

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

**Date:** April 19, 2011  
**To:** Lisa Goodman, Chair, Community Development Committee  
**Referral to:** Betsy Hodges, Chair, Ways and Means/Budget Committee  
**Subject:** Environmental Remediation Grant Applications,  
Spring 2011 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: 14<sup>th</sup> Avenue Cul-de-sac Project, Ford Centre, Marshall Street Boat Basin, Mill & Main (Phase One), MWMO Building, MoZaic, Oak Street Flats, Precision Associates Building, and University Gateway; 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: 2644 Minnehaha, AppleWood Pointe, Lehmann Center [former], Marshall Street Boat Basin, Mill & Main (Phase One), Oak Street Flats, Precision Associates Building, and University Gateway; and
3. Authorize application to the Hennepin County Environmental Response Fund [ERF] for environmental remediation and/or investigation funding for the following projects: 2644 Minnehaha, Cameron Building, Lehmann Center [former], Mill & Main (Phase One), MWMO Building, Oak Street Flats, Precision Associates Building, and University Gateway;
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:**

**14<sup>th</sup> Avenue Cul-de-sac Project** (portion of 14<sup>th</sup> Ave. N. lying east of 2<sup>nd</sup> St. N.):  
On October 8, 2010, the City Council approved a resolution ordering the work on

this roadway project to proceed, and adopting special assessments, and requesting the issuance and sale of assessment bonds.

**2644 Minnehaha**: None.

**AppleWood Pointe** (1611 46<sup>th</sup> Street E.): The City Council rezoned the property in question on December 10, 2010 for this project, which involves two multi-family residential buildings with a total of 107 units.

**Cameron Building** (756 4<sup>th</sup> Street): None.

**Ford Centre** (420 N. 5<sup>th</sup> Street): None

**Lehmann Center [former]** (1006 W. Lake Street): None.

**Marshall Street Boat Basin** (1720 Marshall St. NE): None.

**Mill & Main** (413-419-425 Main Street SE): None.

**Mississippi Watershed Management Organization [MWMO] Building** (2522 Marshall Street NE): None.

**MoZaic** (1320 Lagoon Avenue; 2900-2908 Fremont Ave. S.): On April 16, 2010, the City Council approved the submittal of a MoZaic TOD application, and also approved a multijurisdictional funding resolution for the project and the execution of a cooperation agreement with Hennepin County for the project. On October 28, 2010, the City Council adopted a resolution giving preliminary and final approval to the issuance of up to \$11,000,000 in Tax-exempt Revenue Bonds (designated as City of Minneapolis Recovery Zone Facility Bonds) for MoZaic Partners, LLC, to finance the acquisition & construction of a parking ramp of approximately 435 spaces.

**Oak Street Flats** (309-313 Oak Street SE): None.

**Precision Associates Building** (740 Washington Ave. N.): None.

**University Gateway** (928 University Avenue SE): None.

Prepared by: Kevin Carroll, Principal Project Coordinator, 612-673-5181

Approved by: Charles T. Lutz, Deputy Director, CPED \_\_\_\_\_

Catherine A. Polasky, Director of Economic Policy & Development \_\_\_\_\_

Presenter in Committee: Kevin Carroll, Prin. Project Coordinator, Bus. Dev., 612-673-5158

## 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. Sponsoring these grant applications does not commit (or imply a commitment of) City funds as the required match. Partial compensation for City staff time required to review and process grant applications, and to administer any pass-through grants that are awarded, will be obtained through application fees and grant administration fees that were approved by the City Council on April 16, 2010.

## Community Impact

Neighborhood Notification:

**14<sup>th</sup> Avenue Cul-de-sac Project** (portion of 14th Ave. N. lying east of 2<sup>nd</sup> St. N.): A public hearing on this project was conducted at the Transportation and Public Works Committee meeting on September 28, 2010.

**2644 Minnehaha:** None.

**AppleWood Pointe** (1611 46<sup>th</sup> Street E.): Field Regina Northrop Neighborhood Group sent letters of support regarding this project to the HPC on June 10, 2010 and to City staff on September 30, 2010.

