



Request for City Council Committee Action from the Department of Community Planning and Economic Development (CPED)

Date: October 11, 2011
To: Council Member Lisa Goodman, Community Development Committee
Subject: Use of Hennepin County's Environmental Response Fund

Recommendation:

Approve the attached resolution authorizing the use of Hennepin County's Environmental Response Fund (ERF) to investigate environmental conditions at 3300 Lyndale Avenue North.

Previous Directives:

None

Department Information

Prepared by: Elfric K. Porte, II., Manager Single Family Housing Development 612-673-5145
Approved by: Thomas Streit, Director, Housing & Policy Development _____ Charles T. Lutz, Deputy CPED Director _____
Presenter in Committee: Elfric K. Porte, II., Manager Single Family Housing Development

Financial Impact

- No Financial Impact

Community Impact

- Neighborhood Notification: This request was initiated by the McKinley neighborhood.
- City Goals: A Safe Place to Call Home
 - Collaborative and caring communities help prevent crime.
- Comprehensive Plan: Not Applicable
- Zoning Code: The subject property is zoned C-1

Supporting Information

Hennepin County supports its Environmental Response Fund (ERF) program from mortgage registry and deed taxes as authorized by Minnesota Statutes 383B.80 and 383B.81. The ERF grant program pays for environmental assessment and clean-up activities at selected Hennepin County sites. Minnesota Statute 383B.81, Subd. 4 states, "The county may not expend funds under this section unless the governing body of the city in which the site is located approves the project."

In March 2011, the Twin Cities Community Land Bank (TCCLB) received a two-year \$100,000 ERF award from Hennepin County. The funds will be used to support small (up to \$15,000) environmental assessment and clean-up activities.

The McKinley Community, the citizen's participation organization representing the McKinley neighborhood, has requested up to \$2,800 to conduct a Phase I assessment of 3300 Lyndale Avenue North. The subject property is a vacant commercial structure that the neighborhood group is exploring acquiring for use as its office facility.

Staff believes that this is an appropriate use of the funds. Pursuant to Minnesota Statute 383B.81, Subd. 4, staff is recommending that the City Council approves the attached resolution supporting the project, 3300 Lyndale Avenue North, as being eligible for the use of ERF grants awarded to the Twin Cities Community Land Bank.

RESOLUTION
of the
CITY OF MINNEAPOLIS

By _____

Authorizing Hennepin County's use of Environmental Response Funds to investigate environmental conditions at 3300 Lyndale Avenue North.

WHEREAS, Hennepin County supports its Environmental Response Fund (ERF) program from mortgage registry and deed taxes as authorized by Minnesota Statutes 383B.80 and 383B.81; and

WHEREAS, the Twin Cities Community Land Bank (TCCLB) received a two-year \$100,000 ERF award from Hennepin County to support small environmental assessment and clean-up activities; and

WHEREAS, the McKinley Community requested that TCCLB sub-award up to \$2,800 to it to conduct a Phase I assessment of 3300 Lyndale Avenue North; and

WHEREAS, pursuant to Minnesota Statute 383B.81, Subd. 4, Hennepin County may not expend ERF funds unless the governing body of the city in which the site is located approves the project;

THEREFORE, BE IT RESOLVED that the City of Minneapolis, in accordance with Minnesota Statutes 383B.81, Subdivision 4, supports the use of ERF funds for use at 3300 Lyndale Avenue North (the "Project").

BE IT FURTHER RESOLVED that nothing in this resolution shall create a pecuniary obligation of the City to assist the foregoing Project nor shall the City be in any way responsible for any financing obligation or agreement of Hennepin County or the TCCLB with respect to their provision of financial assistance to the Project.

BE IT FURTHER RESOLVED that the support expressed herein extends only to the powers of Hennepin County or the TCCLB with respect to the financial assistance the County or the TCCLB proposes to provide to the Project and the City shall retain all other powers and jurisdiction over matters relating to the City and the Project.

BE IT FURTHER RESOLVED that this resolution shall be in full force and effect from and after passage and publication.