

City of South St. Paul Economic Development Authority Agenda

Monday, May 6, 2024

IMMEDIATELY FOLLOWING THE CONCLUSION OF THE 7:00 P.M. MEETING OF THE
City Council

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. EDA Meeting Minutes of April 1, 2024

B. Approval of Satisfaction of Mortgage – Applicant #960

5. GENERAL BUSINESS:

A. Termination of Development Agreement – Resolution 2024 – 8 (110 Bridgepoint Court)

6. ITEMS FOR FUTURE FOLLOW-UP:

General communications of the President and Commissioners are provided and may be considered for inclusion on a future agenda. There will be no discussion or decisions made related to these items at this meeting.

7. ADJOURNMENT:

Respectfully Submitted,



Ryan Garcia, EDA Executive Director

This meeting is being taped by Town Square Television (NDC4).
Replays can be viewed on Government Channel 19.
Replay Times – Friday following Meeting at 1:00 p.m. & 7:00 p.m.
651-451-7834

MINUTES OF
THE ECONOMIC DEVELOPMENT AUTHORITY
CITY OF SOUTH ST. PAUL
DAKOTA COUNTY, MINNESOTA

Regular Meeting
April 1, 2024
City Hall Council Chambers, 125 3rd Avenue North, South St. Paul, MN 55075

1. CALL TO ORDER

The Regular Meeting of the South St. Paul Economic Development Authority was held on March 4, 2024, in the Council Chambers of City Hall, 125 3rd Avenue North, South St. Paul. Vice President Seaberg called the meeting to order at 8:25 PM.

2. ROLL CALL

Members Present: President Francis, Commissioners Bakken, Hansen, Kaliszewski, Podgorski, Seaberg and Thompson.

Members Absent: None

Staff Present: EDA Executive Director Ryan Garcia, City Clerk Deanna Werner, City Attorney, Greta Bjerckness

3. AGENDA

Motion/Second: Commissioner Kaliszewski moved, and Commissioner Thompson seconded approval of the agenda.

Vote: 7 ayes / 0 nays, motion carried.

4. CONSENT

A. EDA Meeting Minutes of March 4, 2024

Motion/Second: Commissioner Hansen moved, and Commissioner Kaliszewski seconded approval of the consent agenda.

Vote: 7 ayes / 0 nays, motion carried.

5. GENERAL BUSINESS:

A. Termination of Purchase Agreement – EDA-owned Property at NW Corner of Veterans Memorial Lane and Concord Exchange North

Motion/Second: Commissioner Seaberg moved, and Commissioner Thompson seconded approval of Termination of Purchase Agreement – EDA owned property at NW Corner of Veterans Memorial Lane and Concord Exchange North.

Vote: 7 ayes / 0 nays, motion carried.

B. Fifth Amendment to Development Agreement with Blue River Holdings, LLC

Motion/Second: Commissioner Hansen moved, and Commissioner seconded approval of the Fifth Amendment to Development Agreement with Blue River Holdings, LLC.

Vote: 7 ayes / 0 nays, motion carried.

6. ITEMS FOR FUTURE FOLLOW-UP:

General communications of the President and Commissioners are provided and may be considered for inclusion on a future agenda. There will be no discussion or decisions made related to these items at this meeting.

7. ADJOURNMENT:

Motion/Second: Commissioner Thompson moved, and Commissioner Bakken seconded the motion to adjourn the meeting.

Vote: 7 ayes / 0 nays, motion carried.

The meeting was adjourned at 8:43 PM.

Approved: May 6, 2024

Deanna Werner, EDA Secretary



EDA Agenda Item Report

Date: May 6, 2024

EDA Executive Director: 

4-B

Agenda Item: Approval of Satisfaction of Mortgage – Applicant #960

Action to be considered:

Through Consent, motion to approve Resolution No. 2024 – 9

Overview:

Applicant #960 received an HRA rehabilitation loan of \$16,800.00 in 2011 with a mortgage recorded at that time. The mortgage recently paid back the loan in full, thus satisfying the mortgage. Therefore, the EDA is advised to approve Resolution No. 2024 – 9, which will authorize the designated officers of the City's Housing and Redevelopment Authority to execute all necessary documentation required to record the Satisfaction of Mortgage.

Funding Sources and other fiscal considerations: N/A

South St. Paul Economic Development Authority
Dakota County, Minnesota

RESOLUTION NO. 2024 – 9

WHEREAS, the City Council transferred all administration of the South St. Paul Housing and Redevelopment Authority (HRA) programs to the South St. Paul Economic Development Authority (“EDA”) by City Council Resolution 2015-197; and

WHEREAS, one of those programs was a rehabilitation loan program, for which there are several outstanding loans; and

WHEREAS, the South St. Paul Housing and Redevelopment Authority of the City of South St. Paul, Minnesota issued a mortgage to Applicant #960 in the amount of \$16,800.00.

WHEREAS, such mortgage recorded on May 3, 2011, in Dakota County has been satisfied in full by the applicant.

NOW, THEREFORE, BE IT RESOLVED by the Economic Development Authority of the City of South St. Paul that:

1. The EDA shall secure the signatures of the appropriate representatives of the HRA to execute the required documents to satisfy the loan and mortgage.

