

**Administrative Committee
Credit Committee
Regular Board Meeting**

January 23, 2024

Board Chair Slaven and Committee Chairs Marshall and Mullin are calling a meeting of the Administrative Committee, Credit Committee and Board of Commissioners for **Tuesday, January 23, 2024.**

The Committee meetings will start at 1:30 p.m., and the Board meeting will start at 2:00 p.m. in the Board Room of the Saint Paul Port Authority, 400 Wabasha Street No., Suite 240, St. Paul, MN.

Administrative Committee Agenda

Minutes

Approval of the Minutes from the November 28, 2023 Administrative Committee Meeting

Conflicts of Interest

Conflicts with any Items on the Agenda

New Business

1. Selection of External Auditors

Such Other Business That May Come Before the Committee

Credit Committee Agenda

Minutes

Approval of the Minutes from the November 28, 2023 Credit Committee Meeting

Conflicts of Interest

Conflicts with any Items on the Agenda

New Business

1. Approval of a Lease Amendment and Rental Rate Adjustment – Alter Trading Corporation – Southport Terminal
2. Authorization to Accept Grant Funding from the Minnesota Department of Transportation’s Port Development Assistance Program
3. 2024 Grant Application and Acceptance Authorization
4. Approval of Community Engagement, Marketing Events and Promotional Partnerships

5. Approval of Writing Off the Mario Holdings, LLC Loan
6. Write Off Emergency Business Development Fund Loans

Such Other Business That May Come Before the Committee

1. Quarterly Report on Outside Funded PACE Projects – 4Q/2023

Regular Board Meeting Agenda

Minutes

Approval of the Minutes from the November 28, 2023 Regular Board Meeting

Conflicts of Interest

Conflicts with any Items on the Agenda

New Business

1. Resolution No. 4765 - Selection of External Auditors
2. Resolution No. 4766 - Approval of a Lease Amendment and Rental Rate Adjustment – Alter Trading Corporation – Southport Terminal
3. Resolution Nos. Authorization to Accept Grant Funding from the Minnesota Department of Transportation’s Port Development Assistance Program
 - 4767 - BT1 Material Storage & Transfer Improvements
 - 4768 - BT2 Dockwall Rehabilitation
 - 4769 - BT2 Safety & Resiliency Improvements
4. Resolution No. 4770 - 2024 Grant Application and Acceptance Authorization
5. Resolution No. 4771 - Approval of Community Engagement, Marketing Events and Promotional Partnerships

Such Other Business That May Come Before the Board

1. Resolution No. 4772 - Recognition of Pete Klein

cc: City Clerk
Reporters

**SAINT PAUL PORT AUTHORITY
MINUTES OF THE ADMINISTRATIVE COMMITTEE MEETING
NOVEMBER 28, 2023**

The meeting of the Port Authority Administrative Committee was held on November 28, 2023, at 1:30 p.m. in the Board Room of the Saint Paul Port Authority, 400 Wabasha Street No., Suite 240, Saint Paul, Minnesota 55102.

The following Committee Members were present:

John Marshall *	Don Mullin	Matt Slaven
John Bennett		

* Attended the meeting virtually.

Also, present were the following:

Amanda Bauer	Tonya Bauer	Rick Howden
Todd Hurley	Holly Huston	Sarah Illi
Bruce Kessel	Pete Klein	Annamarie Kosel
Dana Krueger	Emily Lawrence	Cathy Mohr
Andrea Novak	Phoua Vang	Kristine Williams
Linda Williams		
Amy Brendmoen, City of Saint Paul		
Rebecca Noecker, City of Saint Paul		
Angela Riffe, City of Saint Paul		
Trinidad Uribe, Sprinkler Fitters Union		
Chris Coleman, Twin Cities Habitat for Humanity		
Chirs Sherman, Sherman Associates		
Eric Larson, Eckberg Lammers		

APPROVAL OF MINUTES

Committee Member Slaven made a motion to approve the minutes of the August 22, 2023 Administrative Committee meeting. The motion was seconded by Committee Member Mullin, submitted to a roll call vote, and carried unanimously.

CONFLICT OF INTEREST

There were no conflicts of interest with any of the agenda items.

AGENDA ITEMS

APPROVAL OF FINAL CERTIFICATION OF TAX LEVY

Mr. Kessel reviewed his memorandum requesting the approval of the Truth in Taxation Certification and authorizing the President of the Saint Paul Port Authority to submit the Final Certification of Tax Levy to Ramsey County. Committee Member Slaven made a motion to approve the request as outlined in the Committee report. The motion was seconded by Committee Member Mullin, submitted to a roll call vote, and carried unanimously.

APPROVAL OF 2024 OPERATING BUDGET

Mr. Kessel reviewed his memorandum requesting that the Committee approve the 2024 Operating Budget for Port Authority operations and grant the President the authority to modify this budget as necessary pending St. Paul City Council final action on the 2024 mandatory property tax levy. Committee Member Mullin made a motion to approve the request. The motion was seconded by Committee Member Bennett, submitted to a roll call vote, and carried unanimously.


OTHER BUSINESS

There being no further business, the meeting was adjourned at 1:42 p.m.

By: _____

Its: _____

To: ADMINISTRATIVE COMMITTEE
BOARD OF COMMISSIONERS

From: Bruce A. Kessel 

Subject: **SELECTION OF EXTERNAL AUDITOR**
RESOLUTION NO. 4765

Meeting Date: January 23, 2024

Action Requested:

Approve Clifton Larson Allen as the external auditor for Saint Paul Port Authority for the year ending December 31, 2023.

Proposal:

An RFP for auditing services was issued in October 2022 for the year ending December 31, 2022, with an option to renew for additional years. The Board approved the selection of Clifton Larson Allen for the year December 31, 2022, and requested staff undertake efforts to identify a diverse pool of qualified firms in future years. As such, after the completion of the 2022 audit, the RFP for audit firms was posted on our website. In addition, whenever staff had an opportunity for discussions with external auditing firms, they took the opportunity to discuss our operations and direct them to the website for additional information about our operations and need for audit services. Based on these discussions, external accounting firms have indicated staffing shortages are preventing them from taking on new clients.

Further, no new firms responded to the RFP, and as such, we recommend entering into a contract with Clifton Larson Allen for the year ending December 31, 2023.

Recommendation:

We recommend approval of Clifton Larson Allen as the external auditor for the Saint Paul Port Authority for the year ending December 31, 2023.

Attachment: Resolution

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

[SELECTION OF EXTERNAL AUDITORS]

WHEREAS, staff has presented to the Board of Commissioners of the Port Authority of the City of Saint Paul (the “Port Authority”) a proposal from CliftonLarsonAllen LLP to act as auditors for the Port Authority for the year ending December 31, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT AUTHORITY OF THE CITY OF SAINT PAUL that the proposal of CliftonLarsonAllen LLP to act as auditors for the Port Authority for the year ending December 31, 2023 is hereby accepted, and the President or the Chief Financial Officer of the Port Authority is hereby authorized to enter into a contract with CliftonLarsonAllen LLP for such audit services in a form approved by counsel.

Adopted: January 23, 2024

PORT AUTHORITY OF THE CITY OF SAINT PAUL

By _____
Its _____

ATTEST:

By _____
Its _____

**SAINT PAUL PORT AUTHORITY
MINUTES OF THE REGULAR CREDIT COMMITTEE MEETING
NOVEMBER 28, 2023**

The regular meeting of the Port Authority Credit Committee was held on November 28, 2023, at 1:43 p.m. in the Board Room of the Saint Paul Port Authority, 400 Wabasha Street, Suite 240, Saint Paul, Minnesota 55102.

The following Committee Members were present:

Don Mullin	John Marshall *	Matt Slaven
John Bennett	Angela Riffe	Trinidad Uribe

* Attended the meeting virtually.

Also, present were the following:

Amanda Bauer	Tonya Bauer	Rick Howden
Todd Hurley	Holly Huston	Sarah Illi
Bruce Kessel	Pete Klein	Annamarie Kosel
Dana Krueger	Emily Lawrence	Cathy Mohr
Andrea Novak	Laurie Siever	Phoua Vang
Kristine Williams	Linda Williams	

Amy Brendmoen, City of Saint Paul
Rebecca Noecker, City of Saint Paul
Chris Coleman, Twin Cities Habitat for Humanity
Chirs Sherman, Sherman Associates
Eric Larson, Eckberg Lammers

APPROVAL OF MINUTES

Committee Member Riffe made a motion to approve the minutes of the October 24, 2023 Credit Committee meeting. The motion was seconded by Committee Member Slaven, submitted to a roll call vote, and carried unanimously.

