



City of North St. Paul
Economic Development Authority
Regular Meeting Agenda

November 12, 2024
4:00 PM

The November 12, 2024 Economic Development Authority meeting will be held at 4:00 p.m. in the Council Chambers at City Hall, located at 2400 Margaret St., North St. Paul.

You can watch the meeting on our YouTube channel here: <https://tinyurl.com/NSPYoutube>

I. Call to Order

II. Roll Call

John Monge, President/Mayor
Josef Matthews, Vice-President
Terry Furlong, Member
Brandon Bramscher, Member
Peter Gagliardi, Member
Tim Cole, Council Representative

STAFF/EX-OFFICIO MEMBERS

Brian Frandle, Executive Director
Riley Grams, Community Development Director
Brett Garry, Business Association Representative
Chris Cherne, EDA Secretary

III. Adopt Agenda

IV. Approval of Minutes

A. Approval of September 10, 2024 Meeting Minutes

V. Meeting Open to the Public

This Open Forum is an opportunity for persons to address the Economic Development Authority on items not on the agenda. A completed public comment form should be presented to the staff liaison prior to the meeting. Comments will be limited to 3 minutes per person. While the Authority may ask clarifying questions of the speaker, no formal action by the Authority or discussion will be held on these items.

VI. EDA Discussion and Action Items

A. Economic Development Authority Updates

VII. Updates

VIII. Adjournment

The next regularly scheduled Economic Development Authority meeting is Tuesday, December 10, 2024.



To	Date
Executive Director and Authority Members	November 12, 2024

Agenda Placement # IV.A
Approval of Minutes

Subject
Approval of September 10, 2024 Meeting Minutes

Background/Facts
N/A

Recommended Action
Staff recommend approval of the September 10, 2024 Meeting Minutes.

Attachments
1. EDA Minutes 09-10-2024

Respectfully submitted,
Chris Cherne, Community Development Administrative Assistant



**Economic Development Authority
Regular Meeting Minutes
Tuesday, September 10, 2024
4:00 PM**

North St. Paul City Hall – Council Chambers
2400 Margaret Street

I. CALL TO ORDER

President Monge called the meeting to order at 4:01 PM.

II. ROLL CALL

EDA Members

John Monge, President/Mayor
Josef Matthews, Vice-President
Terry Furlong, Member
Brandon Bramscher, Member
Peter Gagliardi, Member
Tim Cole, Council Representative

Staff/Ex-Officio Members

Brian Frandle, Executive Director
Riley Grams, Community Development Director
Daniel Winek, Finance Director
Chris Cherne, EDA Secretary

III. ADOPT AGENDA

President Monge requested a motion to adopt the agenda.
M/Furlong, S/Matthews.
Motion carried 6-0.

IV. APPROVAL OF MINUTES

A. Approval of June 11, 2024 Meeting Minutes

President Monge requested a motion to approve the June 11, 2024 meeting minutes.
M/Cole, S/Matthews.
Motion carried 6-0.

V. MEETING OPEN TO THE PUBLIC

No public comments.

VI. EDA DISCUSSION AND ACTION ITEMS

A. Downtown Design Manual CIP Item & Budget Impacts

Finance Director Winek stated that the Downtown Design Manual is currently in the Capital Improvement Plan (CIP) and is indicated to be funded by the general fund. Winek stated that this item would make more sense to be included within the EDA budget, but it would need to be approved by the EDA first.

The Downtown Design Manual was developed under the guidance and direction of the Design and Historical Review Commission and was adopted by City Council in 2005. The

manual illustrates portions of the zoning code as it relates to the desired built environment within the downtown. The zoning ordinance was updated in 2015, the 2040 Comprehensive Plan was approved in 2018, and the Redevelopment Master Plan was updated in 2022. The Downtown Design Manual is no longer consistent with city plans and ordinances and should be updated.

