NE; Midwest Climbing Redevelopment, 518 Malcolm Ave SE and 504 29th Ave SE; Nordic House, 701 Washington Ave N, 722 Washington Ave N, 728 Washington Ave N, 729 Washington Ave N, 729 1/2 Washington Ave N, 250 1/2 7th Ave N and 425 1/2 8th Ave N; Park 7, 714 Park Ave S and 615 S 7th St; Prospect Park Senior Housing, 3033 University Ave SE, 3000 4th St SE and 3024 4th St SE; Superior Plating [former], Phase II, 120 5th St NE; Target Field Station, 419 5th St N.

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

RESOLUTION 2017R-158
By Goodman and Quincy

Authorizing application to the Minnesota Department of Employment and Economic Development [DEED] Contamination Cleanup and Investigation Grant Program for various projects.

Whereas, the City of Minneapolis has approved the Contamination Cleanup and/or Investigation grant applications to be submitted to the Department of Employment and Economic Development (DEED) on May 1, 2017 by the City of Minneapolis for the following sites/projects: 10th Ave Redevelopment, 1000 N 3rd St and 1001 N 3rd St; 129 Plymouth, 129 Plymouth Ave N; 205 Park, 205 Park Ave S; 212 James Ave N (Currie Market) & Artspace LEEF North Lofts, 212 James Ave N; 1500 Nicollet, 1500 Nicollet Ave, 1510 Nicollet Ave, 1518 Nicollet Ave, 1538 Nicollet Ave, 1544 Nicollet Ave, and 11 15th St W; Azine Alley Redevelopment, 102 1st St N, 104 1st St N, 110 1st St N, and 120 1st St N; Calhoun Towers, 3404 List

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Place and 3430 List Place; East Town Apartments, 815 6th St S, 827 6th St S and 810 7th St S; Handicraft Building City Apartments, 1000 Marquette Ave and 1016 Marquette Ave; Hook & Ladder Apartments, 2212 Jefferson St NE, 2316 Jefferson St NE and 2320 Jefferson St NE; Midwest Climbing Redevelopment, 518 Malcolm Ave SE and 504 29th Ave SE; Nordic House, 701 Washington Ave N, 722 Washington Ave N, 728 Washington Ave N, 729 Washington Ave N, 729 1/2 Washington Ave N, 250 1/2 7th Ave N and 425 1/2 8th Ave N; Park 7, 714 Park Ave S and 615 S 7th St; Prospect Park Senior Housing, 3033 University Ave SE, 3000 4th St SE and 3024 4th St SE; Superior Plating [former], Phase II, 120 5th St NE; Target Field Station, 419 5th St N;

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

That the City of Minneapolis act as the legal sponsor for the projects contained in the Contamination Cleanup and Investigation Grant Program applications to be submitted on May 1, 2017 and that the Director of the Department of Community Planning and Economic Development (or his designee) is hereby authorized to apply to the Department of Employment and Economic Development for funding of the aforementioned projects on behalf of the City and to submit a disclosure consent form in connection with such applications.

Be It Further Resolved that the City of Minneapolis has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration.

Be It Further Resolved that the sources and amounts of the local match identified in the application are committed to the projects identified.

Be It Further Resolved that the City of Minneapolis has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.

Be It Further Resolved that upon approval of its applications by the state and acceptance by the City Council, the City of Minneapolis may enter into agreements with the State of Minnesota for the above-referenced project(s), and that the City of Minneapolis certifies that it will comply with all applicable laws and regulation as stated in all contract agreements.

Be It Further Resolved that upon approval of its applications by the state and acceptance by the City Council, the Finance Officer or his designee will be authorized to execute such agreements as are necessary to implement the projects on behalf of the applicant.

Be It Further Resolved that the city of Minneapolis is located within the seven county metropolitan area defined in section 473.121, subdivision 2, and is participating in the local housing incentives program under section 473.254.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

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On behalf of the Community Development & Regulatory Services and Ways & Means Committees, Goodman offered Resolution 2017R-159 authorizing application to the Metropolitan Council's Tax Base Revitalization Account Grant Program for environmental investigation and/or remediation funding for the following projects: 10th Ave Redevelopment, 1000 N 3rd St and 1001 N 3rd St; 129 Plymouth, 129 Plymouth Ave N; 205 Park, 205 Park Ave S; 212 James Ave N (Currie Market) & Artspace LEEF North Lofts, 212 James Ave N; 1500 Nicollet, 1500 Nicollet Ave, 1510 Nicollet Ave, 1518 Nicollet Ave, 1538 Nicollet Ave, 1544 Nicollet Ave, and 11 15th St W; Azine Alley Redevelopment, 102 1st St N, 104 1st St N, 110 1st St N, and 120 1st St N; Calhoun Towers, 3404 List Place and 3430 List Place; East Town Apartments, 815 6th St S, 827 6th St S and 810 7th St S; Hook & Ladder Apartments, 2212 Jefferson St NE, 2316 Jefferson St NE and 2320 Jefferson St NE; Midwest Climbing Redevelopment, 518 Malcolm Ave SE and 504 29th Ave SE; Nordic House, 701 Washington Ave N, 722 Washington Ave N, 728 Washington Ave N, 729 Washington Ave N, 729 1/2 Washington Ave N, 250 1/2 7th Ave N and 425 1/2 8th Ave N; Park 7, 714 Park Ave S and 615 S 7th St; Prospect Park Senior Housing, 3033 University Ave SE, 3000 4th St SE and 3024 4th St SE; Superior Plating [former], Phase II, 120 5th St NE; Target Field Station, 419 5th St N.

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

RESOLUTION 2017R-159
By Goodman and Quincy

Authorizing application to the Metropolitan Council Tax Base Revitalization Account [TBRA] for various projects.

Whereas, the City of Minneapolis (the "City") is a participant in the Livable Communities Act's Local Housing Incentives Account Program for 2017 as determined by the Metropolitan Council, and is therefore eligible to make application for funds under the Tax Base Revitalization Account; and

Whereas, the City has identified the following investigation and/or clean-up projects within the City that meet the Tax Base Revitalization Account's purposes and criteria: 10th Ave Redevelopment, 1000 N 3rd St and 1001 N 3rd St; 129 Plymouth, 129 Plymouth Ave N; 205 Park, 205 Park Ave S; 212 James Ave N (Currie Market) & Artspace LEEF North Lofts, 212 James Ave N; 1500 Nicollet, 1500 Nicollet Ave, 1510 Nicollet Ave, 1518 Nicollet Ave, 1538 Nicollet Ave, 1544 Nicollet Ave, and 11 15th St W; Azine Alley Redevelopment, 102 1st St N, 104 1st St N, 110 1st St N, and 120 1st St N; Calhoun Towers, 3404 List Place and 3430 List Place; East Town Apartments, 815 6th St S, 827 6th St S and 810 7th St S; Hook & Ladder Apartments, 2212 Jefferson St NE, 2316 Jefferson St NE and 2320 Jefferson St NE; Midwest Climbing Redevelopment, 518 Malcolm Ave SE and 504 29th Ave SE; Nordic House, 701 Washington Ave N, 722 Washington Ave N, 728 Washington Ave N, 729 Washington Ave N, 729 1/2 Washington Ave N, 250 1/2 7th Ave N and 425 1/2 8th Ave N; Park 7, 714 Park Ave S and 615 S 7th St; Prospect Park Senior Housing, 3033 University Ave SE, 3000 4th St SE and 3024 4th St SE; Superior Plating [former], Phase II, 120 5th St NE; Target Field Station, 419 5th St N; and

Whereas, the City has the institutional, managerial and financial capability to ensure adequate project and grant administration; and

Whereas, the City certifies that it will comply with all applicable laws and regulations as stated in the contract grant agreements; and

