



TELECONFERENCE NOTICE

Regular Board Meeting
May 23, 2023 – 2:00 p.m.

Chair Matt Slaven is holding the Regular Meeting of the Port Authority of the City of Saint Paul on Tuesday, May 23, 2023 at 2:00 p.m.

Attendance for this meeting by the Commissioners of the Port Authority will be by telephone conference. Accordingly, for this Regular Meeting of the Board, any person from the public may also participate by telephone conference, from a different location than the physical location of the meeting, by contacting the Saint Paul Port Authority at 651-224-5686 to obtain the conference call dial-in number.

At least one commissioner will be physically present at the Port Authority's regular meeting location, 400 N. Wabasha Street, #240, Saint Paul, MN 55102.

A handwritten signature in blue ink that reads "Todd P. Hurley".

Todd P. Hurley
President & CEO

cc: The Port Authority Commissioners
Shari Moore, City Clerk
Members of the Press
ENS List



May 1, 2023

**REGULAR BOARD MEETING
NOTICE
MAY 23, 2023
2:00 P.M.**

Chair Slaven is holding the regular Board Meeting of the Port Authority of the City of Saint Paul on Tuesday, May 23, 2023, at 2:00 p.m. in the Board Room of the Saint Paul Port Authority, 400 Wabasha Street, Suite 240, Saint Paul, Minnesota 55102.

A handwritten signature in blue ink that reads "Todd P. Hurley".

Todd P. Hurley
President

/amk

cc: Port Authority Commissioners
Shari Moore, City Clerk
Members of the Press
ENS List

Regular Board Meeting

May 23, 2023 - 2:00 p.m.

400 Wabasha Street No., Suite 240 | Saint Paul, MN 55102

Chair Slaven is calling a meeting of the Board of Commissioners for **Tuesday, May 23, 2023 at 2:00 p.m.** in the Board Room of the Saint Paul Port Authority, 400 Wabasha Street No., Suite 240, St. Paul, MN.

The attendance for one or more of the Commissioners at the May 23, 2023 meeting will be by telephone conference. Accordingly, for this Board meeting, any person from the public may also participate by telephone conference, from a different location than the physical location of the meeting. Members of the public may monitor this meeting by calling 651-395-7858, Conference ID: 227 160 79#.

The purpose of the meeting is:

Minutes

Approval of the Minutes from the April 25, 2023 Regular Board Meeting

Conflicts of Interest

Conflicts with any Items on the Agenda

Old Business

1. Resolution No. 4741 - Conveyance of Land to Northern States Power Company, Hereinafter Referred to as Xcel Energy – The Heights – Industrial Parcel 5

General Matters

Such Other Business That May Come Before the Board

**SAINT PAUL PORT AUTHORITY
MINUTES OF THE REGULAR BOARD MEETING
APRIL 25, 2023**

The regular meeting of the Port Authority Board was held on April 25, 2023, at 2:10 p.m. in the Board Room of the Saint Paul Port Authority, 400 Wabasha Street, Suite 240, Saint Paul, Minnesota 55102.

The following Board Members were present:

Matt Slaven	John Bennett	Nneka Constantino
John Marshall	Rebecca Noecker	Amy Brendmoen
Don Mullin, attending remotely		

Also, present were the following:

Todd Hurley	Bruce Kessel	Kathryn Sarnecki
Monte Hilleman	Sarah Illi	Cathy Mohr
Andrea Novak	Tonya Bauer	Pete Klein
Dana Krueger	Laurie Siever	Amanda Bauer
Holly Huston	Annamarie Kosel	Phoua Vang
Rick Howden		
Samantha Juneau, City of Saint Paul		
Emily Lawrence		
Chris Sherman, Sherman Associates		
Dan Collison, Sherman Associates		
Alyssa Olson, Sherman Associates		
Cathy Lawrence, TC Habitat for Humanity		
Chad Dipman, TC Habitat for Humanity		
Ted Johnson, Norden Strategies		
Johnny Opara, JO Companies		

APPROVAL OF REVISED AGENDA

Commissioner Constantino made a motion to accept the revised Board agenda. The motion was seconded by Commissioner Bennett, submitted to a roll call vote, and carried unanimously.

APPROVAL OF MINUTES

Commissioner Noecker made a motion to approve the minutes of the March 28, 2023 Regular Board meeting. The motion was seconded by Commissioner Marshall, submitted to a roll call vote, and carried unanimously.

CONFLICT OF INTEREST

Commissioner Marshall stated that he would abstain from voting on Item No. 5 - Conveyance of Land to Xcel Energy due to his employment with Xcel Energy.

Commissioner Slaven noted for the record that in his past private practice, he represented Xcel Energy in a matter unrelated to Item No. 5 – Conveyance of Land to Xcel Energy.

