

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

**Date:** October 9, 2007

**To:** Lisa Goodman, Chair, Community Development Committee  
**Referral to:** Paul Ostrow, Chair, Ways and Means/Budget Committee

**Subject:** Environmental Remediation Grant Applications, Fall 2007

**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 at 2900 Lyndale, Harrison Commons, NWIP 2<sup>nd</sup> & Plymouth, and Open Arms of Minnesota; and,
2. Authorize application to the Metropolitan Council Metropolitan Livable Communities Fund Tax Base Revitalization Account [TBRA] Grant Program for Harrison Commons, NWIP 2<sup>nd</sup> & Plymouth, Open Arms of Minnesota, Nicollet Youth Housing Project, Soo Line Building, and Spirit on Lake Cooperative; and,
3. Authorize application to the Hennepin County Environmental Response Fund [ERF] for 2900 Lyndale, Harrison Commons, NWIP 2<sup>nd</sup> & Plymouth, Open Arms of Minnesota, Soo Line Building, and Spirit on Lake Cooperative; and
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 Livable Communities Tax Base Revitalization Account [TBRA] Grant Program, and the Hennepin County Environmental Response Fund [ERF].

**Previous Directives:**

**2900 Lyndale (2900-2910 Lyndale Ave. S., 2901 Aldrich Ave. S.):** None.  
**Harrison Commons (315 Penn Ave. N., 2208 & 2212 Glenwood Ave. N.):** None.

**Nicollet Youth Housing Project (3700 Nicollet Ave. S.):** None.

**NWIP 2<sup>nd</sup> & Plymouth (1300-1316 2<sup>nd</sup> St. N., 109 14<sup>th</sup> Ave. N):** CPED acquired 1300 2nd Street North on May 16, 1994, 1316 2nd Street North on October 9, 2001, and 109 14th Avenue North on March 23, 2004. CPED issued a Request for Proposals for Redevelopment of these parcels on May 1, 2005. On April 14, 2006, the City Council approved the sale of 1300 2nd Street

North, 1316 2nd Street North, and 109 14th Avenue North to Landmark Minnesota, LLC, an affiliate of Master Civil & Construction Engineering, Inc. d/b/a Master Development Group [hereinafter "Master"], for the fair re-use value of \$365,365 (or \$5 per sq. ft.) and authorized appropriate staff to execute a redevelopment contract and land sale documents consistent with the Term Sheet accompanying the Land Sale report. On October 6, 2006, the City Council authorized appropriate City staff to execute a redevelopment contract consistent with a revised term sheet. On November 7, 2006, the City Council authorized an extension of the closing date to April 1, 2007. On April 13, 2007, the City Council authorized an extension of the closing date to December 28, 2007, with certain conditions.

**Open Arms of Minnesota (2500-2520 Bloomington Ave. S., 1511 25<sup>th</sup> St. E.)**: None.

**Soo Line Building (501 Marquette Ave.)**: None recently.

**Spirit on Lake Cooperative (1238 E. Lake St., 2930 13<sup>th</sup> Ave. S.)**: December 2005 – approved affordability funding of up to \$350,730 from the 2005 Affordable Ownership Housing Program; November 2006 – approved Project Analysis Authorization (PAA).

Prepared by: Kevin Carroll, Senior Project Coordinator

Approved by: Chuck Lutz, Deputy Director, CPED \_\_\_\_\_

Presenter in Committee: Kevin Carroll, Senior 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 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.

