

Request for City Council Committee Action from the Department of Community Planning & Economic Development

Date: October 20, 2009
To: Lisa Goodman, Chair, Community Development Committee
Referral to: Paul Ostrow, Chair, Ways and Means/Budget Committee
Subject: Environmental Remediation Grant Applications,
Fall 2009 Grant Round

Recommendation:

1. Authorize application to the Minnesota Department of Employment and Economic Development [DEED] Contamination Cleanup and Investigation Grant Program for environmental remediation and/or investigation funding for the following projects: 129 Plymouth, 2600 Minnehaha Ave. S., Florence Court Apartments, and Linden Hills; and,
2. Authorize application to the Metropolitan Council's Tax Base Revitalization Account [TBRA] Grant Program for environmental remediation and/or investigation funding for the following projects: 1720 Madison St. NE, Florence Court Apartments, Lyndale Green, Walker Apartments, and Whittier Cooperative; and
3. Authorize application to the Hennepin County Environmental Response Fund [ERF] for environmental remediation and/or investigation funding for the following projects: 129 Plymouth, 2600 Minnehaha Avenue S., East Mills Apartments, Florence Court Apartments, Howe School, Linden Hills, Northrop School, and Whittier Cooperative;
4. Approve the attached resolutions authorizing appropriate City staff to submit the aforesaid applications to the Minnesota Department of Employment and Economic Development [DEED] Contamination Cleanup and Investigation Grant Program, the Metropolitan Council's Tax Base Revitalization Account [TBRA] Grant Program, and the Hennepin County Environmental Response Fund [ERF].

Previous Directives:

129 Plymouth: On August 28, 2009, the City Council granted final approval of the planning, zoning and land use applications required for the project in question.

1720 Madison St. NE: None.

2600 Minnehaha Ave. S.: On February 18, 1988 the City Council approved the acquisition of this site for \$143,854. On February 20, 2009, the City Council accepted and approved a \$31,000 investigation grant that had been sought from and awarded by the Hennepin County ERF program.

East Mills Apartments (520 2nd Street SE): None.

Florence Court Apartments (1000 University Avenue SE): On December 12, 2008, the City Council approved a variance recommended by the HPC, to allow for more than one residential structure on one zoning lot. Final HPC approval was obtained in July of 2009.

Howe School (3733 43rd Ave. S.): On March 27, 2009, the City Council authorized City staff to enter into a Consulting Services Agreement with Minneapolis Public Schools to provide professional services in connection with the possible sale/redevelopment of this site.

Linden Hills (4242-4264 Upton Ave. S.): None.

Lyndale Green (610 28th Street W.): On April 18, 2008, the Council authorized the submission of a Hennepin County Transit Oriented Development (TOD) application and authorized submission of a Hennepin County ERF grant application. On June 6, 2008, the Council authorized submission for Livable Communities Demonstration Account (LCDA) funding by the Metropolitan Council. On August 8, 2008, the Council authorized acceptance of the County ERF grant funds. On September 26, 2008, the Council authorized staff to execute a Cooperative Agreement with Hennepin County related to a TOD grant awarded to the project. On October 24, 2008, the Council adopted a resolution approving the Lyndale Green Redevelopment Plan. On December 12, 2008, the Council authorized an Affordable Housing Trust Fund loan to the project in the amount up to \$975,000. On February 6, 2009, the Council authorized acceptance of the LCDA grant in the amount of \$850,000. On March 6, 2009, the Council granted Preliminary Analysis Authorization in response to a TIF application for the project. On October 2, 2009 the Council gave preliminary approval for an allocation of up to \$7.5 million in Housing Revenue Bonds to the project.

Northrop School (1611 46th St. E.): On March 27, 2009, the City Council authorized City staff to enter into a Consulting Services Agreement with Minneapolis Public Schools to provide professional services in connection with the possible sale/redevelopment of this site.

Walker Apartments (1121 & 1127 Hennepin Avenue): The City Council approved the submission of a Hennepin County ERF investigation grant application in the fall 2008 brownfield grant round, and the submission of ERF and DEED cleanup applications in the spring 2009 grant round. The City Council later accepted and approved the two aforementioned ERF grants

after they were awarded by Hennepin County. The City Council approved a loan of up to \$1,440,000 for this project from the 2008 Affordable Housing Trust Fund on March 29, 2009.

Whittier Cooperative (2609 Blaisdell Ave. S.): None.

