

RESOLUTION OF THE
PORT AUTHORITY OF THE CITY OF SAINT PAUL
[Approval of Amended Spending Plan for Tax Increment Balances
in Energy Lane and Great Northern South Redevelopment Tax Increment Districts]

WHEREAS, Minnesota Statutes, Section 469.176 was amended by the 2010 Legislative Session to add a subdivision 4m providing temporary authority to use tax increment balances on hand in any tax increment district to provide for improvements, loans, interest rate subsidies or assistance in any form to private development consisting of the construction or substantial rehabilitation of buildings and ancillary facilities, if doing so will create or retain jobs in the state, including construction jobs; and

WHEREAS, while under the provisions of Minn. Stat. Section 469.176, Subd. 4m, tax increments used in this way were to be spent by December 31, 2011, for projects on which construction commenced before July 1, 2011, the statutory authority has since been amended to extend the ability to use tax increment balances until December 31, 2012, for projects on which construction will commence before July 1, 2012; and

WHEREAS, the Port Authority of the City of Saint Paul ("Port Authority") has previously approved a spending plan for tax increment balances totaling approximately \$1,800,000 ("Original TIF Balances"), and has now been advised that an additional \$500,000 in tax increment balances is available from the Energy Lane and Great Northern South Redevelopment Tax Increment Districts ("Additional TIF Balances"); and

WHEREAS, as required by statute, the Port Authority has previously obtained the approval of the City of Saint Paul to a written spending plan that specifically authorizes the Port Authority to take the actions described in Minn. Stat. Section 469.176, Subd. 4m, with respect to the Original TIF Balances, which approval was given after a public hearing as required; and

WHEREAS, the Port Authority wishes to spend the Additional TIF Balances according to the plan previously approved by the Port Authority and the City (the "Approved Plan"), and proposes to submit this plan to the City of Saint Paul, as it affects the Additional TIF Balances, for its consideration at a meeting to be held on an appropriate date, after publication of the required notice of public hearing; and

WHEREAS, it is desirable that the Additional TIF Balances be spent by the Port Authority in the way authorized by the 2010 Legislation, as amended, and consistent with the Approved Plan, as described in Exhibit A hereto, in order to create or retain jobs, including construction jobs, by stimulating private development that would not have commenced before July 1, 2012 without the proposed assistance; and

WHEREAS, the Port Authority Credit Committee has reviewed and approved this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Port Authority of the City of Saint Paul as follows:

1. The Port Authority Board believes that it is desirable and in the best interest of the Port District to use the Additional TIF Balances in the manner described in the spending plan attached hereto as Exhibit A, to stimulate private development that would not have occurred before July 1, 2012 without such assistance, to the end of creating or retaining jobs in the state, including construction jobs.

2. The spending plan attached to this Resolution as Exhibit A is hereby approved, and Port Authority management is hereby authorized to submit this spending plan to the City of Saint Paul for its approval at a public hearing to be held following notice as required by statute, and to provide for the publication of appropriate notice.

3. The President of the Port Authority is hereby authorized to identify potential uses of the Additional TIF Balances which are in accordance with the spending plan approved by this Resolution, and for projects that are likely to result in the most efficient and effective use of such funds, and to bring his recommendations to the Board for approval prior to the use of any portion of the Additional TIF Balances.

4. The President of the Port Authority is hereby further authorized to execute any and all documents that are necessary or desirable to effect the spending plan described in Exhibit A attached hereto, including, without limitation, the documents that are needed to provide for any loan, grant or other use of the Additional TIF Balances in a way contemplated by the spending plan.

Adopted: February 28, 2012.

PORT AUTHORITY OF THE CITY
OF SAINT PAUL

By 
Its Vice Chair

ATTEST:



Its Secretary

EXHIBIT A

Spending Plan for Additional TIF Balances

The Port Authority currently has or expects to have tax increment cash balances in the Energy Lane Redevelopment Tax Increment Financing District and the Great Northern South Tax Increment Financing District as described below:

	Additional Net Cash Expected to <u>be on Hand 12-31-12</u>
Energy Lane	\$100,000
Great Northern South	<u>\$400,000</u>
TOTAL	\$500,000

Pursuant to the authority granted by Minn. Stat. Section 469.176, Subd. 4m, as amended (the "Act"), the Port Authority desires to spend these TIF Balances in a way that will provide for the most efficient and effective use of such funds, and the creation or retention of the highest reasonably likely number of jobs.

As a result of the foregoing, the Port Authority plans to spend the TIF Balances on one or more projects located within the City of Saint Paul by providing improvements, loans, grants, interest rate subsidies, equity investments or assistance in any other form, to private development consisting of the construction or substantial rehabilitation of buildings and ancillary facilities, if doing so will create or retain jobs in the City of Saint Paul, including construction jobs.

It is intended that the President of the Port Authority determine, in the first instance, how the TIF Balances described herein should be used within the authority provided by the Act, and to consider in his determinations whether: (a) construction on the project will commence before July 1, 2012, as required by the Act; (b) TIF Balances will be spent on or before December 31, 2012 as required by the Act; (c) the assistance provided by the use of TIF Balances will allow construction to commence at all, or sooner than it would have commenced without assistance; and (d) a project will be made financially feasible by the assistance provided by the use of these TIF Balances. The President of the Port Authority shall then return to the Port Authority Board with his recommendations, and for prior approval by the Port Authority Board prior to the use of any portion of the TIF Balances.

