

Transportation Committee

Meeting date: October 12, 2015

For the Metropolitan Council meeting of October 14, 2015

Subject: Authorization to enter into a Joint Powers Agreement with the City of Saint Paul and the Saint Paul Port Authority regarding the property at 400 Snelling Avenue, Saint Paul, Minnesota.

District(s), Member(s): Commers

Policy/Legal Reference: Minn. Stat. 471.59

Staff Prepared/Presented: Brian Lamb, General Manager, Lucy Galbraith, TOD Director

Division/Department: Metro Transit

Proposed Action

That the Metropolitan Council 1) determines that it is in the best interests of the Council and the public to continue use of the Snelling property for transit purposes consistent with Council TOD Policy goals and FTA guidance, and 2) authorizes the Regional Administrator to: (a) execute a Joint Powers Agreement with the City of Saint Paul (“City”) and the Saint Paul Port Authority (“SPPA”) to provide a framework for communication and negotiation with respect to the development of the property at 400 Snelling Avenue, St. Paul; and (b) to provide to the City and the SPPA the appraisal or appraisals obtained by the Council for the Council property.

Background

The Council is the owner of a certain approximately 10 acre property located at 400 Snelling Avenue, St. Paul, Minnesota (“Council Property”). The Council Property was formerly occupied by a transit garage and facility that has been removed. This site is still used for various transit purposes and is intended to have transit purposes as well as a soccer stadium development proposed by the City. Any changes or additions to the transit uses of the Council Property, as Federal Transit Administration (“FTA”) financed property, is governed by FTA guidance as well as Council Policy.

In November 2013, the Council adopted a Transit Oriented Development Policy (“TOD Policy”) with the following goals:

- Maximize the development impact of transit investments by integrating transportation, jobs and housing
- Support regional economic competitiveness by leveraging private investment
- Advance equity by improving multimodal access to opportunity for all
- Support a 21st century transportation system through increased ridership and revenues

Council transit staff believes it is in the best interests of the Council and the public to: a) continue use of the Council Property for transit purposes and facilities in combination with development of the Council Property in



conformance with the Council's TOD Policy goals and FTA guidance; and b) maintain continuing control of the Council Property in order to continue its use for transit needs and purposes, and to comply with FTA guidance.

The City is interested in securing a long-term ground lease for the Council Property from the Council to be used as a site for Major League Soccer, in which Council would be the landlord and the City the tenant in a manner that meets both the Council's transit requirements and TOD Policy FTA guidance, and the SPPA's and the City's missions and purposes.

Council transit staff believe that, pursuant to the Council's powers under Minnesota Statutes 471.59, it is in the Council's and the public's best interest to enter into this Joint Powers Agreement with the City and the SPPA to provide a framework for communication and negotiation with respect to potential development of the Council Property as a transit and soccer stadium site.

Rationale

The proposed JPA shall contain provisions that would:

Provide a framework for and steps toward the accomplishment by the Council, the City and the SPPA of the potential development of the Council Property as a soccer stadium in a way that advances the Council's transit needs and requirements, its TOD Policy and FTA Guidance, and the City's and SPPA's missions and purposes;

Provide for transmittal and exchange of information and negotiation between the Council, City and SPPA and others with respect to potential development of the Council Property and to ensure that such transmittal and exchange of information is accomplished in compliance with applicable law;

Provide for the parties' coordination of due diligence, including site and environmental assessment; and address, as the parties deem necessary or convenient, other issues as may occur with respect to accomplishment of the potential development of the Council Property;

Require the parties' governing bodies to approve subsequent agreements resulting from this proposed framework for communication and negotiation with respect to development of the Council Property.

Funding

Not applicable

Known Support / Opposition

Joint Powers Agreements among governmental units must be “entered into through action of their governing bodies.”

The governing bodies of the City of Saint Paul and the Saint Paul Port Authority are considering adoption of this agreement at meetings scheduled on October 14, 2015. No known opposition.