CONFLICTS OF INTEREST

Committee Member Slaven stated that he would abstain from discussion and voting on agenda item number five and Committee Member Riffe stated that she would abstain from discussion and voting on agenda item number eight.

AGENDA ITEMS

**APPROVAL OF A LEASE AMENDMENT AND RENTAL RATE
ADJUSTMENT – FLINT HILLS RESOURCES PINE BEND, LLC – BARGE TERMINAL 1**

Ms. Williams reviewed her memorandum with the Committee requesting approval of a Lease Amendment and Rental Rate Adjustment for Flint Hills Resources Pine Bend, LLC to continue leasing and adjust the rental rates for Tenant's lease of 244,619 square feet of land in Barge Terminal 1 at 2209 Childs Road, Saint Paul, Minnesota. Committee Member Riffe made a motion to approve the request. The motion was seconded by Committee Member Bennett, submitted to a roll call vote, and carried unanimously.

**APPROVAL OF THREE LEASE AMENDMENTS AND RENTAL RATE ADJUSTMENTS -
HAWKINS, INC. – (1) BARGE TERMINAL 1 - 1125 CHILDS ROAD; (2) SOUTHPORT TERMINAL
- 0 BARGE CHANNEL ROAD; AND (3) SOUTHPORT TERMINAL– 701 BARGE CHANNEL ROAD**

Ms. Williams reviewed her memorandum with the Committee requesting approval of three Lease Amendments and Rental Rate Adjustments for Hawkins, Inc. to continue leasing land and adjust the rental rates in three locations in Saint Paul, Minnesota as follows: (1) Barge Terminal 1 at 1125 Childs Road; (2) Southport Terminal at 0 Barge Channel Road; and (3) Southport Terminal at 701 Barge Channel Road. Committee Member Slaven made a motion to approve the request. The motion was seconded by Committee Member Riffe, submitted to a roll call vote, and carried unanimously.

**APPROVAL OF WRITING OFF A PORTION OF THE TWIN CITY ATHLETIC
TRAINING, LLC LOAN AND ACCRUED INTEREST AND ASSIGNMENT OF A
\$200,000 BDF LOAN FROM TWIN CITY ATHLETIC TRAINING, LLC TO FITNESS STP LLC**

Ms. Huston reviewed her memorandum with the Committee requesting approval of writing off a portion of the Twin City Athletic Training, LLC's existing Business Development Fund loan and associated accrued interest and assignment of \$200,000 of the Loan to Fitness STP LLC. Committee Member Riffe made a motion to approve the request. The motion was seconded by Committee Member Bennett, submitted to a roll call vote, and carried unanimously.

**CONSENT TO THE REFUNDING OF A CONDUIT REVENUE NOTE
UNDER MINNESOTA STATUTES, CHAPTER 469.155, SUBDIVISION 12**

Ms. Huston reviewed her memorandum with the Committee requesting approval of a resolution consenting to the refunding of Series 2013-5 tax-exempt revenue note for Achieve Language Academy. Committee Member Slaven made a motion to approve the request. The motion was seconded by Committee Member Riffe, submitted to a roll call vote, and carried unanimously.

**ENGELSMA LIMITED PARTNERSHIP PACE APPLICATION
- APPROVAL OF A \$117,278 PACE TRILLION BTU LOAN**

Ms. Huston reviewed her memorandum with the Committee requesting approval for the Port Authority to initiate a PACE Trillion BTU loan for approximately \$117,278 with Engelsma Limited Partnership to replace the existing parking lot lights with LED lights at the Clover Shopping Center in Bloomington. Committee Member Bennett made a motion to approve the request. The motion was seconded by Committee Member Uribe, submitted to a roll call vote, and carried by a vote of five with Committee Member Slaven abstaining.

APPROVAL OF EMERGENCY BUSINESS DEVELOPMENT FUND LOAN EXTENSIONS

Ms. Huston reviewed her memorandum with the Committee requesting approval for the Port Authority to amend and extend the loan terms for eight emergency business development loans; and the DEED guaranties of said loans, which guarantee 80% of the principal of each loan. Committee Member Slaven made a motion to approve the request. The motion was seconded by Committee Member Riffe, submitted to a roll call vote, and carried unanimously.

AUTHORIZATION TO ENTER INTO LOAN DOCUMENTS WITH THE CITY OF SAINT PAUL AUTHORIZING A LINE OF CREDIT FOR THE HEIGHTS

Ms. Huston reviewed her memorandum with the Committee requesting approval for the Port Authority of the City of Saint Paul, as borrower, to enter into a loan agreement, promissory note, and any other supporting loan documentation with the City of Saint Paul, as lender, authorizing a line of credit for The Heights project. Committee Member Slaven made a motion to approve the request. The motion was seconded by Committee Member Uribe, submitted to a roll call vote, and carried unanimously.

AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT, AND RELATED PURCHASE AGREEMENTS, AND APPROVAL OF CONVEYANCE OF LAND TO SHERMAN ASSOCIATES – THE HEIGHTS – Lot 1, Block 11, Lot 1, Block 10, Lot 1, Block 9, Lot 1, Block 8, Lot 1, Block 7, Lot 1, Block 6, Lot 1, Block 5, Lot 1, Block 4, Lot 1, Block 3 and Outlot D, the Heights Addition

Ms. Williams reviewed her memorandum with the Committee requesting authorization to enter into a Development Agreement, and related Purchase Agreements, and approval of the conveyance of approximately 25 acres of land located within The Heights to Sherman Associates, a portion of which Sherman intends to assign its rights to purchase to JO Companies and Twin Cities Habitat for Humanity, for the construction of approximately 1,000 total residential units. Committee Member Bennett made a motion to approve the request. The motion was seconded by Committee Member Slaven, submitted to a roll call vote, and carried by a vote of five with Committee Member Riffe abstaining.

SUCH OTHER BUSINESS

There being no further business, the meeting was adjourned at 2:25 p.m.


By: _____

Its: _____

MEMORANDUM

To: CREDIT COMMITTEE
BOARD OF COMMISSIONERS

Meeting Date: January 23, 2024

From: Kristine Williams 

**Subject: APPROVAL OF A LEASE AMENDMENT AND RENTAL RATE ADJUSTMENT
ALTER TRADING CORPORATION – SOUTHPORT TERMINAL
RESOLUTION NO. 4766**

Action Requested:

Approval of a Lease Amendment and Rental Rate Adjustment for Alter Trading Corporation (“Tenant”) to continue leasing and adjust the rental rates for Tenant’s lease of 304,920 square feet of land in Southport Terminal at 780, 750, and 740 Barge Channel Road, Saint Paul, Minnesota (“Leased Premises”).

Background:

Tenant has been leasing space on Barge Channel Road since 2021 when it assumed this Lease from Gerdau Ameristeel US Inc. The Leased Premises are used for storage and light processing of metal. This proposed Lease Amendment and Rental Rate Adjustment does not extend or otherwise modify the term of the Lease.

**Original Assignment, Assumption and Amendment
to Lease Terms and Conditions:**

Term: April 30, 2021 through December 31, 2023

Options to Renew: Two (2) five-year renewal terms extending the Lease through December 31, 2028 and December 31, 2033, respectively.

Negotiated Rental Rate:

Rental Rate Adjustment Term: January 1, 2024 through December 31, 2028

Annual Rental Rate Adjustment: 2.75% per year

<u>Base Rent:</u>	<u>Period Total</u>	<u>Monthly</u>	<u>PSF</u>
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[For reference: Dec. 31, 2023 ending period total \$83,887.10]

Jan. 1, 2024 to Dec. 31, 2024	\$86,194.00	\$7,182.83	\$0.2827
Jan. 1, 2025 to Dec. 31, 2025	\$88,564.33	\$7,380.36	\$0.2905
Jan. 1, 2026 to Dec. 31, 2026	\$90,999.85	\$7,583.32	\$0.2984

MEMORANDUM

Jan. 1, 2027 to Dec. 31, 2027	\$93,502.35	\$7,797.86	\$0.3066
Jan. 1, 2028 to Dec. 31, 2028	\$96,073.66	\$8,006.14	\$0.3151

Recommendation:

Approval of a Lease Amendment and Rental Rate Adjustment for Alter Trading Corporation to continue leasing and adjust the rental rates for Tenant's lease of 304,920 square feet of land in Southport Terminal at 780, 750, and 740 Barge Channel Road, Saint Paul, Minnesota.