NEW BUSINESS

CREDIT COMMITTEE

RESOLUTION NO. 4738

SAINT PAUL PORT AUTHORITY SERIES 2023 GENERAL OBLIGATION BONDS

Motion was made by Commissioner Marshall to approve Resolution No. 4738 which was reviewed by the Credit Committee and recommended for approval by the Board. The motion was submitted to a roll vote and carried unanimously.

RESOLUTION NO. 4739

DECERTIFICATION OF THE WILLIAMS HILL REDEVELOPMENT TAX INCREMENT FINANCING DISTRICT

Motion was made by Commissioner Marshall to approve Resolution No. 4739 which was reviewed by the Credit Committee and recommended for approval by the Board. The motion was submitted to a roll call vote and carried unanimously.

RESOLUTION NO. 4741

PUBLIC HEARING - CONVEYANCE OF LAND TO NORTHERN STATES POWER COMPANY, HEREINAFTER REFERRED TO AS XCEL ENERGY - THE HEIGHTS – INDUSTRIAL PARCEL 5

Commissioner Marshall reported that Resolution No. 4741 had been reviewed and approved by the Credit Committee with a recommendation for approval by the Board.

Motion was made by Commissioner Bennett to approve Resolution No. 4741. The motion was seconded by Commissioner Mullin.

Chair Slaven stated that in accordance with Minnesota Law, the Port Authority is required to hold a public hearing regarding Resolution No. 4741 and declared the Public Hearing open.

Mr. Hilleman reviewed his memorandum with the Committee requesting approval of the conveyance of approximately 20 acres of land to Xcel Energy for the construction of an approximate 150,000-175,000 square-foot commercial/industrial building, an approximate 30,000 square-foot training facility, and associated storage and service areas.

Chair Slaven asked if anyone in attendance wished to address the Board. No one came forward and, therefore, at 2:25 p.m. Chair Slaven declared the Public Hearing closed.

Discussion included, but was not limited to, the future of the Rice Street property, and jobs and tax base implications of the transaction.

Commissioner Brendmoen requested more information on the future of the Rice Street property before voting on Resolution No. 4741.

Chair Slaven asked Commissioner Bennett if he wanted to withdraw his motion. After some discussion, Commissioner Bennett withdrew his motion to approve Resolution No. 4741.

Motion was made by Commissioner Brendmoen to lay over the vote for one month.

The motion was seconded by Commissioner Noecker.

Commissioner Constantino suggested that a special meeting be called if questions and concerns were resolved sooner.

Commissioner Brendmoen amended her motion to lay over for up to one month with the possibility to meet sooner. Commissioner Noecker agreed to the amendment.

Chair Slaven stated that a roll call vote is required under Chapter 469 and the Commissioners voted as follows:

Commissioner Bennett	- aye	Commissioner Constantino	- aye
Commissioner Brendmoen	- aye	Commissioner Noecker	- aye
Commissioner Mullin	- nay	Chair Slaven	- aye

The motion carried by a vote of five to one, with Commissioner Marshall abstaining.

RESOLUTION NO. 4742

APPROVAL FOR AWARD OF CONTRACT FOR DEMOLITION, REMEDIATION AND MASS SITE GRADING AT THE HEIGHTS, 2200 WEST LARPEN TEUR, SAINT PAUL, MINNESOTA

Motion was made by Commissioner Marshall to approve Resolution No. 4742 which was reviewed by the Credit Committee and recommended for approval by the Board. The motion was submitted to a roll call vote and carried by a vote of six with Commissioner Constantino abstaining.

RESOLUTION NO. 4743

2023 GRANT APPLICATION AND ACCEPTANCE AUTHORIZATION

Motion was made by Commissioner Marshall to approve Resolution No. 4743 which was reviewed by the Credit Committee and recommended for approval by the Board. The motion was submitted to a roll call vote and carried unanimously.

RESOLUTION NO. 4744

AUTHORIZATION TO APPLY FOR CONTAMINATION CLEANUP GRANT FUNDS ON BEHALF OF SNELLING-MIDWAY REDEVELOPMENT, LLC FOR THE UNITED VILLAGE PHASE 1 PROJECT IN SAINT PAUL, MINNESOTA

Motion was made by Commissioner Marshall to approve Resolution No. 4744 which was reviewed by the Credit Committee and recommended for approval by the Board. The motion was submitted to a roll call vote and carried unanimously.

GENERAL MATTERS

STAFF INTRODUCTIONS

Mr. Hurley introduced Rick Howden and Emily Lawrence to the Board. Rick is a Project Manager on the Development Team and Emily will be the Port Authority’s General Counsel starting May 8, 2023.

THE HEIGHTS HOUSING UPDATE

The Board was introduced to the Port Authority’s lead housing developer for The Heights, Sherman Associates. Mr. Chris Sherman, President of Sherman Associates, introduced his colleague Dan Collison, Director of Business Development and Public Affairs, and his project partners Johnny Opara, JO Companies, and Cathy Lawrence, TC Habitat for Humanity. Mr. Sherman and his partners provided a high-level presentation to the Board on the vision and goals for housing at The Heights.