**Cameron Building** (756 4<sup>th</sup> Street): None.

**Ford Centre** (420 N. 5<sup>th</sup> Street): The North Loop Neighborhood Association sent a letter of support regarding this project to City staff on October 29, 2010.

**Lehmann Center [former]** (1006 W. Lake Street): The Lowry Hill East Neighborhood Association sent a letter of support regarding this project to City staff on March 25, 2011.

**Marshall Street Boat Basin** (1720 Marshall St. NE): The Above the Falls Citizens Advisory Committee distributed a letter of support for this project on February 8, 2011.

**Mill & Main** (413-419-425 Main Street SE): This project is scheduled to be reviewed and discussed by the Marcy-Holmes Neighborhood Group on April 12, 2011.

**Mississippi Watershed Management Organization [MWMO] Building** (2522 Marshall Street NE): Letters of support for this project were prepared by the Above the Falls Citizens Advisory Committee and the Friends of the Mississippi River on August 10, 2010.

**MoZaic** (1320 Lagoon Avenue; 2900-2908 Fremont Ave. S.): The Lowry Hill East Neighborhood Association sent a letter of support regarding this project to City staff on November 15, 2010.

**Oak Street Flats** (309-313 Oak Street SE): The developer of this project made a presentation to the Prospect Park Land Use Committee in January of this year, and intends to return for further discussions during April.

**Precision Associates Building** (740 Washington Ave. N.): The North Loop Neighborhood Association sent a letter of support regarding this project to City staff on March 23, 2011.

**University Gateway** (928 University Avenue SE): This project is scheduled to be reviewed and discussed by the Marcy-Holmes Neighborhood Group on April 12, 2011.

City Goals: Jobs and Economic Vitality; Livable Communities, Healthy Lives; Eco-Focused. Cleanup of contaminated land supports sustainability goals and some projects include "green" design and construction elements.

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 for Sustainable Growth.

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 thirteen projects and the twenty-five related grant applications that are being recommended for submission to DEED, the Metropolitan Council and Hennepin County in the spring brownfield grant round are as follows:

Project Name	GRANTORS			Total Grant Requests*
	DEED	Met Council TBRA	Henn. County ERF	
14 <sup>th</sup> Ave. Cul-de-sac Project	15,500			15,500
2644 Minnehaha		10,000	10,000	20,000
AppleWood Pointe		214,700		214,700
Cameron Building			20,300	20,300
Ford Centre	285,686			285,686
Lehmann Center [former]		449,447	449,446	898,893
Marshall Street Boat Basin	16,500	24,750		41,250
Mill & Main (Phase One)	852,405	223,235	73,875	1,149,515
MWMO Building	127,058		268,993	396,051
MoZaic	243,750			243,750
Oak Street Flats	177,750	65,000	30,810	273,560
Precision Associates Bldg.	98,861	647,386	313,990	1,060,237
University Gateway	200,000	200,000	210,600	610,600
<b>TOTALS:</b>	<b>2,017,510</b>	<b>1,834,518</b>	<b>1,378,014</b>	<b>5,230,042</b>

\*Amounts shown are based on pre-applications submitted to the City by March 11, 2011. The final amounts shown on grant applications submitted to the grantors by their respective application deadlines may differ, due to project cost updates prepared after March 11, 2011.

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 spring grant round are due by May 2, 2011. 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 spring 2011 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 spring round of this program are due by May 2, 2011. No local match is required. The amount that is potentially available to fund brownfield cleanup grants in the spring 2011 round is projected to be \$2 to 2.5 million, plus up to \$125,000 for investigation grants. 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 taxes 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 cleanup of contaminated sites located within Hennepin County, with emphasis on affordable housing projects. Applications for the spring round of this program are due by May 2, 2011. Historically, Hennepin County has usually awarded a total amount in the \$1.0 - \$1.5 million range per grant round (for cleanup and investigation grants). Typically, about 50% of the available grant funds are awarded to projects within the City of Minneapolis, and the remainder is awarded to projects within suburban communities.

Projects assisted by these grants have, from their inception through the last (fall 2011) grant round, triggered more than an estimated \$1 billion in additional private investment in the City of Minneapolis.