The EDA agreed that the project should be pursued. Winek asked the EDA if the project should be brought up in 2025 or 2026. With the Façade Improvement Program potentially incoming, it should be questioned when to fund the update to the Downtown Design Manual and how the Manual and the Façade Improvement Program relate to each other. Grams reiterated his previous discussions with Winek about potentially pushing this project in 2026 to allow for a definition of the façade improvement projects that would be incoming.

Furlong stated a year seems like a long time and asked if it is possible to revisit this in half a year. Winek stated this item can be worked into the budget and can be approved at a later date. The EDA could also come back sometime next year if they want to get started on the Downtown Design Manual, and they would recommend to City Council to change their budget. Winek stated the estimated costs for the Downtown Design Manual project are \$60,000. Winek stated that there are a number of unknowns with the City levy, as there are impending union contracts, additional funding for parks, or additional funding for facilities. In order to reduce those levies, City Council is looking to move this \$60,000 project to the EDA.

Winek asked if there is an appetite from the EDA to fund the Downtown Design Manual project. The EDA reached a consensus that the project should be under the EDA. Winek stated he would reflect the changes on the proposed 2025 budget and place \$60,000 under capital. If everything goes through in December, the EDA would get the funding in 2025. If the EDA decides to postpone the project, that will not be an issue as there would already funding there for whenever the EDA would like to pursue this project.

B. Façade Improvement Program

Winek presented to the EDA a draft Façade Improvement Program overview and application.

The grants will pay for 50% of the total project costs, up to a maximum grant amount of \$20,000 per property. Grant funds must be matched 1:1 with private dollars. Owners of multiple properties can apply for separate grants for each property, as long as the cumulative grant amount awarded does not exceed the maximum grant amount. The minimum grant amount is \$5,000 (\$10,000 total project cost). The total program amount is \$200,000. Applications will be accepted at any time throughout the year. Winek reviewed eligible and ineligible projects.

The EDA had a robust conversation regarding signs being listed as an ineligible project. Cole stated that a couple buildings downtown could benefit from signs being allowed as an eligible cost. Matthews recommended that a façade be improved prior to a sign. Monge stated if a sign is a permanent attachment to the building, maybe it should be considered. Furlong stated that signs are very expensive and the cost hinders a lot of people from upgrading their signs. Grams stated he is concerned that it is possible only signs will be applied for. Bramscher recommended implementing signs as a separate phase of the program. Matthews stated the structural integrity of the buildings should be the main focus. Grams stated that if the property owner can demonstrate that other improvements are being done, then a sign could be eligible. Winek stated under eligible costs, the EDA could clarify: "Signs, if they are an integral part of the improvement, will be considered."

Winek reviewed the rest of the program overview and the draft application form. Winek stated the program documents can be adjusted and amended as time moves forward. This program

can and should be evaluated and modified as it goes through, and it should inspire ideas for the Downtown Design Manual. Monge stated that if this project is brought out in phases, it could include other business corridors as well. Matthews stated that there should be an action plan to get this promoted to eligible businesses. Frandle stated the City's Communications Coordinator would be able to help spread the word and advertise it in the City newsletter and social media. Matthews stated he would be more than happy to get out and knock on doors as well to spread the word. Winek recommend creating a brochure or handout advertising the program and to get the website prepared. Monge asked about a timeline for projects. Winek stated an agreed upon timeline should be included on the signed agreements, including an avenue to extend the deadline if needed. Winek stated January 1, 2025 would give ample time to prepare staff for the program's kick-off. Monge agreed.

Grams asked if the EDA is looking to approve projects, or if staff may give approval. The EDA reached a consensus that staff will do a review of the projects and their merits and offer a recommendation for EDA approval.

