

# City of South St. Paul Housing and Redevelopment Authority Agenda Special Meeting

Monday, April 8, 2024 – 6:45 PM

**1. CALL TO ORDER:**

**2. ROLL CALL:**

**3. AGENDA:**

*A. Approval of Agenda*

*Action – Motion to Approve*

*Action – Motion to Approve as Amended*

**4. CONSENT AGENDA:**

*All items listed on the Consent Agenda are items, which are considered to be routine by the Economic Development Authority and will be approved by one motion. There will be no separate discussion of these items unless a Commissioner or citizen so requests, in which event the item will be removed from the consent agenda and considered at the end of the Consent Agenda.*

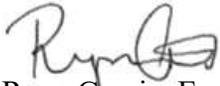
A. Approval of Minutes – Special Meeting – January 16, 2024

**5. GENERAL BUSINESS:**

A. Approval of Borrowing Resolution for Minnesota Housing’s Publicly Owned Housing Program (POHP) – Resolution No. 2024-3358

**6. ADJOURNMENT:**

Respectfully Submitted,



Ryan Garcia, Executive Director

HOUSING AND REDEVELOPMENT AUTHORITY  
OF THE CITY OF SOUTH ST. PAUL

BOARD OF COMMISSIONERS  
MINUTES  
SPECIAL MEETING  
JANUARY 16, 2024

The Special Meeting of the Housing and Redevelopment Authority of the City of South St. Paul was held on January 16, 2024, in the City Council Chambers at South St. Paul City Hall. Chairperson Hansen called the meeting to order at 8:43 P.M.

The following Commissioners were present: Pam Bakken, Tom Seaberg, Todd Podgorski, Lori Hansen, Joe Kaliszewski, Matthew Thompson and Jimmy Francis.

Staff present were Ryan Garcia, Executive Director, Housing Program Administrator Tiffany Greene, and City Attorney Aaron Price.

APPROVAL OF AGENDA

It was moved by Commissioner Bakken and seconded by Commissioner Kaliszewski to approve the agenda as presented.

Motion carried            7 Ayes / 0 Nays

CONSENT AGENDA

- A. Approval of Minutes – Annual Meeting – October 16, 2023
- B. Satisfaction of Mortgage (Applicant #974)

It was moved by Commissioner Kaliszewski and Seconded by Commissioner Bakken to approve the Consent Agenda as presented.

Motion carried            7 Ayes / 0 Nays

PUBLIC HEARING

- A. Rescinding Conveyance of Real Property Approved by Resolution No. 2022-3348 and Approving Conveyance of Real Property to the South St. Paul Economic Development Authority, Resolution 2024 – 3355 and Resolution 2024 - 2256

Mr. Garcia provided a brief summary of the proposed actions related to the conveyance of HRA property to the South St. Paul Economic Development Authority. Chair Hansen opened the public hearing at 8:47 P.M. There being no members of the public present to speak on the matter

after successive calls, Chair Hansen closed the public hearing at 8:47 P.M.

It was moved by Commissioner Thompson and Seconded by Commissioner Kaliszeski to approve Resolution No. 2024 - 3355.

Motion carried           7 Ayes / 0 Nays

It was moved by Commissioner Thompson and Seconded by Commissioner Bakken to approve Resolution No. 2024 - 3356.

Motion carried           7 Ayes / 0 Nays

## GENERAL BUSINESS

### A. Approval of Revised Admissions and Continued Occupancy Policy – Resolution No. 2024-3357

Ms. Greene discussed the importance of maintaining an Admissions and Continued Occupancy Policy (ACOP) that is current and compliant with various federal, state, and local regulations relating to publicly owned rental housing.

It was moved by Commissioner Francis and Seconded by Commissioner Thompson to approve Resolution 2024 – 3357.

Motion carried           7 Ayes / 0 Nays

### B. Application for 2024 Publicly Owned Housing Program (POHP) Funding through Minnesota Housing Finance Agency

Ms. Greene presented information relating to the ongoing need to maintain and replace significant capital components and infrastructures at the HRA's two publicly owned housing buildings, both of which are more than fifty years old. POHP funding has been an effective financing tool for the HRA and public housing agencies throughout the State in preserving and maintaining safe, efficient, secure and affordable housing. Ms. Greene sought the HRA's authorization to apply for POHP funding in 2024 for the replacement of obsolete electrical panel infrastructure in both buildings and for the replacement of roofs on both buildings.