Prepared by: Kevin Carroll, Principal Project Coordinator	
Approved by: Charles Lutz, Deputy Director, CPED	_____
Catherine Polasky, Director of Economic Development	_____

Presenter in Committee: Kevin Carroll, Principal Project Coordinator, 612-673-5181

Financial Impact

X Other financial impact: There is no direct financial impact at this time. However, some of the grant requests have been identified as requiring a commitment of local match funds, to be provided in most cases by the developer or other non-City funding sources. The City of Minneapolis is sponsoring these grant requests, acting in some cases as a pass-through and conduit for environmental investigations and cleanup.

Community Impact

Neighborhood Notification:

129 Plymouth: This project was presented to the North Loop Neighborhood Association [NLNA] on three occasions between March and June of 2009, and the NLNA issued a letter of support on June 25, 2009. The North Washington Industrial Park (Jobs Park) Committee indicated its support for the project at a meeting on March 17, 2009.

1720 Madison St. NE: None.

2600 Minnehaha Ave. S.: The Seward Neighborhood Group [SNG] has been provided with written notification regarding the proposed redevelopment of this property and the anticipated submission of brownfield grant applications to DEED and Hennepin County. Both topics are scheduled to be addressed at a meeting of SNG's Planning and Development Committee on October 13, 2009.

East Mills Apartments (520 2nd Street SE): The developer (Bluff Street Development LLC) has indicated that it has had numerous meetings with the Marcy Holmes Neighborhood Association as the development concept for the site has progressed.

Florence Court Apartments (1000 University Avenue SE): The developer, Clark Gassen, executed an agreement with the Marcy-Holmes neighborhood on or about December 1, 2008 and the neighborhood issued a related letter of support on December 5, 2008.

Howe School (3733 43rd Ave. S.): Minneapolis Public Schools [MPS] worked with the Longfellow Community Council [LCC] in connection with

MPS's Community Asset Development Process, one of the outcomes of which was a report that identified specific redevelopment goals for this site. City staff participated in two LCC meetings at which United Properties discussed its plan to develop an 80+ unit senior coop project at this site.

Linden Hills (4242-4264 Upton Ave. S.): The developer has indicated that general discussions have taken place with the Victory Neighborhood Association regarding the possible redevelopment of this site, but that a specific redevelopment plan has not yet been proposed because the project is in its early planning stages.

Lyndale Green (610 28th Street W.): The Whittier Alliance has supported the developer's proposal to date, both for funding requests and for land use applications.

Northrop School (1611 46th St. E.): Minneapolis Public Schools [MPS] worked with the Field Regina Northrop neighborhood group in connection with MPS's Community Asset Development Process, one of the outcomes of which was a report that identified specific redevelopment goals for this site. City staff participated in a Field Regina meeting at which United Properties discussed its plan to develop an 80+ unit senior coop project at this site.

Walker Apartments (1121 & 1127 Hennepin Avenue): On June 10, 2008, the Downtown Minneapolis Neighborhood Association [DMNA] reviewed the preliminary concept plan for this project and passed a motion in support of it. The DMNA also issued a letter on October 9, 2008 in support of the developer's application to the Affordable Housing Trust Fund.

Whittier Cooperative (2609 Blaisdell Ave. S.): CommonBond's proposal regarding Affordable Housing Trust Funds [AHTF] assistance was discussed at meetings of the Issues Committee of the Whittier Alliance on August 10, 2009 and September 14, 2009.

City Goals: A Premier Destination, Enriched Environment

Sustainability Targets: Brownfield Sites

Comprehensive Plan: The proposed projects generally comply with the "land reclamation" and "providing a healthy environment" elements of the Minneapolis Plan.

Zoning Code: The proposed projects either are in compliance or will comply.

Living Wage/Business Subsidy Agreement: Yes____ No_X____

Job Linkage: Yes____ No_X____

Other: Environmental remediation assistance is generally exempt from the City's Living Wage Ordinance and the State's Business Subsidy Act. However, any business that occupies a remediated site may be asked to sign a Job Linkage

Agreement that includes five year hiring goals (with an emphasis on living wage jobs for Minneapolis residents) and seeks to connect the business with a neighborhood workforce organization.