C. EDA Project Updates

Frandle provided updates on the following EDA projects:

- **Article No. 7:** Construction is well underway and the developers are right on track for their grand opening on December 1, 2024.
- **Delaware Place Plat:** Andrus Built, LLC has applied for and received their first building permits to construct the first townhouse units on the property located on the corner of Delaware Ave and 17th Ave E. Construction is expected to begin shortly.
- **Margaret Street Commons:** Staff presented a draft Request for Proposals (RFP) to the North St. Paul Planning Commission for development proposals at the site located across City Hall on Margaret Street. Based on their recommendation, the RFP will be presented to City Council for their review and consideration at their regular meeting on September 17, 2024.
- **Taco Bell (Formerly Oil Can Henry's):** Construction is well underway for a new Taco Bell at 2371 McKnight Road N. The project is expected to be completed in the fall of 2024.
- **Pine Tree Center:** There was some recent activity at the Pine Tree Center with some dumping of debris on the north side of the building. The debris has since been cleaned up. The current restaurant tenant is expected to complete their lease at the Pine Tree Center by the end of the year.
- **EDA Consultant:** Cole stated that the League of Minnesota Cities encouraged the EDA to utilize their marketplace and message boards to get some more information and recommendations for an EDA consultant.

VII. **UPDATES**

A. Staff Updates

There were no updates.

B. EDA Member Updates

Monge stated he and Cole were at a ribbon cutting for Old National Bank. The bank donated a check for \$1,000 to the North St. Paul Food Shelf.

Cole stated that there is little to no visibility from Hwy 36 to the incoming Taco Bell business on McKnight Rd N and indicated there is a lot to the west of the credit union that also has some overgrowth. Cole mentioned that he would like to see somebody reach out to Buddy's Pizza Factory as a last effort to see if they are interested in staying in the City of North St. Paul. Cole indicated that his term with the EDA will expire at the end of the year and indicated that he has a desire to continue onward in 2025 as an EDA member.

VIII. **ADJOURNMENT**

President Monge requested a motion to adjourn the meeting.
M/Cole, S/Matthews to adjourn the meeting at 5:11 PM.

Motion carried 6-0.

The next regularly scheduled Economic Development Authority meeting is Tuesday, October 8, 2024 at 4:00 PM.

Members, please notify any planned absences to:

Chris Cherne
EDA Secretary
651-747-2440
chris.cherne@northstpaul.org



To	Date
Executive Director and Authority Members	November 12, 2024
Agenda Placement # VI.A	
EDA Discussion and Action Items	
Subject	
Economic Development Authority Updates	
Background/Facts	
Discuss and consider attached EDA updates	
Recommended Action	
Discuss and consider attached EDA updates and provide direction to City Staff as necessary	
Attachments	
<ol style="list-style-type: none">24.11.12 EDA Updates Staff Memo2023 EDA BY-LAWS_AMENDED 11-4-2023northstpaul-mn-2	

Respectfully submitted,
Riley Grams, Community Development / Community Services Director

Economic Development Authority Staff Report



**NORTH
ST. PAUL**

Report To: North St. Paul Economic Development Authority

Report From: Riley Grams, Community Development Director

Meeting Date: November 12, 2024

Agenda Item: Economic Development Authority Updates

Action Requested: Motion Discussion Public Hearing

Form of Action: Resolution Ordinance Contract/Agreement Other

RECOMMENDED ACTIONS

Discuss the various EDA related update items.

MARGARET STREET COMMONS REQUEST FOR PROPOSALS

The City recently published the complete request for proposals (RFP) for the Margaret Street Commons redevelopment site. To date, City Staff has connected with a total of five developers who showed some interest in the site. One developer did submit a high-level concept plan that included a mix of residential and commercial space on the site. The developer was asked to respond to the full RFP, which will remain open until the end of the year. Staff is hopeful that the site will generate submissions for a development through the RFP process. More to come on this project in the following weeks and months.

UPATE ON EDA FAÇADE PROGRAM/DOWNTOWN DESIGN MANUAL

As discussed at the previous EDA meeting in September, the City will be reviewing the options for updating the Downtown Design Manual in 2025, which will impact the EDA Façade Program. The cost of the Downtown Design Manual update is included in the 2025 EDA budget for approval. It is anticipated that a discussion will come to the EDA in early 2025 about how to proceed with updating the Downtown Design Manual. Staff has been working on updating the EDA Façade Program as well, as that directly relates to the Downtown Design Manual update. More information will be coming to the EDA in early 2025 for consideration.