There being no further business, the meeting was adjourned at 3:27 p.m.

By _____

Its _____

MEMORANDUM

To: BOARD OF COMMISSIONERS

Meeting Date: April 25, 2023

From: Monte Hilleman



**Subject: PUBLIC HEARING - CONVEYANCE OF LAND TO NORTHERN STATES POWER COMPANY, HEREINAFTER REFERRED TO AS XCEL ENERGY - THE HEIGHTS – INDUSTRIAL PARCEL 5
RESOLUTION NO. 4741**

Action Requested:

Approval of the conveyance of approximately 20 acres of land to Xcel Energy for the construction of an approximately 150,000-175,000 square-foot commercial/industrial building, an approximate 30,000 square-foot training facility, and associated storage and service areas.

Background:

The Port Authority of the City of Saint Paul (the “Port Authority”) acquired the former Hillcrest Golf Course, now known as The Heights, site in the Greater East Side neighborhood in 2019. On June 1, 2022 the Saint Paul City Council approved the Master Plan for the site. The Port Authority began broadly marketing the site in October 2022 through advertisement with MN Commercial Association of Realtors, targeted outreach with Metropolitan Economic Development Association, LISC’s Developer of Color Capacity Building Program, our website and numerous presentations to community, environmental and industry groups. Demolition, remediation, and mass grading of the site is scheduled to begin in June 2023 with infrastructure and other site improvements beginning later in the year. The subject parcel is yet-to-be platted property located between McKnight Road and future Howard Street, north of future Arlington Avenue. It is known as Industrial Parcel 5 at The Heights, and proposed to be platted as Lot 1, Block 1, Heights Addition.

Xcel Energy is a regulated utility providing service in Minnesota and Wisconsin and has served our community for over 100 years. The proposed project will replace Xcel Energy’s current Rice Street location, which is home to Xcel Energy’s natural gas operations and electrical distribution systems in the East Metro. The nearly century-old Rice Street facility no longer meets the needs of Xcel Energy’s operations and they have been searching for a replacement site for several years. This is the best site that could accommodate their proposed facility within the City of Saint Paul.

The Rice Street facility currently employs approximately 375 full-time employees, many of which are union positions. Those positions would be relocated to The Heights. In addition, the proposed training facility will serve to connect to the community and create a jobs pipeline for skilled labor.

Xcel Energy has agreed to pay market rate for the land, meet the Port Authority’s design requirements and protective covenants, and allow utilization of exterior wall space to advance the project’s Arts & Employment District strategy. This includes constructing all-electric buildings that are 50% more energy efficient than energy code, maximizing the use of solar photovoltaics,

MEMORANDUM

and deploying electric vehicle charging stations concurrent with plans to convert its entire fleet of vehicles to Zero Emission Vehicles by 2030.

In addition, this project will generate approximately \$1,250,000 in annual property taxes.

Attached is a memorandum outlining the terms of the land conveyance transaction with Xcel Energy for the property located at The Heights – Industrial Parcel 5.

Recommendation:

We recommend approval of the conveyance of approximately 20 acres of land to Xcel Energy for the construction of an approximately 150,000 to 175,000 square-foot commercial/industrial building an approximate 30,000 square-foot training facility and associated storage and service areas.

Attachments: Site Map
 Resolution

**SAINT PAUL PORT AUTHORITY
LAND CONVEYANCE TRANSACTION**

Action Requested:

Approval of the conveyance of approximately 20 acres of land to Xcel Energy for the construction of an approximately 150,000-175,000 square-foot commercial/industrial building, an approximate 30,000 square-foot training facility and associated storage and service areas.

Development Officer:

Monte M. Hilleman

Buyer/Grantee:

Northern States Power Company (hereinafter referred to as “Xcel Energy” or “Buyer”)

Buyer/Grantee Address:

2345 Rice Street, Suite 230
Roseville, MN 55113

Location of Property to be Conveyed:

The site is as per the attached site plan, Industrial Parcel 5, and measures approximately 20 acres. To be known as Lot 1, Block 1, Heights Addition, Ramsey County, Minnesota.

Conveyance Structure:

Conveyance of land via Limited Warranty Deed. The property is being sold for \$8.00 per square foot of land plus buyer obligations that include adherence to The Heights Protective Covenants, meeting Buyer’s Workforce Commitment of a minimum of 350 full-time employees at the site, and Employment Reporting for a period of ten (10) years. Both Buyer and the Port Authority have conditions that must be met prior to transferring title of the real estate. Buyer’s contingencies include site and building design approvals, and receipt of environmental liability assurances from the MN Pollution Control Agency (MPCA) and/or MN Department of Agriculture (MDA) for the construction of the facility. The Port Authority’s contingencies include Board of Commissioner’s approval, approval of the Buyer’s site and building design, and review of employment history and financials. The closing is anticipated to take place no later than July 1, 2023, subject to Force Majeure. Construction of the facility shall be substantially completed and occupancy no later than March 31, 2025.