Adopted this 6th day of May, 2024.

President, James P. Francis

Executive Director, Ryan Garcia

(Top 3 inches reserved for recording data)

**MORTGAGE SATISFACTION
by Individual(s)**

**Minnesota Uniform Conveyancing Blanks
Form 20.5.1 (2011)**

DATE: May 6, 2024
(month/day/year)

THAT CERTAIN MORTGAGE owned by the undersigned, dated April 27, 2011, executed by _____
(month/day/year)

Judy A. Wonick, a single person collectively
(insert name of mortgagor)

as mortgagor, to Housing and Redevelopment Authority of the City of South St. Paul
(insert name of original mortgagee)

as mortgagee, and recorded on May 3, 2011, as Document Number T679113 (or in Book _____
(month/day/year)

of _____ Page _____), in the Office of the County Recorder Registrar of Titles of Dakota
(check the applicable boxes)

County, Minnesota, is with the indebtedness thereby secured, fully paid and satisfied.

(signature) Lori Hansen, Chairperson

(signature) Todd Podgorski, Secretary

State of Minnesota, County of Dakota

This instrument was acknowledged before me on _____, by Lori Hansen, Chairperson and
(month/day/year)

Todd Podgorski, Secretary of the Housing and Redevelopment Authority of the City of South St. Paul

(Stamp)

(signature of notarial officer) Sandy Haima

Title (and Rank): _____

My commission expires: _____
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Housing and Redevelopment Authority
of the City of South St. Paul
125 Third Avenue North
South St. Paul, MN 55075
(651) 554-3270



EDA Agenda Item Report

Date: May 6, 2024

EDA Executive Director: 

5-A

AGENDA ITEM:

Termination of Development Agreement – Resolution 2024 – 8 (110 Bridgepoint Court)

ACTION TO BE CONSIDERED:

Motion to approve Resolution 2024 – 8

SUMMARY:

On December 4, 2023 the EDA adopted Resolution 2023-12, approving a Development Agreement with Binder and Binder, LLC for EDA-owned property located at 110 Bridgepoint Court. An Amendment #1 to the Development Agreement was approved in March to extend the Developer’s Contingency Period, as they continued in their efforts to get the project on budget. Unfortunately, the Developer officially notified the EDA of their decision to terminate the Agreement on April 25, 2024.

While this outcome is disappointing, unfortunately it is indicative of a tightening development financing market and the continuation of relatively elevated construction costs persistent in the market right now. All that said, Staff will continue our efforts to market the property for redevelopment and if nothing else we find ourselves with a better understanding of the site’s opportunities and challenges having gone through the predevelopment stage with Binder & Binder.

FUNDING SOURCES AND OTHER FISCAL CONSIDERATIONS:

N/A

ATTACHMENTS:

Orientation Map
Resolution 2024 – 8

Property/Orientation Map



The South St. Paul Economic Development Authority
Dakota County, Minnesota

RESOLUTION NO. 2024 – 8

RESOLUTION RECOGNIZING THE TERMINATION OF THE CONTRACT FOR
PRIVATE DEVELOPMENT BY AND BETWEEN SOUTH ST. PAUL ECONOMIC
DEVELOPMENT AUTHORITY AND BINDER & BINDER, LLC

WHEREAS, the South St. Paul Economic Development Authority (“EDA”) and Binder & Binder, LLC a Minnesota limited liability company (“Developer”) entered into a Contract for Private Development dated December 4, 2023, as amended by that certain First Amendment to Development Agreement dated March 4, 2024 (collectively “Contract”); and

WHEREAS, Developer has provided EDA with written notice dated April 25, 2024, of Developer’s decision to terminate the Contract pursuant to Paragraph 6.1(A)(1) (“Termination Notice”) attached hereto as Exhibit A and EDA acknowledges receipt and validity of such Termination Notice.

NOW, THEREFORE, the EDA hereby confirms the following:

1. The Contract is hereby terminated and released.
2. The Property identified in the Contract is hereby released from the Contract.

Adopted this 6th day of May, 2024.

President, James P. Francis

Executive Director, Ryan Garcia

Exhibit A

April 25, 2024

CERTIFIED MAIL

South St. Paul Economic Development Authority
Attn: Ryan Garcia, EDA Executive Director
125 3rd Ave. N.
South St. Paul, MN 55118

Amanda Johnson, Esq.
LeVander, Gillen & Miller, P.A.
1305 Corporate Center Drive, Suite 300
Eagan, MN 55121

RE: Termination of Contract for Private Development (the "Contract") dated as of December 4, 2023 and entered into by and between South St. Paul Economic Development Authority ("EDA") and Binder & Binder, LLC, a Minnesota limited liability company ("Binder") Lot 1, Block 1, Bridgepoint Station Second Addition (PID 36-15051-01-010)
Our File No. 7879.02

Dear Mr. Garcia and Ms. Johnson:

This letter serves as notice that Binder hereby elects to terminate the Contract effective as of the date hereof. This termination is made pursuant to Paragraph 6.1.(A)(1) of the Contract. Our client has determined that developing this property is not feasible.

Effective immediately, the Contract is null and void and the parties are relieved of all further obligations and liability under the Contract.

Very truly yours,

Binder & Binder, LLC



Michael Binder, Chief Manager