Attachments: Map of Leased Premises
 Resolution



Southport Terminal

Site ID	Tenant
A	Northern Metals*
B	Midwest Mobile Water Products *
C	Krupenny & Sons *
D	District Energy
E	Port Authority
F	Mudek Trucking *
G	Saint Paul City Impound Lot
H	Alter Trading Corporation
I	Saint Paul City Impound Lot
J	Alter Logistics Company
K	Hawkins, Inc.
L	Common Area
M	J.F. Brennan
N	City of Saint Paul / Wetland *
O	L.S. Marine
P	Ingredient Transport
Q	Dredge Management Site
R	Origination, Inc.

*= Not Owned by Port Authority



400 Wabasha Street N.
Suite 240
Saint Paul, MN 55102

**RESOLUTION OF THE
PORT AUTHORITY OF THE CITY OF SAINT PAUL
[LEASE AMENDMENT AND RENTAL RATE ADJUSTMENT
ALTER TRADING CORPORATION – SOUTHPORT TERMINAL]**

WHEREAS, the Port Authority of the City of Saint Paul (the “Port Authority”) is a public body corporate and politic and governmental subdivision organized pursuant to Chapter 469 of Minnesota Statutes.

WHEREAS, the Port Authority has negotiated certain terms to be incorporated into a 2024 Lease Amendment and Rental Rate Adjustment (“2024 Lease Amendment”) to continue leasing 304,920 square feet of land in the Southport Terminal at 780, 750 and 740 Barge Channel Road in Saint Paul, Minnesota (the “Leased Premises”) to Alter Trading Corporation (the “Tenant”) pursuant to an Assignment, Assumption and Amendment to Lease between the Tenant and and Gerdau Ameristeel US. Inc., Tenant’s predecessor in interest, dated April 30, 2021, the original Lease dated January 1, 2012, as amended by a 2013 Amendment dated March 1, 2014, and a Substitute Fundamental Lease Provision dated July 12, 2014 (collectively, the “Lease”). The rates in the 2024 Lease Amendment for the period from January 1, 2024 through December 31, 2028, are increasing 2.75% per year, as set forth below:

<u>Base Rent Term:</u>	<u>Annual Rent:</u>	<u>PSF Rate</u>
Jan. 1, 2024 to Dec. 31, 2024	\$ 86,194.00	\$0.2827
Jan. 1, 2025 to Dec. 31, 2025	\$ 88,564.33	\$0.2905
Jan. 1, 2026 to Dec. 31, 2026	\$ 90,999.85	\$0.2984
Jan. 1, 2027 to Dec. 31, 2027	\$ 93,502.35	\$0.3066
Jan. 1, 2028 to Dec. 31, 2028	\$ 96,073.66	\$0.3151

WHEREAS, at the end of the term of the 2024 Lease Amendment, the Tenant shall have one (1) five-year option to renew.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT AUTHORITY OF THE CITY OF SAINT PAUL that the terms of 2024 Lease Amendment as contained in the Memorandum to the Board are hereby approved.

BE IT FURTHER RESOLVED that the President of the Port Authority, or anyone acting under his direction, is hereby authorized and directed to execute on behalf of the Port Authority the 2024 Lease Amendment in accordance with the above-referenced terms in form as approved by counsel.

Adopted: January 23, 2024

PORT AUTHORITY OF THE CITY OF SAINT PAUL

By _____
Its _____

ATTEST:

By _____
Its _____



To: CREDIT COMMITTEE
BOARD OF COMMISSIONERS

Meeting Date: January 23, 2024

From:

Sarah M. Illi

A handwritten signature in blue ink, appearing to read 'S. Illi'.

**Subject: AUTHORIZATION TO ACCEPT GRANT FUNDING FROM THE MINNESOTA
DEPARTMENT OF TRANSPORTATION'S PORT DEVELOPMENT ASSISTANCE
PROGRAM**

**RESOLUTION NO. 4767 - BT1 MATERIAL STORAGE & TRANSFER IMPROVEMENTS
RESOLUTION NO. 4768 - BT2 DOCKWALL REHABILITATION
RESOLUTION NO. 4769 - BT2 SAFETY & RESILIENCY IMPROVEMENTS**

Action Requested:

The Port Authority of the City of Saint Paul (the "Port Authority") seeks authorization by Board Resolution to accept grant funding from the Minnesota Department of Transportation's Port Development Assistance Program for proposed capital improvement projects at Port Authority-owned property located within Barge Terminal 1 (area leased by Bulk Silos, LLC) and Barge Terminal 2 (area leased by Upper River Services, Inc) in Saint Paul, Minnesota.

Background:

The Port Development Assistance Program ("PDAP") is authorized under Minnesota Statutes (Chapter 457A) and Minnesota Administrative Rules (Chapter 8895) and administered by the Minnesota Department of Transportation ("MNDOT"). The PDAP provides Minnesota's public port authorities with capital investment assistance through grant funding for the purpose of expediting the movement of commodities and passengers on the commercial navigation system, enhancing the commercial vessel construction and repair industry in Minnesota, and promoting economic development in and around ports and harbors in the state.

PDAP-eligible projects include (1) dock and terminal repair, (2) capital improvement to a commercial navigation facility, (3) supporting equipment directly related to loading or off-loading cargo to or from a vessel, (4) disposal facility construction or repair, and (5) dredging to open a new commercial navigation facility. The PDAP can provide funds for up to 80 percent of eligible project costs and applicants are responsible for providing a minimum 20 percent funding match that will contribute to the non-federal share of the total cost of the proposed project.

The Port Authority is currently coordinating large capital improvement projects at two commercial navigation facilities on the Mississippi River, Barge Terminal 1 and Barge Terminal 2. The capital improvement project at Barge Terminal 1 includes two proposed components within the area leased by Bulk Silos, LLC: (1) a new barge receiving system (PDAP Funding awarded/accepted in 2020); and (2) material storage and transfer improvements. The capital improvement project at Barge Terminal 2 includes three proposed components within the area leased by Upper River Services, Inc: (1) rehabilitation of the existing dockwall, (2) safety and resiliency improvements, and (3) construction of a new boat ramp. The Port Authority has been



working with each tenant to finalize engineering designs and secure grant funding and private investments necessary to fully fund each project/component.

PDAP Grant Applications & Status of Awards:

The Port Authority submitted grant applications to MNDOT for PDAP Funding to support the following project components:

Barge Terminal 1: Material Storage and Transfer Improvements

- Tenant/Location: Bulk Silos, LLC (2145 Childs Road)
- Key Project Elements:
 - Construction of three new silo storage structures
 - Installation of pneumatic conveyance lines for offloading from barges and rail cars
- Estimated Total Construction Cost: \$5,723,000
- 2023 PDAP Grant Application Date: 10/9/2023
- 2023 PDAP Grant Funding Request: \$4,000,000 (Pending Award)
- Other Funding Sources:
 - Federal Grant Funding: None
 - Port Authority: \$1,723,000 (Local Match/Cost Share)
- Funding Commitment Notes: Tenant (Bulk Silos, LLC) will commit the entire amount necessary to meet the Port Authority's local match/cost share requirement and cover any additional project costs and potential overruns necessary to fully fund and complete the project.

Barge Terminal 2 – Dockwall Rehabilitation

- Tenant/Location: Upper River Services, Inc (283 Alabama Street East)
- Key Project Elements:
 - Installation of new steel sheet pile wall
- Estimated Total Construction Cost: \$12,296,250
- 2020 PDAP Grant Application Date: 12/23/2020
- 2020 PDAP Grant Funding Request: \$6,300,000 (Awarded 2/18/2021)
- Other Funding Sources:
 - Federal Grant Funding: \$4,140,000 (Awarded 1/6/2022)
 - Port Authority: \$1,856,250 (Local Match/Cost Share)
- Funding Commitment Notes: Tenant (Upper River Services, Inc) will commit a portion of the total amount necessary to meet the Port Authority's local match/cost share requirement and cover any additional project costs and potential overruns necessary to fully fund and complete the project. The amount of the tenant's financial commitment towards the local match/cost share requirement will be determined based on lease agreement negotiations, with any remaining balance funded from the Port Authority's River Maintenance Account.