ARTICLE 7 UPDATE

The Article 7 project is nearing completion. The Developer expects to open up living units to residents to begin move-in on December 1 of this year. We also have scheduled a ribbon cutting ceremony, which all EDA members are invited to, on Wednesday, December 4 at 4:30pm. Currently, the Developer states that a total of 20 units have been leased (about 24% of the total units), with more and more signing up each week.

DELAWARE PLACE TOWNHOMES UPDATE

Progress is being made each day at the Delaware Place Townhomes site. Currently, units 9 and 10 are being constructed now, which will initially be the show units. The warm fall weather has allowed the contractors to get a jump start on much of the work at the site, including installing all of the water service lines and most of the sewer lines. The show units foundation has been poured, including the garages, stoops and sidewalks. Framing began about two weeks ago. The Developer expects the show units to be fully completed by the end of January, with construction to begin on the other units in spring of 2025.

REVIEW OF EDA BYLAWS AND TERMS

As we get closer to the end of 2024, it’s a good time to review the EDA Bylaws and City Code. Here are the EDA members, with terms:

<u>NAME</u>	<u>TITLE</u>	<u>TERM ENDING</u>
John Monge	President	December 31, 2026
Josef Matthews	Vice-President	December 31, 2026
Brandon Bramscher	Member	December 31, 2029
Peter Gagliardi	Member	December 31, 2029
Terry Furlong	Member	December 31, 2025
Tim Cole	Council Representative	December 31, 2024
VACANT POSITION	Member	

As a reminder, the EDA shall be comprised of 7 members, of which one shall be the Mayor, and at least one shall be a City Council member. Commissioner Cole’s term will end in 2024 as the one member of the City Council. Therefore, a new City Council member will need to be appointed to the EDA beginning in 2025. The vacant position shall also be filled beginning in 2025.

There has previously been some discussion of moving from regular monthly meetings to quarterly meetings. The EDA should discuss this and provide direction to City Staff accordingly. As a reminder, the EDA may, at any point in time, call a special meeting to discuss and/or conduct business (see Section 3.2 of the EDA Bylaws).

The EDA should also discuss any potential updates to the EDA Bylaws from time to time. With the end of the year approaching, this would be an appropriate time to discuss Bylaw changes, if any, so that Staff may prepare those changes for approval at the December meeting.

ATTACHMENTS

1. Bylaws of the North St Paul Economic Development Authority
2. Chapter 34 of the City Code (Economic Development Authority)

BY-LAWS OF THE NORTH ST. PAUL ECONOMIC DEVELOPMENT AUTHORITY

1. The Authority

Section 1.1. Name of Authority. The name of the Authority shall be the Economic Development Authority of the City of North St. Paul, Minnesota (hereinafter, the "Authority").

Section 1.2. Office. The principal office of the Authority shall be at City Hall, 2400 Margaret Street, North St. Paul, Minnesota.

Section 1.3. Seal. The Authority shall have an official seal.

2. Organization

Section 2.1. Members. The Authority shall consist of seven (7) members of which one (1) shall be the Mayor and at least one (1) a City Council member. The Mayor shall present candidates for the Authority to the City Council for consideration of approval. The Authority membership term for the Mayor and member(s) of the City Council shall be co-terminant with their City Council office term. All other members shall be appointed by City Council for six-year terms. Candidates for the Authority shall have an interest in advancing the business and economic climate of the City but need not be residents of the City.

Section 2.2. Officers. The Authority shall annually elect a president, vice-president, secretary, treasurer, and assistant treasurer. The president and vice-president shall be members of the Authority. No member may serve as president and vice-president at the same time. The offices of secretary and assistant treasurer need not be held by an Authority member.

Section 2.3. President. The president shall preside at all meetings of the Authority.

