



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

Date: December 16, 2003
To: Council Member Lisa Goodman, Chair, Community Development Committee
Referral to: None
Prepared by: Jeff Schneider, CPED Project Manager, 612-673-5124
Approved by: Lee Sheehy, CPED Director
Presenter in Committee: Jeff Schneider, CPED Project Manager

Subject: Interim Guide to Process: Approval Authority for CPED Actions

RECOMMENDATION: Approve *Interim Guide to Process: Approval Authority for CPED Actions* and authorize staff to make future changes to document that are consistent with applicable ordinances, policies and City Council direction.

Previous Directives: The City Council approved the *Guide to Process: Procedures for Approval of MCDA Actions* on February 9, 1996.

Financial Impact (Check those that apply)

- No financial impact - or - Action is within current department budget.
(If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Other financial impact (Explain):
- Request provided to the Budget Office when provided to the Committee Coordinator

Community Impact

Ward: N/A
Neighborhood Notification: N/A
City Goals: N/A
Comprehensive Plan: N/A
Zoning Code: N/A

Background/Supporting Information

Since the mid-1980s, the MCDA has had a "Guide to Process" document to help staff determine which actions require Executive Director, Board and/or City Council approval. A major amendment to the MCDA ordinance in February 1996 expanded the approval authority of the Executive Director. At the same time, the City Council approved the

Guide to Process: Procedures for Approval of MCDA Actions to reflect procedural changes authorized by the Council.

The transition to CPED has provided a need and an opportunity to revise the Guide to reflect the greatly reduced role of the MCDA Board. The approval authority for many items has changed from the MCDA Board to the City Council, and from the MCDA Executive Director to the Director of CPED. The attached version of the Guide reflects these changes, as well as a change in the upper limit for Director approval of Preliminary Planning Fund project allocations. The upper limit has been raised from \$20,000 (the level established over 20 years ago) to \$50,000.

This version of the Guide is considered an interim version because anticipated Charter changes, the adoption of land acquisition and disposition policies, and the subsequent transfer of MCDA-owned property to the City will affect approval authorities.

Because the 1996 version of the Guide to Process was approved by the City Council, this revised interim version is also being submitted for Council approval. It is recommended that future revisions to the Guide that are consistent with applicable ordinances, policies and City Council direction be handled administratively.

Interim Guide to Process: Approval Authority for CPED Actions

Approved by City Council February 9, 1996;
Proposed Revision Submitted for December 29, 2003 City Council Approval

<u>Action</u>	<u>Approval</u>
Planning Activities	
Development Objectives	City Council
Preliminary Planning Fund Project Allocations \$50,000 or Less	Director
Preliminary Planning Fund Project Allocations Over \$50,000	City Council
Program Guidelines	City Council
Redevelopment Plans & Modifications	City Council
Tax Increment Financing Plans & Amendments	City Council
Land Acquisition	
Establish Fair Market Value & Authorize Offer to Purchase	Director
Authorize Condemnation Proceedings	City Council
Settle Condemnation Actions, Within Budget	Director
<u>Land Disposition</u>	
Land Sale Public Hearings & Approvals (City-Owned Land)	City Council
Land Sale Public Hearings & Approvals (MCDA-Owned Land)	MCDA Board
Lot Division Public Hearings & Approvals	City Council
Development Proposals & Agreements	
Issue Requests for Development Proposals	Director
Project Analysis Authorization (PAA)	City Council
Award/Extend Exclusive Negotiating/Development Rights	City Council
Developer Selection	City Council
Letters of Credit/Other Financial Guarantees	City Council
Redevelopment Contract Approval & Modifications	City Council
Housing Programs	
Loan Agreements & Amendments	City Council
Affordable Housing Trust Fund Allocations	City Council
Emergency Shelter Grant Allocations	City Council
Non-Profit Development Assistance Fund Agreements	City Council
Rehabilitation Contracts & Amendments	City Council
Tax Credit Allocations	City Council
Neighborhood Revitalization Program	
NRP Plan Approval, Funding, Contract Authority for City	City Council
Contracting	
Business Association Contracts	City Council
Citizen Participation Contracts	City Council
Pay-Go Redevelopment Contracts	City Council
Issue RFP to Establish Professional Services Panels Described in CPED Ordinance	Director

Contracting (cont.)