Background/Supporting Information

The eleven projects and the seventeen related grant applications that are being recommended for submission to DEED, the Metropolitan Council and Hennepin County in the fall brownfield grant round are as follows:

Project Name	GRANTORS			Total Grant Requests*
	DEED	Met Council TBRA	Henn. County ERF	
129 Plymouth	117,000		20,280	137,280
1720 Madison St. NE		30,000		30,000
2600 Minnehaha Ave. S.	311,039		103,680	414,719
East Mills Apartments			33,14	33,314
Florence Court Apartments	191,700	250,000	106,220	547,920
Howe School			31,200	31,200
Linden Hills	21,584		21,584	43,168
Lyndale Green		170,000		170,000
Northrop School			34,700	34,700
Walker Apartments		258,563		258,563
Whittier Cooperative		200,000	200,000	400,000**
TOTALS:	641,323	908,563	550,978	2,100,864

*Amounts shown are based on pre-applications submitted to the City by September 11, 2009. The final amounts shown on grant applications submitted to the grantors on or by November 2, 2009 may differ, due to project cost updates prepared after September 11, 2009.

**Actual amount needed is \$200,000; Developer intends to apply to two different grantors for the full amount.

The Minnesota Contamination Cleanup and Investigation Grant Program was established in 1993 to clean up contaminated sites and convert contaminated property into a marketable asset. The Department of Employment and Economic Development [DEED] is the administering state agency. Applications for the fall grant round are due on or by November 2, 2009. A local match equal to twenty-five percent of the project costs is required, of which twelve percent must come from non-tax increment local funds (typically provided by the developer). The amount that is potentially available to fund brownfield investigation and cleanup grants in the fall 2009 round is \$4.0 million, which includes up to \$250,000 for investigation grants. The legislature has designated that at least 35% of available funds be spent on remediating sites in Greater Minnesota unless sufficient applications are not received. This allows the grant program to assist with cleanup efforts statewide.

Enacted by the legislature in 1995, the Metropolitan Livable Communities Act designated the Metropolitan Council as the administrator of the Tax Base Revitalization Program. This program makes grants to clean up contaminated land for subsequent redevelopment, job retention, and job growth in areas that have lost some of their commercial/industrial base. Applications for the fall round of this program are due on or by November 2, 2009. No local match is required. The amount that is potentially available to fund brownfield grants in the fall 2009 round is \$3.0 million. The TBRA program reserves at least one-quarter of the funding available in each grant cycle for projects outside of the two core cities of Minneapolis and St. Paul, and restricts any one municipality from receiving more than half of the funding in any given round.

Hennepin County has been collecting mortgage registry and deed tax for deposit into an Environmental Response Fund (ERF) and has awarded grants from that fund since the fall of 2001. The ERF is used for the assessment and clean up of contaminated sites located within Hennepin County, with emphasis on affordable housing projects. Applications for the fall round of this program are due on or by November 2, 2009. Historically, Hennepin County has usually awarded a total amount in the \$1.5 - \$2 million range, although more than \$4 million was awarded in the spring 2009 round due to substantially greater demand. Typically, about 50% of the available grant funds are awarded to the City of Minneapolis, and the remainder is awarded to suburban communities and other entities.

Projects initiated through these grants and additional public funds have, from their inception through the spring 2009 grant round, triggered more than an estimated \$1 billion in additional private investment in the City of Minneapolis.

New Funding Requests for Fall 2009

	Grant Applications	Grant Funding Requested
DEED	4	\$641,323
Metropolitan Council	5	\$908,563
Hennepin County	8	\$550,978
TOTAL:	17	\$2,100,864

For the fall 2009 grant round, details regarding the City's pre-application process and related program requirements were provided to CPED project coordinators and potential applicants in July and August. Relevant information was posted on the City's website and distributed via email to the

600+ parties on CPED's Development Notices Distribution List. Staff review of the submitted pre-applications included consideration of factors such as readiness to proceed with cleanup, removal of blighting influences, commitment of City funds, affordable housing, compliance with zoning requirements and comprehensive plan designations, and job creation. Seventeen pre-applications were received, all of which are being recommended for submission to the grantors. Interactions with the three grantors during the last six grant rounds have clarified and reinforced the fact that their internal processes for reviewing, scoring and ranking applications give no weight to any city's prioritization of the applications that it submits to the grantors. The analyses conducted by the grantors' staff, and the decisions that they make in awarding grants, are based on statutory criteria and adopted guidelines that do not include the (relative) preferences of municipal applicants. Accordingly, and in keeping with the practice that has been followed by the City in the last five brownfield grant rounds, the recommendation of City staff is that the City Council not rank or prioritize the applications that it authorizes staff to submit to the grantors on or by the November 2, 2009 application deadline.

