

HOUSING AND REDEVELOPMENT AUTHORITY OF THE CITY OF SAINT PAUL, MINNESOTA

REPORT TO THE COMMISSIONERS

DATE: MARCH 22, 2023

**REGARDING: RESOLUTION AUTHORIZING A TEMPORARY LICENSE AGREEMENT
FOR HRA-OWNED PROPERTY LOCATED AT 0 PENNSYLVANIA AVE E,
0 RIVOLI ST AND 0 MINNEHAHA AVE E, DISTRICT 5, WARD 2**

Requested Board Action

Authorize a 12-month recurring license agreement with Urban Roots MN for HRA-owned property on Rivoli Bluff for use as urban agriculture.

Background

The HRA acquired, at different times, three parcels that remain undeveloped on the western edge of Saint Paul's Railroad Island, located between N Rivoli St on the east (the high point) and the railroad tracks to the west (the low point). 0 Pennsylvania Ave E, a 1.5-acre parcel acquired in 1984, and 0 Rivoli St, a 0.26-acre parcel acquired in 2015, are owned by the HRA. 0 Minnehaha Ave E, a 1.98-acre parcel acquired in 2018 via tax forfeiture, was conveyed upon acquisition to Dayton's Bluff Neighborhood Housing Services (DBNHS) for a proposed development of a solar garden. The solar garden development has been put on hold for the moment, but DBNHS maintains that the development may occur in the next few years. Besides the solar garden, the only other currently proposed future development on the three parcels is a bike path slated to follow a north-south running Right-of-Way between 0 Pennsylvania Ave E and 0 Rivoli St.

Urban Roots has been utilizing portions of all three parcels for urban agriculture and is currently operating under an annual garden license agreement. In order to operate on site year-round and install a fixed water line, a more substantial license agreement is needed. On Sept. 15, 2021, City Council approved \$24,933 of Year-Round STAR funding under Res. 21-1337 (attached) to fund the installation of a fixed water line to enhance Urban Roots' irrigation supply, which to date has been fed by a garden hose connection from a nearby fire hydrant. The approving resolution exempts the STAR requirements of matching funds and site control. The water line will connect

to city mainline on the north end of the site where Minnehaha Ave E terminates into Arkwright St. From there, the line will travel down the Arkwright St. ROW into 0 Pennsylvania Ave E near the center of Urban Roots' agriculture operations.

HRA Resolution 95-5/3-2 (attached) requires that temporary use agreements for HRA redevelopment property longer than 30 days and those different than the standard terms for a community garden use license, which was authorized by Resolution 95-3/22-2 (attached), must be authorized by the HRA board.

The proposed license agreement for use of the Property will allow gardening, environmental education, and the establishment of water service to the property. Costs will be covered by Urban Roots. The proposed term of the license agreement will run from April 1, 2023, through March 31, 2024, and will automatically renew annually for additional 12-month terms until or unless either party provides notice to the other party that they elect not to continue the annual agreement. The HRA further maintains the right to cancel the agreement at any time for any reason with seven (7) days written notice.

Urban Roots will indemnify the HRA and the City of Saint Paul for liability and will carry insurance for use of the Property consistent with the terms of the license agreement. Urban Roots will only work with licensed contractors who will agree to indemnify the HRA and City of Saint Paul from liability. Urban Roots will be responsible for maintaining the Property in a safe condition and for removing trash. No alcoholic beverages will be allowed on the Property. If the Property is damaged, Urban Roots will be responsible for restoring the Property to its current condition.

Budget Action

N/A

Future Action

N/A

Financing Structure

N/A

PED Credit Committee Review

N/A

Compliance

N/A

Green/Sustainable Development

N/A

Environmental Impact Disclosure

N/A

Historic Preservation

N/A

Public Purpose/Comprehensive Plan Conformance:

Urban Roots' proposed use of the site is consistent with several goals of the 2040 Comprehensive Plan, including LU-11: Preserve significant publicly-accessible views, LU-16: Encourage the equitable spatial distribution of community food assets, including urban farms, and community gardens, and PR-32: support community gardens and private landscape beautification efforts where physically and financially feasible.

Recommendation:

Authorize a 12-month license agreement with Urban Roots MN for use of HRA-owned property located at Rivoli Bluff as a community garden, with the option for the license agreement to automatically renew annually at the end of the lease term until or unless either party provides thirty (30) days notice to the other party that they elect not to continue the annual agreement, or until the HRA cancels the agreement with seven (7) days written notice.

Sponsored by: Commissioner Amy Brendmoen

Staff: Jonathan Reisetter, 651-266-9119, jonathan.reisetter@ci.stpaul.mn.us

Attachments

- **Map**
- **D5 Payne Phalen Neighborhood Profile**
- **City Council Resolution 21-1337**
- **HRA Resolution 95-5/3-2**
- **HRA Resolution 95-3/22-2**