Barge Terminal 2 – Safety & Resiliency Improvements

- Tenant/Location: Upper River Services, Inc (283 Alabama Street East)
- Key Project Elements:



- Replacement and additional mooring couplings/bollards
 - New guardrail w/ removeable silt fence panels
 - Mechanical upgrades
 - Corrosion protection
- Estimated Total Construction Cost: \$1,111,500
- 2023 PDAP Grant Application Date: 10/9/2023
- 2023 PDAP Grant Funding Request: \$800,000 (Pending Award)
- Other Funding Sources:
 - Federal Grant Funding: None
 - Port Authority: \$311,500 (Local Match/Cost Share)
- Funding Commitment Notes: Tenant (Upper River Services, Inc will commit a portion of the total amount necessary to meet the Port Authority's local match/cost share requirement and cover any additional project costs and potential overruns necessary to fully fund and complete the project. The amount of the tenant's financial commitment towards the local match/cost share requirement will be determined based on lease agreement negotiations, with any remaining balance funded from the Port Authority's River Maintenance Account.

MNDOT's PDAP Funding awards are subject to execution of a grant agreement with the State of Minnesota. Prior to executing the grant agreements, resolutions are required from the Port Authority Board of Commissioners authorizing the acceptance of PDAP Funding

Because the properties subject to improvement with PDAP Funding are leased by the Port Authority, as landlord, to private parties, as tenants, a Use Agreement approved by Minnesota Management and Budget (MMB) will be a required element of the PDAP grant agreement for each project. The Use Agreements will also obligate the tenant's financial commitment towards the Port Authority's non-federal share of the cost of each project.

Workforce Implications and Construction Contracts:

Construction contracts for PDAP-funded projects will include prevailing wage requirements and performance/payment bonds. The construction contracts will be bid through public solicitation and contract awards will be subject to authorization by Board Resolution.

Recommendation:

Authorization by Board Resolution to accept grant funding from the Minnesota Department of Transportation's Port Development Assistance Program for proposed capital improvement projects at Port Authority-owned property located within Barge Terminal 1 (area leased by Bulk Silos, LLC) and Barge Terminal 2 (area leased by Upper River Services, Inc) in Saint Paul, Minnesota.

Attachments: Resolution No. 4767 - BT1 Material Storage & Transfer Improvements
 Resolution No. 4768 - BT2 Dockwall Rehabilitation
 Resolution No. 4769 - BT2 Safety & Resiliency Improvements

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

**[AUTHORIZATION TO ACCEPT GRANT FUNDING FROM THE MINNESOTA DEPARTMENT OF
TRANSPORTATION'S PORT DEVELOPMENT ASSISTANCE PROGRAM – BARGE TERMINAL 1
MATERIAL STORAGE & TRANSFER IMPROVEMENTS]**

WHEREAS, the Port Authority of the City of Saint Paul (the "Port Authority") is a public body corporate and politic and governmental subdivision organized pursuant to Chapter 469 of Minnesota Statutes;

WHEREAS, the district of the Port Authority is the City of Saint Paul;

WHEREAS, the Port Authority's Board of Commissioners is appointed by the Mayor of the City of Saint Paul, subject to the approval of the Council of the City of Saint Paul; and two of the Port Authority Commissioners must be members of the Council of the City of Saint Paul;

WHEREAS, under Minn. Stat. § 469.055, the Port Authority shall (1) promote the general welfare of the port district, and of the port as a whole; (2) try to increase the volume of the port's commerce; (3) promote the efficient, safe, and economical handling of the commerce; and (4) provide or promote adequate docks, railroad and terminal facilities open to all on reasonable and equal terms for the handling, storage, care, and shipment of freight and passengers to, from, and through the port;

WHEREAS, under Minn. Stat. §§ 469.048 to 469.061, the Port Authority has the powers and duties conferred upon all port authorities;

WHEREAS, under Minn. Stat. § 469.084, Subds. 1 to 15, the Port Authority of the City of Saint Paul has additional statutory duties and powers including powers related to recreational facilities and small business capital;

WHEREAS, under Minn. Stat. § 469.084, Subd. 8, the Port Authority of the City of Saint Paul, furthermore, has the power of and is authorized to do what a redevelopment agency may do or must do under §§ 469.152 to 469.165 (Municipal Industrial Development);

WHEREAS, federal, state, county, city, and other governmental entities and agencies have established grant, or other various assistance programs, which the Port Authority could use in furtherance of its statutory mission;

WHEREAS, the Port Authority represents that it undertakes reasonable and good faith efforts to procure funding in pursuit of its mission from other sources in addition to grant, or other, program resources to which it may seek assistance;

WHEREAS, The Port Development Assistance Program (“PDAP”) is authorized under Minn. Stat. § 457A and Minnesota Administrative Rules (Chapter 8895), and is administered by the Minnesota Department of Transportation (“MNDOT”). The PDAP provides Minnesota’s public port authorities with capital investment assistance through grant funding for the purpose of expediting the movement of commodities and passengers on the commercial navigation system, enhancing the commercial vessel construction and repair industry in Minnesota, and promoting economic development in and around ports and harbors in the state;

WHEREAS, on October 9, 2023, the Port Authority submitted a grant application to MNDOT for PDAP funding to support the construction of material storage and transfer improvements at the Port Authority’s Barge Terminal 1, a commercial navigation facility on the Mississippi River, located on property owned by the Port Authority at 2145 Childs Road in Saint Paul, Minnesota (the “Barge Terminal 1 Material Storage and Transfer Improvements Project”); and

WHEREAS, the Port Authority anticipates that MNDOT will award up to \$4,000,000 (the “2023 PDAP Funding”) to the Port Authority for the Barge Terminal 1 Material Storage and Transfer Improvements Project, subject to acceptance by the Port Authority and execution of a grant agreement with the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT AUTHORITY OF THE CITY OF SAINT PAUL: That the authority granted in these Resolutions is contingent upon MNDOT’s actual award of the 2023 PDAP Funding to the Port Authority for the Barge Terminal 1 Material Storage and Transfer Improvements Project.

BE IT FURTHER RESOLVED that the Port Authority authorizes the execution of a General Obligation Bond Grant Agreement (the “Grant Agreement”) with the State of Minnesota to enable the receipt of the awarded funding.

BE IT FURTHER RESOLVED that the Port Authority has the legal authority to apply for and accept financial assistance, and has the institutional, managerial, and financial capability to ensure adequate project administration of any financial assistance received.

BE IT FURTHER RESOLVED that the current funding sources for the Barge Terminal 1 Material Storage and Transfer Improvements Project include: (a) the 2023 PDAP Funding, if awarded to the Port Authority by MNDOT; and (b) \$1,723,000 committed from the Port Authority. The Port Authority, through its River Maintenance Account funded by monthly fees and funding contributions from its river terminal tenants, has budgeted for and will make available the necessary matching funds to be contributed by the Port Authority at greater than the minimum of 20% of the non-federal share of total project costs to fulfill the PDAP local share requirement under Minn. Stat. § 457A, and the Port Authority agrees to cover any additional project costs and potential overruns necessary to fully fund and complete the Barge Terminal 1 Material Storage and Transfer Improvements Project.

BE IT FURTHER RESOLVED that because the property subject to improvement with 2023 PDAP Funding is leased by the Port Authority, as landlord, to a private party, as tenant, a Use Agreement approved by Minnesota Management and Budget (the “Use Agreement”) will be a required element of the Grant Agreement, and such Use Agreement shall also obligate the

tenant's financial commitment towards the Port Authority's non-federal share of the costs of the Barge Terminal 1 Material Storage and Transfer Improvements Project.

BE IT FURTHER RESOLVED that the Port Authority 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.

BE IT FURTHER RESOLVED that the Port Authority certifies that it will comply with all applicable laws and regulations as stated in the grant or assistance agreements necessary to document the award.

BE IT FURTHER RESOLVED that the President or anyone acting under his direction is hereby authorized and directed to execute any and all necessary documents to document any necessary grant or assistance agreements and accept the funding described in these resolutions.

