


REQUEST FOR COUNCIL ACTION

Date: Nov. 9, 2015
Item No.: 15.a

Department Approval



City Manager Approval



Item Description: EDA Next Steps: HRA Appointment and process for establishing an EDA

1 **BACKGROUND**

2 On October 1, 2015, the Roseville Housing and Redevelopment Authority (RHRA) amended its
3 by-laws to state that the current City Council members make up the RHRA Board. In order for
4 the amendment to take full effect, the Council needs to adopt the attached resolution
5 acknowledging its role as the RHRA Board.

6
7 After discussing the future direction of the RHRA and the possibility of establishing an
8 Economic Development Authority (EDA), the Roseville City Council, on October 26, 2015,
9 directed staff to start the process of developing an Economic Development Authority (EDA).
10 Following are the next steps to establish an EDA, the process to transfer RHRA activities to the
11 proposed EDA, and the actions taken to date on the matter:

12
13 **Establishing an EDA**

- 14 • To establish an EDA, a public hearing notice must be published for two consecutive weeks
15 in advance of the public hearing.
 - 16 ○ A public hearing has been scheduled for the November 30, 2015, City Council
17 meeting.
 - 18 ○ Notice of that hearing is scheduled to appear in the Roseville Review's November
19 10th and November 17th editions. The notice is also posted at City Hall.
 - 20 ○ After the public hearing concludes on November 30th, 2015, the Council could
21 adopt a resolution creating an EDA and appointing members to serve on the EDA
22 Board.

23 **Transferring RHRA activities to the newly created EDA**

- 24 • The RHRA Board could meet on December 7, 2015, and transfer all control, authority
25 and operations of the RHRA to the newly created EDA.
- 26 • The newly created EDA Board would meet to accept the transfer from the RHRA Board
27 on December 7th 2015.
- 28 • The newly created EDA could have its organizational meeting on January 4, 2016.
- 29 • The newly created EDA could develop its workplan in first quarter of 2016.

30
31 Once the proposed EDA is established and the transfer occurs, the RHRA essentially becomes
32 inactive and all RHRA activities would be carried out by the EDA. A letter has been drafted that
33 notifies the Department of Employment and Economic Development (Attachment D) that the
34 City Council will now serve as the RHRA Board and that work is being done to create an EDA,

35 which would assume the control, authority, and operation of all RHRA projects.

36

37 The City Attorney has drafted the resolution found in Attachment A. Martha Ingram, the current
38 RHRA attorney who is creating all of the necessary documents for the creation of the EDA, will
39 be at the meeting to answer any questions Council members may have.

40 **POLICY OBJECTIVE**

41 These actions are in accordance with the City Council's policy directions on October 26, 2015.

42 **BUDGET IMPLICATIONS**

43 Staff and legal services have been and will continue to be necessary as the City Council moves
44 forward with HRA and EDA actions.

45 **STAFF RECOMMENDATION**

46 Adopt the attached resolution accepting the appointment as the RHRA board.

47 **REQUESTED COUNCIL ACTION**

48 Adopt the attached resolution accepting the appointment as the RHRA board.

Prepared by: Jeanne Kelsey, 651-792-7086
Attachments: A: Resolution accepting appointment of Council as RHRA Board
B: Certificate of Appointment
C: City Manager's Certificate of Filing Resolution of Reappointment
D: Letter to Department of Employment and Economic Development
E: Resolution #64 of the RHRA and adopted RHRA by-laws

**EXTRACT OF MINUTES OF MEETING OF THE
CITY COUNCIL OF THE CITY OF ROSEVILLE**

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was held on the ninth day of November 2015, at 6:00 p.m.

The following members were present:

and the following were absent:

Councilmember _____ introduced the following resolution and moved its adoption:

RESOLUTION # _____

**RESOLUTION APPROVING MAYOR’S APPOINTMENT OF
THE ROSEVILLE CITY COUNCIL TO THE
HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR
THE CITY OF ROSEVILLE**

WHEREAS, on October 1, 2015 a special meeting was held by the Roseville Housing & Redevelopment Authority (RHRA) modifying the RHRA by-laws; and,

WHEREAS, the RHRA Board adopted Resolution No. 64 declaring that the membership of the RHRA Board must be comprised solely of the membership of the City Council; and,

WHEREAS, the City Council is agreeable to RHRA Resolution No. 64.

NOW, THEREFORE, BE IT RESOLVED, the Mayor hereby appoints the membership of the City Council, as it may be comprised and altered through election, appointment, or any other lawful means, to serve as the membership of the Board of the RHRA in accordance with its by-laws.

The motion for the adoption of the foregoing resolution was duly seconded by:

and upon vote taken thereon, the following voted in favor thereof:

and the following voted against the same:

Whereupon said resolution was declared duly passed and adopted.



CITY OF ROSEVILLE
STATE OF MINNESOTA

MAYOR'S CERTIFICATE
of
APPOINTMENT OF BOARD MEMBER
to the
HOUSING AND REDEVELOPMENT AUTHORITY
IN AND FOR THE CITY OF ROSEVILLE

Pursuant to state law, I hereby appoint Jason Etten, Lisa Laliberte, Tam McGehee, Robert Willmus, and Dan Roe as members of the Roseville Housing and Redevelopment Authority. As provided by law, these appointments are subject to Council approval.

Councilmember Etten and Councilmember Laliberte are appointed to terms ending December 31, 2016. Mayor Dan Roe and Councilmember Tam McGehee and Councilmember Robert Willmus are appointed to terms ending December 31, 2018.

