



Legislation Details (With Text)

File #: RES 18-442 **Version:** 1

Type: Resolution **Status:** Archived

In control: Board of Water Commissioners

Final action: 3/13/2018

Title: Pertaining to an Amendment No. 1 to Lease Agreement with the City of Saint Paul whereby the City provided the Board access to Pig's Eye Landfill, located at 2165 Pig's Eye Lake Road in Saint Paul to operate a soils recycling operation.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Resolution 18-442, 3. Amendment to Lease Agreement

Date	Ver.	Action By	Action	Result
3/13/2018	1	Board of Water Commissioners	Adopted	Pass

Pertaining to an Amendment No. 1 to Lease Agreement with the City of Saint Paul whereby the City provided the Board access to Pig's Eye Landfill, located at 2165 Pig's Eye Lake Road in Saint Paul to operate a soils recycling operation.

WHEREAS, the Board of Water Commissioners of the City of Saint Paul (the "Board") is owner of property, situated west of I-35E and south of County Road B in the City of Maplewood, Ramsey County, Minnesota, commonly referred to as Sandy Lake (the "Property"); and

WHEREAS, the Board approved a Lease Agreement with the City of Saint Paul (the "City"), whereby the City was to construct and operate public soccer fields at the Property, was approved February 8, 2005, and which provided for the Board's use of the Pig's Eye Landfill site for soil recycling operations in lieu of rent (the "Original Agreement"); and

WHEREAS, the Board has used the Pig's Eye Landfill site as intended by the Original Agreement since 2005; and

WHEREAS, the City did not construct the soccer fields as intended by the Original Agreement; and

WHEREAS, the City has requested that the Board cease its operations and vacate the Pig's Eye Landfill site to allow the City to construct parking to serve its proposed Great River Passage initiative; and

WHEREAS, the Original Agreement does not have provision for termination due solely to the City's non-use of the Property for soccer fields as intended; and

WHEREAS, staff has prepared Amendment No. 1 to Lease Agreement which provides the City the right to terminate the Lease Agreement by providing the Board with sixty days' written notice to terminate said Lease Agreement on or after June 15, 2018; now, therefore, be it

RESOLVED, that Amendment No. 1 to Lease Agreement between the Board of Water Commissioners of the City of Saint Paul and the City of Saint Paul, is hereby approved in substantially the form submitted, and that

the proper officers are hereby authorized and directed to execute said Amendment No. 1 on behalf of the Board in substantially the form submitted, following approval by the assistant city attorney.