Section 2.4. Vice-President. The vice-president shall preside at any meeting of the Authority in the absence of the president and may exercise all powers and perform all responsibilities of the president if the president cannot exercise or perform the same due to absence or other inability.

Section 2.5. Treasurer. The treasurer shall receive and be responsible for Authority money, is responsible for the acts of the assistant treasurer, shall disburse authority money by check only, keep an account of all Authority receipts and the nature, purpose, and authority of all disbursements, and shall file the Authority's financial statement with its secretary at least once a year as set by the Authority.

Section 2.6. Assistant Treasurer. The Assistant Treasurer shall have all powers and duties of the Treasurer if the Treasurer is absent or disabled.

Section 2.7. Secretary. Shall keep the minutes of all meetings of the Authority and shall

maintain or cause to be maintained all records of the Authority. The secretary shall also have such additional duties and responsibilities as the Authority may from time to time and by resolution prescribe.

Section 2.8. Executive Director. The City Manager or designee shall serve as the executive director of the Authority, shall be chief appointed executive officer of the Authority, and shall have such additional responsibilities and authority as the Authority may from time to time by resolution prescribe. The City Manager may designate an assistant.

3. Procedures.

Section 3.1. Regular Meetings. The Authority shall hold regular meetings on the second Tuesday of each month, commencing at a regular time as the Authority determines at the beginning of each year. In the event such date shall fall on a legal holiday, the meeting shall be held on a designated alternate day as determined by the Authority.

Section 3.2. Special Meetings. Special meetings of the Authority may be called by the president, the executive director or four members of the Authority for the purpose of transacting any business designated in the call.

The call for a special meeting may be delivered at any time prior to the time of the proposed meeting to each member or may be mailed to the business or home address of each member at least two (2) days prior to the date of such special meeting.

At least three days prior to a special meeting, written notice of its date, time, place and purpose shall (a) be mailed or delivered to anyone who has specifically requested notice of special meetings or, as an alternative, (b) be posted on the "principal bulletin board" of the Authority or, if there is none, on the door of the Authority's "usual meeting room." At such special meeting, no business shall be considered other than as designated in the notice, but if all of the members of the Authority are present at a special meeting, any and all business may be transacted at such special meeting.

Section 3.3. Emergency Meetings. Meetings regarding matters which, in the judgment of those calling the meeting pursuant to Section 3.3, above, require the immediate consideration of the Authority may be held without regard to the notice requirements otherwise applicable to special meetings. The Authority shall make good faith effort to give notice of such emergency meeting, including the purpose thereof, to any news medium that has filed such a written request with the Authority. If matters other than those related to the emergency are permitted to be discussed under Section 3.3, above, and so are discussed, the minutes of the meeting shall include a specific description of such matters.

Section 3.4. Quorum. A quorum of the seven-member Authority shall consist of four members. In the absence of a quorum, no official action may be taken by, on behalf of, or in the name of the Authority.

Section 3.5. Adoption of Resolutions. Resolutions of the Authority shall be deemed adopted

if approved by not less than a simple majority of all members present and constituting a quorum.

Section 3.6. Rules of Order. The meetings of the Authority shall be governed by the most recent edition of Robert's Rules of Order.

4. Duties and Powers

Section 4.1. Duties and powers. The officers shall have the duties and powers of their offices and other powers and duties as may be delegated by the Authority, its Bylaws, and Minnesota State Statutes. No action of the Authority may be in conflict with the City's current Comprehensive Plan or controls instituted to effectuate the Plan. All modifications of the EDA Enabling Resolution must be presented as a recommendation to the City Council.

Section 4.1.1 Executive Director. The executive director shall attend all meetings of the Authority, shall serve as a consultant and advisor to the Authority and shall make quarterly reports to the City Council.

Section 4.1.2 Conflicts of Interest. Except as authorized by Minnesota Statute 471.88, a member, officer or employee of the Authority may not have a substantial conflict of interest, in projects undertaken by the Authority.

