

City of South St. Paul Housing and Redevelopment Authority Agenda Special Meeting

Monday, March 1, 2021

Immediately Following the Conclusion of the 7:00 P.M. City Council Meeting

1. CALL TO ORDER:

2. ROLL CALL:

3. AGENDA:

A. Approval of Agenda

Action – Motion to Approve

Action – Motion to Approve as Amended

4. CONSENT AGENDA:

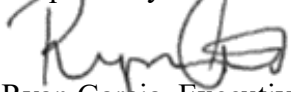
All items listed on the Consent Agenda are items which are considered routine by the Economic Development Authority and will be approved by one motion. There will be no separate discussion of these items unless a Commissioner or citizen so requests, in which event the item will be removed from the consent agenda and considered at the end of the Consent Agenda.

A. Approval of Minutes – Special Meeting – January 19, 2021

B. Amending Resolution 2019 - 3326 – Resolution 2021 - 3337

5. ADJOURNMENT:

Respectfully Submitted,



Ryan Garcia, Executive Director

HOUSING AND REDEVELOPMENT AUTHORITY
OF THE CITY OF SOUTH ST. PAUL

BOARD OF COMMISSIONERS
MINUTES
SPECIAL MEETING
JANUARY 19, 2021

The Special Meeting of the Housing and Redevelopment Authority of the City of South St. Paul was held on January 19, 2021 in the South St. Paul City Council Chambers, and was also open via WebEx, pursuant to **Minn. Stat. 13D.021**. Chairperson Seaberg called the meeting to order at 6:45 P.M.

The following Commissioners were present: Sharon Dewey, Pam Bakken, Todd Podgorski, Jimmy Francis, Lori Hansen, Joe Kaliszewski and Chair Tom Seaberg.

Staff was represented by: Executive Director Ryan Garcia, Joel Hanson, City Administrator, Renee Schmitt, Deputy City Clerk, and Tim Kuntz, City Attorney.

APPROVAL OF AGENDA

It was moved by Commissioner Francis and seconded by Commissioner Dewey to approve the agenda as presented. Motion carried.

CONSENT AGENDA

It was moved by Commissioner Kaliszewski and seconded by Commissioner Dewey to approve the Consent Agenda as follows:

- A. Approval of Minutes – Special Meeting – December 21, 2020
- B. Rescinding, terminating, and releasing encumbrances related to “The Yards” project – Resolution 2021 - 3335

Motion carried 7 ayes / 0 Nays

PUBLIC HEARINGS

- A. Approval of Conveyance of the Grandview Park Property (Dakota County PID #36-80100-03-239) to the City of South St. Paul – Resolution 2021 - 3336.

Chair Seaberg opened the public hearing at 6:47 P.M.

Mr. Garcia reported that title work in relation to the private development project at the northwest corner of Concord Exchange North and Grand Avenue revealed that the HRA was fee owner in title to a parcel of land extending from Grandview Park down the bluff to the north end of the development site. The

Grandview Park property should be owned by the City of South St. Paul and in subsequent action the small parcel within the proposed redevelopment site would be conveyed to the EDA and Developer.

No members of the public spoke at the hearing and it was closed by Chairperson Seaberg.

It was moved by Commissioner Dewey and seconded by Commissioner Hansen to adopt Resolution No. 20-3336 approving the conveyance of Property to the City of South St. Paul.

Motion carried 7 ayes / 0 Nays

ADJOURNMENT

There being no further business to come before the Board it was moved by Commissioner Kaliszewski and seconded by Commissioner Bakken to adjourn. Chairperson Seaberg declared the meeting adjourned at 6:51 PM.

Respectfully submitted,

Joe Kaliszewski, Secretary

Tom Seaberg, Chairperson

Dated: _____



HRA Agenda Report

Date: March 1, 2021

HRA Executive Director: _____ Rg

4-B

Agenda Item: Amending Resolution 2019 - 3326 – Resolution 2021 - 3337

Action to be considered: Through consent, motion to approve Resolution 2021-3337.

Overview:

In the course of conducting title research related to “The Yards” development, the Title Company and Developer’s attorney have raised several objections to title that need to be addressed prior to closing. One issue has to do with MHFA financing for the John Carroll building and associated loan documents showing up on Torrens Certificates for one or more of the parcels being conveyed for “the Yards”. MHFA has requested that the signatories for the HRA be updated to reflect the current president and secretary of the Board, so that loan documents can be amended and these encumbrances can be lifted from the Development Property. Resolution 2021 – 3337 helps to clarify this issue.