Other terms and conditions of the Purchase Agreement include:

- A. Buyer and the Port Authority (“Seller”) have agreed to an Access and Escrow Agreement to allow Seller to complete post-closing site preparation activities to deliver a buildable site to Buyer. Under the Access and Escrow Agreement, all sale proceeds will be

deposited with the title company and released to Seller according to the following milestones:

- 1) \$2,500,000 upon completion of the first fifty percent (50%) of remediation and mass grading of the Licensed Area (80,000 cubic yards of cut and 60,000 cubic yards of fill).
 - 2) \$2,500,000 upon completion of the second fifty percent (50%) of remediation and mass grading of the Licensed Area (80,000 cubic yards of cut and 60,000 cubic yards of fill).
 - 3) \$500,000 upon receipt of the No Association Determinations related to Buyer's planned construction of the facility.
 - 4) \$500,000 upon completion of Seller's Work.
 - 5) \$500,000 upon receipt of the Environmental Assurances. No Further Action letters from MDA and MPCA, together with the Response Action Plan Implementation Report approvals from MDA and MPCA, constitute the "Environmental Assurances."
 - 6) Any remainder upon return of site control to Buyer and the termination of Entering Party's license to access the Licensed Area.
 - 7) In the event that Seller does not complete all or any milestones as set forth above in accordance with the construction schedule, subject to extensions caused by Force Majeure, and Buyer takes over completion of such work, then Buyer shall have the right to elect to draw upon the Escrow Funds to pay for completion of such work taken over by Buyer. Buyer shall have the right to extend any of the foregoing milestone dates in its sole discretion.
- B. The Buyer has agreed to design the site and buildings in accordance with Seller's 'carbon free community' goals and strategies for the site. Under the Access and Escrow Agreement, Seller has agreed to refund \$500,000 of the purchase price upon approval of Buyer Site and Building Plans, the "Rebate Escrow".
- C. The Buyer has agreed to pay a \$100,000 earnest money deposit which is held by the Seller until the completion of the building and site improvements.
- D. The Buyer has agreed to pay up to \$400,000 in damages if Buyer does not meet the Buyer's Workforce Commitment of a minimum of 350 full time employees within one year of occupancy and provide ten (10) years of Employment Reporting, including federal EE-01 Employment Reports, the number of jobs at the facility, the average wage for hourly workers, the zip code of residence of each employee, the percentage of ethnically diverse workers, the percentage of women workers, the percentage of union jobs, the number of contractors, and a general description of benefits offered to employees.
- E. Buyer has agreed to pay prevailing wages, or more, for all skilled and unskilled labor for the proposed construction and enter a Project Labor Agreement for said construction.

Nature of Intended Use:

This facility will be a next generation energy utility service center. The proposed project eventually will replace their current Rice Street location which is home to their natural gas and electrical distribution operations in the East Metro. The nearly century-old Rice Street facility no longer meets the needs of the company's operations and they have been searching for a replacement site for several years. This is the best site that could accommodate their proposed facility within the City of Saint Paul.

Business Subsidy Agreement

No business subsidy agreement is required for this transaction, as the land is being conveyed at a market price.