Section 4.1.3. Report to Council. The Authority shall submit a written report of its activities to the City Council at least annually.

Section 4.2. Development Districts. The Authority may create and define the boundaries of economic development districts and use the powers as allowed by city ordinance granted to carry out economic development in these districts.

Section 4.3. Acquire property. The Authority may acquire, by lease, purchase, devise or through condemnation proceedings, title in property to create economic development in the Development Districts. Property acquired, leased, owned, controlled, used or occupied by the Authority for any of the purposes of Section 469.101, Subd. 2 of Minnesota Statutes is for public purposes and is exempt from taxation by the state or its political subdivisions. The exemption from property taxes only applies while the Authority holds the property for its own purpose(s).

Section 4.3.1. Options. The Authority may negotiate and acquire options to purchase, sell or lease property for the purpose of economic development.

Section 4.4. Contracts. The Authority may make contracts for the purpose of economic development.

Section 4.5. Limited partnerships. The Authority may become a limited partner in a partnership whose purpose is consistent with the Authority's purpose.

Section 4.6. Rights and easements. The Authority may acquire rights or easements for a term of years or perpetually for the development of an economic development district.

Section 4.7. Receive public property. The Authority may accept land, money or other assistance, whether by gift, grant, loan or otherwise in any form from federal or state government, any agency of either or a local division of state government.

Section 4.8. Public facilities. The Authority may operate and maintain a public parking facility, housing facility, or other public facilities to promote development in an economic development district.

Section 4.9. Other powers. The Authority shall have such other powers as authorized in Minnesota Statutes.

5. Limit of Powers

Section 5.1. General obligation and revenue bonds. The Authority may issue general obligation bonds or revenue bonds after receiving the approval and authorization through a majority vote of City Council.

Section 5.2. Comprehensive Plan. The official actions of the Authority must be consistent with the adopted comprehensive plan of the City, and any official controls implementing the comprehensive plan.

6. Budget

Section 6.1. Fiscal Year. The fiscal year of the Authority shall be the same as the City's fiscal year.

Section 6.2. Fiscal budget. The Authority shall prepare an annual budget to coincide with the City's budget process. The Authority shall recommend a budget and submit it to the City Council for final approval. All payments drawn on the account of the Authority shall be by written statement signed by two officers of the Authority, directing the Executive Director to prepare and deliver payment. All expenditures shall be consistent with the operation of the Authority.

Section 6.3. Levy. Levy authority shall be consistent with Minnesota Statute 469.033, Subd. 6. and rest with the City Council.

Section 6.4. Audit. All financial records of the Authority shall be prepared, audited, and filed with the City, said records being coordinated by the City Finance Department at the direction of the City Manager.

Section 6.5. Treasurer's Bonds. The Treasurer shall give bond to the state conditioned for the faithful discharge of official duties. The bond must be approved as to form and surety by the Authority and filed with the Secretary and must be for twice the amount of money likely to be on hand at any one time as determined at least annually by the Authority, provided that

said bond must not exceed \$300,000.

Section 6.6. Checks. An Authority check must be signed by the Treasurer and Assistant Treasurer. The check must state the name of the payee and the nature for which the check was issued.

Section 6.7. Financial Statements. The Authority shall examine the financial statement together with the Treasurer's vouchers, which financial statement shall disclose all receipts and disbursements, their nature, money on hand and the purposes to which it shall be applied, the Authority's credits and assets and its outstanding liabilities. If the Authority finds the financial statement and Treasurer's vouchers to be correct, it shall approve them by resolution.

Section 6.8. Report to City. The Authority shall annually, at a time designated by the City, make a report to the City Council giving a detailed account of its activities and of its receipts and expenditures for the preceding calendar year, together with additional matters and recommendations it deems advisable for the economic development of the city.

Section 6.9. Budget to City. The Authority shall annually, at a time designated by the City, send its budget to the City Council which budget includes a written estimate of the amount of money needed by the Authority from the City in order for the Authority to conduct business during the upcoming fiscal year. The needed amount is what is needed in excess of any expected receipts from other sources.