Adopted: January 23, 2024

PORT AUTHORITY OF THE
CITY OF SAINT PAUL

By _____
Its Chair

ATTEST:

By _____
Its Secretary

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

**[AUTHORIZATION TO ACCEPT GRANT FUNDING FROM THE MINNESOTA DEPARTMENT OF
TRANSPORTATION'S PORT DEVELOPMENT ASSISTANCE PROGRAM – BARGE TERMINAL 2
DOCKWALL REHABILITATION PROJECT]**

WHEREAS, the Port Authority of the City of Saint Paul (the "Port Authority") is a public body corporate and politic and governmental subdivision organized pursuant to Chapter 469 of Minnesota Statutes;

WHEREAS, the district of the Port Authority is the City of Saint Paul;

WHEREAS, the Port Authority's Board of Commissioners is appointed by the Mayor of the City of Saint Paul, subject to the approval of the Council of the City of Saint Paul; and two of the Port Authority Commissioners must be members of the Council of the City of Saint Paul;

WHEREAS, under Minn. Stat. § 469.055, the Port Authority shall (1) promote the general welfare of the port district, and of the port as a whole; (2) try to increase the volume of the port's commerce; (3) promote the efficient, safe, and economical handling of the commerce; and (4) provide or promote adequate docks, railroad and terminal facilities open to all on reasonable and equal terms for the handling, storage, care, and shipment of freight and passengers to, from, and through the port;

WHEREAS, under Minn. Stat. §§ 469.048 to 469.061, the Port Authority has the powers and duties conferred upon all port authorities;

WHEREAS, under Minn. Stat. § 469.084, Subds. 1 to 15, the Port Authority of the City of Saint Paul has additional statutory duties and powers including powers related to recreational facilities and small business capital;

WHEREAS, under Minn. Stat. § 469.084, Subd. 8, the Port Authority of the City of Saint Paul, furthermore, has the power of and is authorized to do what a redevelopment agency may do or must do under §§ 469.152 to 469.165 (Municipal Industrial Development);

WHEREAS, federal, state, county, city, and other governmental entities and agencies have established grant, or other various assistance programs, which the Port Authority could use in furtherance of its statutory mission;

WHEREAS, the Port Authority represents that it undertakes reasonable and good faith efforts to procure funding in pursuit of its mission from other sources in addition to grant, or other, program resources to which it may seek assistance;

WHEREAS, The Port Development Assistance Program (“PDAP”) is authorized under Minn. Stat. § 457A and Minnesota Administrative Rules (Chapter 8895), and is administered by the Minnesota Department of Transportation (“MNDOT”). The PDAP provides Minnesota’s public port authorities with capital investment assistance through grant funding for the purpose of expediting the movement of commodities and passengers on the commercial navigation system, enhancing the commercial vessel construction and repair industry in Minnesota, and promoting economic development in and around ports and harbors in the state;

WHEREAS, on December 23, 2020, the Port Authority submitted a grant application to MNDOT for PDAP funding to support the rehabilitation of the dockwall at the Port Authority’s Barge Terminal 2, a commercial navigation facility on the Mississippi River, located on property owned by the Port Authority at 283 Alabama Street East in Saint Paul, Minnesota (the “Barge Terminal 2 Dockwall Rehabilitation Project”); and

WHEREAS, on February 18, 2021, MNDOT awarded \$6,300,000 (the “2020 PDAP Funding”) to the Port Authority for the Barge Terminal 2 Dockwall Rehabilitation Project, subject to acceptance by the Port Authority and execution of a grant agreement with the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT AUTHORITY OF THE CITY OF SAINT PAUL: That the Port Authority authorizes the execution of a General Obligation Bond Grant Agreement (the “Grant Agreement”) with the State of Minnesota to enable the receipt of the awarded funding.

BE IT FUTHER RESOLVED that the Port Authority has the legal authority to apply for and accept financial assistance, and has the institutional, managerial, and financial capability to ensure adequate project administration of any financial assistance received.

BE IT FURTHER RESOLVED that the current funding sources for the Barge Terminal 2 Dockwall Rehabilitation Project include: (a) the 2020 PDAP Funding; (b) a federal grant award of \$4,140,000 from the United States Maritime Administration Port Infrastructure Development Program; and (c) \$1,856,250 committed from the Port Authority. The Port Authority, through its River Maintenance Account funded by monthly fees and funding contributions from its river terminal tenants, has budgeted for and will make available the necessary matching funds to be contributed by the Port Authority at greater than the minimum of 20% of the non-federal share of total project costs to fulfill the PDAP local share requirement under Minn. Stat. § 457A, and the Port Authority agrees to cover any additional project costs and potential overruns necessary to fully fund and complete the Barge Terminal 2 Dockwall Rehabilitation Project.

BE IT FURTHER RESOLVED that because the property subject to improvement with 2020 PDAP Funding is leased by the Port Authority, as landlord, to a private party, as tenant, a Use Agreement approved by Minnesota Management and Budget (the “Use Agreement”) will be a required element of the Grant Agreement, and such Use Agreement shall also obligate the tenant’s financial commitment towards the Port Authority’s non-federal share of the costs of the Barge Terminal 2 Dockwall Rehabilitation Project.

BE IT FURTHER RESOLVED that the Port Authority 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.

BE IT FURTHER RESOLVED that the Port Authority certifies that it will comply with all applicable laws and regulations as stated in the grant or assistance agreements necessary to document the award.

BE IT FURTHER RESOLVED that the President or anyone acting under his direction is hereby authorized and directed to execute any and all necessary documents to document any necessary grant or assistance agreements necessary to document the award and accept the funding described in these resolutions.

Adopted: January 23, 2024

PORT AUTHORITY OF THE
CITY OF SAINT PAUL

By _____
Its Chair

ATTEST:

By _____
Its Secretary

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

**[AUTHORIZATION TO ACCEPT GRANT FUNDING FROM THE MINNESOTA DEPARTMENT OF
TRANSPORTATION'S PORT DEVELOPMENT ASSISTANCE PROGRAM – BARGE TERMINAL 2
SAFETY & RESILIENCY IMPROVEMENTS]**

WHEREAS, the Port Authority of the City of Saint Paul (the "Port Authority") is a public body corporate and politic and governmental subdivision organized pursuant to Chapter 469 of Minnesota Statutes;

WHEREAS, the district of the Port Authority is the City of Saint Paul;

WHEREAS, the Port Authority's Board of Commissioners is appointed by the Mayor of the City of Saint Paul, subject to the approval of the Council of the City of Saint Paul; and two of the Port Authority Commissioners must be members of the Council of the City of Saint Paul;

WHEREAS, under Minn. Stat. § 469.055, the Port Authority shall (1) promote the general welfare of the port district, and of the port as a whole; (2) try to increase the volume of the port's commerce; (3) promote the efficient, safe, and economical handling of the commerce; and (4) provide or promote adequate docks, railroad and terminal facilities open to all on reasonable and equal terms for the handling, storage, care, and shipment of freight and passengers to, from, and through the port;

WHEREAS, under Minn. Stat. §§ 469.048 to 469.061, the Port Authority has the powers and duties conferred upon all port authorities;

WHEREAS, under Minn. Stat. § 469.084, Subds. 1 to 15, the Port Authority of the City of Saint Paul has additional statutory duties and powers including powers related to recreational facilities and small business capital;

WHEREAS, under Minn. Stat. § 469.084, Subd. 8, the Port Authority of the City of Saint Paul, furthermore, has the power of and is authorized to do what a redevelopment agency may do or must do under §§ 469.152 to 469.165 (Municipal Industrial Development);

WHEREAS, federal, state, county, city, and other governmental entities and agencies have established grant, or other various assistance programs, which the Port Authority could use in furtherance of its statutory mission;

WHEREAS, the Port Authority represents that it undertakes reasonable and good faith efforts to procure funding in pursuit of its mission from other sources in addition to grant, or other, program resources to which it may seek assistance;

WHEREAS, The Port Development Assistance Program (“PDAP”) is authorized under Minn. Stat. § 457A and Minnesota Administrative Rules (Chapter 8895), and is administered by the Minnesota Department of Transportation (“MNDOT”). The PDAP provides Minnesota’s public port authorities with capital investment assistance through grant funding for the purpose of expediting the movement of commodities and passengers on the commercial navigation system, enhancing the commercial vessel construction and repair industry in Minnesota, and promoting economic development in and around ports and harbors in the State;

WHEREAS, on October 9, 2023, the Port Authority submitted a grant application to MNDOT for PDAP funding to support the construction of safety and resiliency improvements at the Port Authority’s Barge Terminal 2, a commercial navigation facility on the Mississippi River, located on property owned by the Port Authority at 283 Alabama Street East in Saint Paul, Minnesota (the “Barge Terminal 2 Safety and Resiliency Improvements Project”); and

WHEREAS, the Port Authority anticipates that MNDOT will award up to \$800,000 (the “2023 PDAP Funding”) to the Port Authority for the Barge Terminal 2 Safety and Resiliency Improvements Project, subject to acceptance by the Port Authority and execution of a grant agreement with the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT AUTHORITY OF THE CITY OF SAINT PAUL: That the authority granted in these Resolutions is contingent upon MNDOT’s actual award of the 2023 PDAP Funding to the Port Authority for the Barge Terminal 2 Safety and Resiliency Improvements Project.

BE IT FURTHER RESOLVED that the Port Authority authorizes the execution of a General Obligation Bond Grant Agreement (the “Grant Agreement”) with the State of Minnesota to enable the receipt of the awarded funding.