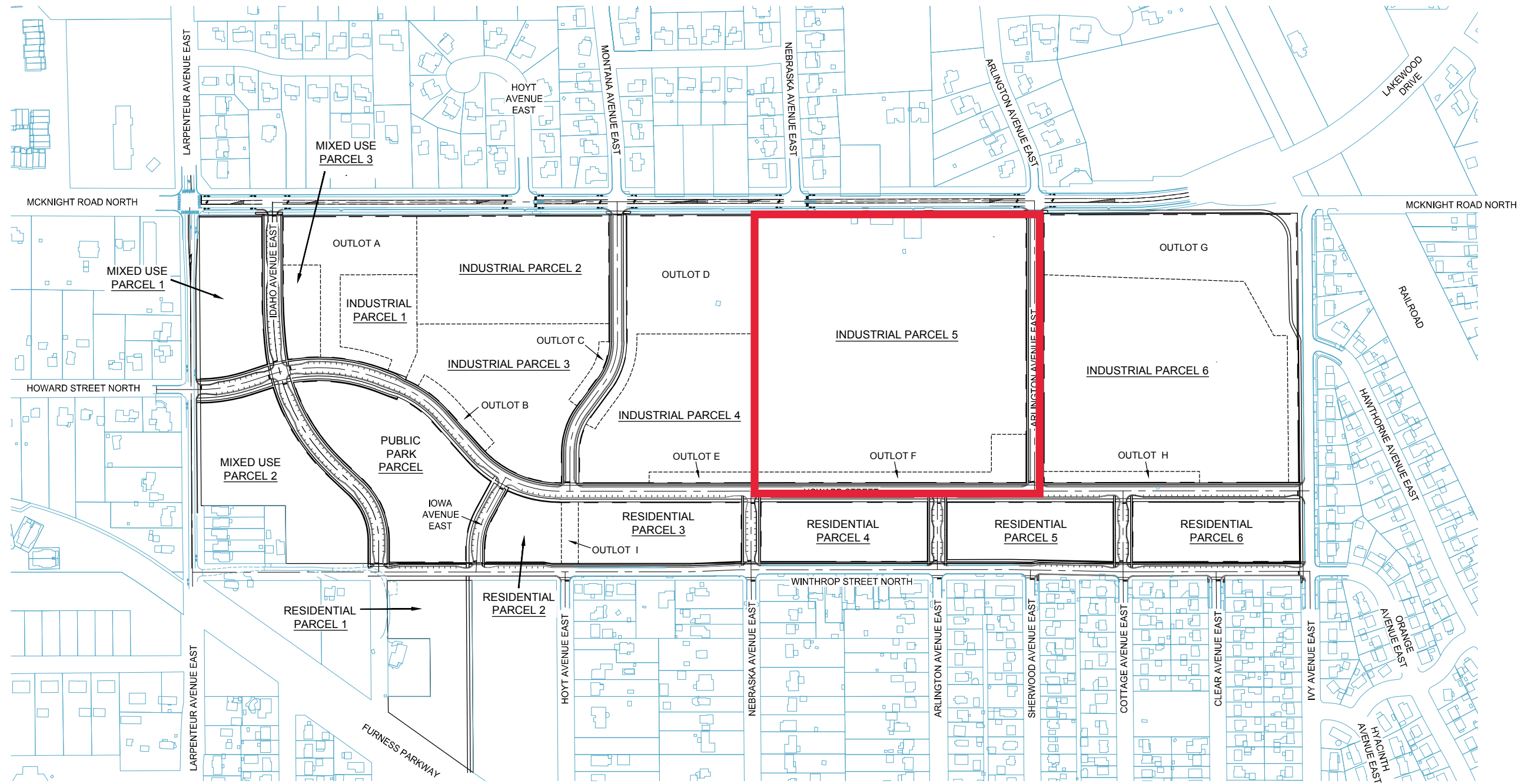
Exceptions from Port Authority's Development Criteria/Covenants:

This transaction requires exceptions to the Port's Development Criteria and Covenants. The Port Authority generally requires a minimum 35% building-to-land coverage ratio (Floor-to-Area ratio of 0.35) for single story office/warehouse light industrial buildings, to ensure the efficient use of land. The density requirement is used as a proxy for job production and tax base generation projections. This project includes a variety of uses that help push density up (ex. two story office building) and uses that push density down (ex. material/yard storage). The proposed density equals a 0.21-0.24 Floor-to-Area Ratio. Given the job count and current cost estimates, this project overall meets the primary expected economic development jobs and tax base outputs for the site, mitigating density concerns.

Outdoor storage has not been permitted in Port Authority business centers for nearly 30 years. Given the nature of the proposed stored materials, electric transformers, power poles, cabling, etc., it is impractical to store these materials and load them inside a building. It was an imperative for the Buyer early in our discussions to be able to accommodate the need for outdoor uses. Similarly, the Port Authority's concern with viewsheds into said areas, noise and other concerns has been paramount. The parties have agreed that a variance to the prohibition of outdoor storage in the Covenants for the site can be provided to accommodate their needs, pursuant to an acceptable design mitigating such concerns is approved by the Port Authority through the design review process under the Covenants.

Development Officer's Comments:

The Port Authority acquired this site in 2019 and will utilize Port Authority funds and grant funds from the Environmental Protection Agency (EPA), Department of Employment and Economic Development (DEED), Metropolitan Council (TBRA), Ramsey County (ERF) and many additional funding partners to remediate and prepare the site for economic development purposes. This project retains Xcel Energy's existing workforce in Saint Paul, allows for the repurposing and backfill of their current site on a commercial corridor (Rice Street), and advances sustainable development. We are excited to bring forward a project that satisfies the economic development goals for jobs and tax base for this site and helps advance our Net Zero goal.