The following list is in priority order based on (a) criteria previously approved by the City Council and (b) input provided during interdepartmental staff reviews:

Fall 2007 Grant Applicants			Grantors			Total Grant Request(s) <sup>5</sup>
Rank <sup>1</sup>	Project Address	Project Name	DEED <sup>2</sup>	Met Council TBRA <sup>3</sup>	Hennepin County ERF <sup>4</sup>	
1	501 Marquette	Soo Line Building		500,000	131,678	631,678
2	3700 Nicollet Ave. S.	Nicollet Youth Housing Project		111,292		111,292
3	1238 E. Lake St., 2930 13 <sup>th</sup> Ave. S.	Spirit on Lake Cooperative		328,860	235,600	564,460
4	1300-1316 2 <sup>nd</sup> St. N., 109 14 <sup>th</sup> Ave. N.	NWIP 2 <sup>nd</sup> & Plymouth	118,937	10,308	10,308	139,553
5	2500-2520 Bloomington Ave. S., 1511 25 <sup>th</sup> St. E.	Open Arms of Minnesota	87,793	87,793	175,596	351,182
6	315 Penn Ave. N., 2208 & 2212 Glenwood Ave. N	Harrison Commons	168,750	14,625	14,625	198,000
Not ranked <sup>6</sup>	2900-2910 Lyndale Ave. S., 2901 Aldrich Ave. S.	2900 Lyndale	30,000		30,000	60,000
<b>TOTAL PROJECTED GRANT REQUESTS:</b>			<b>375,480</b>	<b>1,052,878</b>	<b>597,807</b>	<b>2,056,165</b>

## Community Impact

<sup>1</sup> Grantors rank applications and award grants according to their own criteria. Each grantor has advised City staff that the City's ranking of grant applications will typically be referred to and/or used only to "break a tie" between two City projects that have the same score or rank under the grantor's review procedure(s).

<sup>2</sup> The local match for these projects will come from developer funds and/or from other grants, not from the City.

<sup>3</sup> No local match is required for these grants.

<sup>4</sup> No local match is required for these grants.

<sup>5</sup> Prospective grant applicants were required to provide the City with "pre-applications" several weeks prior to the October 9 meeting of the Community Development Committee. Grant request amounts that appear in the final grant applications that are submitted to the grantors on or by the November 1 application deadline may therefore vary from the amounts shown here.

<sup>6</sup> Staff supports this assessment/investigation application but recommends that it not be ranked in comparison to the applications requesting cleanup funds, which are fundamentally different in nature.

## **Neighborhood Notification:**

**2900 Lyndale (2900-2910 Lyndale Ave. S., 2901 Aldrich Ave. S.):** The nature of this specific project was not finalized until late September and therefore has not yet been presented to or discussed with any neighborhood group(s).

**Harrison Commons (315 Penn Ave. N., 2208 & 2212 Glenwood Ave. N.):**

The developer has indicated that this project has been presented to and discussed with the Harrison Neighborhood Association, which has verbally indicated its support. The developer has requested a letter confirming that support.

**Nicollet Youth Housing Project (3700 Nicollet Ave. S.):** This project has received a letter of support from the Kingfield Neighborhood Association dated June 13, 2007.

**NWIP 2<sup>nd</sup> -& Plymouth (1300-1316 2<sup>nd</sup> St. N., 109 14<sup>th</sup> Ave. N.):** On January 20, 2006 the Northside Residents Redevelopment Council (NRRC) was notified of a proposal similar to the one for which grant funds are now being sought. NRRC reviewed the original proposal and recommended that it be approved. NRRC reviewed a revised proposal at its meeting on September 18, 2006. At that meeting NRRC approved the proposed site plan but requested that the building design (elevation) be revised and submitted to NRRC for review. The proposed project was/is located in the North Washington Industrial Park [NWIP]. The NWIP Jobs Park Committee reviewed the first development proposal and recommended that the land sale and the proposed development be approved. The Committee reviewed the revised proposal and design details at its meeting of September 12, 2006, and after some design modifications, the Committee passed a motion at its November 2, 2006 meeting that recommended approval of an extension of the closing date from November 30, 2006 to April 1, 2007. At a meeting that was held on March 20, the Committee recommended approval of an extension of the closing date to July 1, 2007 (later extended to December 28, 2007 by the City Council, under certain conditions).

**Open Arms of Minnesota (2500-2520 Bloomington Ave. S., 1511 25<sup>th</sup> St. E.):** This project has received a letter of support from the Midtown Phillips Neighborhood Association dated August 22, 2007.