Whereas, the City finds that the contamination investigation and/or cleanup will not occur through private or other public investment within the reasonably foreseeable future without Tax Base Revitalization Account grant funding; and

Whereas, the City represents that it has undertaken reasonable and good faith efforts to procure funding for the activities for which Livable Communities Act Tax Base Revitalization Account funding is sought but was not able to find or secure from other sources funding that is necessary for investigation and/or cleanup completion and states that this representation is based on the following reasons and supporting facts: City staff members provide information about all potential sources of brownfield grant funding and actively encourage project proponents to seek funding from as many prospective funding sources as possible;

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

That the City Council authorizes the Director of the Department of Community Planning and Economic Development or other appropriate City staff to apply on behalf of the City of Minneapolis to the Metropolitan Council for Tax Base Revitalization Account funding for one or more of the above-referenced projects. The City acknowledges that for each grant awarded to and accepted by the City, the City will be the grantee and will act as legal sponsor, and will administer and be responsible for grant funds expended for the project referred to in the applicable grant application.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

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

COUNCIL ACTION 2017A-0276

The Minneapolis City Council hereby authorizes the issuance of a Request for Proposals (RFP) for community solar garden services to be provided to the City of Minneapolis that will include the following criteria for the evaluation of the responses:

1. Workforce participation from Minneapolis residents and compliance with the Small and Underutilized Business Program (SUBP) goals.
2. Potential cost savings to the City of Minneapolis.
3. Potential ownership by the City of Minneapolis of the Renewable Energy Credits (RECs).
4. A community solar garden up to 1 MWAC in size.
5. Reference to stacked green infrastructure, including pollinator forage, storm water management, or local food growing.

6. Requiring the garden developer to assign 20% of the garden generation to Minneapolis low income households and enter into subscription agreements with such households.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0277

The Minneapolis City Council hereby authorizes a five (5) year license agreement with Minneapolis Public Schools, Special School District No. 1, to use space in multiple school sites for providing services to the general public for public health emergencies.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0278

The Minneapolis City Council hereby authorizes:

1. Acceptance of a grant from the Ian Somerhalder Foundation in the amount of \$300 to cover a portion of the medical costs of an animal in the care of Minneapolis Animal Care & Control.
2. An agreement with the Ian Somerhalder Foundation for the grant.
3. Passage of Resolution 2017R-160 appropriating the funds to the Regulatory Services Department.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

RESOLUTION 2017R-160

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 Regulatory Services Department in the Grants-Other Fund (01600-8350500-513006) by \$300 and increasing the revenue estimate (01600-8350500-372002) by \$300.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

The INTERGOVERNMENTAL RELATIONS Committee submitted the following reports:

COUNCIL ACTION 2017A-0279

The Minneapolis City Council hereby authorizes a contract not to exceed \$100,000 with Lockridge Grindal Nauen for federal representation services in Washington, D.C., from March 1, 2017, through Feb. 28, 2018, with the option to extend the contract on an annual basis, at the sole discretion of the City, for two additional years.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0280

The Minneapolis City Council hereby approves additional amendments to the City of Minneapolis 2017 State Legislative Policy Positions (as amended on 2/10/2017) to include (on p. 10, after the last current bullet point in the "Gun Violence Prevention and Responsible Gun Ownership" section):

"The City of Minneapolis opposes legislation that undermines common sense gun violence prevention initiatives and would make our communities less safe, including:

1. "permitless carry" legislation allowing people to carry concealed, loaded guns in public without a permit or safety training.
2. "stand your ground" legislation, which expands the circumstances in which people are allowed to use deadly force, eliminates the duty to deescalate, and creates legal hurdles that make it harder to hold shooters accountable.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

April 14, 2017

The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT Committee submitted the following reports:

COUNCIL ACTION 2017A-0281

The City of Minneapolis hereby approves a non-standard form contract with the International Association of Fire Fighters (IAFF) in the amount of \$77,000 for fire ground-survival training and a trailer with props used in the training.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0282

The City of Minneapolis hereby authorizes an extension of Contract No. C-41052 with SMG through March 31, 2017, for bomb/K9 and 911 dispatcher services at US Bank Stadium.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2017R-161 ordering the work to proceed and adopting the special assessments for the Winter St NE Alley Construction Project No. 9966 as part of the 2017 Unpaved Alley Program.

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

RESOLUTION 2017R-161

By Reich and Quincy

Ordering the work to proceed and adopting the special assessments for the Winter St NE Alley Construction Project No. 9966 as part of the 2017 Unpaved Alley Program.

Whereas, a public hearing was held on March 28, 2017, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2017R-101, passed Feb. 24, 2017, to consider the proposed special assessments as on file in the City Engineer's Special Assessment Office, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

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

April 14, 2017

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2017R-101, passed Feb. 24, 2017.

Be It Further Resolved that the proposed special assessments in the total amount of \$39,973.42 for the Winter St Alley Construction Project No. 9966 (Levy 01014, PV063) as part of the 2017 Unpaved Alley Program, as on file in the City Engineer's Special Assessment Office, are hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at ten (10) and that the interest be charged at an interest rate of 4.5%, with collection of the special assessments to begin on the 2018 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at an interest rate of 2.8%, with collection of the special assessments to begin on the 2018 real estate tax statements.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2017R-162 requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$39,980 for the purpose of paying the assessed cost of street improvements in the Winter St Alley Construction Project No. 9966 (PV063) as part of the 2017 Unpaved Alley Program.

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

RESOLUTION 2017R-162

By Reich and Quincy

Requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$39,980 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Winter St Alley Construction Project No. 9966 (PV063) as part of the 2017 Unpaved Alley Program, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments, payable in the same manner as real estate taxes.

On roll call, the result was:

April 14, 2017

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

COUNCIL ACTION 2017A-0283

The Minneapolis City Council hereby authorizes a license agreement with the Holland Neighborhood Improvement Association for planting, maintenance, and use of fruit trees in the boundary area of the City of Minneapolis Public Works Surface Water & Sewers flood basin near Jackson Square Park and Edison High School.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0284

The Minneapolis City Council hereby authorizes execution of a Right of Entry agreement with Metropolitan Council Environmental Services for entry onto the Fridley Water Plant property for the performance and completion of the Metropolitan Council's Phase 9 Interceptor Improvement Project.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0285

The Minneapolis City Council hereby authorizes an agreement(s) with Xcel Energy, in an amount not to exceed \$190,519 to convert Xcel Energy (NSP) overhead electric facilities to underground electric facilities along the 4th St SE (29th Ave SE to Malcolm Ave SE) Street Reconstruction Project No. 2996 (CPV0754th).

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0286

The Minneapolis City Council hereby authorizes a Memorandum of Understanding with the Minneapolis Park and Recreation Board and the Minnehaha Creek Watershed Management District that will guide an integrated planning process to actively coordinate and align respective work within the Minnehaha

Creek Watershed in the City of Minneapolis, as further set forth in File No. 17-00430 on file in the Office of the City Clerk.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0287

The Minneapolis City Council hereby:

1. Approves the layout for the reconstruction of 8th St S (Municipal State Aid Street No. 434) from Hennepin Ave to Chicago Ave (CPV054).
2. Authorizes negotiation with private property owners to acquire easements and additional right-of-way, if necessary, for the project.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0288

The Minneapolis City Council hereby approves amending Council Action 2017A-0192, passed March 10, 2017, to change the date of the public hearing to consider the proposed assessments for the Penn-Oliver Concrete Streets Rehabilitation Project No. 5280R (CPV17108) from May 2, 2017, to May 16, 2017, as follows:

“The Minneapolis City Council hereby adopts a report receiving a cost estimate of \$1,000,000 for street resurfacing improvements and a list of benefited properties for the Penn-Oliver Concrete Streets Rehabilitation Project No. 5280R (CPV17108), as designated by Resolution 2017R-123, passed March 10, 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 May ~~2~~ 16, 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, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0289

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on Official Publication No. 8395 from Tiller Corporation, dba Commercial Asphalt Co., for an estimated total expenditure of \$2,631,500, to produce and deliver bituminous mixtures as needed to various locations in the City of Minneapolis for the Public Works Department, 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, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The WAYS & MEANS Committee submitted the following reports:

COUNCIL ACTION 2017A-0290

The Minneapolis City Council hereby approves the settlement of the lawsuit Shawn Ross v. Christopher Reiter and the City of Minneapolis, (Court File No., 15-CV-03921-WMW-SER), by the payment of \$105,000 to Shawn Ross and his attorney Andrew Irlbeck, and authorizes any documents necessary to effectuate the settlement.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2017R-163 accepting pro-bono development of a marketing plan and tools from the General Mills Good Works Program for the City Coordinator's Office on behalf of the Farmers' Markets of Minneapolis Collaborative.