NO.	DATE	DESCRIPTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: _____ LIC. NO.: _____

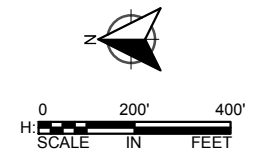
OVERALL SITE PLAN

30% PRELIMINARY SITE REDEVELOPMENT PLANS FOR:
THE HEIGHTS
 SAINT PAUL, MINNESOTA

SITE PLAN NOTES

- EXISTING SITE INFORMATION WAS TAKEN FROM A BOUNDARY AND TOPOGRAPHIC SURVEY COMPLETED BY LOUCKS CIVIL ENGINEERING & LAND SURVEYING DATED 08-17-2022. ACTUAL FIELD CONDITIONS MAY VARY.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PLANS AND REQUIREMENTS OF THE DETAILED SPECIFICATIONS.
- OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL PAY ALL PERMIT AND OTHER ASSOCIATED FEES REQUIRED BY LOCAL, STATE AND FEDERAL AGENCIES.
- THE CONTRACTOR SHALL BE RESPONSIBLE TO COMPLY WITH ALL OSHA REGULATIONS IN THE EXECUTION OF WORK UNDER THIS CONTRACT.
- INSPECTION CONTACT: THE DEVELOPER SHALL CONTACT THE RIGHT OF WAY INSPECTOR TESHOME HALEMARIAM, 651-238-0681 (TWO WEEK PRIOR TO BEGINNING WORK) TO DISCUSS TRAFFIC CONTROL, PEDESTRIAN SAFETY AND COORDINATION OF ALL WORK IN THE PUBLIC RIGHT OF WAY. NOTE: IF NOTICE IS NOT PROVIDED TO THE CITY, ANY RESULTING DELAYS SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- AS PART OF THE ROW PERMITTING PROCESS, TWO WEEKS BEFORE ANY WORK BEGINS THAT IMPACTS THE ROW IN ANY WAY THE DEVELOPER SHALL PROVIDE TO THE ROW INSPECTOR THE NAME AND CONTACT INFORMATION OF THE CONSTRUCTION PROJECT MANAGER OR CONSTRUCTION PROJECT SUPERINTENDENT. IF THIS INFORMATION IS NOT PROVIDED THERE MAY BE A DELAY IN OBTAINING PERMITS FOR THE WORK IN THE ROW. SAID DELAYS WILL BE THE SOLE RESPONSIBILITY OF THE DEVELOPER.
- ENCROACHMENTS: PER CHAPTER 134 OF THE LEGISLATIVE CODE, NO PERSON SHALL CONSTRUCT AND MAINTAIN ANY PROJECTION OR ENCROACHMENT WITHIN THE PUBLIC RIGHT-OF-WAY.
- ORDERING OBSTRUCTION AND EXCAVATION PERMITS: CONTACT PUBLIC WORKS RIGHT OF WAY SERVICE DESK AT (651) 266-6151. IT IS STRONGLY RECOMMENDED THAT CONTRACTORS CALL FOR COST ESTIMATES PRIOR TO BIDDING TO OBTAIN ACCURATE COST ESTIMATES.
- OBSTRUCTION PERMITS: THE CONTRACTOR MUST OBTAIN AN OBSTRUCTION PERMIT IF CONSTRUCTION (INCLUDING SILT FENCES) WILL BLOCK CITY STREETS, SIDEWALKS OR ALLEYS, OR IF DRIVING OVER CURBS.
- EXCAVATION PERMITS: ALL DIGGING IN THE PUBLIC RIGHT OF WAY REQUIRES AN EXCAVATION PERMIT.
- FAILURE TO SECURE PERMITS: FAILURE TO SECURE OBSTRUCTION PERMITS OR EXCAVATION PERMITS WILL RESULT IN A DOUBLE-PERMIT FEE AND OTHER FEES REQUIRED UNDER CITY OF ST. PAUL LEGISLATIVE CODES.
- RIGHT OF WAY RESTORATION: RESTORATION OF ASPHALT AND CONCRETE PAVEMENTS ARE PERFORMED BY THE PUBLIC WORKS STREET MAINTENANCE DIVISION. THE CONTRACTOR IS RESPONSIBLE FOR PAYMENT TO THE CITY FOR THE COST OF THESE RESTORATIONS. THE CONTRACTOR SHALL CONTACT PUBLIC WORKS STREET MAINTENANCE TO SET UP A WORK ORDER PRIOR TO BEGINNING ANY REMOVALS IN THE STREET AT 651-266-9700. PROCEDURES AND UNIT COSTS ARE FOUND IN STREET MAINTENANCE'S "GENERAL REQUIREMENTS - ALL RESTORATIONS" AND ARE AVAILABLE AT THE PERMIT OFFICE.

NOTICE TO CONTRACTORS:
 THE SUBJECT PROPERTY CONTAINS CONTAMINATED SOILS, SEDIMENTS AND OTHER MEDIA AS DEFINED BY BRAUN INTERTEC CORPORATION. A RESPONSE ACTION PLAN HAS BEEN PREPARED BY BRAUN INTERTEC CORPORATION DATED MARCH 1, 2022 (PROJECT NO. B1903316.00). ALL CONSTRUCTION WORK AND REMOVALS SHALL BE IN ACCORDANCE WITH "RESPONSE ACTION PLAN FOR: HILLCREST REDEVELOPMENT SITE", PREPARED BY BRAUN INTERTEC CORPORATION, DATED MARCH 1, 2022. REFER TO THE "RAP" FOR ADDITIONAL DETAIL AND SPECIFICATION.