Issue RFP for All Professional Services Over \$50,000 (except panels)	City Council
Professional Services Form Contracts \$50,000 or Less	Director
Professional Services Form Contracts Over \$50,000	City Council
Authorize Execution of Grant Form Agreements \$50,000 or Less	Director
Authorize Execution of Grant Form Agreements Over \$50,000	City Council
Award Construction Contracts	City Council
Memorandum of Understanding with Other City Departments	Director
Memorandum of Understanding with Other Entities	City Council

Budget/Financial

Annual Budget Approval	City Council
Appropriation Increases/Decreases (except those that the City Finance Officer has the authority to approve)	City Council
CDBG Allocations	City Council
Commercial Corridor Loans	City Council
Development Account Loans	City Council
HOME Program Allocations	City Council
NEDF/CEDF Allocations & Contract Modifications	City Council
Refunding of MCDA-Issued Bonds	MCDA Board
Refunding of City-Issued Bonds	City Council
Write Off of Delinquent Loans within Approved Guidelines	Director
Restructure of Delinquent Loans	City Council
Common Bond Fund Bonds	City Council
New Housing Revenue Bonds	City Council
New Industrial Revenue Bonds	City Council
Tax Increment Bond Sales	City Council
Tax Increment Pledge Agreements	City Council
Special (Chapter 595) Levy	MCDA Board
Tax Exempt 501(c)(3) Bank Qualified Bank Direct Revenue Bonds	MCDA Board

Administrative

Establish Operating Policies & Guidelines for Projects & Programs	City Council
Establish Operating Procedures for Projects & Programs	Director
Implement Projects Consistent with Approved Project & Finance Plans	Director
Implement Programs Consistent with Approved Budgets & Guidelines	Director
Receive Employee Disclosures of Potential Conflicts of Interest	City Council
Approve Collective Bargaining Agreements	City Council

Other

Legal Matters Involving MCDA as Party	MCDA Board
Legal Matters Involving City as Party	City Council
Approve Citizen Participation & Technical Assistance Plan	City Council

Guide to Process: Procedures for Approval of MCDA Actions

Approved by City Council February 9, 1996;
Proposed Revision Submitted for December 29, 2003 City Council Approval

<u>Action</u>	<u>Approval</u>
<u>Planning Activities</u>	
Development Objectives	City Council
Five Year Redevelopment Plan	City Council
Focus MCDA	City Council
Preliminary Planning Budgets Under \$20,000 Fund Allocations \$50,000 or Less	Executive Director
Preliminary Planning Budgets Over \$20,000 Fund Allocations Over \$50,000	MCDA Board <u>City Council</u>
Priority List	City Council
Program Guidelines	<u>MCDA Board</u> <u>City Council</u>
Redevelopment Plans & Modifications	City Council & Board
Tax Increment Financing Plans & Amendments	City Council & Board
<u>Land Acquisition</u>	
Establish Fair Market Value & Authorize Offer to Purchase	Executive Director
Authorize Condemnation Proceedings	City Council
Settlement of Condemnation Actions, Within Budget	<u>Executive Director</u>
<u>Land Disposition</u>	
Land Sale Public Hearings & Approvals (City-Owned Land)	MCDA Board <u>City Council</u>
Land Sale Public Hearings & Approvals (MCDA-Owned Land)	MCDA Board
Lot Division Public Hearings & Approvals	City Council
<u>Development Proposals & Agreements</u>	
Concept Approval	MCDA Board
Issue Requests for Development Proposals	Director
Project Analysis Authorization (PAA)	City Council
Awarding Award/Extend Exclusive Negotiating/Development Rights	MCDA Board <u>City Council</u>
Developer Selection (with no financial commitment)	MCDA Board
Developer Selection (with financial commitment)	City Council & Board
Letters of Credit/Other Financial Guarantees	City Council & Board
Redevelopment Contract Approval & Modifications,	MCDA Board
—Within Budget	
Redevelopment Contract Approval & Modifications, if	City Council & Board
Budget Amendment Required	
<u>Housing Programs</u>	
Major Amendments to Housing Projects or Loan Agreements & Amendments	MCDA Board <u>City Council</u>
Multi-Family Program/Affordable Housing Trust Fund Allocations	MCDA Board <u>City Council</u>
Multi-Family Stabilization	MCDA Board
Emergency Shelter Grant Allocations	City Council
Non-Profit Admin. Requests Development Assistance Fund Agreements	Executive Director <u>City Council</u>
Rehabilitation Contracts & Amendments	<u>MCDA Board</u> <u>City Council</u>
Rehabilitation Incentive Fund (RIF) Proposals, Outside Guidelines	MCDA Board
Tax Credit Allocations	City Council