**New Funding Requests for Spring 2011**

	Grant Applications	Grant Funding Requested
DEED	9	\$2,017,510
Metropolitan Council	8	\$1,834,518
Hennepin County	8	\$1,378,014
<b>TOTAL:</b>	<b>25</b>	<b>\$5,230,042</b>

For the spring 2011 grant round, details regarding the City's pre-application process and related program requirements were provided to CPED project coordinators and potential applicants in February. Relevant information was posted on the City's website and distributed via email to the 650+ parties on CPED's Development Notices Distribution List. Staff processing of the submitted pre-applications included review by the affected geographic Sector teams and 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. Twenty-five pre-applications were received, all of which are being recommended for submission to the grantors.

Interactions with the three grantors during the last nine semi-annual 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 eight 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 their joint May 2, 2011 application deadline.

### **Details of Proposed Projects:**

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

#### **14<sup>th</sup> Avenue Cul-de-sac Project** (portion of 14<sup>th</sup> Ave. N. lying east of 2<sup>nd</sup> St N.)

*Projected DEED Request: \$15,500*

A short section of 14<sup>th</sup> Avenue within the North Washington Industrial Park (the portion that runs along the northern boundary of the Standard Heating site and ends at the adjacent Canadian Pacific rail line) is slated for reconstruction. Investigation funds are being sought to help clarify and quantify the extent of the current contamination (if any) within the planned reconstruction area.

#### **2644 Minnehaha**

*Projected Metropolitan Council TBRA Request: \$10,000*

*Projected Hennepin County ERF Request: \$10,000*

This .83-acre City-owned landlocked vacant lot can potentially be leased or sold to the owner of an adjacent parcel of industrially-zoned property for redevelopment, if or when more is known about the lot's environmental condition. Investigation funds are being sought to help make such determinations.

#### **AppleWood Pointe** (1611 46<sup>th</sup> Street E.)

*Projected Metropolitan Council TBRA Request: \$214,700*

This 3.56-acre property is the site of the former Northrop elementary school. The developer, United Properties, intends to demolish the vacant school building and construct up to 107 units of senior housing in two buildings, the first of which will include 65 units (13 affordable). AppleWood Pointe Senior Cooperative received its land use approvals at the City Planning Commission on November 1, 2010 (rezoning to R3, conditional use permit for a planned unit development with 107 dwelling units, variance for parking location, and site plan review). The City Council approved the rezoning on December 10, 2010. Grant funds, if awarded, would be used for the abatement of asbestos and lead-based paint in the former school building.

#### **Cameron Building** (756 4<sup>th</sup> Street)

*Projected Hennepin County ERF Request: \$20,300*

This project involves the proposed redevelopment of an existing 1910 building on a .60-acre site. A conversion of the building to 46 market-rate apartments is envisioned by the developer, Schafer Richardson. Planning staff members have answered some preliminary

zoning questions about this site but have not met with the developer about the proposed concept of historic rehabilitation for new housing. The proposed use is, however, consistent with the adopted *North Loop Small Area Plan* and is in line with the draft rezoning study recommendations. The zoning changes are likely to be considered during the first half of 2011 and (if approved) will result in this property better accommodating the proposed residential project. The current I2 zoning is not in line with the vision currently outlined in the small area plan. Investigation grant funds are being sought to help clarify and quantify the extent of the current contamination (anticipated to include asbestos and lead-based paint) and thereby position the property for a possible future cleanup grant application.

**Ford Centre** (420 N. 5<sup>th</sup> Street)

*Projected DEED Request: \$285,686*

A full renovation of this existing building (located on a 1.2-acre site directly across from the Target Field light rail station) is currently underway by its developer, Ford United LLC. The renovation will result in 260,000 square feet of new office space, with four new passenger elevators, the complete replacement of all exterior window glass, new mechanical and electrical systems, etc. The Heritage Preservation Commission and the City Planning Commission have both approved this historic rehab of the Ford Centre. The improvements are supported by both the Warehouse Historic District Design Guidelines and the *North Loop Small Area Plan*. Grant funds, if awarded, would be used primarily for soil remediation near (and possibly underneath) portions of the building.