**Soo Line Building (501 Marquette Ave.):** The developer acquired title to the property in question on September 26, 2007, and therefore has not yet had an opportunity to discuss the project with the Downtown Neighborhood Association. However, the developer anticipates that the Association will support the project.

**Spirit on Lake Cooperative (1238 E. Lake St., 2930 13<sup>th</sup> Ave. S.):** This project received a letter of support dated July 13, 2005 from the Powderhorn Park Neighborhood Association and a letter of support dated February 10, 2007 from the Midtown Phillips Neighborhood Association, Inc.

## **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. Job Linkage Agreements are voluntary.

**Background/Supporting Information**

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 1, 2007. 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). There is no financial limit for the City of Minneapolis geographic area. The amount that is potentially available to fund brownfield grants in the fall 2007 round is \$4.025 million. Up to \$250,000 of this funding will be awarded per fiscal year (\$125,000 per grant round) for DEED's Investigation and RAP Development Grants. The legislature has designated that at least 25% 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 1, 2007. No local match is required. The amount that is potentially available to fund brownfield grants in the fall 2007 round is \$3.3 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 1, 2007. The amount that is potentially available to fund brownfield grants in the fall 2007 round is \$1.0 to \$1.5 million. 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.

Table 1: **Cumulative Remediation Grant Funding 1995 through Spring 2007**

DEED	\$20,138,006
Met Council	\$24,353,493
Hennepin County	\$7,829,931
<b>TOTAL:</b>	<b>\$52,321,430</b>

Projects initiated through these grants and additional public funds have, from their inception through the spring 2007 grant round, triggered more than an estimated \$1 billion in additional private investment in the City of Minneapolis.

Table 2: **New Funding Requests for Fall 2007**

	Grant Applications Fall 2007	Grant Funding Requested
DEED	4	\$ 375,480
Met Council	6	\$1,052,878
Hennepin County	6	\$ 597,807
<b>TOTAL:</b>	<b>16</b>	<b>\$2,056,165</b>

The criteria used to evaluate projects were approved by the City Council several years ago. The criteria, plus the City's review schedule and additional information regarding funding program requirements, were provided to CPED project coordinators and potential applicants in August. Relevant information was posted on the City's website and published in the *Minneapolis Star Tribune*. A public informational meeting was organized and conducted by City staff on September 12, 2007. A summary of the criteria used to evaluate projects is provided below.

The City's approved review criteria are: readiness to proceed with cleanup, importance of the proposed project (to the affected neighborhood and/or to the City), removal of blighting influences, status of development financing, commitment by end users, financial health, commitment of City funds, affordable housing, compliance with zoning requirements and comprehensive plan designations, and job creation. The recommended grant ranking(s) for the fall 2007 grant round reflect input provided during interdepartmental staff reviews and discussions conducted during September. Participants included representatives of Development Finance, Multi-Family Housing, Engineering, Business Development, Community Planning, and Regulatory Services.

### **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.]

**2900 Lyndale** (2900-2910 Lyndale Ave. S., 2901 Aldrich Ave. S.)

*DEED Request: \$30,000*

*Hennepin County ERF: \$30,000*

This is a 0.74 acre site, adjacent to Urban Village and Whittier South, but not located within a specific City-designated redevelopment project area. It is commonly known as the former Aarcee Rental and/or Jacobson Fuel site. The developer, LynLake Development Partners/Greco, is proposing a three-story mixed use commercial/retail complex that would include approximately 30,000 square feet of office space and 10,000 square feet of retail space. The developer has projected the creation of 30-40 new full time and part time retail/management jobs, and 60-90 full time professional-level jobs. A total project cost of at least \$23 million is projected. This grant request is for assessment only, i.e., a subsurface investigation to assess the potential for soil contamination and the possible need to prepare a related Response Action Plan [RAP]. The proposed project is generally consistent with adopted land use policy. The existing zoning may have to be changed, however.

