



## Legislation Text

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**File #:** RES PH 14-211, **Version:** 1

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Amending the 2014 budget in the amount of \$4,000,000 to accept a grant from the State of Minnesota for the Ordway Center for the Performing Arts, and approving and authorizing execution of an amended state grant agreement, amended lease documents with the Ordway, and related documents.

WHEREAS, the City previously accepted \$23,500,000 (consisting of two grants in the amounts of \$7,500,000 and \$16,000,000) from the State of Minnesota for improvements to the Ordway Center for the Performing Arts ("Ordway") facility in Saint Paul, Minnesota and entered into State Construction Grant Documents with the State of Minnesota and Lease Documents with the Ordway; and

WHEREAS, in 2014 the Minnesota Legislature approved an additional \$4,000,000 grant for the Ordway by Chapter 294, Section 21, Subd. 17; and

WHEREAS, City staff has negotiated the terms and conditions of a First Amendment to Amended and Restated Ground Lease, First Amendment to Amended and Restated Lease/Use Agreement, and Amended and Restated Disbursing Agreement and other related documents with the Ordway (collectively the "2014 Amended Ordway Lease Documents") and a First Amendment to General Obligation Bond Proceeds Grant Agreement-Construction Grant, Amended Declaration, and other related documents with the Department of Employment and Economic Development for the State of Minnesota (collectively the "2014 State Construction Grant Documents"); and

WHEREAS, the Mayor, pursuant to Section 10.07.1 of the Charter of the City of Saint Paul, does hereby certify that \$4,000,000 in funds are available for appropriation in excess of those estimated in the 2014 budget and recommends the changes to the 2014 budget identified on Attachment A; and

WHEREAS, a public hearing on this resolution was held before the Saint Paul City Council on August 6, 2014 and the City Council finds a public purpose for the actions taken in this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City of Saint Paul City Council hereby accepts the \$4,000,000 grant from the State of Minnesota, approves the program to continue operating a performing arts center, and approves the 2014 Amended Ordway Lease Documents and the 2014 State Construction Grant Documents and the proper officials of the City are hereby authorized and directed to execute the 2014 Amended Ordway Lease Documents and the 2014 State Construction Grant Documents on behalf of the City.

BE IT FURTHER RESOLVED, that the City Council approves the changes to the 2014 budget as identified in Attachment A.

BE IT FURTHER RESOLVED, that City staff and legal counsel for the City are further directed and authorized to take all actions necessary to implement this Resolution and the City's Director of Department of Planning and Economic Development is authorized to execute such documents, consents and instruments in connection therewith.