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

RESOLUTION 2017R-163

By Quincy

Accepting pro-bono development of a marketing plan and tools for the Department of the City Coordinator on behalf of the Farmers' Markets of Minneapolis Collaborative from the General Mills Good Works Program.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

April 14, 2017

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

General Mills

Pro-bono marketing support to include development of a marketing plan, logo, and tools for the Farmers' Markets of Minneapolis Collaborative.

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

Whereas, all such donations have been contributed to assist the city in promoting healthy food access as allowed by law; and

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

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

That the donations described above are hereby accepted and shall be used for a marketing plan and tool development for the Coordinator Department on behalf of the Farmers Markets of Minneapolis.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

COUNCIL ACTION 2017A-0291

The Minneapolis City Council hereby:

1. Accepts funds from Minnesota Department of Transportation (MnDoT) in the amount of \$500,000 to pay for a portion of the skyway bridge construction via the Target Center Renovation Project.
2. Authorizes an agreement with MnDoT for easements allowing the construction of a new skyway bridge between the Target Center and MnDoT-owned commuter parking ramps (7th Street TAD Garage).

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0292

The Minneapolis City Council hereby authorizes an increase to Contract No. C-40947 with Gunnar Electric, Inc. in the amount of \$1,550 for a new total of \$1,017,050 to allow for close out and final payment of Target Center sports lighting update project.

April 14, 2017

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0293

The Minneapolis City Council hereby authorizes amendment No. 8 to Contract No. 11608-3, extending Minnesota Department of Transportation's (MnDOT) lease of land under Highway I-94 Bridges to the City through April 30, 2019, in the amount of \$23,100 per year, for Traffic & Parking services storage.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2017R-164 authorizing acceptance of January and February 2017 donations made to the City of Minneapolis valued under \$15,000.

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

RESOLUTION 2017R-164

By Quincy

Authorizing acceptance of January and February 2017 donations made to the City of Minneapolis valued under \$15,000.

Whereas, the City of Minneapolis is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of recreational services pursuant to Minnesota Statutes Section 471.17; and

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

Name of Recipient Department	Name of Entity Making Donation	Description of Donation	Total
Minneapolis Animal Care & Control	Various individuals	Cash	\$ 3,668.95
Minneapolis Animal Care & Control	Various individuals	In-kind	\$ 1,133.32
Police Department	Michael Ciresi	Check to be used to purchase 2 large screen TV's	\$ 2,000.00
Police Department	Friends of SWAT Minnesota	5 L-3 Eotech Advanced Target Pointers	\$ 8,000.00
Fire Department	Kelly McDonald	Check	\$ 150.00
TOTAL			\$14,952.27

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

Whereas, all such donations have been contributed to assist the city in the purposes stated, as allowed by law; and

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

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

That the donations described above are accepted and shall be used for public purposes.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

COUNCIL ACTION 2017A-0294

The Minneapolis City Council hereby accepts the low bid of Central Roofing Company, submitted on Official Publication No. 8407 in the amount of \$330,895, to provide all material, labor, equipment and incidentals for the roof replacement projects at Fire Stations 17, 21, and 28, all in accordance with City specifications.

On roll call, the result was:

April 14, 2017

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0295

The Minneapolis City Council hereby authorizes contracts with thirty (30) vendors listed below totaling \$10,875,000 for three (3) years with the option to extend the contracts, on an annual basis, at the sole option of the City, for two (2) additional years for broad scope training and development of City employees and enhancement of both professional skills and cultural intelligence.

1. AMO Enterprise, \$100,000
2. Associated Financial Group, \$125,000
3. Bailey Group, \$250,000
4. Brunzell Consulting, \$350,000
5. CoachSource, \$250,000
6. Common Sense Consulting @ Work, \$400,000
7. CPI Career Partners International, \$250,000
8. Curphy7 Leadership Solutions, \$350,000
9. Dashe and Thomson, \$400,000
10. Dignitas Agency, \$350,000
11. Employee Strategies, \$500,000
12. Ethical Leaders in Action, \$150,000
13. Fredrickson, \$400,000
14. Human Systems Dynamics Institute , \$400,000
15. Language & Culture Worldwide, LLC, \$400,000
16. Korn Ferry, \$350,000
17. Metropolitan State, \$375,000
18. Mindgym, \$400,000
19. Minnesota Technology of Participation (MnTOP), \$300,000
20. North Highland, \$500,000
21. Sage Presence, \$400,000
22. Sandra Johnson: Strategic Corporate Solutions, \$300,000
23. SIT Ltd. System Inventive Thinking, \$375,000
24. Sue Plaster Consulting, LLC, \$500,000
25. Tru Perception, \$500,000
26. Trust Edge, \$500,000
27. University of Minnesota, \$500,000
28. Vreeman Consulting, \$400,000
29. Wilder, \$300,000
30. Zenger Folkman, \$500,000

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0296

The Minneapolis City Council hereby authorizes an increase to Contract No. C-32017 with Halogen in the amount of \$15,000, for a new not-to-exceed total of \$1,266,842 for additional licenses and professional services for Perform Minneapolis and using the vendor's contract form.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0297

The Minneapolis City Council hereby authorizes an extension to Contract No. C-35511 with ShotSpotter, Inc. through March 21, 2024, and increases the contract by the amount of \$1,205,020, for a new, not-to-exceed total of \$1,855,960, and updates the City's Terms and Conditions for the support and maintenance of ShotSpotter's gunfire detection system.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0298

The Minneapolis City Council hereby authorizes an extension to Contract No. C-37992 with MorphoTrak-Safran for an additional one-year term through March 31, 2018, and increases the contract by the amount of \$10,000 for a new not-to-exceed total of \$60,000, using the vendor's contract form, for the maintenance and support of the Latent Station fingerprint system.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0299

The Minneapolis City Council hereby authorizes a contract with Gtechna USA Corporation for a period of five (5) years with the option to extend for two (2) additional one-year terms, for a not-to-exceed amount of \$1,031,000, to provide software for the ticket writer system, e-Chalking, and License Plate Recognition (LPR) modules used by the City's Regulatory Services Division Traffic Control Unit.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0300

The Minneapolis City Council hereby authorizes an extension of Contract No. C-36729 with Safari Books Online, LLC through April 30, 2018, and increases the contract by the amount of \$11,000 for a new not-to-exceed total of \$66,000 using the vendor's contract form, to assist in continuous professional learning and growth through the use of informational electronic books.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0301

The Minneapolis City Council hereby:

1. Approves a collective bargaining agreement with IUOE, Local 70, Stationary Engineers, for the period Oct. 1, 2016, through Sept. 31, 2019.
2. Approves the Executive Summary of the agreement.
3. Authorizes a collective bargaining agreement consistent with the terms of the Executive Summary.
4. Authorizes the Employee Services Director to implement the terms and conditions of the collective bargaining agreement upon ratification by the Union and adoption by the City Council.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

The ZONING & PLANNING Committee submitted the following reports:

COUNCIL ACTION 2017A-0302

The Minneapolis City Council hereby approves the following two-year term reappointments to the City Planning Commission:

1. Beginning Feb. 1, 2016, and ending Jan. 31, 2018:
 1. Matt Brown, Mayoral reappointment, Seat 7, Ward 1.
 2. John Slack, Mayoral reappointment, Seat 2, Ward 1.
 3. Ryan Kronzer, Council reappointment, Seat 4, Ward 6.
2. Beginning Feb. 1, 2017, and ending Jan. 31, 2019:
 1. Alissa Luepke-Pier, Mayoral reappointment, Seat 5, Ward 5.
 2. Sam Rockwell, Mayoral reappointment, Seat 6, Ward 8.