**Harrison Commons** (315 Penn Ave. N., 2208 & 2212 Glenwood Ave. N.)

*DEED Request: \$168,750*

*Met Council TBRA Request: \$14,625*

*Hennepin County ERF Request: \$14,625*

This is a .0464 acre site, located within the Harrison Renewal Area. A portion of the property in question was a former gas station. The developer plans to build a mixed-use structure that includes 8000 square feet of commercial/retail space on the first level and about 45 apartment units (affordable at 60% MMI) on the upper three levels. The developer has not yet provided job creation estimates or a total project cost estimate. Cleanup funds are being sought to remove contaminated soils and install a vapor barrier. Mixed-use development, and the proposed density, are not consistent with the current zoning of the site. Two parcels would need to be rezoned from R2B to something more consistent with the proposed project. Issues noted by Community Planning include the fact that the project is a 100% affordable housing project in a poverty concentrated area, and the project proposes a significant expansion of commercial use in an area that is not designated as a neighborhood commercial node.

**Nicollet Youth Housing Project** (3700 Nicollet Ave. S.)

*Met Council Request: \$111,292*

This is a .9148 acre site that is not located within a specific City-designated redevelopment project area. This project, which is a collaboration between Plymouth Congregational Church and Westminister Presbyterian Church, will result in the creation of 42 units of affordable, permanent supportive housing targeted toward youth in the 16-22 age range. Commercial/retail space in the building (7000 square feet) will provide supported employment to residents, if desired. The developer has projected the creation of 5 new jobs and a total project cost of \$6.8 million. Cleanup funds are being sought to remove asbestos and lead-based paint from the existing (abandoned) funeral home on the site. The proposed project is generally consistent with adopted land use policy and the existing zoning.

**NWIP 2<sup>nd</sup> & Plymouth** (1300-1316 2<sup>nd</sup> St. N., 109 14<sup>th</sup> Ave. N.)

*DEED Request: \$118,937*

*Met Council TBRA Request: \$10,308*

*Hennepin County ERF Request: \$10,308*

This is a 1.7 acre site that is located within the North Washington Industrial Park Project Area. The developer intends to construct two-story office/industrial space on the site with a total area of approximately 30,000 to 47,000 square feet. The developer is in the final stages of negotiations with an end user that desires to relocate from elsewhere in Minneapolis and expand its operations. The developer has projected the creation of 33 new jobs and the retention of 62 existing jobs. A total project cost of \$4.7 million is projected. Cleanup funds are being sought to remediate contaminated soils. The proposed project is consistent with the zoning of the property and plans for the area. Plans include both the Industrial Land Use Plan and the guidance for the North Washington Industrial Park area.

**Open Arms of Minnesota** (2500-2520 Bloomington Ave. S., 1511 25<sup>th</sup> St. E.)

*DEED Request: \$87,793*

*Met Council TBRA Request: \$87,793*

*Hennepin County ERF Request: \$175,586*

This is a 0.847 acre site that is located within the Model City Urban Renewal Project Area. Open Arms of Minnesota plans to construct a new two-story commercial facility of approximately 15,000-20,000 square feet. The new facility will allow Open Arms to expand its mission and program of providing cost-free meals to metro-area residents who are living with chronic and progressive diseases such as HIV/AIDS, multiple sclerosis, Lou Gehrig's disease, and cancer. During 2006 Open Arms delivered 138,000 meals to about 375 individuals/families, through the efforts of over 1500 volunteer workers. The new facility, which will include a 6000-7000 sq.ft. commercial grade kitchen and related office/gathering/good packaging areas, will enable Open Arms to nearly triple its weekly service capacity to 1000 individuals/families. The developer has projected the creation of 6 new full time jobs and 2 new part time jobs, and the retention of 12 full time jobs and 3 part time jobs. A total project cost of \$7.35 million has been projected. Cleanup funds are being sought to remove contaminated soils from the site.