Details of Proposed Projects:

[This section of the report presents projects in alphabetical order. The summary descriptions were provided by the developers or by others familiar with the details of the projects in question.]

129 Plymouth

Projected DEED Request: \$117,000

Projected Hennepin County ERF Request: \$20,280

This 0.76 acre property is currently owned by MnDOT. MnDOT has indicated that it is willing to sell the property to the City of Minneapolis for a specified price if that amount can be paid by December 31, 2009. Lupe Development was the sole party to respond to a Request for Proposals that the City prepared (with MnDOT's agreement) regarding the site. Lupe has proposed an 8500 square foot, slab-on-grade commercial building for the site. As of August 28, 2009, all of the planning, zoning and land use approvals required for the project had been granted by the City Council. Although MnDOT conducted some remediation after the prior owner of the site (Shafer Metal Recycling) departed, funds are now being sought to conduct additional site remediation, the need for which was verified by a recent assessment/investigation.

1720 Madison St. NE

Projected Metropolitan Council TBRA Request: \$30,000

The owner/developer, Young & Kremer LLC, intends to convert a currently unused 1200 square foot portion of an existing commercial building to artists' space. To do so, it will be necessary to abate asbestos contained in the roof of the space in question, and grant funds are being sought for that purpose. This project is consistent with the Central Avenue Small Area Plan (adopted by City Council 6/20/08), which supports this existing use with a policy to "retain industrial land use designations for much of the area to align with the goals of the

Northeast Arts District and the area's history of an employment area." It also encourages the proposed project through a policy to "provide opportunities for artists to live, work, produce, create, display, sell, and show their work in existing and new buildings" and "continue to allow for affordable, flexible production space that meets needs of artists living and working in this area, including truck and rail access." The project is consistent with the City's comprehensive plan, which incorporates the Central Ave Plan by reference. The project is also likely consistent with existing I1 zoning, which allows art studios as a permitted use. However, the applicant should be aware that not all sculptors are allowed in I1 zoning – those working with stone or metal may need an I2 or I3 zoning due to issues with noise, dust, and vibration.

2600 Minnehaha Ave. S.

Projected DEED Request: \$311,039

Projected Hennepin County ERF Request: \$103,680

This is a vacant City-owned 1.53 acre site that is located in the Seward South Urban Renewal Project Area. The site would be suitable for a sale to an approved end-user for the construction of an industrial building of approximately 25,000 square feet. Remediation funds, if awarded, would be used to clean up soil contamination and seal an abandoned well. The site is within the Seward/Hiawatha employment district, an area identified in the Industrial Land Use Study and the Comprehensive Plan as one that should be retained for industrial use and job creation. The Seward Longfellow Greenway Area Plan also identifies this parcel for continued industrial use. Zoning is I1.

East Mills Apartments (520 2nd St. SE)

Projected DEED Request: TBD

Projected Hennepin County ERF Request: \$33,314

Bluff Street Development LLC is the owner/developer of this 0.42-acre site. The developer proposes to construct a new six-story building containing 90 affordable rental units, with two levels of underground parking. A project proposed for this site by the same developer was approved by the Planning Commission on November 8, 2004, but the project did not proceed at that time. As originally proposed, the project involved a taller building with for-sale condo units. According to the developer, the change to affordable rental units is the result of a shift in market conditions. Whether or not the change in question is sufficiently minor to eliminate the need for further Planning Commission review has not yet been determined. However, as the current proposal is generally similar in scope to the original – and indeed the shorter height addresses the chief concern raised by the Heritage Preservation Commission regarding the original proposal – it is likely this project will also be found to be consistent with city plans and policies (whether or not it has to go to a public hearing to do so), including the comprehensive plan and the Master Plan for the Marcy-Holmes Neighborhood. The original 2004 project had a series of variances required, all of which were approved. The site was also rezoned from I1 with an ILOD overlay to C3A as part of the original project's approvals (City Council action on 12/10/04). Hence, the now-existing zoning is appropriate for the current project. The parcel is also located in a designated Activity Center (as shown in the comprehensive plan), where higher density development such as this is appropriate. Generally, it appears to be largely consistent with the comprehensive plan.

