

**June 4, 2020**  
**HRA Meeting**  
**Regular Meeting Agenda**  
**7:00 p.m.**

Call to order

Roll call.

Action Items

1. Approval of Expenditures
2. Approval of May 7, 2020 Meeting Minutes
3. Annual Election of Officers
4. Amendment to Fridley Investments LLC Agreement – 6431 University Ave. NE

Informational Items

1. Housing Program Update

Adjournment



City of Fridley, MN

# Check Report

By Check Number

Date Range: 05/08/2020 - 05/15/2020

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: APBNK-HRA-APBNK-HRA</b>						
PPT: 107738	FRIDLEY HRA ICMA 401	05/15/2020	EFT	0.00	328.98	364
PPT: 307066	FRIDLEY HRA ICMA 457	05/15/2020	EFT	0.00	207.69	365
hra-1601	PASSAU LANDCARE INC.	05/13/2020	Regular	0.00	190.00	30486
HRA-2621	JOHNSON, GREG	05/13/2020	Regular	0.00	560.00	30487
hra-623	FRIDLEY, CITY OF	05/13/2020	Regular	0.00	957.05	30488

**Bank Code APBNK-HRA Summary**

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	5	3	0.00	1,707.05
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	2	2	0.00	536.67
	<b>7</b>	<b>5</b>	<b>0.00</b>	<b>2,243.72</b>

### All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	5	3	0.00	1,707.05
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	2	2	0.00	536.67
	<b>7</b>	<b>5</b>	<b>0.00</b>	<b>2,243.72</b>

### Fund Summary

Fund	Name	Period	Amount
099	Pooled Cash - HRA	5/2020	2,243.72
			<b>2,243.72</b>

**CITY OF FRIDLEY  
HOUSING AND REDEVELOPMENT AUTHORITY COMMISSION  
May 7, 2020**

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**Chairperson Holm** called the Housing and Redevelopment Authority Meeting to order at 7:00 p.m.

**MEMBERS PRESENT:** William Holm  
Elizabeth Showalter  
Gordon Backlund  
Kyle Mulrooney  
Rachel Schwankl

**OTHERS PRESENT:** Paul Bolin, HRA Assistant Executive Director  
Wally Wysopal, City Manager  
Dan Tienter, Finance Director  
Jim Casserly, Development Consultant

**Action Items:**

**1. Approval of Expenditures.**

**MOTION** by Commissioner Backlund to approve the expenses as submitted. Seconded by Commissioner Showalter.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIR HOLM DECLARED THE MOTION CARRIED UNANIMOUSLY**

**2. Approval of the March 5, 2020 Meeting Minutes.**

**MOTION** by Commissioner Backlund to approve the minutes as presented. Seconded by Commissioner Mulrooney.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIR HOLM DECLARED THE MINUTES APPROVED.**

**3. Approval of Amendment to Holly Center Terms Sheet.**

**Paul Bolin**, HRA Assistant Executive Director, stated that in January the Authority approved a term sheet with Roers Investment. There was a delay from when this was approved to when they were able to make a deal with the property owner. Staff is asking for an extension of the timeline. Changes since we last met include building 260 housing units with 13,000 sq. ft. of retail on the site. This site has been a high propriety for redevelopment in the last two Comprehensive Plans. Staff recommends the Authority adopt a motion amending the termination date in the terms agreement so that it shall terminate September 15, 2020.

**Commissioner Schwankl** asked what type of retail would be developed and which ones might stay.

**Mr. Bolin** replied this would be a complete demolition and a few tenants said they may have interest in coming back to this site. There is a daycare wanting to be on the site and a coffee shop drive through.

**Commissioner Backlund** asked how high the building would be and if there would be underground parking.

**Mr. Bolin** replied that preliminary plans are looking at a four-story building, 45' total height. City Code allows them to go as high as 60' high. And yes, there will be underground parking and the large surface lot would include more landscaping and green areas and less surface parking.

**MOTION** by Commissioner Backlund to approve the Amendment to Holly Center Terms Sheet. Seconded by Commissioner Showalter.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIR HOLM DECLARED THE MOTION CARRIED UNANIMOUSLY.**

#### **4. Approval of HRA Loan COVID-19 Deferment Policy.**

**Paul Bolin**, HRA Assistant Executive Director, stated that there have been two requests from people using our loan products for deferrals due to COVID-19. CRF and CEE have noted that a number of cities have developed similar policies. The policy would read as follows: COVID-19 Loan Deferment Policy: The Authority will defer repayments of its senior loan and home improvement loan products for borrowers that can demonstrate the need for relief, for up to six months. During this time, interest will not accrue. The mature date of the loan will be extended by the number of months the loan payments are deferred. Requests for deferment will be reviewed by the Community Reinvestment Fund (CRF) then forwarded to HRA staff for final approval. Applicants may be required to provide documents supporting their deferment request. Staff recommends that the HRA approve the proposed COVID-19 Loan Deferral Policy.