Source of Funds: N/A

ATTACHMENTS:

Resolution 2021-3337

Resolution 2019 - 3326

**HOUSING AND REDEVELOPMENT AUTHORITY
OF THE CITY OF SOUTH ST. PAUL
DAKOTA COUNTY, MINNESOTA**

RESOLUTION NO. 2021-3337

AMENDING RESOLUTION NO. 2019-3326

WHEREAS, the Housing and Redevelopment Authority of the City of South St. Paul, Minnesota (“HRA”) at a meeting of its Board of Commissioners (the “Board”) held on March 4, 2019 did adopt Resolution No. 2019-3326, which resolution authorized the borrowing of funds from the Minnesota Housing Finance Agency (“MHFA”) through the Publicly Owned Housing Program – Public Housing (“POHP-PH”); and

WHEREAS, Resolution No. 2019-3326 authorized Lori Hansen or William Flatley, then Chairperson and Secretary of the Board, respectively, to execute all such further agreements, assignments, statements, instruments, certificates, and documents related to such borrowing; and

WHEREAS, the HRA has submitted a Request for Action (the “RFA”) to MHFA, specifically to correct an error in the Legal Description for the Property that is benefitted and mortgaged by the MHFA; and

WHEREAS, since the passage of Resolution No. 2019-3326, the Board has held an Election of Officers which has resulted in neither Lori Hansen nor William Flatley retaining their respective offices.

NOW, THEREFORE, BE IT RESOLVED by the Housing and Redevelopment Authority in and for the City of South St. Paul, Minnesota that Thomas Q. Seaberg, Chairperson and Joe Kaliszewski, Secretary at the time of this Resolution’s passage, of its Board of Commissioners are hereby authorized and directed on behalf of the HRA at any time and from time to time hereafter to execute and deliver any and all documents, agreements, assignments, statements, instruments, and certificates and to do or cause to be done all such other and further acts and things as such Officer may determine to be necessary or advisable under or in connection with such borrowing.

Moved by: Commissioner _____

Seconded by: Commissioner _____

March 1, 2021

_____Ayes _____Nays

**CERTIFIED COPY OF RESOLUTIONS ADOPTED BY THE
MEMBERS OF**

The Housing and Redevelopment Authority of the City of South St. Paul, Minnesota

RESOLUTION NO. 2019-3326

I HEREBY CERTIFY that I am the duly elected Secretary and keeper of the records of *Housing and Redevelopment Authority of the City of South St. Paul, a public body corporate and politic* (the “HRA”), that the following is a true and correct copy of Resolutions duly and unanimously adopted by all of the members of the HRA on *March 4, 2019*, all of the members being present and constituting a quorum for the transaction of business; further, that such meeting was called in compliance with all applicable laws and the by-law requirements of the HRA; that such Resolutions do not conflict with any by-law of the HRA nor have such Resolutions been in any way altered, amended or repealed and are in full force and effect, unrevoked and unrescinded as of this day, and have been entered upon the regular Minute Book of the HRA, as of the aforementioned date, and that the members of the HRA have, and at the time of adoption of such Resolution, had, full power and lawful authority to adopt such Resolutions and to confer the powers thereby granted to the officer(s) therein named who has (have) full power and lawful authority to exercise the same:

WHEREAS, on this *4th* day of *March, 2019* there has been presented to this meeting of the members of this HRA a proposal for the HRA to borrow from the Minnesota Housing Finance Agency, a public body corporate and politic of the State of Minnesota, 400 Wabasha Street North, Suite 400, St. Paul, MN 55102-1109 (the “Agency”) a sum not to exceed *five hundred ninety-five thousand five hundred eighty* Dollars (\$595,580) to finance the acquisition or construction or rehabilitation of a housing development to be known as *John Carroll Apartments* which borrowing shall be evidenced by the Loan Repayment Agreement and Mortgage (the “Repayment Agreement”) covering the personal property owned by the HRA and located at *300 Grand Avenue West* in *Dakota* County, Minnesota, and more fully described in **Exhibit A** attached hereto and made a part hereof (the “Property”); further the proposed form of Repayment Agreement, Construction Loan Agreement, General Obligation Bonds Declaration, and Declaration of Covenants, Conditions, and Restrictions (the “Agency Documents”); further the proposed forms of the Agency Documents have been presented to the members of this HRA;