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Saint Paul Port Authority
 400 Wabasha Street North Suite 240
 St Paul, Minnesota 55102
 Phone 612-224-5686

WSB PROJECT NO. 013987-000

**RESOLUTION OF THE
PORT AUTHORITY OF THE CITY OF SAINT PAUL**

**[PUBLIC HEARING – CONVEYANCE OF LAND TO NORTHERN
STATES POWER COMPANY, HEREINAFTER REFERRED TO
AS XCEL ENERGY – THE HEIGHTS – INDUSTRIAL PARCEL 5]**

WHEREAS, the Port Authority of the City of Saint Paul (the "Port Authority"), pursuant to Minnesota Statutes, Section 469.065, did place a notice, a copy of which with proof of publication is on file in the office of the Port Authority, of a public hearing on the proposed conveyance of property owned by the Port Authority in a legal newspaper, said hearing to be held to determine whether it is in the best interests of the port district of Saint Paul and the people thereof and in furtherance of the general plan of port improvement and industrial development to convey real estate located at The Heights, and by reference made a part hereof and any personal property of the Port Authority included therewith (collectively, the "Property").

WHEREAS, the Port Authority did conduct a public hearing pursuant to said notice on April 25, 2023, at which hearing all taxpayers in the port district, both for and against the conveyance, were allowed to state their views.

WHEREAS, Xcel Energy ("Buyer") has entered into a Purchase Agreement to purchase real estate at The Heights, Industrial Parcel 5 which Property is owned by the Port Authority.

WHEREAS, it is in the best interests of the port district and the people thereof, and in furtherance of the general plan of port improvement and industrial development, to approve the real estate conveyance.

WHEREAS, the Port Authority has investigated the facts of the proposal with said investigation including the terms and conditions of said agreement, the proposed use of the Property, and the relationship thereof to the port district of Saint Paul and the business facilities of the Port Authority in general.

WHEREAS, the proposal presented meets the terms and conditions set forth by the Port Authority as its guide in determining if such proposals are in the best interests of the port district and of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT AUTHORITY OF THE CITY OF SAINT PAUL:

1. That the Board of Commissioners of the Port Authority hereby finds, determines and declares that it is for the best interests of the port district and the people thereof, and in furtherance of the general plan of industrial development, to enter into said agreement to convey the land; and
2. That the actions of the President of the Port Authority in causing public notice of the proposed conveyance, and in describing the terms and conditions of such conveyance, which have

been available for inspection by the public at the office of the Port Authority from and after the publication of notice of hearing, are in all respects ratified and confirmed; and

3. That the President of the Port Authority is hereby authorized to complete and execute said agreement to purchase in substantially the form as is on file in the office of the Port Authority, and the proper Port Authority officers are hereby authorized to complete and execute all documents necessary to convey title in form as approved by counsel.