**Commissioner Showalter** asked why the seniors were included as their payments can be deferred until the property is sold.

**Mr. Bolin** replied that some seniors are making payments and want something more formal from us.

**Commissioner Schwankl** asked if the policy should have a time limit.

**Mr. Bolin** noted that deferments have to be COVID related. When the governor lifts the Peace Time Emergency issues with customers may not end right away. The thought was to keep this policy simple and open ended.

**Jim Casserly**, Development Consultant, added that customers must have a real need for this deferment, and it is unknown how long this will go on. Interest will not be charged during deferment and the maturity of the loan would be extended up to six months providing relief for those who need it. Staff can report monthly on how many are using this deferment.

**Commissioner Showalter** wasn't comfortable that the policy doesn't have a date.

**Mr. Casserly** said it could go through the end of this year.

**MOTION** by Commissioner Schwankl to approve the HRA Loan COVID-19 Deferment Policy. Seconded by Commissioner Showalter.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIR HOLM DECLARED THE MOTION CARRIED UNANIMOUSLY.**

**Informational Items:**

**Housing and Loan Program Update**

**Paul Bolin**, HRA Assistant Executive Director, reported that there were no loans closed in April making a total of 8 year to date. Also no Remodel Advisor Visits in April (4 year to date) and no Home Energy Squad Visits in April (27 year to date).

**Adjournment:**

**MOTION** by Commissioner Showalter to adjourn. Seconded by Commissioner Backlund.

**UPON A VOICE VOTE, ALL VOTING AYE, CHAIR HOLM DECLARED THE MOTION CARRIED UNANIMOUSLY AND THE MEETING ADJOURNED AT 7:28 P.M.**

Respectfully submitted,

Krista Peterson  
Recording Secretary



# HRA AGENDA ITEM

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**Date:** 5/29/2020

**To:** Wally Wysopal, Executive Director

**From:** Paul Bolin, Assistant Executive Director

**RE:** Annual Election of Officers

Article V, Section 3 of the Authority's by-laws requires the Board of Commissioners to annually elect a Chair and Vice Chair. The election is typically held in June. Below is a list of the commissioners and the length of their current appointments.

<u>Commissioner</u>	<u>End of Term</u>
Elizabeth Showalter	June 2023
Bill Holm	June 2022
Gordon Backlund	June 2021
Rachel Schwankl	June 2025
Kyle Mulrooney	June 2024

## Recommendation

Staff recommends that the Authority elect a Chair and Vice Chair, as required by the Authority's by-laws, to serve through June 2021.

# HRA AGENDA ITEM

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**Date:** 5/29/2020

**To:** Wally Wysopal, Executive Director

**From:** Paul Bolin, Assistant Executive Director

**RE:** Old City Hall – 7<sup>th</sup> Amendment to Development Contract

Due to extremely slow response times from the Minnesota Pollution Control Agency (MPCA) in providing the assurance letter (“No Association Determination” attached), needed to finalize financing, we are seeking a seventh amendment to the development contract extending the closing date to November 6, 2020. The assurance letter was issued by the MPCA on May 21<sup>st</sup>.

Old City

The developer submitted building plans last week, applied for their permit from the Rice Creek Watershed District. As has been previously shared, the developer has over \$700,000 invested into development expenses and Amcon Construction is ready to start upon closing. We are working towards an August closing date but have built in additional time for unforeseen issues that may arise.

**Staff Recommendation:**

Staff recommends the Authority approve the attached resolution to adopt this Seventh Amendment to the development contract with Fridley Investments, LLC.

**HOUSING AND REDEVELOPMENT AUTHORITY  
IN AND FOR THE  
CITY OF FRIDLEY  
COUNTY OF ANOKA  
STATE OF MINNESOTA**

**RESOLUTION NO. 2020 - 06**

**A RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF A SEVENTH  
AMENDMENT TO THE CONTRACT FOR PRIVATE REDEVELOPMENT BY AND  
BETWEEN THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE  
CITY OF FRIDLEY MINNESOTA AND FRIDLEY INVESTMENTS LLC**

BE IT RESOLVED by the Board of Commissioners (the “Board”) of the housing and Redevelopment Authority in and for the City of Fridley Minnesota (the “Authority”) as follows:

Section 1.       Recitals.