BE IT FURTHER RESOLVED that the Port Authority has the legal authority to apply for and accept financial assistance, and has the institutional, managerial, and financial capability to ensure adequate project administration of any financial assistance received.

BE IT FURTHER RESOLVED that the current funding sources for the Barge Terminal 2 Safety and Resiliency Improvements Project include (a) the 2023 PDAP Funding, if awarded to the Port Authority by MNDOT; and (b) \$311,500 committed from the Port Authority. The Port Authority, through its River Maintenance Account funded by monthly fees and funding contributions from its river terminal tenants, has budgeted for and will make available the necessary matching funds to be contributed by the Port Authority at greater than the minimum of 20% of the non-federal share of total project costs to fulfill the PDAP local share requirement under Minn. Stat. § 457A, and the Port Authority agrees to cover any additional project costs and potential overruns necessary to fully fund and complete the Barge Terminal 2 Safety and Resiliency Improvements Project.

BE IT FURTHER RESOLVED that because the property subject to improvement with 2023 PDAP Funding is leased by the Port Authority, as landlord, to a private party, as tenant, a Use Agreement approved by Minnesota Management and Budget (the “Use Agreement”) will be a required element of the Grant Agreement, and such Use Agreement shall also obligate the

tenant's financial commitment towards the Port Authority's non-federal share of the costs of the Barge Terminal 2 Safety and Resiliency Improvements Project.

BE IT FURTHER RESOLVED that the Port Authority 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.

BE IT FURTHER RESOLVED that the Port Authority certifies that it will comply with all applicable laws and regulations as stated in the grant or assistance agreements necessary to document the award.

BE IT FURTHER RESOLVED that the President or anyone acting under his direction is hereby authorized and directed to execute any and all necessary documents to document any necessary grant or assistance agreements and accept the funding described in these resolutions.

Adopted: January 23, 2024

PORT AUTHORITY OF THE
CITY OF SAINT PAUL

By _____
Its Chair

ATTEST:

By _____
Its Secretary

MEMORANDUM

To: CREDIT COMMITTEE
BOARD OF COMMISSIONERS

Meeting Date: January 23, 2024

From: Linda K. Williams



**Subject: 2024 GRANT APPLICATION AND ACCEPTANCE AUTHORIZATION
RESOLUTION NO. 4770**

Action Requested:

Seeking approval for the President of the Port Authority of the City of Saint Paul ("Port Authority") or anyone acting under his direction to apply for and accept any grant or other financial or resource assistance for the year 2024, so long as the assistance furthers the Port Authority's mission.

Background:

The Port Authority seeks programs that provide grants or other financial or resource assistance that can help the Port Authority further its mission. Some of the programs require a Board resolution enclosed with the application authorizing the applicant to apply for and receive a grant or other financial or resource assistance. At times the application deadline date precedes the Port Authority's next Board meeting, placing the Port Authority in a position of not being able to provide a Board Resolution in support of its application. In the meantime, this general resolution we are requesting will supplement its application. To the best of the Port Authority's knowledge, the lack of any such resolution has not previously precluded an award to the Port Authority, but it has had the acceptance of an application denied. If this general resolution is used with a grant application, the Port Authority staff will provide the Board with an update of the grant details being applied for at a future board meeting.

The Port Authority staff recommends approval of a resolution which contains many of the standard board representations and statutory information required in connection with an application for such program assistance and further authorizes the Port Authority to apply for and accept any grant or other financial or resource assistance so long as the assistance furthers the Port Authority's mission. This resolution may help further the Port Authority's application, especially as the competition for such grants becomes greater and the requirement that a resolution be attached to the application at the time of submission.

Since 2012, this has been an annual resolution authorizing the application for and acceptance of financial or resource assistance. Any and all previous resolutions are available for review upon request. This new resolution would authorize this assistance for the year 2024.

MEMORANDUM

Recommendation:

Approval of a resolution authorizing the President of the Port Authority of the City of Saint Paul or anyone acting under his direction to apply for and accept any grant or other financial or resource assistance for the year 2024, so long as the assistance furthers the Port Authority's mission.

Attachment: Resolution

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

[2024 GRANT APPLICATION AND ACCEPTANCE AUTHORIZATION]

WHEREAS, the Port Authority of the City of Saint Paul (the “Port Authority”) is a public body corporate and politic and governmental subdivision organized pursuant to Chapter 469 of Minnesota Statutes;

WHEREAS, the district of the Port Authority is the City of Saint Paul;

WHEREAS, the Port Authority’s Board of Commissioners are appointed by the Mayor of the City of Saint Paul, subject to the approval of the Council of the City of Saint Paul; and two of the Port Authority Commissioners must be members of the Council of the City of Saint Paul;

WHEREAS, under Minn. Stat. § 469.055, the Port Authority shall (1) promote the general welfare of the port district, and of the port as a whole; (2) try to increase the volume of the port's commerce; (3) promote the efficient, safe, and economical handling of the commerce; and (4) provide or promote adequate docks, railroad, and terminal facilities open to all on reasonable and equal terms for the handling, storage, care, and shipment of freight and passengers to, from, and through the port;

WHEREAS, under Minn. Stat. §§ 469.048 to 469.061, the Port Authority has the powers and duties conferred upon all port authorities;

WHEREAS, under Minn. Stat. § 469.084, Subds. 1 to 15, the Port Authority has additional statutory duties and powers including powers related to recreational facilities and small business capital;

WHEREAS, under Minn. Stat. § 469.084, Subd. 8, the Port Authority, furthermore, has the power of and is authorized to do what a redevelopment agency may do or must do under Minn. Stat. §§ 469.152 to 469.165 (Municipal Industrial Development);

WHEREAS, federal, state, county, city, and other governmental entities and agencies have established grant, or other various assistance programs, which the Port Authority could use in furtherance of its statutory mission;

WHEREAS, for instance, the Minnesota legislature established environmental assistance grant programs to provide financial assistance in the development of environmentally sustainable practices in Minnesota through voluntary partnerships and goal-oriented, economically driven approaches to pollution prevention and resource conservation;

WHEREAS, many non-profit and governmental organizations have established grant, or other various assistance programs, which the Port Authority could use in furtherance of its statutory mission; and

WHEREAS, the Port Authority represents that it has undertaken reasonable and good faith efforts to procure funding in pursuit of its mission from other sources in addition to grant or other program resources to which it may seek assistance.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT AUTHORITY OF THE CITY OF SAINT PAUL: That the Port Authority has the legal authority to apply for grants and other financial or resource assistance ("Assistance") and has the institutional, managerial, and financial capability to ensure adequate project administration of any Assistance received;

BE IT FURTHER RESOLVED that any sources and amounts of any matching funds, local or otherwise, identified in an application by the Port Authority for Assistance (an "Application") will be committed to the identified project per the Application;

BE IT FURTHER RESOLVED that the Port Authority 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;

BE IT FURTHER RESOLVED that the Port Authority certifies that it will comply with all applicable laws and regulations as stated in the agreements documenting or awarding such Assistance;

BE IT FURTHER RESOLVED that for the year 2024, the President or anyone acting under his direction is hereby encouraged and authorized to apply to, and accept from, if awarded, Assistance in any amount from any federal, state, county, city, other governmental entities and agencies, or non-profit or other organizations so long as the Assistance furthers the Port Authority's mission;

BE IT FURTHER RESOLVED that the President or anyone acting under his direction is hereby authorized and directed to execute any and all necessary documents to complete Applications for such Assistance and secure their receipt; and

BE IT FURTHER RESOLVED, that notwithstanding the above, all loans and other financial or resource assistance that needs to be repaid by the Port Authority will require Board approval prior to the execution of documents imposing the specific debt obligation and amount by and upon the Port Authority.

Adopted: January 23, 2024

PORT AUTHORITY OF THE
CITY OF SAINT PAUL

By _____
Its Chair


ATTEST:

By _____
Its Secretary

MEMORANDUM

To: CREDIT COMMITTEE
BOARD OF COMMISSIONERS

Meeting Date: January 23, 2024

From: Andrea L. Novak 

**Subject: APPROVAL OF COMMUNITY ENGAGEMENT, MARKETING
EVENTS AND PROMOTIONAL PARTNERSHIPS
RESOLUTION NO. 4771**

Action Requested:

Approval is requested for the President of the Port Authority of the City of Saint Paul (the "Port Authority") or any authorized personnel acting under his direction, to pursue, apply for, and accept financial assistance, including contributions, participation, and sponsorships from external organizations, to support the Port Authority's mission, such as community engagement, marketing events, and promotional partnerships.