Florence Court Apartments (1000 University Ave. SE)

Projected DEED Request: 191,700

Projected Metropolitan Council TBRA Request: \$250,000

Projected Hennepin County ERF Request: \$106,220

The owner/developer of this 0.18 site is Clark Gassen and/or CAG Development, assisted by Vieau Associates. The property is currently the site of a gas station and a body shop. Phase I of the redevelopment of the site will include the construction of an 84-unit, 6-story apartment building (expected to be primarily student housing) with underground parking. This project was approved by the Planning Commission on December 8, 2008, and it has therefore been determined to be consistent with existing City plans and policies, including the comprehensive plan and the Master Plan for the Marcy-Holmes Neighborhood. The current zoning for the site, R5, was deemed appropriate for the approved project. No rezoning was needed. Grant funding is being sought to clean up soil contamination caused by leaking petroleum tanks, and to install a vapor barrier.

Howe School (3733 43rd Ave. S.)

Projected Hennepin County ERF Request: \$31,200

United Properties proposes to rehabilitate the existing (but currently vacant and unused) elementary school on this 3.22-acre site and convert it to 22 units of senior housing. United Properties also proposes to construct a new three-story senior co-op building on the same site, containing another 80 units, some of which are expected to be affordable. Development of senior housing on this site will require a zoning change from its current single-family zoning. CPED-Planning has provided preliminary feedback to the school district and United Properties that development of senior housing on this site is generally consistent with The Minneapolis Plan. Investigation grant funds are being sought to conduct an environmental site assessment.

Linden Hills (4242-4264 Upton Ave. S.)

Projected DEED Request: \$21,584

Projected Hennepin County ERF Request: \$21,584

The developer, Linden Hills Redevelopment LLC, intends to demolish an existing restaurant and a two-story office building on this 0.87-acre site and then construct a new five-story building that would include one floor of ground floor commercial space, one floor of office space and three floors of residential units (type, number and affordability to be determined). This project has not gone through the City Planning Commission process. A rezoning and other land use applications may be needed. The properties are located in a Neighborhood Commercial Node. This land use designation in found in the comprehensive plan encourages higher density residential development, mixed-use development, and retail and service uses. This project seems to meet those desired uses. Grant funds are being sought to conduct an environmental site assessment and prepare a Response Action Plan.

Lyndale Green (610 28th Street W.)

Projected Metropolitan Council TBRA Request: \$170,000

This 1.27 acre site is being developed by Brighton Development and Ponterre Group. The site is sometimes referred to as the Salem English Lutheran Church project. The concept plan envisions a new four-story building containing 61 units of housing, some of which will be affordable, plus some ground floor retail. The land use applications required for this project were approved by the City Planning Commission on August 10, 2009 and by the City Council on September 18, 2009. Grant funds, if obtained, would be used primarily for asbestos remediation.

Northrop School (1611 46th St. E.)

Projected Hennepin County ERF Request: \$34,700

United Properties proposes to demolish the existing (but currently vacant and unused) elementary school on this 3.56-acre site and construct two new three-story senior co-op buildings containing a total of 85 units, some of which are expected to be affordable. Development of senior housing on this site will require a zoning change from its current single-family zoning. CPED-Planning has provided preliminary feedback to the school district and United Properties that development of senior housing on this site is generally consistent with The Minneapolis Plan. Investigation grant funds are being sought to conduct an environmental site assessment.

Walker Apartments (1121 and 1127 Hennepin Avenue)
Projected Metropolitan Council TBRA Request: \$258,563

This is a 0.39 acre site that is located within Greater Hennepin Avenue Development District #58, but not within a TIF District. The developer, Twelfth & Hennepin Development LLC and/or Metropolitan Development, intends to construct a new five-floor building containing 85 units, 45 of which will be affordable. One level of underground parking would be provided. The site is zoned B4S-1 and is located in the Downtown Parking and Harmon Area overlay districts. The Harmon Area Overlay District was established to preserve and protect the unique character of the Harmon area by limiting the height and scale of new development. The site is also within the Harmon Place Historic District. Based on the overlay district, the maximum height on these sites is limited to 4 stories or 56 feet, whichever is less. Both the zoning and policies within The Minneapolis Plan for Sustainable Growth allow for a variety of residential and commercial uses on the proposed site. Hennepin Avenue is identified as a Commercial Corridor where there should be active ground-floor uses, pedestrian orientation to building design and residential density. The proposed use (solely residential units) is not likely to create the desired level of all-day activity at this location; further analysis of this issue may be required. The proposed height of the residential structure would require a conditional use permit for additional height. The applicant has had preliminary meetings with both Development Services staff and Preservation & Design staff. Staff brought an informational item to the Heritage Preservation Commission on March 25, 2008 about the development concept at that time. The concept in March included retail on the ground floor with residential above in a 5-story structure. Preservation & Design staff will evaluate the final proposal based on the Harmon Plan Historic District Guidelines. Funding is being sought from the Metropolitan Council, primarily for soil cleanup.