7. Miscellaneous

Section 7.1. Employees. The Authority shall utilize City staff and facilities as it may require as assigned by the executive director. City personnel policies shall apply to all employees of the Authority. The City Manager shall hire, manage, and terminate all Authority employees.

Section 7.2. Services. The Authority may contract for the services of consultants, agents, public accountants and others as needed to perform its duties and to exercise its powers. The Authority may also use the services of the City Attorney or hire a general counsel, as determined by the Authority.

Section 7.3. Supplies, Purchasing, Facilities and Services. The Authority may purchase the supplies and materials it needs. The Authority may use the facilities of the City's purchasing department in connection with construction work and to purchase equipment, supplies, or materials. The City may furnish offices, structures and space, stenographic, clerical, engineering and other assistance to the Authority.

Section 7.4. Execution of Contracts. All contracts, notes, and other written agreements or instruments to which the Authority is a party or signatory or by which the Authority may be bound shall be executed by the president and/or the executive director.

Section 7.5. Amendment of By-Laws. These By-Laws may be amended by the Authority by

majority vote of its members, provided that any such proposed amendment shall first have been delivered to each member at least five days prior to the meeting at which such amendment is considered.

The foregoing By-Laws were duly adopted by the Economic Development Authority of the City of North St. Paul on the 9th day of February, 2010 and amended on the 14th day of November, 2023.

CHAPTER 34: ECONOMIC DEVELOPMENT AUTHORITY

Section

- 34.01 Definitions
- 34.02 Establishment
- 34.03 Name
- 34.04 Members
- 34.05 Administration
- 34.06 Modification
- 34.07 Report to Council
- 34.08 Executive Director
- 34.09 Conflicts of interest
- 34.10 Budget
- 34.11 Schedule of powers
- 34.12 Limit of powers

§ 34.01 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORITY. An Economic Development Authority as defined by M.S. §§ 469.090 through 469.1081.

CITY. The City of North Saint Paul, Minnesota.

COUNCIL. The duly elected governing body of the City of North Saint Paul, Minnesota.

ENABLING RESOLUTION. The ordinance codified in this subchapter.

THE ACT. M.S. §§ 469.090 through 469.1081.

(Ord. 683, passed 10-20-09)

§ 34.02 ESTABLISHMENT.

An economic development authority is established which shall have all of the powers, duties and responsibilities of an economic development authority pursuant to M.S. §§ 469.090 through 469.1081. It shall be the role and responsibility of the Authority to carry out economic and industrial development and redevelopment within the North Saint Paul area pursuant to bylaws as may be adopted by the Authority. It shall confer with other city departments, and other public and private groups on matters relating to business and industrial development and periodically survey the area's industrial and commercial climate and report regularly to the Council.

(Ord. 683, passed 10-20-09)

§ 34.03 NAME.

The economic development authority created by the enabling resolution shall be known as the North Saint Paul Economic Development Authority.

(Ord. 683, passed 10-20-09)

§ 34.04 MEMBERS.

The Economic Development Authority shall consist of seven members of which one shall be the Mayor and at least one a City Councilmember. The Mayor shall present candidates for the Economic Development Authority to the City Council for consideration of approval. Candidates for the Economic Development Authority shall have an interest in advancing the business and economic climate of the city but need not be residents of the city.

(Ord. 683, passed 10-20-09)

§ 34.05 ADMINISTRATION.

(A) *Bylaws.* The Authority shall adopt bylaws and rules of procedure for administration of its affairs.

(B) *Officers.* The Authority shall elect a chair and a vice-chair on an annual basis. The City Manager or designee shall serve as the Executive Director; an ex officio member.

(C) *Professional service contracts.* The Authority may employ technical experts and professionals as deemed necessary. Their compensation and duties shall conform to city policy.

(D) *Duties and powers.* The officers shall have the duties and powers of their offices and other powers and duties as may

be delegated by the Authority, the bylaws, and the Act. No action of the Authority may be in conflict with the city's current comprehensive plan or controls instituted to effectuate the plan.