Background:

The Port Authority occasionally hosts events and engages in initiatives aimed at involving and educating the community on relevant topics. For example, the Port Authority previously accepted funding from District 2, via the White Bear Avenue Business Association, in support of community engagement efforts tied to The Heights. Funding was also provided by Ramsey County for Human Resources focused educational events.

Current Status

The Port Authority would like to continue to have the ability to seek, apply for, and accept contributions, participation, and sponsorships from external organizations for marketing events and promotions. At no time would business/vendor decisions be made based on financial commitments, nor would there be any financial recourse to the Port Authority when accepting programmatic financial support. The approval would be valid through December 31, 2024.

Recommendation:

Approval of a resolution authorizing the President of the Port Authority of the City of Saint Paul or any authorized personnel acting under his direction, to pursue, apply for, and accept financial assistance, including contributions, participation, and sponsorships from external organizations, to support the Port Authority's mission, such as community engagement, marketing events, and promotional partnerships.

Attachment: Resolution

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

**[APPROVAL FOR COMMUNITY ENGAGEMENT,
MARKETING EVENTS AND PROMOTIONAL PARTNERSHIPS]**

WHEREAS, the Port Authority of the City of Saint Paul (the “Port Authority”) is a public body corporate and politic and a governmental subdivision organized pursuant to Chapter 469 of Minnesota Statutes;

WHEREAS, the district of the Port Authority is the City of Saint Paul; and

WHEREAS, the Port Authority represents that it needs to seek, apply for, and accept financial support such as contributions, participation, and sponsorships from external organizations in furtherance of the Port Authority’s mission, such as community engagement, marketing events, and promotional partnerships.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT AUTHORITY OF THE CITY OF SAINT PAUL, that the Port Authority is authorized to seek, apply for, and accept financial support such as contributions, participation, and sponsorships from external organizations for community engagement, marketing events, and promotional partnerships.

BE IT FURTHER RESOLVED, that this approval will be valid through December 31, 2024.

BE IT FURTHER RESOLVED, that the President or anyone acting under his direction is hereby authorized to execute any and all necessary documents in order for Port Authority staff to seek, apply for, and accept financial support for community engagement, marketing events, and promotional partnerships.

Adopted: January 23, 2024

PORT AUTHORITY OF THE
CITY OF SAINT PAUL

By _____
Its Chair


Attest:

By _____
Its Secretary

MEMORANDUM

To: CREDIT COMMITTEE

Meeting Date: January 23, 2024

From: Bruce Kessel 

Subject: APPROVAL OF WRITING OFF MARIO HOLDINGS, LLC LOAN

Action Requested:

Approval of writing off Mario Holdings, LLC's Business Development Fund loan (the "Loan").

Background:

In March 2022, the Port Authority authorized assigning a portion of the Finish Line Wellness Group, LLC Business Development Fund loan (the "Loan") to Mario Holdings, LLC in the amount of \$190,000. The Loan was non-interest bearing through July 2025.

Mario Holdings, LLC was not successful in operating a fitness center and subsequently closed its business in October of 2023. The Loan was based upon Mario Holdings, LLC being able to successfully operate the space. With the space closed and vacant, there is no ability to collect on the Loan. As such, we recommend that it be written off.


Recommendation:

Approval of writing off Mario Holdings, LLC's Business Development Fund loan (the "Loan").

MEMORANDUM

To: CREDIT COMMITTEE

Meeting Date: January 23, 2024

From: Holly Huston 

Subject: WRITE OFF EMERGENCY BUSINESS DEVELOPMENT FUND LOANS

Action Requested:

Provide approval for the Port Authority to write off the remaining principal and interest of three Emergency Business Development Fund (“EBDF”) loans (the “Loans”). DEED has paid 80% of the principal balance of the Loans, and this request is to write off the remaining 20% plus accrued interest.

Public Purpose:

The Business Development Fund (“BDF”) exists to provide businesses in the East Metro region with loans up to \$1,250,000 or 25% of the financing requirement at fixed interest rates for up to 10 years. The BDF loan program has been deployed to businesses for various needs, including funding for capital expenditures and working capital.

Background:

In 2020 DEED created the Small Business Loan Guarantee program to incentivize lenders to deploy capital to Minnesota businesses impacted by the COVID-19 pandemic. DEED earmarked a total of \$10 million in funds to act as a guarantor for loans to small businesses up to \$250,000. Under this program, DEED provides an 80% guaranty of the loan principal, up to \$200,000 for a .25% fee. In partnership with this program, the Port Authority created an EBDF fund as part of the BDF program. The goal of the EBDF loans was to help small businesses in Saint Paul keep their businesses operating during the economic downturn created by the pandemic and devastating civil unrest.

The Port Authority funded a total of 21 EBDF loans for a total of \$1,123,000, which DEED guaranteed at 80% for three years. The three-year guaranty term expired in 2023. Two claims were previously paid in August of 2023, and an additional three claims were paid in December. The claims were paid because the business is no longer operating, and the loan is uncollectible.

Current Status:

The borrowers below are no longer in business, and the loans have been deemed uncollectible. DEED paid the 80% guaranty, and the remaining 20% plus 2% interest is uncollectible. Below is the summary with the loan details. The Port Authority has collected \$113,364.46, and the remaining amount of \$31,489.23 is uncollectible.

MEMORANDUM

Borrower	Org Loan	Paid	Deed Paid	Total Paid	Write Off P & I
ARAJ Inc	40,000.00	5,000.00	28,364.46	33,364.46	8,047.95
JAO Companies	50,000.00	-	40,000.00	40,000.00	11,720.64
Pupraya Thai Restaurant	50,000.00	-	40,000.00	40,000.00	11,720.64
Total	140,000.00	5,000.00	108,364.46	113,364.46	31,489.23


Recommendation:

We recommend approval for the Port Authority to write off the remaining principal and interest of three EBDF Loans.

MEMORANDUM

To: CREDIT COMMITTEE

Meeting Date: January 23, 2024

From: Holly Huston 

Subject: Quarterly Report on Outside Funded PACE Projects – 4Q/2023

The Port Authority is the MinnPACE program administrator. This memo includes a summary of PACE loans funded by other lenders for the 2023 year.

- In 2023 PACE loans funded by others totaled \$47.7M, the second highest in history.
- The largest ever MinnPACE loan for \$28M is driving the growth in 2023.
- PACE for new construction is driving the increase in loan amounts.
- 60% of projects related to building energy savings and 40% for solar.
- The volatility in the market and increasing interest rates are impacting the number of PACE loans.
- PACE loans are impacted by other Federal funding opportunities. Borrowers are waiting to see what type of resources they can access before securing a PACE loan.

Looking ahead to 2024

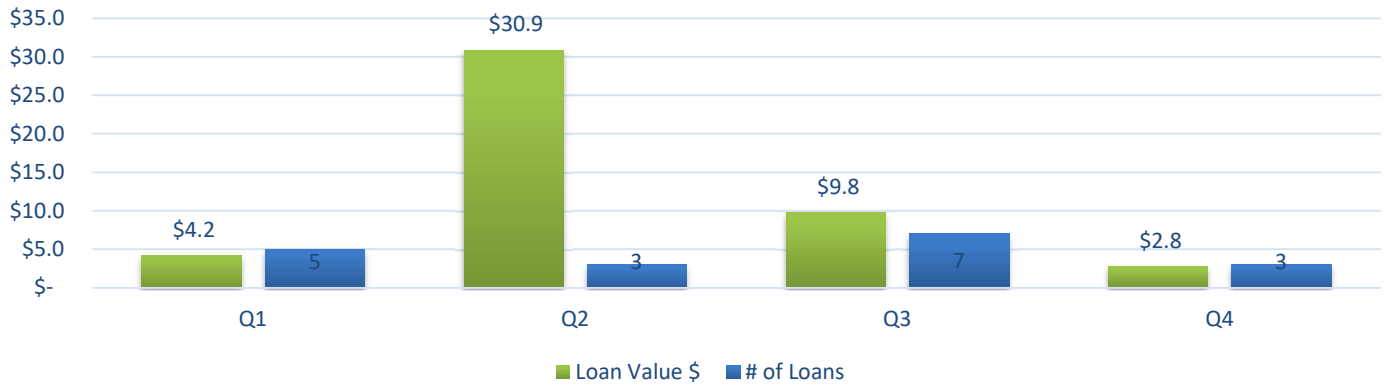
- Presenting at Economic Development Association of Minnesota (“EDAM”) in the summer
- Increased marketing efforts
- Enter into a Joint Powers Agreement (“JPA”) with Crow Wing County
- Improved lead tracking and website
- The goal is to administer at least \$50M in energy saving loans

Q4 Overview - Three externally funded PACE loans, a total value of \$2.8M.