Neighborhood Revitalization Program

NRP Plan Approval, Funding, Contract Authority for City
~~NRP Contract Authority for MCDA~~ City Council
~~MCDA Board~~

Contracting

~~Business Association Contracts, Within Budget~~ Executive Director City Council
~~Citizen Participation Contracts, Within Budget~~ Executive Director City Council
~~Pay-Go Redevelopment Contracts~~ City Council
~~MCDA Contract Agreements with Other Public Agencies~~ MCDA Board
~~Issue RFP to Establish Professional Services Panels Described in CPED Ord.~~ Executive Director
~~Issue RFP for All Professional Services Over \$50,000 (except panels)~~ City Council
~~Professional Services Contracts for~~ Executive Director
~~—Implementation of Approved Plan, Within Budget~~
~~Professional Services Form Contracts \$50,000 or Less~~ Director
~~Professional Services Form Contracts Over \$50,000~~ City Council
~~Authorize Execution of Grant Form Agreements \$50,000 or Less~~ Director
~~Authorize Execution of Grant Form Agreements Over \$50,000~~ City Council
~~Award Construction Contracts~~ City Council
~~Memorandum of Understanding with Other City Departments~~ Director
~~Memorandum of Understanding with Other Entities~~ City Council

Budget/Financial

Annual Budget Approval City Council
 Appropriation Increases/Decreases (except those that the
 City Finance Officer has the authority to approve) City Council
 CDBG Allocations City Council
~~Commercial Corridor Loans~~ City Council
~~Development Account Loans in Accordance with~~ Executive Director City Council
~~—Board-Adopted Guidelines~~
 HOME Program Allocations City Council
 NEDF/CEDF Allocations & Contract Modifications MCDA Board City Council
 Refunding of MCDA-Issued Bonds MCDA Board
 Refunding of City-Issued Bonds City Council
~~Restructure or Write-Off of Delinquent Loans within~~ Executive Director
~~Approved Guidelines~~
~~Restructure of Delinquent Loans~~ City Council
 Common Bond Fund Bonds City Council & Board
 New Housing Revenue Bonds City Council
 New Industrial Revenue Bonds City Council
 Tax Increment Bond Sales City Council & Board
 Tax Increment Pledge Agreements City Council & Board
~~Special (Chapter 595) Levy~~ MCDA Board
~~Tax Exempt 501 (c)(3) Bank Qualified Bank Direct Revenue Bonds~~ MCDA Board

Administrative

~~FTE Increases/Decreases, Within Approved Budget~~ Executive Director
~~Establish Operating Policies & Procedures/Guidelines for All Projects & Programs~~ MCDA Board City Council
~~Establish Operating Procedures for Projects & Programs~~ Director
~~Implement Projects Consistent with Approved Project & Finance Plans~~ Director
~~Implement Programs Consistent with Approved Budgets & Guidelines~~ Director
~~Receive Employee Disclosures of Potential Conflicts of Interest~~ City Council
~~Approve Collective Bargaining Agreements~~ City Council

Other

Legal Matters Involving MCDA as Party	MCDA Board
Legal Matters Involving City as Party	City Council
Status Reports from Executive Director	MCDA Board
Approve Citizen Participation & Technical Assistance Plan	City Council