On roll call, the result was:

April 14, 2017

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

COUNCIL ACTION 2017A-0303

The Minneapolis City Council hereby:

1. Approves the following applications submitted by Minneapolis Public Schools to rezone (PLAN-3617) the properties located at 2005-2019 E Lake St, 3013-3017 20th Ave S, and 3008-3016 21st Ave S, to allow a K-12 school:
 1. 2005-2019 E Lake St from C1 (Neighborhood Commercial District) to C2 (Neighborhood Corridor Commercial District), retaining the PO Overlay District.
 2. 3013-3017 20th Ave S and 3008-3016 21st Ave S from R2B (Two-family District) to C2 (Neighborhood Corridor Commercial District), removing the TP Overlay District from 3008 21st Ave S and retaining the PO Overlay District.
2. Passage of Ordinance 2017-013 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances related to Zoning Code: Zoning Districts and Maps Generally.
3. Approves an application submitted by Minneapolis Schools (PLAN-3617) to vacate (VAC-1668) an existing alley surrounded by the properties located at 2005-2019 E Lake St, 3013-3017 20th Ave S, and 3008-3016 21st Ave S, subject to the retention of easements by CenturyLink, Verizon, and Comcast.
4. Passage of Resolution 2017R-165 approving Vac-1668.
5. Denies an application submitted by Minneapolis Public Schools (PLAN-3617) to vacate (VAC-1667) 30 1/2 St E between 20th Ave S and 21st Ave S.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

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

ORDINANCE 2017-013

By Bender

Intro & 1st Reading: 1/6/2014

Ref to: Z&P

2nd Reading: 4/14/2017

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

April 14, 2017

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

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

That part of Lots 1 and 2, Block 1, Minnehaha Addition to Minneapolis, Hennepin County, Minnesota, lying East of the West 40 feet thereof.

Hennepin County, Minnesota.

The West 40 feet of Lots 1 and 2, Block 1, Minnehaha Addition to Minneapolis, Hennepin County, Minnesota,

together with that part of the vacated 14 foot alley in said Block 1, which lies within the following described lines: Beginning at the Northwest corner of Lot 1, Block 1, said Minnehaha Addition to Minneapolis; thence Southwesterly to a point that is 5 feet West measured at right angles from the West line of said Lot 1 and 20 feet South from the South line of East Lake Street; thence South parallel with the West line of Lots 1 and 2, Block 1, said Minnehaha Addition to Minneapolis, a distance of 55 feet; thence Southeasterly to the Southwest corner of Lot 2, said Block 1; thence North along the East line of said Lots 1 and 2 to point of beginning.

All that part of Lots 10, 11 and 12 lying West of the East 7 feet, Block 1, Minnehaha Addition to Minneapolis, Hennepin County, Minneapolis.

(2005-2019 E Lake St – Zoning Plate #26) to the C2 Neighborhood Corridor Commercial District, retaining the PO Overlay District.

AND

Lot 4, Block 1, Minnehaha Addition to Minneapolis, Hennepin County, Minnesota, according to the recorded plat thereof, Hennepin County, Minnesota.

Lot 8, Block 1, Minnehaha Addition to Minneapolis, Hennepin County, Minnesota, according to the recorded plat thereof, Hennepin County, Minnesota.

Lot 9, Block 1, Minnehaha Addition to Minneapolis, Hennepin County, Minnesota, according to the recorded plat thereof, Hennepin County, Minnesota.

Lot 5, Block 1, Minnehaha Addition to Minneapolis, Hennepin County, Minnesota, according to the recorded plat thereof, Hennepin County, Minnesota.

Lot 3, Block 1, Minnehaha Addition to Minneapolis, Hennepin County, Minnesota, according to the recorded plat thereof, Hennepin County, Minnesota.

(3013-3017 20th Ave S and 3008-3016 21st Ave S – Zoning Plate #26) to the C2 Neighborhood Corridor Commercial District, removing the TP Overlay District from 3008 21st Ave S and retaining the PO Overlay District.

On roll call, the result was:

April 14, 2017

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

Noes: (0)

Absent: A. Johnson (1)

The ordinance was adopted.

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

RESOLUTION 2017R-165

By Bender

Vacating the alley in Block 1, Minnehaha Addition, the block being bounded by Lake St E on the north, 30 1/2 Street on the south, 20th Ave S on the west, and 21st Ave S on the east (Vacation File No. 1668).

Resolved by The City Council of The City of Minneapolis:

The alley as dedicated in Block 1, Minnehaha Addition to Minneapolis, and the east 7 feet of Lots 10, 11, and 12 of said Block 1, according to the plat of said addition of file and of record in the Office of the Register of Deeds in and for Hennepin County, Minnesota is hereby vacated except that such vacation shall not affect the existing easement rights and authority of Verizon (MCI), Comcast and Century Link, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporation(s) as follows, to wit:

As to Verizon (MCI): An easement over, under and across all of the alley located in Block 1, Minnehaha Addition, the block being bounded by Lake St E on the north, 30 1/2 St on the south, 20th Ave S on the west, and 21st Ave S on the east;

As to Comcast: An easement over, under and across all of the alley located in Block 1, Minnehaha Addition, the block being bounded by Lake St E on the north, 30 1/2 St on the south, 20th Ave S on the west, and 21st Ave S on the east;

As to Century Link: An easement over, under and across all of the alley located in Block 1, Minnehaha Addition, the block being bounded by Lake St E on the north, 30 1/2 St on the south, 20th Ave S on the west, and 21st Ave S on the east;

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

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

April 14, 2017

COUNCIL ACTION 2017A-0304

The Minneapolis City Council hereby:

1. Approves an application submitted by Phillips Garden to rezone (PLAN-3703) the property located at 2700 Cedar Ave S from R2B (Two-family District) to C1 (Neighborhood Commercial District), to allow for a contractor's office.
2. Passage of Ordinance 2017-014 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, Quincy, Palmisano, President Johnson (12)

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

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

ORDINANCE 2017-014

By Bender

Intro & 1st Reading: 1/6/2014

Ref to: Z&P

2nd Reading: 4/14/2017

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:

That part of Lot 1, Block 1, Peter's Addition to Minneapolis, Hennepin County, Minnesota (2700 Cedar Ave S – Zoning Plate #26) to the C1 Neighborhood Commercial District.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The ordinance was adopted.

COUNCIL ACTION 2017A-0305

The Minneapolis City Council hereby:

1. Approves an application submitted by Hennepin County Facility Services Department to vacate and dedicate an alley located at 2201 and 2215 Plymouth Ave N and 1245 Penn Ave N, subject to the retention of easements by CenturyLink.

2. Passage of Resolution 2017R-166 approving Vac-1675.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

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

RESOLUTION 2017R-166

By Bender

Vacating a portion of the alley in Block 1, Homewood Addition (Vacation File No. 1675).