Outside Funded PACE Loans - Quarter 4 2023							
Name	Loan Amount	Lender	City	County	Annual Energy Savings (\$)	Annual Energy savings	Energy Savings Type
First Covenant Church	\$157,000.	Blaze Credit Union	Minneapolis	Hennepin	\$ 4,005	47,679 kWh	Solar
Sara L and Christopher T Tilberg	\$140,000.	Blaze Credit Union	Ogilvie	Kanabec	\$ 7,720	23,134 kWh	Solar
MSP BLN Office LLC	\$2,500,000.	Pace Loan Group	Minneapolis	Hennepin	\$ 117,058	579,170 kWh	Envelop, HVAC, Water, Lighting
Total	\$2,797,000.				\$ 128,783	649,983 kWh	

2023 Performance by Quarter Throughout the Year:

2023 Outside Loans by Quarter

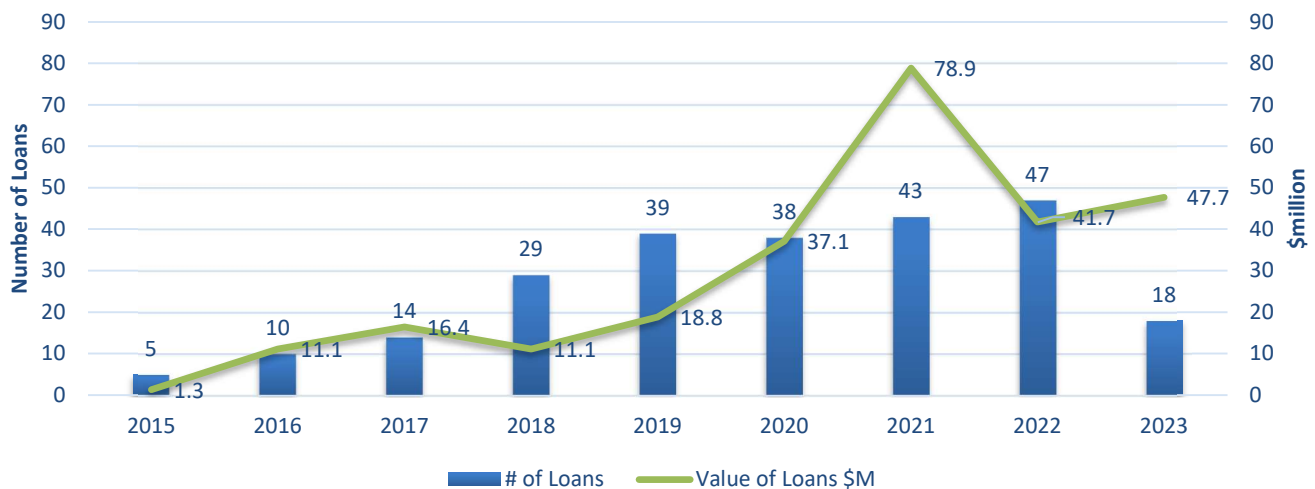


Outside funded PACE Loans

Quarter	\$ Value	# of Loans	Jobs	Annual Energy Savings (\$)	Annual Energy Savings MBTU	First Year Basis Share Prog Admin
Q1	\$4.2M	5	4.7	\$ 177,737	7188.00	\$ 10,500
Q2	30.9M	3	343.3	\$ 941,633	302230.00	\$ 77,250
Q3	9.8M	7	108.9	\$ 124,500	460037.00	\$ 24,500
Q4	2.8M	3	31.1	\$ 128,783	2216.00	\$ 7,000
Total	\$47.7	18	488.0	\$ 1,372,653	771,671 \	\$ 119,250

Loan History 2015-2023:

External Loan Trends



**SAINT PAUL PORT AUTHORITY
MINUTES OF THE REGULAR BOARD MEETING
NOVEMBER 28, 2023**

The regular meeting of the Port Authority Board was held on November 28, 2023 at 2:27 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	Don Mullin	John Marshall *
John Bennett	Nneka Constantino	Rebecca Noecker
Amy Brendmoen		

* Attended the meeting virtually.

Also, present were the following:

Amanda Bauer	Tonya Bauer	Rick Howden
Todd Hurley	Holly Huston	Sarah Illi
Bruce Kessel	Pete Klein	Annamarie Kosel
Dana Krueger	Emily Lawrence	Cathy Mohr
Andrea Novak	Laurie Siever	Phoua Vang
Kristine Williams	Linda Williams	

Angela Riffe, City of Saint Paul
Trinidad Uribe, Sprinkler Fitters Union
Chris Coleman, Twin Cities Habitat for Humanity
Chirs Sherman, Sherman Associates
Eric Larson, Eckberg Lammers

APPROVAL OF MINUTES

Commissioner Constantino made a motion to approve the minutes of the October 24, 2023 Annual Board meeting. The motion was seconded by Commissioner Noecker, submitted to a roll call vote, and carried unanimously.

CONFLICT OF INTEREST

There were no conflicts of interest with any items on the agenda.

NEW BUSINESS

ADMINISTRATIVE COMMITTEE

RESOLUTION NO. 4756

APPROVAL OF FINAL CERTIFICATION OF TAX LEVY

Motion was made by Commissioner Marshall to approve Resolution No. 4756, which was reviewed by the Administrative Committee and recommended for approval by the Board. The motion was submitted to a roll call vote and carried unanimously.

RESOLUTION NO. 4757
APPROVAL OF 2024 OPERATING BUDGET

Motion was made by Commissioner Marshall to approve Resolution No. 4757, which was reviewed by the Administrative Committee and recommended for approval by the Board. The motion was submitted to a roll call vote and carried unanimously.

CREDIT COMMITTEE

RESOLUTION NO. 4758
APPROVAL OF A LEASE AMENDMENT AND RENTAL RATE
ADJUSTMENT – FLINT HILLS RESOURCES PINE BEND, LLC – BARGE TERMINAL 1

Motion was made by Commissioner Mullin to approve Resolution No. 4758, 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. 4759
RESOLUTION NO. 4760
RESOLUTION NO. 4761
APPROVAL OF THREE LEASE AMENDMENTS AND RENTAL RATE ADJUSTMENTS -
HAWKINS, INC. – (1) BARGE TERMINAL 1 – 1125 CHILDS ROAD; (2) SOUTHPORT TERMINAL -
0 BARGE CHANNEL ROAD; AND (3) SOUTHPORT TERMINAL – 701 BARGE CHANNEL ROAD

Motion was made by Commissioner Mullin to approve Resolution Nos. 4759, 4760, and 4761, which were 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. 4762
CONSENT TO THE REFUNDING OF A CONDUIT REVENUE NOTE
UNDER MINNESOTA STATUTES, CHAPTER 469.155, SUBDIVISION 12

Motion was made by Commissioner Mullin to approve Resolution No. 4762, 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 Brendmoen voting nay.

RESOLUTION NO. 4763
AUTHORIZATION TO ENTER INTO LOAN DOCUMENTS WITH THE
CITY OF SAINT PAUL AUTHORIZING A LINE OF CREDIT FOR THE HEIGHTS

Motion was made by Commissioner Mullin to approve Resolution No. 4763, 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. 4764
AUTHORIZATION TO ENTER INTO A DEVELOPMENT AGREEMENT
AND RELATED PURCHASE AGREEMENTS; AND PUBLIC HEARING -
APPROVAL OF CONVEYANCE OF LAND TO SHERMAN ASSOCIATES – THE HEIGHTS

Motion was made by Commissioner Mullin to approve Resolution No. 4764, which was reviewed by the Credit Committee and recommended for approval by the Board.

Chair Slaven stated that in accordance with Minnesota law, the Port Authority is required to hold a public hearing regarding Resolution No. 4764 and declared the Public Hearing open. He asked if anyone in attendance wished to address the Board. No public comments were made.

Chair Slaven declared the Public Hearing closed and asked to take a roll call vote.

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

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

The motion carried unanimously.

GENERAL MATTERS

Such Other Business That May Come Before the Board

1. Board Stipends Switching to ACH in 2024
2. Recognition of Commissioner Amy Brendmoen
3. Announcement of Pete Klein's Resignation

There being no further business, the meeting was adjourned at 2:51 p.m.

By _____

Its _____