It was moved by Commissioner Seaberg and Seconded by Commissioner Podgorski to approve Resolution 2024 - 3358.

Motion carried           7 Ayes / 0 Nays

### C. Temporary Staffing Discussion

Ms. Greene presented a request for the Board's support and approval of retaining temporary staff through Atlas Staffing agency through the construction term of the John Carroll Plumbing Modernization Project.

It was moved by Commissioner Francis and Seconded by Commissioner Thompson to approve staff's recommendation to retain temporary staff.

Motion carried        7 Ayes / 0 Nays

#### ADJOURNMENT

There being no further business to come before the Board it was moved by Commissioner Thompson and seconded by Commissioner Podgorski to adjourn. Chairperson Hansen declared the meeting adjourned at 9:04 PM.

Respectfully submitted,

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Todd Podgorski, Secretary

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Lori Hansen, Chairperson



## HRA Agenda Report

Date: April 8, 2024

HRA Executive Director: \_\_\_\_\_

Rg

5-A

### **Agenda Item: Approval of Borrowing Resolution for Minnesota Housing Publicly Owned Housing Program – Resolution No. 2024-3358**

**Action to be considered:** Motion to approve Resolution No. 2024-3358, a borrowing resolution for the Minnesota Publicly Owned Housing Program.

#### **Overview:**

The Publicly Owned Housing Program (POHP) was first established by the Minnesota Legislature in 2005. POHP was established to provide assistance to Housing and Redevelopment Authorities (HRAs)/Public Housing Authorities (PHAs) that provide public housing to individuals and families. The purpose of POHP is to rehabilitate and preserve public housing units. POHP funds are provided in the form of a 20-year, deferred, forgivable loan to HRAs/PHAs that operate public housing.

The South St. Paul HRA was notified of an award of POHP funding in August of 2021, and we have been working on due diligence to prepare for loan closing since that time. Total cost for this project is estimated at \$7,878,707.00, which includes POHP funds in the amount of \$4,412,100.00 and HRA funds in the amount of \$3,466,607.00.

The funding will be utilized to undertake the plumbing modernization project at the John Carroll building at 300 Grand Avenue West. As the Board will recall, the HRA accepted the lowest bids and awarded the two main contracts for this project to Frerich's Construction and VCI Environmental in October 2023. The funding requires 44% leverage (or match), which will be funded through our HUD Capital Fund and Public Housing Reserves.

The attached resolution is a required document committing the HRA to accept and utilize the POHP funds in accordance with our loan agreement, and must be provided to MHFA prior to closing. We expect to close on the financing within the next 30 days.

**Source of Funds:** POHP funds are provided as a deferred, forgivable loan. The 44% match will be sourced from the City's HUD Capital Fund and Public Housing Reserves.

**CERTIFIED COPY OF RESOLUTIONS ADOPTED BY THE MEMBERS OF**

**The Housing and Redevelopment Authority of the City of South St. Paul**

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**I HEREBY CERTIFY** that I am the duly elected Secretary and keeper of the records of the Housing and Redevelopment Authority of the City of South St. Paul, a public body corporate and politic (the "HRA"), that the following is a true and correct copy of Resolutions duly and unanimously adopted by all of the members of the HRA on April 8th, 2024, all of the members being present and constituting a quorum for the transaction of business; further, that such meeting was called in compliance with all applicable laws and the by-law requirements of the HRA; that such Resolutions do not conflict with any by-law of the HRA nor have such Resolutions been in any way altered, amended or repealed and are in full force and effect, unrevoked and unrescinded as of this day, and have been entered upon the regular Minute Book of the HRA, as of the aforementioned date, and that the members of the HRA have, and at the time of adoption of such Resolution, had, full power and lawful authority to adopt such Resolutions and to confer the powers thereby granted to the officer(s) therein named who has(have) full power and lawful authority to exercise the same:

**WHEREAS**, on this 8th day of April, 2024 there has been presented to this meeting of the members of this HRA a proposal for the HRA to borrow from the Minnesota Housing Finance Agency, a public body corporate and politic of the State of Minnesota, 400 Wabasha Street North, Suite 400, St. Paul, MN 55102-1109 (the "Agency") a sum not to exceed Four Million, Four Hundred and Twelve Thousand, and One Hundred Dollars (\$4,412,100.00) to finance the acquisition or construction or rehabilitation of a housing development to be known as John Carroll Apartments which borrowing shall be evidenced by the Loan Repayment Agreement and Mortgage (the "Repayment Agreement") covering the personal property owned by the HRA and located at 300 Grand Ave W, South St. Paul, MN 55075, in Dakota County, Minnesota, and more fully described in **Exhibit A** attached hereto and made a part hereof (the "Property"); further the proposed form of Repayment Agreement, Construction Loan Agreement, General Obligation Bonds Declaration, and Declaration of Covenants, Conditions, and Restrictions have been presented to the members of this HRA;

**WHEREAS**, it is also necessary that the HRA enter into a Construction Contract with Chris Zuspann, President and CEO of Frerich's Construction, and it is also necessary that the HRA enter into an Abatement Contract with Garrett Nustvold, Operations Manager of VCI Environmental, in connection with such borrowing;

**NOW, THEREFORE**, Be it Resolved by the members of the HRA, that the HRA be and it hereby is authorized to borrow the funds referred to hereinabove from the Agency; and

**BE IT FURTHER RESOLVED**, that Tiffany Greene, Housing Programs Administrator of the City of South St. Paul, be hereby authorized and directed on behalf of the HRA at any time and from time-to-

time hereafter and without further action by or authority or direction from the members of the HRA, to execute and deliver or cause to be executed and delivered those documents referred to hereinabove, and all such other further agreements, assignments, statements, instruments, certificates and documents and to do or cause to be done all such other and further acts and things as such Officers may determine to be necessary or advisable under or in connection with such borrowing, and that the execution by such Officers of any such agreement, assignment, statement, instrument, certificate or document, or the doing of any such act or thing, shall be conclusive evidence of their determination in that respect, including, but not limited to, the execution of any and all agreements with the Agency for the extension of the time of payment for the aforesaid loan or any part thereof; and

**BE IT FURTHER RESOLVED**, that the Agency be and it hereby is authorized to rely on the continuing force and effect of these Resolutions, until receipt by the Commissioner of the Agency at its principal office of notice in writing from the HRA of any amendments or alterations thereof.

**ATTEST:**

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Secretary

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Dated: \_\_\_\_\_, 2024.

(Seal)

## CERTIFICATION

I, Todd Podgorski, do hereby certify that I am the Secretary of the Housing and Redevelopment Authority of South St. Paul, Minnesota, a public body corporate and politic of the City of South St. Paul (the "HRA"), and I hereby further certify as follows:

**Exhibit A** attached hereto is, respectively, a true, complete and correct copy of the Bylaws of the HRA and all amendments thereto, and such bylaws have been duly adopted by the HRA, are presently in full force and effect.

Signed this 8th day of April 2024

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Secretary

**BYLAWS**  
**HOUSING AND REDEVELOPMENT AUTHORITY**  
**OF THE CITY OF SOUTH ST. PAUL**  
*Most Recent Amendment and Adoption June 20, 2020*

**ARTICLE I – NAME**

**Section 101.** The name of the Authority shall be “Housing and Redevelopment Authority of the City of South St. Paul, Minnesota.”

**Section 102.** Seal of the Authority: The Seal of the Authority shall be circular in form and shall bear the words, “Housing and Redevelopment Authority of the City of South St. Paul, Minnesota”, as hereto attached.

**Section 103.** Offices of the Authority: The offices of the Authority and usual meeting place shall be at the Municipal Building, South St. Paul, but the Authority may have offices or hold its meetings at such other place or places as the Authority may from time to time designate by motion.