Resolved by The City Council of The City of Minneapolis:

The north 109.15 feet of the alley in Block 1, Homewood Addition, according to the plat thereof on file and of record in the office of the Hennepin County Recorder's Office is hereby vacated except that such vacation shall not affect the existing easement rights and authority of Xcel Energy and Century Link, their successors and assigns, to enter upon that portion of the aforescribed alley which is described in regard to each of said corporation(s) as follows, to wit:

As to Xcel Energy: An easement over, under and across all of the alley located in Block 1, Homewood Addition

As to Century Link: An easement over, under and across the West half of the alley located in Block 1, Homewood Addition

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

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

On behalf of the Zoning & Planning Committee, Bender offered Ordinance 2017-015 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.

April 14, 2017

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

ORDINANCE 2017-015
By B. Johnson
Intro & 1st Reading: 1/27/2017
Ref to: Z&P
2nd Reading: 4/14/2017

Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement.

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

Section 1. That Section 525.100 of the above-entitled ordinance be amended to read as follows:

525.100. City planning commission.

(a) *Establishment.* The city planning commission is established by Article VII of the Minneapolis City Charter and shall perform its duties and exercise its powers as provided therein.

(b) *Jurisdiction and authority.* The city planning commission shall have the following powers and duties in connection with the administration of this zoning ordinance:

- (1) To initiate amendments to the text of this zoning ordinance and to the zoning map.
- (2) To hear and make recommendations to the city council on proposed amendments to this zoning ordinance, including rezonings.
- (3) To initiate amendments to the comprehensive plan.
- (4) To hear and make recommendations to the city council on proposed amendments to the comprehensive plan.
- (5) To hear and decide applications for conditional use permit.
- (6) To hear and decide applications for major site plan review, pursuant to the procedures and standards set forth in Chapter 530, Site Plan Review.
- (7) To hear and decide applications for expansion of a nonconforming use and change of nonconforming use, pursuant to the procedures and standards set forth in Chapter 531, Nonconforming Uses and Structures.
- (8) To hear and decide applications for land use reviews, including but not limited to variances and certificates of nonconforming use, as part of concurrent review, pursuant to section 525.20.
- (9) To hear and decide appeals from any order, requirement, decision, determination or interpretation made by the zoning administrator, planning director or other official in the administration or the enforcement of this zoning ordinance with respect to administrative review of permitted

communication towers, antennas and base units, travel demand management plans, transfer of development rights, floor area ratio premiums, and site plan review except those involving single and two-family dwellings and multiple-family dwellings having three (3) or four (4) dwelling units.

(10) To recommend to the city council appointments to the board of adjustment.

(c) *Public hearings.* The city planning commission shall schedule public hearings not less than twice per month, except in those months where the chair determines that because of holiday schedules or the number of agenda items, one (1) meeting is sufficient to carry out the commission's duties. Such public hearings shall be noticed and conducted pursuant to the provisions of section 525.150.

(d) *Rules and procedures.* The city planning commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for its proper functioning, and select or appoint officers as it deems necessary. Such policies and procedures shall be consistent with the city charter and this zoning ordinance.

(e) *Compensation of city planning commission members.* The members or the representative of a member of the city planning commission, except those who are paid by the city or any other public body or agency for attending or serving on the commission, shall be paid at the rate of ~~thirty-five dollars (\$35.00)~~ fifty dollars (\$50.00) for each official meeting attended with a limitation of one (1) meeting per day and four (4) meetings per month.

(f) *Membership.* The city planning commission shall consist of ten (10) members. Members shall serve for a term of two (2) years. Four (4) members shall be appointed by the mayor. Each year the mayor shall appoint two (2) members, who are city residents and not members of any body or board otherwise represented on the commission, to serve for terms of two (2) years each commencing on the first day of February of the year of their appointment. The city council shall appoint one (1) member, who is a city resident, in January of each even-numbered year. The city council, park and recreation board, and school board shall each elect one (1) of their own members to serve on the city planning commission in January of each even-numbered year. One (1) member shall be the mayor or their representative. One (1) member shall be a representative selected by the board of county commissioners every two (2) years. Vacancies shall be filled for any unexpired term in the same manner as the appointment or selection is made.

Section 2. Section 525.110 of the above-entitled ordinance be amended to read as follows:

525.110. - Board of adjustment.

(a) *Establishment.* There is hereby established a board of adjustment, which shall perform its duties and exercise its powers as provided by law in such a way as the objectives of this zoning ordinance shall be observed.

(b) *Jurisdiction and authority.* The board of adjustment shall have the following powers and duties in connection with the administration of this zoning ordinance:

(1) To hear and decide applications for variances from the provisions of this zoning ordinance pursuant to the procedures and standards set forth in this chapter.

(2) To hear and decide appeals from any order, requirement, decision, determination or interpretation made by the zoning administrator, director of regulatory services, planning director or other official in the administration or the enforcement of this zoning ordinance.

(3) To hear and decide applications for certificates of nonconforming use pursuant to the procedures and standards set forth in Chapter 531, Nonconforming Uses and Structures.

(c) *Finality of decisions.* All decisions and findings of the board of adjustment shall be final subject to appeal to the city council, as provided in section 525.180.

(d) *Membership.* The board shall consist of nine (9) members who shall be appointed by the city council from an advisory list submitted to it by the city planning commission. All appointments shall be made in conformance with the city's open appointments ordinance as outlined in Chapter 14 of the Minneapolis Code of Ordinances and geographically representative of community interests. Members shall serve for a term of three (3) years, and shall be appointed as the terms of the present members of the existing board of adjustment expire. All members shall continue in office until their successors are appointed. Any member of the board may be removed there from for cause by the city council.

(e) *Officers.* The officers of the board of adjustment shall be the chair and, in the absence of the chair, an acting chair.

(f) *Public hearings.* The board of adjustment shall schedule public hearings not less than twice per month, except in those months where the chair determines that because of holiday schedules or the number of agenda items one (1) meeting is sufficient to carry out the board's duties. Such public hearings shall be noticed and conducted pursuant to the provisions of section 525.150.

(g) *Rules and procedures.* The board of adjustment shall adopt policies and procedures for the conduct of its meetings, the processing of applications and for any other purposes considered necessary for its proper functioning, and shall select or appoint officers as it deems necessary.

(h) *Compensation of board of adjustment members.* The members of the board of adjustment shall be paid at the rate of ~~thirty-five dollars (\$35.00)~~ fifty dollars (\$50.00) for each official meeting attended with a limitation of one (1) meeting per day and four (4) meetings per month.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The ordinance was adopted.

On behalf of the Zoning & Planning Committee, Bender offered Resolution 2017R-167 establishing goals for Minneapolis 2040, the update to the City's Comprehensive Plan.

On motion by Bender, the following Whereas and Resolved clauses of the resolution were amended to read as follows:

1. "Whereas, Minneapolis has a history of housing patterns that were established through racially-restrictive housing covenants and redlining practices that limited homeownership opportunities for people of color and indigenous peoples, and those same areas experience inequities in health, safety and the social conditions that support health today; and
2. That the City Council directs the Department of Community Planning and Economic Development to update the City's Comprehensive Plan based on ~~thirteen~~ fourteen overarching plan goals established through Minneapolis 2040 engagement feedback and furthering the City's commitment to equitable outcomes in the built, natural, and economic environment.
3. Be It Further Resolved that in 2040, Minneapolis will have significantly reduced economic, housing, safety, and health disparities among people of color and indigenous peoples compared with white people.
4. Be It Further Resolved that in 2040, Minneapolis will have an equitable civic participation system that enfranchises everyone, recognizes the core and vital service neighborhood organizations provide to the City of Minneapolis, and builds people's long term capacity to organize to improve their lives and neighborhoods."

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

RESOLUTION 2017R-167
By Bender, Reich, and Gordon

Establishing goals for Minneapolis 2040, the update to the City's Comprehensive Plan.