Community Planning has indicated that a number of zoning/land use issues remain to be addressed. A portion of the site on the southwest corner of 25<sup>th</sup> and Bloomington is zoned C1, with the remainder zoned R2B. While further information will be necessary to determine how the proposed use will be classified under the zoning code, it is clear that the proposed uses would not be allowed at least in the portion of the site zoned R2B. Any staff recommendation(s) on a rezoning application would rely on existing land use policy, which at this location comes only from The Minneapolis Plan. The intersection of 25<sup>th</sup> and Bloomington is designated as a Neighborhood Commercial Node, which is reflected by the existing commercial zoning at the corners. The Minneapolis Plan discourages the territorial expansion of Neighborhood Commercial Nodes, which would be the effect of rezoning the entire site to support commercial uses. Further policy guidance is provided by the designation of Bloomington Avenue as a Community Corridor. The Minneapolis Plan discourages the conversion of residential uses to commercial uses on Community Corridors, except as a part of mixed-use buildings which include residential dwellings. Residential dwellings are not included in the Open Arms proposal.

**Soo Line Building** (501 Marquette Avenue)

*Met Council Request: \$500,000*

*Hennepin County ERF Request: \$131,678*

This is a 0.375 acre site that is not located within a specific City-designated redevelopment project area. The Soo Line Building is a 235,000 square foot office property located immediately adjacent to the LRT line. Hempel Properties plans to redevelop the property into a mixed-use project that includes hospitality, retail and office components. The current anchor tenant, Canadian Pacific Railway, will consolidate its operation on floors 13-17. Floors 4-10 will be converted to a 186-room hotel, managed by Morrissey Hospitality Companies (St. Paul Hotel, Pazzaluna, etc.). Floors 1-3 will include the lobby, retail tenants, and conference/meeting rooms. The developer has projected the creation of 504 new jobs and a total project cost of \$37 million. Cleanup funds are being sought to remove asbestos containing materials located throughout the building. The proposed project is generally consistent with adopted land use policy and the existing zoning.