Adopted: April 25, 2023

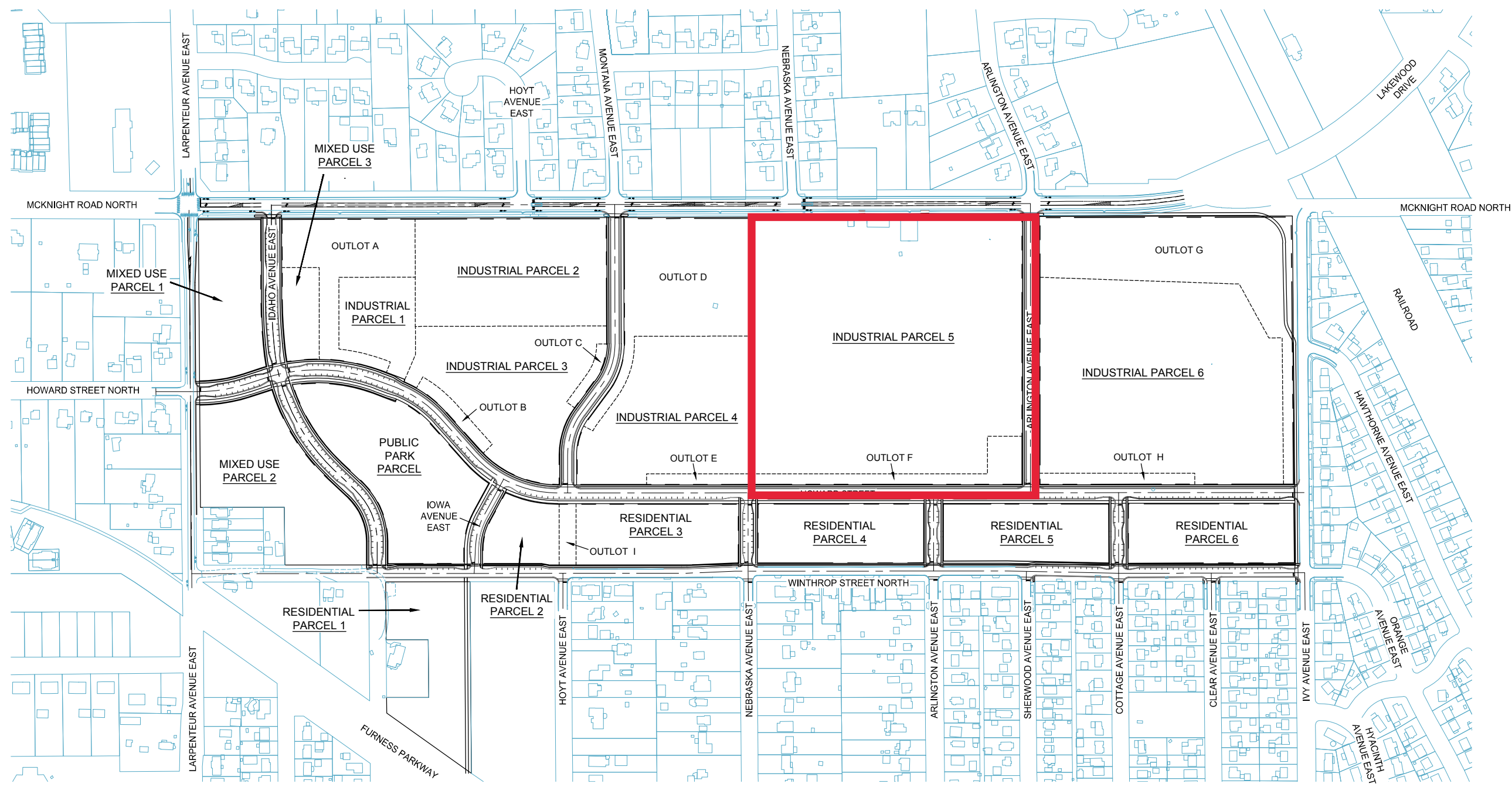
PORT AUTHORITY OF THE
CITY OF SAINT PAUL

By _____
Its Chair

Attest:

By _____
Its Secretary

Attachment: Site Map



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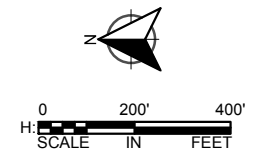
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- OBSTRUCTION PERMITS: THE CONTRACTOR MUST OBTAIN AN OBSTRUCTION PERMIT IF CONSTRUCTION (INCLUDING SILT FENCES) WILL BLOCK CITY STREETS, SIDEWALKS OR ALLEYS, OR IF DRIVING OVER CURBS.
- EXCAVATION PERMITS: ALL DIGGING IN THE PUBLIC RIGHT OF WAY REQUIRES AN EXCAVATION PERMIT.
- FAILURE TO SECURE PERMITS: FAILURE TO SECURE OBSTRUCTION PERMITS OR EXCAVATION PERMITS WILL RESULT IN A DOUBLE-PERMIT FEE AND OTHER FEES REQUIRED UNDER CITY OF ST. PAUL LEGISLATIVE CODES.
- RIGHT OF WAY RESTORATION: RESTORATION OF ASPHALT AND CONCRETE PAVEMENTS ARE PERFORMED BY THE PUBLIC WORKS STREET MAINTENANCE DIVISION. THE CONTRACTOR IS RESPONSIBLE FOR PAYMENT TO THE CITY FOR THE COST OF THESE RESTORATIONS. THE CONTRACTOR SHALL CONTACT PUBLIC WORKS STREET MAINTENANCE TO SET UP A WORK ORDER PRIOR TO BEGINNING ANY REMOVALS IN THE STREET AT 651-266-9700. PROCEDURES AND UNIT COSTS ARE FOUND IN STREET MAINTENANCE'S "GENERAL REQUIREMENTS - ALL RESTORATIONS" AND ARE AVAILABLE AT THE PERMIT OFFICE.

NOTICE TO CONTRACTORS:
 THE SUBJECT PROPERTY CONTAINS CONTAMINATED SOILS, SEDIMENTS AND OTHER MEDIA AS DEFINED BY BRAUN INTERTEC CORPORATION. A RESPONSE ACTION PLAN HAS BEEN PREPARED BY BRAUN INTERTEC CORPORATION DATED MARCH 1, 2022 (PROJECT NO. B1903316.00). ALL CONSTRUCTION WORK AND REMOVALS SHALL BE IN ACCORDANCE WITH "RESPONSE ACTION PLAN FOR: HILLCREST REDEVELOPMENT SITE", PREPARED BY BRAUN INTERTEC CORPORATION, DATED MARCH 1, 2022. REFER TO THE "RAP" FOR ADDITIONAL DETAIL AND SPECIFICATION.



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