Whereas, the City Council approved a resolution directing staff of the Department of Community Planning and Economic Development to update the city's comprehensive plan on April 1, 2016; and

Whereas, the City Council Received and Filed the comprehensive plan update schedule, comprehensive plan mission and values, and civic engagement plan summary on April 1, 2016; and

Whereas, the City Council Received and Filed a draft Civic Engagement Plan for Minneapolis 2040, the process to update the citywide Comprehensive Plan on July 1, 2016; and

Whereas, the City Council approved the Minneapolis 2040 Civic Engagement Calendar on October 7, 2016; and

Whereas, the Metropolitan Council projects the City's population to increase from an estimated 411,273 in 2014 to 459,200 in 2040; and

Whereas, the Metropolitan Council projects the City's number of households to increase from an estimated 175,119 in 2014 to 204,000 in 2040; and

Whereas, the Metropolitan Council projects the City's employment to increase from an estimated 308,358 in 2014 to 350,000 in 2040; and

Whereas, the City of Minneapolis intends to meet or exceed these projections; and

Whereas, among the 25 most populous metro areas, the Twin Cities metro has among the largest disparities among persons of color and indigenous peoples compared with white, non-Latinos in poverty rates, homeownership, employment, and level of education; and

Whereas, many participants in the Minneapolis 2040 process thus far hope the plan will address disparities in jobs, housing, air quality, parks, public safety, and transit, including investing more in the geographic areas with the most inequities; and

Whereas, Minneapolis has a history of housing patterns that were established through racially-restrictive housing covenants and redlining practices that limited homeownership opportunities for people of color and indigenous peoples, and those same areas experience inequities in health, safety and the social conditions that support health today; and

Whereas, Minneapolis first grew around streetcar lines and then transportation decisions made in the mid-twentieth century divided Minneapolis neighborhoods and disproportionately impacted communities of color and indigenous peoples by expanding the amount of pavement devoted to vehicle traffic; and

Whereas, rapid action is necessary to reduce greenhouse gas emissions and curtail the effects of climate change, to which low-income communities are most vulnerable; and

Whereas, the City's future growth must help eliminate disparities among people of color and indigenous peoples compared with white people;

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

That the City Council directs the Department of Community Planning and Economic Development to update the City's Comprehensive Plan based on fourteen overarching plan goals established through Minneapolis 2040 engagement feedback and furthering the City's commitment to equitable outcomes in the built, natural, and economic environment.

Be It Further Resolved that in 2040, Minneapolis will have significantly reduced economic, housing, safety, and health disparities among people of color and indigenous peoples compared with white people.

Be It Further Resolved that in 2040, Minneapolis will have more residents and jobs, and all people will equitably benefit from that growth.

Be It Further Resolved that in 2040, all Minneapolis residents will be able to afford and access quality housing throughout the city.

Be It Further Resolved that in 2040, all Minneapolis residents will have the training and skills necessary to participate in the economy and will have access to a living-wage job.

Be It Further Resolved that in 2040, the people of Minneapolis will be socially connected, healthy, and safe.

Be It Further Resolved that in 2040, Minneapolis will enjoy a high-quality and distinctive physical environment in all parts of the city.

Be It Further Resolved that in 2040, the physical attributes of Minneapolis will reflect the city's history and cultures.

Be It Further Resolved that in 2040, Minneapolis will have the creative, cultural, and natural amenities that make the city a great place to live.

Be It Further Resolved that in 2040, all Minneapolis residents will have access to employment, retail services, healthy food, parks, and other daily needs via walking, biking, and public transit.

Be It Further Resolved that in 2040, Minneapolis will be resilient to the effects of climate change and diminishing natural resources, and will be on track to achieve an 80% reduction in greenhouse gas emissions by 2050.

Be It Further Resolved that in 2040, Minneapolis will have healthy air, clean water, and a vibrant ecosystem.

Be It Further Resolved that in 2040, Minneapolis will remain the economic center of the region with a healthy, sustainable, and diverse economy.

Be It Further Resolved that in 2040, Minneapolis will have an equitable civic participation system that enfranchises everyone, recognizes the core and vital service neighborhood organizations provide to the City of Minneapolis, and builds people's long term capacity to organize to improve their lives and neighborhoods.

Be It Further Resolved that in 2040, Minneapolis City government will be proactive, accessible, and fiscally sustainable.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution, as amended, was adopted.

NOTICE OF ORDINANCE INTRODUCTIONS

Bender gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 15, Chapter 389 of the Minneapolis Code of Ordinances relating to Offenses--Miscellaneous: Noise, amending permit requirements for sound amplifying equipment.

Gordon and Palmisano gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 13, Chapter 267 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Amusements, adding and amending provisions related to places of adult entertainment.

Gordon and Palmisano 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 549 of the Minneapolis Code of Ordinances relating to Zoning Code: Downtown Districts, amending provisions and definitions related to sexually oriented uses and adult entertainment.

April 14, 2017

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 14, Chapter 364 of the Minneapolis Code of Ordinances relating to Liquor and Beer: Liquor Regulations, amending provisions related to Sunday sales for off-sale liquor licenses.

Pursuant to notice, on motion by Bender, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee: Amending Title 20, Chapter 530 of the Minneapolis Code of Ordinances relating to Zoning Code: Site Plan Review, amending regulations related to exterior building materials.

RESOLUTIONS

Resolution 2017R-168 proclaiming May 25, 2017, Star Tribune Day in the City of Minneapolis in celebration of 150 years of continuous operation was adopted.

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

RESOLUTION 2017R-168

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

Proclaiming May 25, 2017, Star Tribune Day in the City of Minneapolis in celebration of 150 years of continuous operation.

Whereas, on May 25, 1867, the Minneapolis Daily Tribune printed its first issue under publisher William S. King. Early stockholders include Dorilus Morrison, a businessman and Minneapolis' first mayor, and William D. Washburn, an industrialist and United States Senator; and

Whereas, on May 1, 1941, the Cowles family purchased the Minneapolis Tribune Company and merged it with the Minneapolis Star and Journal Company; and

Whereas, on August 31, 1987, the combined organization formally became the Star Tribune "Newspaper of the Twin Cities," and printed its first St. Paul edition; and

Whereas, on June 18, 1996, StarTribune.com launched, expanding the Star Tribune's reach and relevance to people across the region and around the world; and

Whereas, over the past 150-year period, Star Tribune has never failed to cover a day's news, or deliver a daily newspaper; and

Whereas, the dedicated journalists and employees of the Star Tribune continue to faithfully serve the residents of Minneapolis-St. Paul, Minnesota, and the region;

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

That we do hereby proclaim May 25, 2017, Star Tribune Day in the City of Minneapolis.

April 14, 2017

Be It Further Resolved that the I-35W Bridge be lit green on May 25, 2017, in honor of 150 years of continuous operation in Minneapolis.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

Resolution 2017R-169 recognizing May 20, 2017, as Turn It Teal Day in the City of Minneapolis was adopted.

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

RESOLUTION 2017R-169

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

Recognizing May 20, 2017, as Turn It Teal Day in the City of Minneapolis.

Whereas, food allergies touch the lives of 15 million Americans, including one in 13 school-aged children; and

Whereas, there is no cure for food allergies. Bringing awareness to this growing public health issue is one way to help those who manage allergies daily, with every bite of food they take; and

Whereas, Turn It Teal began in 2014, with the idea of requesting that local buildings be lit in teal for Food Allergy Awareness. There was such a positive response from the food allergy community that Turn It Teal began a mission to expand building and bridge lighting through the country; and

Whereas, Turn It Teal's mission is to light as many sites as possible during Food Allergy Awareness Week, May 14th through 20th of this year. They want more people to become educated about food allergies, their daily impact on people, and how they can help those with allergies;

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

That May 20, 2017, be recognized as Turn It Teal Day in the City of Minneapolis, and that the 35W Bridge be lit teal on this day.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

April 14, 2017

Resolution 2017R-170 recognizing Wingspan Life Resources Power of Love Gala was adopted.