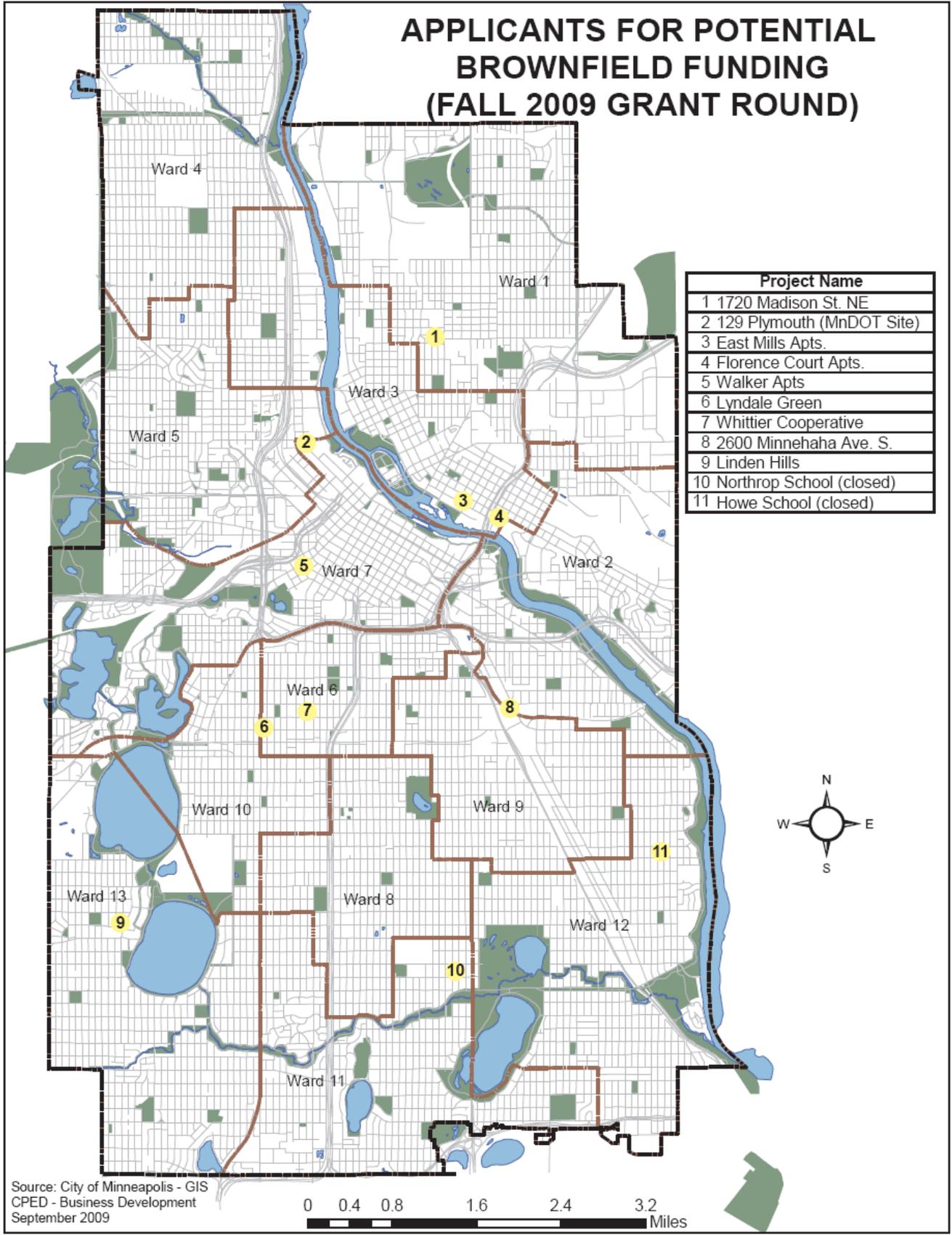
Whittier Cooperative (2609 Blaisdell Ave. S.)
Projected Metropolitan Council TBRA Request: \$200,000
Projected Hennepin County ERF Request: \$200,000

This 2.34-acre site has been purchased by CommonBond Communities. Its redevelopment plan proposes to rehabilitate 45 limited equity co-op units and convert them to affordable rental units. Since this project involves the rehabilitation of an existing structure, Planning Commission approval may not be needed. Grant funds, if awarded, would be used primarily for the abatement of asbestos and lead-based paint.