1.01.   It has been proposed that the Authority enter into a Seventh Amendment to the Contract for Private Redevelopment (the “Seventh Amendment”) with Fridley Investments LLC, a Minnesota limited liability company (the “Redeveloper”).

Section 2.       Findings.

2.01.   The Board hereby finds that the Seventh Amendment promotes the objectives as outlined in its Development Program established pursuant to Minnesota Statutes, Section 469.001 *et seq.*

2.02.   The Board hereby finds that it has approved and executed a Contract for Private Redevelopment between the Authority and the Redeveloper dated as of January 3, 2019, a First Amendment to that Contract dated as of April 4, 2019, a Second Amendment to that Contract dated as of June 6, 2019, a Third Amendment to that Contract dated as of June 10, 2019, and a Fourth Amendment to that Contract dated as of August 1, 2019., a Fifth Amendment to that Contract dated as of December 5, 2019, and a Sixth Amendment to that Contract dated as of March 5, 2020.

Section 3.       Authorizations.

3.01.   The Chair and the Executive Director (the “Officers”) are hereby authorized to execute and deliver the Seventh Amendment to the Contract when the following condition is met:

Substantial conformance of a Seventh Amendment to the Seventh Amendment presented to the Authority as of this date with such additions and modifications as the Officers may deem desirable or necessary as evidenced by the execution thereof.

PASSED AND ADOPTED BY THE HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF FRIDLEY THIS \_\_\_\_ DAY OF JUNE, 2020.

ATTEST:

\_\_\_\_\_  
WILLIAM B. HOLM - CHAIRPERSON

\_\_\_\_\_  
WALTER T. WYSOPAL – EXECUTIVE DIRECTOR

**Execution: June 4, 2020**

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**SEVENTH AMENDMENT**

**TO THE**

**CONTRACT**

**FOR**

**PRIVATE REDEVELOPMENT**

**By and Between the**

**HOUSING AND REDEVELOPMENT AUTHORITY**

**In and For**

**THE CITY OF FRIDLEY, MINNESOTA**

**And**

**FRIDLEY INVESTMENTS LLC**

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**This document was drafted by:**

**James Casserly, Esq.  
Monroe Moxness Berg PA  
7760 France Ave South, Suite 700  
Minneapolis, Minnesota 55435  
952-885-1296**

**SEVENTH AMENDMENT  
TO THE  
CONTRACT FOR PRIVATE REDEVELOPMENT**

**THIS SEVENTH AMENDMENT** is made on or as of this 4<sup>th</sup> day of June, 2020, by and between the Housing and Redevelopment Authority in and for the City of Fridley, Minnesota (the "Authority") and Fridley Investments LLC, a Minnesota limited liability company (the "Redeveloper").

**WITNESSETH:**

**WHEREAS**, the Authority and the Redeveloper entered into a Contract for Private Redevelopment dated as of January 3, 2019, a First Amendment to the Contract dated as of April 4, 2019, a Second Amendment to the Contract dated as of June 6, 2019, a Third Amendment to the Contract dated as of June 10, 2019, a Fourth Amendment to Contract dated as of August 1, 2019, a Fifth Amendment to the Contract dated as of December 5, 2019, and a Sixth Amendment to the Contract dated as of March 5, 2020 (collectively, the "Contract") (Capitalized terms not defined in this Agreement are defined in the Contract); and

**WHEREAS**, the Redeveloper is performing all of its obligations in accordance with the Contract; and

**WHEREAS**, the Authority is performing its obligations in accordance with the Contract; and

**WHEREAS**, the Authority and Redeveloper desire to amend the Contract to further the purposes set forth therein;

**NOW, THEREFORE**, in consideration of the premises and the mutual obligations of the parties hereto, the parties hereby agree as follows:

Section 1. Closing Date. The Closing Date of July 1, 2020 in Section 1 of the Sixth Amendment is hereby changed to November 6, 2020.

Section 2. Agreement Supersedes Contract. The terms and conditions contained in this Seventh Amendment shall supersede any conflicting provisions contained in the Contract.

**IN WITNESS WHEREOF**, the Authority has caused this Seventh Amendment to the Contract for Private Redevelopment to be duly executed in its name and behalf and the Redeveloper has executed this Seventh Amendment to Contract for Private Redevelopment on or as of the date first above written.