(E) *Meetings*. The Authority shall meet quarterly and at such other times as necessary.

(Ord. 683, passed 10-20-09)

§ 34.06 MODIFICATION.

All modifications to the enabling resolution must be by ordinance and must be adopted after notice and Public Hearing conducted as required for the original adoption of the enabling resolution.

(Ord. 683, passed 10-20-09)

§ 34.07 REPORT TO COUNCIL.

The Authority shall submit a written report of its activities and recommendations for modification of the enabling resolution to the Council at least annually.

(Ord. 683, passed 10-20-09)

§ 34.08 EXECUTIVE DIRECTOR.

The city's Manager or designee shall attend all meetings of the Authority, shall serve as a consultant and advisor to the Authority and shall make quarterly reports to the Council.

(Ord. 683, passed 10-20-09)

§ 34.09 CONFLICTS OF INTEREST.

Except as authorized by M.S. § 471.88, a member, officer or employee of the Authority may not have a substantial conflict of interest, in projects undertaken by the Authority.

(Ord. 683, passed 10-20-09)

§ 34.10 BUDGET.

(A) *Fiscal budget*. The Executive Director shall prepare and submit to the Authority an annual budget to coincide with the city's budget process. The city shall establish a special fund designated as the "Economic Development Authority Fund." The Authority shall recommend a budget and submit it to the City Council for final approval. The Council shall appropriate to the fund money it deems necessary for Authority purposes. This shall constitute the budget of the Authority. All payments drawn on the account of the Authority shall be by written statement signed by two officers of the Authority, directing the City Manager to prepare and deliver payment. All expenditures shall be consistent with the operation of the Authority pursuant to this subchapter and Minnesota Statutes.

(B) *Levy*. Levy authority shall be consistent with M.S. § 69.033, Subd. 6. and rest with the City Council.

(C) *Audit*. All financial records of the Authority shall be prepared, audited, and filed with the city, the records being coordinated by the City Finance Department at the direction of the City Manager.

(Ord. 683, passed 10-20-09)

§ 34.11 SCHEDULE OF POWERS.

(A) *Development districts*. The Authority may create and define the boundaries of economic development districts and use the powers granted to carry out economic development in these districts.

(B) *Acquire property*. The Authority may acquire, by lease, purchase, devise or through condemnation proceedings, title in property to create economic development in these districts. Property acquired, leased, owned, controlled, used or occupied by the Authority for any of the purposes of M.S. § 469.101, Subd. 2, is for public governmental and municipal purposes and is exempt from taxation by the state or its political subdivisions. The exemption from property taxes only applies while the Authority holds the property for its own purpose(s).

(C) *Options*. The Authority may negotiate and acquire options to purchase, sell or lease property for the purpose of economic development.

(D) *Contracts*. The Authority may make contracts for the purpose of economic development.

(E) *Limited partnerships*. The Authority may become a limited partner in a partnership.

(F) *Rights and easements*. The Authority may acquire rights or easements for a term of years or perpetually.

(G) *Receive public property*. The Authority may accept land, money or other assistance, whether by gift, grant, loan or otherwise in any form from federal, state, local government, any agency of either or a local division of state government.

(H) *Public facilities*. The Authority may operate, maintain a public parking facility, housing facility or other public facilities to promote economic development in the area.

(I) *Other powers*. The Authority shall have such other powers as authorized as described in the Act.

(Ord. 683, passed 10-20-09)

§ 34.12 LIMIT OF POWERS.

(A) *General obligation and revenue bonds*. The Authority may issue general obligation bonds or revenue bonds after

receiving the approval and authorization by four-fifths vote of the Council and in accordance with the provisions of the Act.

(B) *Comprehensive plan.* The official actions of the Authority must be consistent with the adopted comprehensive plan of the city, and any official controls implementing the comprehensive plan.

(Ord. 683, passed 10-20-09)