**ARTICLE II – OFFICERS**

**Section 201.** Officers: The officers of the Authority shall be a Chairperson, Vice Chairperson and a Secretary.

**ARTICLE III – POWERS & DUTIES**

**Section 301.** The general power and duties of this Authority shall be vested in the members thereof unless specifically delegated to others by resolution duly adopted by the Authority of the Board.

**Section 302.** Chairperson: The Chairperson, as chief executive officer shall supervise the Authority’s affairs and activities. The Chairperson shall preside at all meetings of the Authority and shall submit such recommendations and information as the Chairperson may consider proper, or which the Chairperson was directed by the Authority to obtain, concerning the business affairs and policies of the Authority. The Chairperson and Secretary of the Authority shall sign all contracts, deeds and other instruments to be made by the Authority, except as otherwise determined by a resolution of the Authority.

**Section 303.** Vice Chairperson: The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson. Upon the resignation or death of the Chairperson, the Vice Chairperson shall perform all the duties of the Chairperson until such time as the Authority shall elect a new Chairperson.

**Section 304.** Secretary: The Secretary shall be the custodian of all official records and documents as well as of the seal belonging to the Authority. The Secretary shall be required to

give notice of all annual and special meetings of the Authority as provided by these By-laws. The Secretary shall have the power to affix the seal to all instruments and documents directed to be so executed by the Authority.

**Section 305.** Executive Director: The Authority shall have the right to employ an Executive Director, whose duties shall be defined by the Authority at the time employment commences. The Executive Director shall have the right to employ any other technical or other personnel required in connection with the administration of the program, subject to the approval of the position by the Commissioners.

**Section 306.** The officers of the Authority shall perform such other duties and function as may be required by the Authority, state or federal law, or by the By-laws.

#### **ARTICLE IV – ELECTIONS**

**Section 401.** The officers shall be elected at the first organization meeting of the Authority to hold office until the first annual meeting and thereafter at the annual meeting of the Authority from among the duly appointed members of the Authority. They shall thereafter hold office for one year from the time of their election, or until their successors are elected and qualify.

**Section 402.** Vacancies: Should the office of Chairperson, Vice Chairperson or Secretary become vacant, the Authority shall elect a successor from its membership for the balance of such vacant term.

#### **ARTICLE V – GENERAL BUSINESS**

**Section 501.** By resolution, the Authority shall indicate who shall sign and countersign all contracts, reports and documents of the Authority; who shall be authorized to sign in the absence or incapacity of those so first authorized; in what bank or banks shall be kept the funds of the Authority; the duties of all officers and employees.

**Section 502.** The Authority shall make such reports to the State and Federal agencies as required by law.

#### **ARTICLE VI – MEETINGS**

**Section 601.** Annual Meetings: Annual meetings of the Authority shall be held in October of each year, and other meetings as called pursuant to Section 602 and Section 603.

**Section 602.** Regular Meetings: Regular meetings shall be held at such times and places as the Authority shall determine.

**Section 603.** Special Meetings: Special meetings of the Authority may be called by the Chairperson, any two Commissioners or by the Executive Director. The Executive Director or the Secretary shall post notice of any special meeting in the principal office of the Authority no less than three days prior to such special meeting.

**Section 604.** Quorum: At all meetings of the Authority, four members shall constitute a quorum for the purpose of elections and transacting all other business. However, at all annual, regular and special meetings a smaller number may meet to establish another meeting date when a quorum would be present.

**Section 605.** Minutes: Written minutes shall be maintained of all actions taken at meetings of the Authority.

**Section 606.** Voting: The voting on all questions coming before the Authority shall be by voice vote unless any member requests a roll call vote. The name of any member voting “nay” shall be entered in the minutes.

**Section 607.** Parliamentary Authority: The rules contained in the current edition of Roberts Rules of Order shall govern the Authority in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order of the Authority may adopt.

## **ARTICLE VII – AMENDMENTS**

**Section 701.** Amendments: The By-laws of the Authority shall be amended only upon written notice of intention to so amend the By-laws given by any member of the Authority, at least seven days prior to the meeting at which the By-laws are to be amended, unless all of the members waive such notice in writing. A majority vote of the Authority shall be required to amend the By-laws.