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

RESOLUTION 2017R-170

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

Recognizing Wingspan Life Resources Power of Love Gala.

Whereas, Wingspan Life Resources has provided services to adults with developmental and other disabilities for 44 years; and

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

Whereas, Wingspan Life Resources has 24 group homes and in-home program for those living with family or independently, along with a supportive employment program and a Glee Club partnership with MacPhail Center for Music. Wingspan has 170 full-time and part-time staff, and 90 on-call staff, and

Whereas, the Power of Love gala, held Friday, May 19th, 2017, is an annual event which raises awareness and funds to support Wingspan's programs. The event is a social hour with silent auction, dinner, inspirational program, and mission appropriate entertainment; and

Whereas, the 35W Bridge will be lit in royal blue to commemorate the 44th anniversary of Wingspan;

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

That the City Council recognizes Wingspan Life Resources on the 19th Day of May, 2017, and does declare that the 35W Bridge be lit in royal blue on this day.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

Resolution 2017R-171 declaring May 17, 2017 World Neurofibromatosis (NF) Awareness Day was adopted.

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

April 14, 2017

RESOLUTION 2017R-171

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

Declaring May 17, 2017 World Neurofibromatosis (NF) Awareness Day.

Whereas, the Children’s Tumor Foundation is observing May 17, 2017 as World Neurofibromatosis (NF) Awareness Day to educate the public about this rare genetic disorder; and

Whereas, although over 2 million people around the world are living with NF and 1 in every 3,000 births is diagnosed with NF, it is still relatively unknown to the public; and

Whereas, NF affects all populations equally, regardless of race, ethnicity or gender; and

Whereas, NF causes tumors to grow on nerves throughout the body and also can affect development of the brain, cardiovascular system, bones and skin; and

Whereas, the disorder can lead to blindness, deafness, bone abnormalities, disfigurement, learning disabilities, disabling pain, and cancer; and

Whereas, the Children’s Tumor Foundation leads efforts to promote and financially sponsor world-class medical research aimed at finding effective treatments and, ultimately, a cure for NF; and

Whereas, the Children’s Tumor Foundation is actively fostering collaborative partnerships in both science and industry to speed the drug research and development process through a number of consortia called Synodos; and

Whereas, the Children’s Tumor Foundation works to improve access to quality patient healthcare through its national NF Clinic Network; and

Whereas, the Children’s Tumor Foundation provides patient and family support through its information resources, youth programs, and local chapter activities; and

Whereas, much remains to be done in raising public awareness of NF to help promote early diagnosis, proper management and treatment, prevention of complications, and support for research;

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

That May 17, 2017, is hereby recognized as World Neurofibromatosis Awareness Day in the City of Minneapolis, and that the 35W Bridge be lit blue and green on this day.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

April 14, 2017

Resolution 2017R-172 honoring the contributions of Gayle Prest was adopted.

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

RESOLUTION 2017R-172

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

Honoring the Contributions of Gayle Prest.

Whereas, Gayle Prest has served as Manager of Environmental Programs for the City of Minneapolis since February, 2005, in that time helping to lead the City in becoming more environmentally sustainable in areas including climate and energy, local food, greening City operations, environmental justice, improving the natural environment in the city, waste and recycling, and much more; and

Whereas, before serving as Manager of Environmental Programs, Gayle worked for the Public Works and Regulatory Services Departments and on waste and recycling at Dakota County; and

Whereas, Gayle's successful approach to sustainability policy has been to bring together champions inside City departments and in the community, and build broad-based capacity and interest in environmental policy throughout the City enterprise; and

Whereas, Gayle helped lead the City's work on climate change, including developing our nation-leading Climate Action Plan, aggressive carbon emission reduction goals, energy benchmarking in commercial buildings, climate change grants and more; and

Whereas, Gayle's work on the energy system included the Solar Cities grant, the Energy Pathways Study, renegotiation of shorter franchise agreements, and the creation and development of the Clean Energy Partnership; and

Whereas, Gayle helped to green City operations through initiatives like the sustainability indicators, subscribing to community solar, adopting an environmentally preferable purchasing policy, greening the City's fleet, adopting a LEED Silver policy for new City buildings, and introducing bees to City Hall's green roof; and

Whereas, Gayle helped lead on local food through the Homegrown Minneapolis initiative, serving on the Food Council since its inception, managing the Homegrown Minneapolis Coordinator and working to adopt many of the local food policies that have been brought forward by Homegrown; and

Whereas, Gayle has worked on environmental justice through the Green Zones initiative and the environmental justice portion of the Climate Action Plan; and

Whereas, Gayle has worked to protect and improve the natural environment in the city by helping to create the popular CityTrees program that has planted hundreds of trees and supporting Lights Out campaigns to save migrating birds; and

Whereas, Gayle has supported action on the Zero Waste Plan, commercial recycling, composting and many other initiatives related to waste reduction and diversion; and

April 14, 2017

Whereas, Gayle loves the natural world that she has worked so diligently to protect, and spends as much time as she can kayaking, hiking, and camping;

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

That the Mayor and City Council honor Gayle Prest for her years of service to make Minneapolis one of the greenest, healthiest, most resilient cities in the world, and wish her well in her future endeavors.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

Resolution 2017R-173 declaring June 2017 “Lesbian, Gay, Bisexual, and Transgender Pride Month” was adopted.

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

RESOLUTION 2017R-173

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

Declaring June 2017 “Lesbian, Gay, Bisexual, and Transgender Pride Month.”

Whereas, Minneapolis was the first city in the State of Minnesota to prohibit discrimination on the basis of sexual orientation and gender identity/expression, a position subsequently adopted by numerous Minnesota cities and the State itself; and

Whereas, Minneapolis was the first city in the State of Minnesota to adopt an ordinance creating a domestic-partner registry; and

Whereas, the City of Minneapolis has been steadfast in its commitment to full legal equality for same-sex couples, and in particular to end the exclusion of same-sex couples from marriage, as well as a public and vocal proponent of the marriage equality statute passed in 2013 by the Minnesota State Legislature and signed by the Governor; and

Whereas, the Minneapolis City Council, in partnership with the Minneapolis School District, our legislative delegation, and numerous advocacy organizations has long advocated for the 2014 passage of the Safe and Supportive Minnesota Schools Act, providing a clear definition of bullying, listing 19 categories of students often singled out for bullying, and creation a school climate center and council to provide up-to-date anti-bullying research to school districts, and focuses on bullying prevention; and

Whereas, the City of Minneapolis’ Transgender Issues Work Group was established in March 2014 and has hosted the annual Minneapolis Trans Equity Summit since 2014 to support and continue to raise awareness of the social, legal, health, employment, and other issues critical for the transgender community; and

April 14, 2017

Whereas, in February of 2017 the City Council approved the creation of the Transgender Equity Council which was intended to serve as an advisory board to the City and the Minneapolis Park and Recreation Board on matters of importance to the transgender community; and

Whereas, Minneapolis has a thriving Lesbian, Gay, Bisexual, and Transgender (LGBT) community, sustaining and sustained by so many welcoming organizations, places of worship, businesses, neighborhoods, schools, events, and more; and

Whereas, Minneapolis has benefited from the service and talents of numerous LGBT elected officials, on the City Council, the Park & Recreation Board, the Board of Estimate and Taxation, and in both the Minnesota House and Senate, as well as of countless appointed officials and city employees; and

Whereas, Minneapolis annually plays host to the Twin Cities LGBT Pride celebration, the City's largest outdoor festival, in which Loring Park is turned into a forum for celebrating LGBT pride and those, including allies, who work for it;

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

That June 2017 is hereby declared "Lesbian, Gay, Bisexual, and Transgender Pride Month" in the City of Minneapolis, and that residents and visitors are encouraged to participate in the numerous activities celebrating Lesbian, Gay, Bisexual, and Transgender Pride Month in the City and in the ongoing work of leading Minnesota toward full LGBT equality.

