



## Legislation Text

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**File #:** RES PH 19-383, **Version:** 1

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Resolution approving and authorizing the execution of a purchase agreement with Spruce Tree Centre L.L.P. for the sale and conveyance of the Spruce Tree Parking Ramp and authorization to enter into a Parking Space License Agreement, District 13, Ward 4

**WHEREAS**, the Housing and Redevelopment Authority of the City of Saint Paul, Minnesota (the "HRA") is a public body corporate and politic established pursuant to the provisions of Minnesota Statutes, Section 469.001, et seq. (the "Act"); and

**WHEREAS**, the HRA has the power to engage in development or redevelopment activities under Minnesota law and the HRA is authorized to engage in activities relating to (a) housing projects and development, (b) removal and prevention of the spread of conditions of blight or deterioration, (c) bringing substandard buildings and improvements into compliance with public standards, (d) disposition of land for private redevelopment, and (e) improving the tax base and the financial stability of the community, and to engage in the aforementioned activities when these needs cannot be met through reliance solely upon private initiative and which can also be undertaken in targeted neighborhoods; and is authorized to create redevelopment projects as defined in Minn Stat Section 469.002, Subd. 14; and

**WHEREAS**, the HRA and Spruce Tree Centre L.L.P. ("Operator") executed a Second Amendment to Parking Operation and Management Agreement effective January 1, 2015 ("Second Amendment") relating to the parking management and operation of the HRA owned Spruce Tree Centre Parking Ramp located at 1607 Spruce Tree Avenue, Saint Paul, Minnesota ("Parking Ramp"); and

**WHEREAS**, Article 7 of the Second Amendment granted the Operator the right to purchase the Parking Ramp on certain terms and conditions ("Purchase Option"); and

**WHEREAS**, by letter dated July 3, 2018 addressed to the HRA Chair and PED's Director, the Operator gave notice that it was exercising its Purchase Option and provided a purchase price ("Amount") for the Parking Ramp based on an appraisal prepared by an appraiser retained by the Operator; and

**WHEREAS**, by letter dated July 27, 2018 addressed to the Operator, the HRA's Executive Director gave notice of non-acceptance of the Amount and HRA staff then obtained its own appraisal of the value of the Parking Ramp; and

**WHEREAS**, the Second Amendment required the HRA and Operator to use reasonable commercial efforts to agree on a price for the Parking Ramp and to satisfy this contractual obligation HRA staff negotiated with the Operator the amount of the purchase price for the Parking Ramp and the terms of a Purchase Agreement ("Purchase Agreement"), and a Parking Space License Agreement ("License Agreement"); and

**WHEREAS**, under the License Agreement the HRA will obtain a license to use 200 parking spaces in the Parking Ramp for certain events at Allianz Field, which is located across Snelling Ave from the Parking Ramp; and

**WHEREAS**, HRA staff recommends approval of the Purchase Agreement and License Agreement on the terms and conditions described therein, copies of such agreements are on file in the office of the HRA's Executive Director; and

**WHEREAS**, pursuant to due notice thereof that was published in the Saint Paul Pioneer Press a public hearing on this sale and Purchase Agreement was held on Wednesday, November 13, 2019 at 2:00 pm, on the third floor of City Hall, 15 West Kellogg Boulevard, Saint Paul, Minnesota; and

**WHEREAS**, by this resolution the HRA finds a public purpose for the sale and conveyance of the Parking Ramp to the Operator and the execution and delivery of the Purchase Agreement and License Agreement.

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

1. The HRA Board of Commissioners hereby approves the Purchase Agreement and sale and conveyance of the Parking Ramp to the Operator on the terms and conditions described in the Purchase Agreement, and further approves the License Agreement.
2. The HRA Board of Commissioners authorizes and directs the execution of the Purchase Agreement and License Agreement by the HRA's Executive Director and Director of Office of Financial Services.
3. The HRA's Executive Director is authorized and directed to finalize all documents and agreements necessary to effectuate the sale and conveyance of the Parking Ramp to the Operator.
4. The HRA's Executive Director, staff and legal counsel for the HRA are further directed and authorized to take all actions necessary to implement this Resolution. The HRA Chair/Commissioner shall execute the deed of conveyance of the Parking Ramp to the Operator and the HRA's Executive Director is authorized to execute any other documents and instruments in connection with this Resolution.