[Signature Pages Follow]





May 21, 2020

Steve Dunbar  
Fridley Investments LLC  
5000 Glenwood Ave Ste 300  
Fridley MN 55422

RE: No Association Determination

City of Fridley Municipal Garage, 6431 University Ave NE, Fridley

MPCA Site ID: BF0001383

Billing ID: 47406

PINs: 14-30-24-31-0102, 14-30-24-31-0103, and 14-30-24-31-0104

Dear Steve Dunbar:

This letter is in response to the request from Mark Keefer of Braun Intertec, Corp. for a determination under Minn. Stat. § 115B.178, that certain actions proposed to be taken by Fridley Investments, LLC at the City of Fridley Municipal Garage site, located at the address referenced above (the Site), will not constitute conduct associating Fridley Investments, LLC with the release or threatened release of hazardous substances, pollutants, or contaminants at the Site for the purpose of Minn. Stat. § 115B.03, subd. 3(4).

The Minnesota Pollution Control Agency (MPCA) staff in the Voluntary Investigation and Cleanup (VIC) Program has reviewed the documents submitted for the Site. The Site is comprised of three parcels (recently replatted from 11 parcels) totaling 4.54 acres. From the 1940s until the mid-1960s, the eastern portion of the Site was used for residential purposes. The Site was used by the City of Fridley for various municipal services including a fire station, police station, indoor shooting range, jail, meeting hall, and government offices from 1952 until the buildings were demolished in 2019. Only the garages and indoor shooting range remain at the Site. Fridley Investments, LLC plans to redevelop the Site into a senior living facility with one level of underground parking.

A limited environmental investigation was completed at the Site in October 2018 to investigate potential impacts at the Site near two abandoned fuel oil tanks (Leak #8863). Five borings were advanced for the collection of soil and groundwater samples. One soil sample was collected and analyzed for volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PAHs), and eight Resource Conservation and Recovery Act (RCRA) metals. Only petroleum-related VOCs were detected in the soil samples and metals were within the range of typical background concentrations. One groundwater sample was collected and analyzed for VOCs and PAHs. Only petroleum-related VOCs and PAHs were detected in groundwater.

Soil vapor samples were collected at six locations at the Site in June 2019 (non-heating season) and March 2020 (heating season) in the vicinity of the former fuel oil tanks. During the second round of

sampling, two soil vapor samples were collected along the southern boundary of the Site to rule out possible impacts from a former drycleaner at the south-adjacent property. Several non-petroleum VOCs, including tetrachloroethene (PCE), were detected in soil vapor at concentrations less than the MPCA action level of thirty-three times (33X) their respective residential intrusion screening value (ISV).

For the purpose of this letter, the identified release consists of PCE and other non-petroleum VOCs in soil vapor (Identified Release). This letter does not address petroleum-related contaminants. Petroleum contamination detected at the Site is under the oversight of the MPCA's Petroleum Brownfield Program.

Based upon a review of the information provided to the MPCA VIC Program, and subject to the conditions set forth in this letter, a determination is hereby made pursuant to Minn. Stat. § 115B.178, subd. 1 that the proposed actions (Proposed Actions) listed below will not associate Fridley Investments, LLC with the Identified Release for the purpose of Minn. Stat. § 115B.03, subd. 3(4). This determination applies only to the following Proposed Actions:

- Purchase of the Site;
- Redevelopment of the Site with a senior living facility, in accordance with an MPCA-approved Response Action Plan/Construction Contingency Plan;
- Operation and maintenance of the Site building, grounds, and related infrastructure.

This determination is made in accordance with Minn. Stat. § 115B.178, subd. 1, and is subject to the following conditions:

1. The Proposed Actions shall be carried out as described herein.
2. Fridley Investments, LLC shall cooperate with the MPCA, its employees, contractors, and others acting at the MPCA's direction, in the event that the MPCA takes, or directs others to take, response actions at the Site to address the Identified Release or any other as yet unidentified release or threatened release of a hazardous substance, pollutant, or contaminant, including, but not limited to, granting access to the Site so that response actions can be taken.
3. Fridley Investments, LLC shall avoid actions that contribute to the Identified Release or that interfere with response actions required under any MPCA-approved response action plan to address the Identified Release.
4. In the event that any suspected hazardous substances are encountered during Site activities (i.e., demolition, grading, redevelopment, etc.), Fridley Investments, LLC shall notify the MPCA project staff immediately in order to determine appropriate handling, sampling, analysis, and disposal of such wastes.

Pursuant to Minn. Stat. § 115B.178, subd.1, when Fridley Investments, LLC takes the Proposed Actions in accordance with the determination in this letter, subject to the conditions stated herein, the Proposed Actions will not associate Fridley Investments, LLC with the Identified Release for the purpose of Minn. Stat. § 115B.03, subd. 3(4).