**Spirit on Lake Cooperative** (1238 E. Lake St., 2930 13<sup>th</sup> Ave. S.)

*Met Council Request: \$328,860*

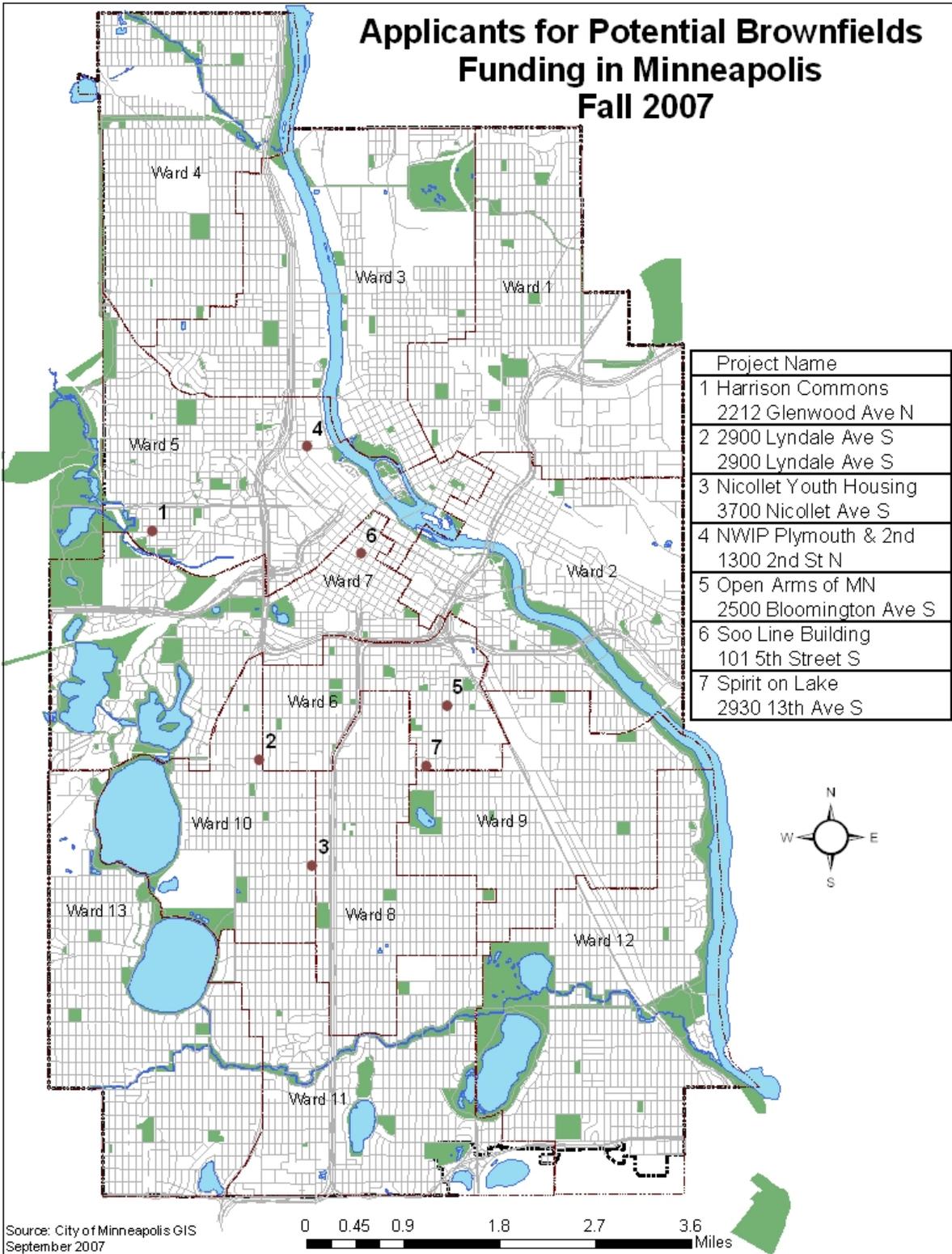
*Hennepin County ERF Request: \$235,600*

This is a 0.0821 acre site that is located within the Model City Urban Renewal Project Area. Spirit on Lake will be a 70,000 square foot, mixed-use, 41-unit, limited-equity cooperative, 6000 square feet of which will be owned by the Spirit of the Lakes Church. The project will add attractive, affordable new housing options to an area of the city with the most significant concentration of employment outside of downtown. The project will add nine residential units at 50% MMI and seven units at 80% MMI. The project will be located on a currently under-utilized, blighted site. Increased residential density builds on tremendous public investments in infrastructure, transit, and amenities as well as private entrepreneurial investment in the surrounding area. The developer has projected the creation of 3 new full time jobs, .25 new part time jobs and the retention of 1.5 part time jobs. The total project cost is estimated to be \$10.3 million. Cleanup funds are being sought for the removal of contaminated soils from the site and the installation of a vapor barrier. The proposed project is generally consistent with adopted land use policy.

### **Proposed Project Locations:**

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

# Applicants for Potential Brownfields Funding in Minneapolis Fall 2007



**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 1, 2007, subject to final staff verification of each such application's compliance with the DEED grant program's purposes and criteria: 2900 Lyndale, Harrison Commons, NWIP 2<sup>nd</sup> & Plymouth, and Open Arms of Minnesota; 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 a participant in the Livable Communities Act's Housing Incentives Program for 2001-2002 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: Harrison Commons, NWIP 2<sup>nd</sup> & Plymouth, Open Arms of Minnesota, Nicollet Youth Housing Project, Soo Line Building, and Spirit on Lake 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 1, 2007, 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 November 1, 2007, subject to final staff verification of each such application's compliance with the ERF program's purposes and criteria: 2900 Lyndale, Harrison Commons, NWIP 2<sup>nd</sup> & Plymouth, Open Arms of Minnesota, Soo Line Building, and Spirit on Lake Cooperative; 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.