



Legislation Text

File #: RES 18-1761, **Version:** 1

Approving the grant agreement between the City and the Capital Region Watershed District for a stormwater grant in the amount of \$416,000.

A resolution accepting a cost share grant containing an indemnity provision from the Capital Region Watershed District for a “green infrastructure” stormwater management system to serve development contemplated under the Snelling-Midway Redevelopment Site Master Plan as adopted in RES PH 16-239 dated August 19, 2016.

WHEREAS, on March 3, 2016, the Council of the City of Saint Paul, in City Council Resolution PH 16-64, approved a draft Development Agreement between the City and MUSC Holdings, LLC (hereinafter, the “Team”) to design and construct on an approximately 10-acre parcel commonly known as the “Bus Barn” site a soccer stadium in which the Team’s wholly owned subsidiary known as the Minnesota United Soccer Club, LLC would play its home soccer games and, accordingly, authorized City staff to execute the Development Agreement; and

WHEREAS, on April 1, 2016, pursuant to Resolution PH 16-64, the City and the Team duly executed the Development Agreement for the Bus Barn site; and

WHEREAS, the Development Agreement provided that a nearly 25-acre parcel lying generally to the north and east of the Bus Barn site and commonly known as the “Midway Shopping Center” site, was also to be studied for redevelopment purposes in conjunction with the Bus Barn Site as a “material inducement” for the Team to construct its stadium on the Bus Barn site; and

WHEREAS the Development Agreement provided that the City would create a Master Development Plan for both the Bus Barn and the Midway Shopping Center sites which, collectively, are referenced in the Development Agreement as the 34.5-acre Midway Development site; and

WHEREAS, the Development Agreement provided that the design and construction of the stadium would include provisions for storm water management stated that “the City shall use commercially reasonable efforts to obtain grants, loans or other sources of funding” for the design and construction of a storm water management system “so that storm water can be recycled and used for irrigation of the Stadium Site Green Spaces, the Plaza, the Promenade, the playing field in the Stadium . . . and the Stadium Site” as these various terms are defined under the Development Agreement and which are, for the purposes of this Resolution, adopted herein as well; and

WHEREAS, the spaces described and defined above in the Development Agreement are also within and subject to the Snelling-Midway Redevelopment Site Master Plan which was adopted by the City under RES PH 16-239 on August 19, 2016 as the Master Development Plan for the site as called for under the April 1, 2016 Development Agreement; and

WHEREAS, since the adoption of the Development Agreement and the Snelling-Midway Redevelopment Site Master Plan, City staff have worked with the Team, the respective owners of the Bus Barn and Midway Shopping Center sites and the Capital Region Watershed District (hereinafter, “CRWD”) to devise a commonly shared “green infrastructure” stormwater management system serving the 34.5-acre Midway Development site in lieu of developing separate stormwater management systems throughout the Site and, pursuant to Article 2, Section 2.3(h)(vi) of the Development Agreement, the CRWD has offered a grant to the City in the sum of \$416,000 to implement a green infrastructure stormwater management system to improve stormwater runoff

from the Midway Development site. A copy of the CRWD Grant is attached hereto as Attachment 1; and

WHEREAS, Section 12 of the CRWD grant requires the City to defend, indemnify, and hold harmless the CRWD and the State of Minnesota, from all claims or causes of action arising under the provisions of the Grant; and

WHEREAS, the Council finds that receiving grant funds from the CRWD for stormwater management at the Midway Development site, including the said indemnification provision set forth in Section 12 of the CRWD is for a public purpose and is specifically authorized under Article 2, Section 2.3(h)(vi) of the April 1, 2016 Development Agreement; NOW, THEREFORE,

BE IT RESOLVED, that the Council of the City of Saint Paul authorizes the appropriate city officials to enter into the grant agreement attached hereto as Attachment 1 with the CRWD.