Steve Dunbar  
Page 3  
May 21, 2020

The determination made in this letter applies to Fridley Investments, LLC's successors and assigns if the successors and assigns: 1) are not otherwise responsible for the Identified Release at the Site; 2) do not engage in activities with respect to the Identified Release which are substantially different from the activities which Fridley Investments, LLC proposes to take, as described herein; and 3) comply with the conditions set forth in this letter.

Please be advised that the determination made in this letter is subject to the disclaimers found in Attachment A and is contingent on compliance with the terms and conditions set forth herein.

If you have any questions about the contents of this letter, please contact Mark Ostby, Hydrologist, at 651-757-2283 or by email at [mark.ostby@state.mn.us](mailto:mark.ostby@state.mn.us).

Sincerely,



*This document has been electronically signed.*

Amy K. Hadiaris, P.G.  
Supervisor  
Redevelopment Unit  
Remediation Division

AKH/MO:ah

Enclosure

cc: Mark Keefer, Braun Intertec, (electronic)  
Jonelle Hubbard, Anoka County (electronic)  
Jon Lennander, City of Fridley (electronic)

**Disclaimers**

**City of Fridley City Hall**

**MPCA Site ID: BF0001383**

1. Reservation of authorities

The Minnesota Pollution Control Agency (MPCA) Commissioner reserves the authority to take any appropriate actions with respect to any release, threatened release, or other conditions at the Site. The MPCA Commissioner also reserves the authority to take such actions if the voluntary party does not proceed in the manner described in this letter or if actions taken or omitted by the voluntary party with respect to the Site contribute to any release or threatened release, or create an imminent and substantial danger to public health and welfare.

2. No MPCA assumption of liability

The MPCA, its Commissioner, and staff do not assume any liability for any release, threatened release or other conditions at the Site or for any actions taken or omitted by the voluntary party with regard to the release, threatened release, or other conditions at the Site, whether the actions taken or omitted are in accordance with this letter or otherwise.

3. Letter based on current information

All statements, conclusions, and representations in this letter are based upon information known to the MPCA Commissioner and staff at the time this letter was issued. The MPCA Commissioner and staff reserve the authority to modify or rescind any such statement, conclusion or representation and to take any appropriate action under his authority if the MPCA Commissioner or staff acquires information after issuance of this letter that provides a basis for such modification or action.

4. Disclaimer regarding use or development of the property

The MPCA, its Commissioner, and staff do not warrant that the Site is suitable or appropriate for any particular use.

5. Disclaimer regarding investigative or response action at the property

Nothing in this letter is intended to authorize any response action under Minn. Stat. § 115B.17, subd. 12.

6. This approval does not supplant any applicable state or local stormwater permits, ordinances, or other regulatory documents.

**Fridley HRA  
Housing Program Summary  
Cover Page  
June 4, 2020 HRA Meeting**

**Report**

Loan Summary Report

**Description**

Loan application activity (e.g. mailed out, in process, closed loans) for year-to-date.

Also shows the number of field appointments scheduled and completed for the Remodeling Advisor Services administered by Center for Energy and Environment.

# Fridley Loan Summary Report

## Activity for Period 4/16/2020 - 5/15/2020



Application packets requested/mailed:	This period:	0	Year-to-Date:	2
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Residential Advisor Visits:	This period:	1	Year-to-Date:	5
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Loans currently in process for residents in your City/Neighborhood:	11
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Closed Loans	This period:		Year-to-Date:	
Fridley		Units		Units
		0		0
Closed End	0.00	0	0.00	0
Last Resort	0.00	0	0.00	0
Last Resort Emergency Deferred	0.00	0	4,500.00	1
Mobile Home Closed End		0		0
Multi Family Exterior Closed End		0		0
Senior Deferred	32,710.00	2	128,318.00	7
Total	32,710.00	2	132,818.00	8

Leveraged Funds	This period:		Year-to-Date:	
CEE		Units		Units
		0		1
MHFA FUF	0.00	0	3,872.00	1
Total	0.00	0	28,872.00	2

Types of Improvements Financed YTD	# of Projects	% of Total
Air Conditioning	1	5.56
Bathrooms	1	5.56
Driveways	1	5.56
Electrical	2	11.11
Flooring/Carpet/Tile	1	5.56
Foundations/Basement	1	5.56
Heating System	1	5.56
Kitchens	1	5.56
Landscaping	1	5.56
Other Exterior Improvements	1	5.56
Other Interior Improvements	2	11.11
Plumbing	2	11.11
Solar-PV	1	5.56
Windows, Doors, Storm Windows, Storr	2	11.11

Types of Properties Financed YTD	#	% of Total
Single Family Residence	10	100.00