



Legislation Text

File #: RES PH 14-174, **Version:** 2

Resolution Consenting to the Issuance by the City of Center City, Minnesota of Revenue Bonds on behalf of Hazelden Betty Ford Foundation, District 9, Ward 2.

WHEREAS, representatives of Hazelden Betty Ford Foundation, a Minnesota nonprofit corporation (the "Borrower") have requested issuance by the City of Center City, Minnesota (the "Issuer") of its revenue bonds (the "Bonds") for the purpose, in part, of financing the cost of a project, including construction, improvement, renovation and equipping of the Borrower's facility at 680 Stewart Avenue, St. Paul, Minnesota, consisting of demolition of an existing residential building and construction of a new 55,000 sq. ft. building including 55 new residential beds, group rooms, office space, lecture hall and kitchen and dining facilities, and renovation of an existing 13,500 sq. ft. mansion; and

WHEREAS, Minnesota Statutes, Section 471.656 provides that for property located outside the jurisdictional boundaries of the Issuer, the governing body of the city in which the property is located must consent by resolution to the issuance of the Bonds; and

WHEREAS, Internal Revenue Code Section 147(f) requires that the issuance of the Bonds be approved by the applicable elected representative of each governmental unit having jurisdiction over the area in which the financed facility is located, after public hearing following reasonable public notice; and

WHEREAS, the members of the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the "HRA") are all of the elected members of the City Council of the City of Saint Paul; and

WHEREAS, the HRA has on this date conducted a public hearing on the issuance of the Bonds by the Issuer, after due publication of notice thereof in the official newspaper of the City of Saint Paul and a newspaper of general circulation in the City of Saint Paul;

NOW, THEREFORE, BE IT RESOLVED by the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota, that:

1. The HRA hereby consents to and approves the issuance by the Issuer of the Bonds in an amount up to approximately \$41,450,000, of which approximately \$12,665,000 is allocable to improvements at the Saint Paul site.

2. The HRA shall have no liability or responsibility for the payment of the Bonds. Any costs incurred by the HRA in connection with the Bonds shall be payable by the Borrower upon demand.

3. The Bonds shall not be payable from or charged upon any funds of the HRA or City of Saint Paul, nor shall the HRA or the City of Saint Paul be subject to any liability thereon. No holder of the Bonds shall ever have the right to compel any exercise of the taxing power of the HRA or the City of Saint Paul to pay the Bonds or the interest thereon, nor to enforce payment thereof against any property of the HRA or the City of Saint Paul. The Bonds shall not constitute a debt of the HRA or the City of Saint Paul within the meaning of any constitutional, charter or statutory limitation.

4. The approval given by this Resolution is conditioned on the execution and delivery by the Borrower at the closing of the Bonds of the HRA's Bond Compliance and Fee Agreement in the form on file with in the office of the HRA Executive Director.

5. The HRA Executive Director, staff and legal counsel are authorized and directed to take all necessary action to implement this Resolution. The HRA Executive Director is authorized to execute and deliver any necessary documents, agreements and instruments approved by the City Attorney Office.