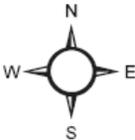
Proposed Project Locations:

The map that appears on the following page identifies the location of each of the proposed projects.

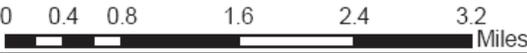
APPLICANTS FOR POTENTIAL BROWNFIELD FUNDING (FALL 2009 GRANT ROUND)



Project Name
1 1720 Madison St. NE
2 129 Plymouth (MnDOT Site)
3 East Mills Apts.
4 Florence Court Apts.
5 Walker Apts
6 Lyndale Green
7 Whittier Cooperative
8 2600 Minnehaha Ave. S.
9 Linden Hills
10 Northrop School (closed)
11 Howe School (closed)



Source: City of Minneapolis - GIS
CPED - Business Development
September 2009



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 intends to act as the legal sponsor for one or more of the following projects that will be more completely described in contamination cleanup and/or investigation applications to be submitted to the Minnesota Department of Employment and Economic Development (DEED) on or by November 2, 2009, subject to final staff verification of each such application's compliance with the DEED grant program's purposes and criteria: 129 Plymouth, 2600 Minnehaha Ave. S., Florence Court Apartments, and Linden Hills; and

Whereas, the City has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration; and

Whereas, the sources and amounts of the local match identified in the applications are committed to the identified projects; and

Whereas, the City 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; and

Whereas, upon approval of one or more of its applications, the City may enter into agreements with the DEED for one or more of the above-referenced projects and will comply with all applicable laws and regulations stated in such agreements;

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 Planning and Economic Development or other appropriate staff to apply to the Department of Employment and Economic Development for Contamination Cleanup and Investigation Grant Program funding for one or more of the above-referenced projects and to execute such agreements as are necessary to implement the projects.

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

Whereas, the City of Minneapolis (the "City") was and is a participant in the Livable Communities Act's Housing Incentives Program 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 clean-up projects within the City that preliminarily appear to meet the Tax Base Revitalization Account's purposes and criteria: 1720 Madison St. NE, Florence Court Apartments, Lyndale Green, Walker Apartments, and Whittier Cooperative; and,

Whereas, the City intends to act as the legal sponsor for the above-referenced projects, which will be more completely described in Tax Base Revitalization Account grant applications to be submitted to the Metropolitan Council on or by November 2, 2009, subject to final staff verification of each such application's compliance with the TBRA grant program's purposes and criteria ; and

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

Whereas, upon approval of one or more of its applications, the City may enter into agreements with the Metropolitan Council for one or more of the above-reference projects and will comply with all applicable laws and regulations stated in such agreements;

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 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 and to execute such agreements as are necessary to implement the projects.

Authorizing application to the Hennepin County Environmental Response Fund for various projects.

Whereas, the City of Minneapolis intends to act as the legal sponsor for one or more of the following projects that will be more completely described in Environmental Response Fund applications to be submitted to Hennepin County on or by November 2, 2009, subject to final staff verification of each such application's compliance with the ERF program's purposes and criteria: 129 Plymouth, 2600 Minnehaha Avenue S., East Mills Apartments, Florence Court Apartments, Howe School, Linden Hills, Northrop School, and Whittier Cooperative (any of these projects may opt to submit its application directly to Hennepin County, rather than through the City of Minneapolis, if doing so is authorized under the ERF program's guidelines); and

Whereas, the City has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration; and

Whereas, the City 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; and

Whereas, upon approval of one or more of its applications, the City may enter into agreements with Hennepin County for one or more of the above-referenced projects and will comply with all applicable laws and regulations stated in such agreements;

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 Planning and Economic Development or other appropriate staff to apply to the Hennepin County Environmental Response Fund for funding for one or more of the above-referenced projects and to execute such agreements as are necessary to implement the projects.