Be It Further Resolved that the 35W Bridge be lighted in red, orange, yellow, green, blue, and purple on June 23 and June 24, 2017.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

UNFINISHED BUSINESS

On motion by Gordon, the Health, Environment & Community Engagement Committee was discharged from further consideration of the recommendations relating to the use of recycled tire mulch.

Gordon offered Resolution 2017R-174 prohibiting the use of City funds for the installation or replacement of any facilities or amenities using waste tires and encouraging others to discontinue the use of waste tire materials as ground cover and infill in Minneapolis.

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RESOLUTION 2017R-174

By Gordon

Prohibiting the use of City funds for the installation or replacement of any facilities or amenities using waste tires and encouraging others to discontinue the use of waste tire materials as ground cover and infill in Minneapolis.

Whereas, the use of waste tire mulch on playgrounds and as infill on playing fields can result in regular, long-term exposure to potentially hazardous substances through inhalation, ingestion, and absorption through the skin; and

Whereas, synthetic turf and waste tire crumb rubber has been documented to become significantly hotter than natural grass and even asphalt because it absorbs solar radiation and can reach temperatures as high as 170 degrees Fahrenheit, which puts children at greater risk for dehydration, heat stress, heat stroke, and burns; and

Whereas, waste tires contain hazardous substances, including heavy metals such as zinc, cadmium, and lead that leach from the material as they degrade, contaminating the soil, plants, and aquatic systems and harming aquatic life such as algae and fish; and

Whereas, as tire mulch and crumb heats up, it releases potential toxic gases and chemicals such as volatile organic compounds (VOCs) and polyaromatic hydrocarbons (PAHs); and

Whereas, parents have reported children putting pieces of tire mulch in their mouths, and tire dust on children's clothes, skin, and inside their nostrils after playing on these surfaces; and

Whereas, on June 10, 2015, a study by the Environment and Human Health, an organization of physicians and public health professionals, found 96 chemicals in the rubber tire infill used in synthetic turf and rubber tire mulch used as surfacing in playgrounds; and

Whereas, of the 96 chemicals detected, a little under a half have had no toxicity assessments done on them for their health effects and the other half have had some toxicity testing done on them, but even many of those chemicals had incomplete toxicity testing and therefore all health effects are not fully known; and

Whereas, of the half of those chemicals that have had toxicity assessments, 20% are known to be probable carcinogens; 40% were found to be irritants; 24% are respiratory irritants, some of which are known to cause asthma symptoms; 37% are skin irritants; and 27% are eye irritants; and

Whereas, the City's current legislative policy includes support of a health study of synthetic turf and crumb rubber; and

Whereas, the October 2015 *Scrap Tire Mulch on Duluth Public Schools' Playgrounds* report indicated that 12 of the 13 chemicals found in a tested sample of waste tire playground mulch are listed by the Minnesota Department of Health as "chemicals of high concern," and included barium, chromium, lead, zinc, anthracene, benzo(a)pyrene, benzo(b)fluoranthene, chrysene, fluorene, phenanthrene, pyrene and methyl isobutyl ketone; and

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Whereas, in May 2016, in a memo on the hazards to children's health of using recycled tires in athletic fields, the Dean of Global Health of Icahn School of Medicine at Mount Sinai and author of the textbook *Children's Environmental Health*, Philip J. Landrigan concluded that, "the use of recycled waste tires for playground mulch and crumb rubber athletic field infill potentially puts the health of children and athletics at risk;" and

Whereas, in May of 2016, the Edina Energy and Environment Commission voted to condemn the use of crumb rubber in Edina; and

Whereas, in June 2016, the Duluth School Board voted unanimously to replace the waste tire mulch used on most district elementary school playgrounds by the start of the 2017-2018 school year; and

Whereas, two bills, House File 3496 (HF3496) and Senate File 3108 (SF3108), have been introduced in the Minnesota State Legislature to establish a moratorium on the use of waste tire mulch and crumb rubber on any new construction of public parks and school playgrounds until 2019, and requiring signage on public parks and school playgrounds already utilizing the material to educate users on ways to reduce exposure; and

Whereas, in both 2008 and 2016 the Public Health Advisory Committee and the Community Environmental Advisory Committee, at the request of the City Council, studied the use of waste tires; and

Whereas, on April 12, 2017 the Minneapolis Park and Recreation Board approved a resolution (ID # 3505) "Committing Minneapolis Park and Recreation Board to Several Actions Related to Waste Tire Products, Including Consideration of Alternative Materials in New and Rehabilitated Synthetic Turf Fields; Reporting to the Health, Environment, and Community Engagement Committee of the City of Minneapolis During Athletic Field Project Scoping; Researching Alternatives to Poured-In-Place Playground Surfacing; and Installation of Signs at Synthetic Turf Athletic Fields;" and

Whereas, a citizen-led group called Play it Safe Minnesota is organizing Minneapolis parents and residents on the hazards of waste tire mulch; and

Whereas, the public has a right to a healthful environment and to be free of the health and environmental hazards posed by the chemical exposures and other dangers from recycled waste tire mulch and crumb;

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

That the City of Minneapolis prohibits the use of City funds, (not including City funds transferred to the Minneapolis Park and Recreation Board under the 20 Year Neighborhood Park Plan Agreement Ordinance), in the form of grants or direct appropriations to city- or community-led projects, for the installation or replacement of any facilities or amenities using waste tires, including the use of waste tire crumb rubber and waste tire mulch.

Be It Further Resolved that the City of Minneapolis encourages our government and institutional partners, including the Minneapolis Public School Board, the Minneapolis Park and Recreation Board, the University of Minnesota and other colleges, universities, schools, and child development facilities, to

discontinue the use of waste tire materials as ground cover and infill in Minneapolis and develop contingency plans and budgets for changing or removing the waste tire rubber mulch and crumb that is now in use to less toxic options.

Be It Further Resolved that the City of Minneapolis supports other government agencies and partners operating in the City in their efforts to address community concerns related to waste tire materials and their efforts to find funding for alternative materials.

Be It Further Resolved that the City of Minneapolis directs the Minneapolis Health Department to:

1. Consider and make recommendations about conducting an inventory of all fields and playgrounds in the City that use waste tires including those located at places of worship, private schools, day care centers, etc. in Minneapolis. This should include partnering with other organizations that may be undertaking this work. The inventory should include location, approximate square footage, and estimated usage.
2. Make recommendations regarding the precautions people should take who may use or play on these fields and playgrounds considering water contamination, exposure to toxins, and exposure to intense heat. Consider:
 - a. Requirements that facility operators and/or owners post health and safety information and/or provide health and safety education materials to field and playground users.
 - b. A public awareness effort for users and property owners about the best safety precautions that can be taken as to limit or prevent exposure to and ingestion of toxins as well as health concerns related to the heat effects.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The resolution was adopted.

COUNCIL ACTION 2017A-0306

The Minneapolis City Council hereby directs Finance Department staff to work with Minneapolis Public Schools and the Minneapolis Park and Recreation Board to identify the cost of the removal of waste tire mulch from existing facilities; directing Finance staff to identify possible sources of City funding that could be used to help and to bring forward a proposal to Council, consistent with City processes, for consideration no later than July 1, 2017. The proposal should specify whether partner organizations have taken formal action to prohibit further purchase and use of waste tire products.

On roll call, the result was:

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

Noes: (0)

Absent: A. Johnson (1)

The report was adopted.

April 14, 2017

ADJOURNMENT

On motion by Glidden, the meeting was adjourned.

Casey Joe Carl,
City Clerk