WHEREAS, it is also necessary that the HRA enter into a Construction Contract with *Larson Elevator Company, a Minnesota Corporation*, in connection with such borrowing;

NOW, THEREFORE, Be it Resolved by the members of the HRA, that the HRA be and it hereby is authorized to borrow the funds referred to hereinabove from the Agency; and

BE IT FURTHER RESOLVED, that Lori Hansen, Chairperson, of the HRA or William Flatley, Secretary of the HRA be and they hereby are authorized and directed on behalf of the HRA at any time and from time to time hereafter and without further action by or authority or direction from the members of the HRA, to execute and deliver or cause to be executed and delivered those documents referred to hereinabove, and all such other further agreements, assignments, statements, instruments, certificates and documents and to do or cause to be done all such other and further acts and things as such Officers may determine to be necessary or advisable under or in connection with such borrowing, and that the execution by such Officers of any such agreement, assignment, statement, instrument, certificate or document, or the doing of any such act or thing, shall be conclusive evidence of their determination in that respect, including, but not limited to, the execution of any and all agreements with the Agency for the extension of the time of payment for the aforesaid loan or any part thereof; and

BE IT FURTHER RESOLVED, that the Agency be and it hereby is authorized to rely on the continuing force and effect of these Resolutions, until receipt by the Commissioner of the Agency at its principal office of notice in writing from the HRA of any amendments or alterations thereof.

ATTEST:

Lori Hansen

William Flatley
Secretary

Edie A. Kleinboehl

Dated: March 4, 2019.

(Seal)

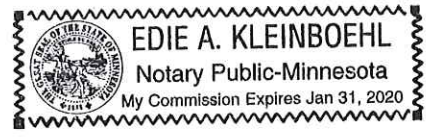


EXHIBIT A

LEGAL DESCRIPTION

That part of Union Addition and Stockyards Rearrangement of Blocks One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven and Twelve of South St. Paul, according to the recorded plats thereof, Dakota County, Minnesota described as follows:

Beginning at the southwest corner of Lot 7, Block 9 of said Stockyards Rearrangement; thence North 26°34'14" West along the southwesterly line of said Block 9 a distance of 276.01 feet to the angle point in the westerly line of Lot 1 of said Block 9; thence bearing North along the west line of said Lot 1 and along the westerly line of Lots 55, 56, 57, 58 and 59, Block 3 of said Union Addition a distance of 158.88 feet to the angle point in the westerly line of said Lot 59; thence North 26°38'50" West along the southwesterly line of said Block 3, Union Addition a distance of 112.00 feet; thence North 63°21'10" East a distance of 214.00 feet; thence South 22°49'14" East a distance of 125.93 feet; thence South 45°10'46" West a distance of 79.48 feet; thence South 2°10'46" West a distance of 50.12 feet; thence South 15°49'14" East a distance of 55.34 feet; thence South 33°49'14" East a distance of 59.54 feet; thence South 53°34'14" East a distance of 56.64 feet; thence South 26°34'14" East parallel with the northeasterly line of Block 5, Stockyards Rearrangement, to its intersection with the southeasterly line of Lot 4 of said Block 5; thence South 63°25'46" West along the southeasterly line of said Lot 4, Block 5 and along the southwesterly extension of said southeasterly line of Lot 4, Block 5 and along the southeasterly line of Lot 7, Block 9 of said Stockyards Rearrangement a distance of 200.00 feet to the point of the beginning.

EASEMENT

An easement is hereby granted for the purpose of granting ingress and egress to the property described in the Declaration of Trust. Such easement shall be twenty (20) feet in width and shall consist of an asphalt drive, and may be located by the PHA across or upon any of the following described lots lying in the County of Dakota, State of Minnesota, to-wit:

Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Fifteen (15) and Sixteen (16), Block Five (5); and Lots Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), Block Nine (9); both Block Five (5) and Block Nine (9) being located within the Stockyards Rearrangement of Blocks One, Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven and Twelve of South St. Paul, according to the plat thereof now on file and of record in the office of the Register of Deeds within and for said County of Dakota and State of Minnesota.

There is further granted across the property described above an easement for an eight (8) inch storm sewer and an eight (8) inch sanitary sewer, which are presently in place. The above described easement shall also grant the right to enter upon the lands above for the purpose of necessary repairs and maintenance to said storm sewer and sanitary sewer.