**Lehmann Center [former]** (1006 W. Lake Street)

*Projected Metropolitan Council TBRA Request: \$449,447*

*Projected Hennepin County ERF Request: \$449,446*

The developer of this 2.36-acre site, Dominion (operating through a related entity, Minneapolis Leased Housing Associates III, L.P.) intends to convert the vacant historical building in question into 125 affordable rental units. Land use applications for this proposed project have not been submitted, but the developer has met with Planning staff. Since the project doesn't involve major reconstruction and the use is allowed under the current zoning, it is likely to be considered generally in keeping with adopted policies and regulations. Grant funds, if awarded, would be used for the abatement of asbestos and lead-based paint.

**Marshall Street Boat Basin** (1720 Marshall St. NE)

*Projected DEED Request: \$16,500*

*Projected Metropolitan Council TBRA Request: \$24,750*

This 1.74 acre riverfront parcel is the site of an existing, partially vacant light industrial building. The developer, Rockaway Development LLC, intends to renovate the building to create 10,000 s.f. of new retail space, 4000 s.f. of new office space, a 4000 s.f. event center and 9000 s.f. of restaurant space, with the possible future addition of a dock or marina. Planning staff members have reviewed the project but have initially rejected the marina component because the zoning code doesn't currently allow for private marinas anywhere in the City. However, there is general community support for the concept, so it's possible that a text amendment could be pursued. The Above The Falls Plan (which is currently undergoing a policy update review) suggests that this site should be 100% park, but the City cannot mandate that use without buying the property. At a minimum, the possible creation of a public trail connection through the property remains a high priority. The existing I2 zoning is not entirely compatible with the proposed project, so the property might need to be rezoned. Progress with regard to the aforementioned issues is being hindered by uncertainties about the property's environmental condition. Accordingly,

investigation grant funds are being sought to help assess potential problems with soil contamination, asbestos, and lead based paint.

**Mill & Main** (413-419-425 Main Street SE)

*Projected DEED Request: \$852,405*

*Projected Metropolitan Council TBRA Request: \$223,235*

*Projected Hennepin County ERF Request: \$73,875*

This 1.5-acre site is the first site to be sold off by the bank after obtaining possession of it from a former developer in the wake of foreclosure on the A Mill project properties. The current developer, Doran Companies, is proposing the demolition of two existing structures (the Annex Building and the former Manildra Milling Building) and the construction of the first phase of a 375 unit market-rate apartment project. By itself, this site would be relatively easy to redevelop because there are no historic buildings of any consequence on it -- the site is mostly parking lots. However, this site currently provides most of the parking area(s) for the entire complex, so building on it could possibly render the rest of the A Mill campus nonconforming in terms of parking and thereby make the redevelopment of the remainder of the campus more challenging. The *overall* A Mill project was originally approved as a PUD; it's currently unclear what that will mean for the approval(s) of this particular subpart, although a replatting is likely to be needed. Planning staff members have shared all the preceding information with the project developers. Generally speaking, high density housing of the kind proposed is in line with the adopted plan for the area. Grant funds, if awarded, would be used for soil remediation and for the abatement of asbestos and lead-based paint.

**Mississippi Watershed Mgmt. Org. [MWMO] Building** (2522 Marshall Street NE)

*Projected DEED Request: \$127,058*

*Projected Hennepin County ERF Request: \$268,993*

This 1.26-acre site is the planned location of a new office and educational facility for the MWMO. The MWMO would construct two buildings (connected by a bridge) with a total of 11,300 square feet. The site has received all required City planning-related approvals. Grant funds, if awarded, would be used for soil remediation.

**MoZaic** (1320 Lagoon Avenue; 2900-2908 Fremont Ave. S.)

*Projected DEED Request: \$243,750*

A mixed-use redevelopment project on this 2.5 acre Uptown site is currently underway. The end product will be 65,000 s.f. of new office space, 13,000 s.f. of new restaurant space, some new surface and ramp parking, and a public plaza. All required City planning-related approvals have been obtained. Grant funds, if awarded, would be used to address some unanticipated soil contamination.

**Oak Street Flats** (309-313 Oak Street SE)

*Projected DEED Request: \$177,750*

*Projected Metropolitan Council TBRA Request: \$65,000*

*Projected Hennepin County ERF Request: \$30,810*

Doran Companies is the developer of this .33-acre site. The proposed project involves the demolition of two existing buildings and the construction of a new 6-story building with 1<sup>st</sup> floor retail and 50 market rate apartments on the remaining floors. This project is essentially half of a larger student housing project that was proposed by another developer and approved by the City. That project was later downsized, and Doran ended up with this .33-acre subpart of the original project area -- so there will now probably be two smaller student housing projects rather than one larger one. Other than possible questions regarding how much density is appropriate for a rather small lot, this project is consistent

with land use policy. The project would involve the demolition of the Oak Street Cinema, but that action was previously approved in connection with the original (larger) housing project. Grant funds, if awarded, would be used for soil remediation and for the abatement of asbestos and lead-based paint.

**Precision Associates Building** (740 Washington Ave. N.)

*Projected DEED Request: \$98,861*

*Projected Metropolitan Council TBRA Request: \$647,386*

*Projected Hennepin County ERF Request: \$313,990*

Greco is the developer of this .93-acre property, which is the site of a six-story building constructed in 1923. (Precision Associates, Inc. is relocating from this North Loop site, where it has done business for 56 years, to a North Minneapolis light manufacturing site at 3800 Washington Ave. N.) Greco intends to renovate the building by creating 20,000 s.f. of retail/office/restaurant space and 129 market-rate apartments. While development applications have yet to be identified, the project will require approvals by both the Heritage Preservation Commission and the City Planning Commission. The developer has had an initial concept meeting with Planning staff and got informal feedback from the Heritage Preservation Commission in late March. The proposed rehab is generally consistent with the *North Loop Small Area Plan*. As with the Cameron Building (above), the draft rezoning study recommendations are expected to allow the new proposed uses as compared to the current I2 zoning. Grant funds, if awarded, would be used for soil remediation and for the abatement of asbestos and lead-based paint.

**University Gateway** (928 University Ave. SE)

*Projected DEED Request: \$200,000*

*Projected Metropolitan Council TBRA Request: \$200,000*

*Projected Hennepin County ERF Request: \$210,600*

The Boosalis Family Partnership is the owner/developer of this 1.39-acre site. A two phase redevelopment is envisioned. Phase One would be a mixed-use retail center with a grocery store and 5000 s.f. of second floor office/medical. Phase Two would be a 45-unit residential building. Planning staff members have not yet reviewed this project. However, they have indicated that the Marcy-Holmes neighborhood considers the site in question to be a "gateway" location. The Marcy-Holmes neighborhood envisions a high quality, fairly high density redevelopment with an urban character. Commercial and/or residential mixed use is appropriate per the adopted plan (the Marcy-Holmes Neighborhood Master Plan Supplement for the University Avenue SE & I-35W Study Area). Grant funds, if awarded, would be used for soil remediation.

**Proposed Project Locations:**

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

**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

May 2, 2011, subject to final staff verification of each such application's compliance with the DEED grant program's purposes and criteria: 14<sup>th</sup> Avenue Cul-de-sac Project, Ford Centre, Marshall Street Boat Basin, Mill & Main (Phase One), MWMO Building, MoZaic, Oak Street Flats, Precisions Associates Building, and University Gateway; 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 City staff to apply to the Department of Employment and Economic Development for Contamination Cleanup and/or Investigation Grant Program funding for one or more of the above-referenced projects and to execute such agreements as are necessary to implement any grants that may be awarded.

**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 investigation and/or clean-up projects within the City that preliminarily appear to meet the Tax Base Revitalization Account's purposes and criteria: 2644 Minnehaha, AppleWood Pointe, Lehmann Center [former], Marshall Street Boat Basin, Mill & Main (Phase One), Oak Street Flats, Precision Associates Building, and University Gateway; 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 May 2, 2011, 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 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 for cleanup completion;

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 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.

**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 May 2, 2011, subject to final staff verification of each such application's compliance with the ERF program's purposes and criteria: 2644 Minnehaha, Cameron Building, Lehmann Center [former], Mill & Main (Phase One), MWMO Building, Oak Street Flats, Precision Associates Building, and University Gateway; 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 City 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 any grant funding that may be awarded.