Witness my hand as the Mayor of the City of Roseville, Minnesota this ninth day of November, 2015.

Mayor Daniel J. Roe

**City Manager's Certificate of
Filing Resolutions on Appointment of
Roseville HRA Board Member**

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I, the undersigned, being the duly appointed City Manager of the City of Roseville, Minnesota, hereby certify that on the _____ day of November, 2015, I caused a certified copy of Resolution No. _____ having been duly adopted by the Roseville City Council on November 9, 2015, to be filed in the office of the Commissioner of the Department of Employment and Economic Development of the State of Minnesota by mailing such resolution, postage prepaid, to said Commissioner in care of Commissioner Katie Clark Sieben, Department of Employment and Economic Development, 332 Minnesota Street, Suite E200, St. Paul, Minnesota 55101-1351.

Witness my hand as the Roseville City Manager and the official seal of the City this _____ day of November, 2015.

(SEAL)

Patrick Trudgeon
City Manager
City of Roseville, Minnesota

November 13, 2015

Commissioner Katie Clark Sieben
Department of Employment and Economic Development
332 Minnesota St
Suite E200
St. Paul, MN 55101-1351

RE: Notice of HRA Appointments

Dear Commissioner Clark Sieben:

Per Minnesota Statutes, Section 469.003, subd. 4, attached is a certified resolution regarding the appointment of Councilmember Jason Etten and Councilmember Lisa Laliberte to the Housing and Redevelopment Authority in and for the City of Roseville (“HRA”), for terms ending December 31, 2016; and Mayor Dan Roe and Councilmember Tam McGehee and Councilmember Robert Willmus to the HRA, for terms ending December 31, 2018.

The second purpose of this letter is to inform you that the City of Roseville has determined to establish an economic development authority (“EDA”) pursuant to Minnesota Statutes, Sections 469.090 to 469.1081 (the “EDA Act”), and to transfer the control, authority, and operation of all existing HRA projects to the EDA, pursuant to Section 469.094 of the EDA Act. Thereafter, the EDA will be the entity responsible for all housing and redevelopment activities within the City of Roseville. It is not expected that any new HRA commissioners will be appointed upon the expiration of the terms described above.

Sincerely,

Patrick Trudgeon
City Manager

Enc.

**EXTRACT OF MINUTES OF MEETING
OF THE
HOUSING AND REDEVELOPMENT AUTHORITY IN AND FOR THE CITY OF
ROSEVILLE, MINNESOTA**

Pursuant to due call and notice thereof, a regular meeting of the Housing and Redevelopment Authority in and for the City of Roseville, Minnesota was duly held on the 1st day of October, 2015, at 6:00 p.m.

The following members were present:

Jason Etten, Bill Masche, Susan Elkins, Bill Majerus and Vicki Lee

and the following were absent:

Dan Wall

Member Majerus introduced the following resolution and moved its adoption:

**HOUSING AND REDEVELOPMENT AUTHORITY
IN AND FOR THE CITY OF ROSEVILLE, MINNESOTA**

RESOLUTION NO. 64

RESOLUTION APPROVING AMENDMENT OF BYLAWS

WHEREAS, the Board of Commissioners (the "Board") of the Housing and Redevelopment Authority in and for the City of Roseville, Minnesota (the "Authority") has considered proposed amendments to its Bylaws; and

WHEREAS, the Board has determined that it is reasonable, expedient and in the best interest of the public and City of Roseville (the "City") to amend the Bylaws of the Authority so that every member of the Board is a member of the City Council of the City; and

WHEREAS, Section 5.3 of the Bylaws provides for amendments to the Bylaws by majority vote of the Board at any regular or special meeting of the Authority, provided that a copy of the proposed amendment has been delivered to each Commissioner at least five days prior to the meeting at which such amendment is considered; and

WHEREAS, the amended Bylaws proposed by this Resolution were delivered to each Commissioner at least five days prior to the date hereof.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Housing and Redevelopment Authority in and for the City of Roseville, Minnesota as follows:

1. The Authority's Bylaws are amended in the form attached to this Resolution.
2. The Board hereby approves the amended Bylaws.
3. The amended Bylaws are effective upon adoption of this Resolution.

The motion for the adoption of the foregoing resolution was duly seconded by Member Masche and upon a vote being taken thereon, the following voted in favor thereof:

Jason Etten, Bill Masche, Susan Elkins, Bill Majerus and Vicki Lee

and the following voted against the same:

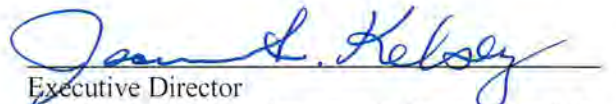
None

WHEREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) SS.
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified Executive Director of the Housing and Redevelopment Authority in and for the City of Roseville, Minnesota (the "Authority"), do hereby certify that I have carefully compared the attached and foregoing resolution adopted at a regular meeting of the Authority held on October 1, 2015, with the original minutes on file in my office and the resolution is a full, true and correct copy of the Authority's Resolution No. 64, Resolution Approving Amended Bylaws, adopted on that date.

WITNESS My hand officially as such Executive Director this 2nd day of October, 2015.


Executive Director
Housing and Redevelopment Authority in and for
the City of Roseville, Minnesota

**BY-LAWS OF THE HOUSING AND
REDEVELOPMENT AUTHORITY
IN AND FOR THE
CITY OF ROSEVILLE, MINNESOTA**

1. THE AUTHORITY

SECTION 1.1 Name of the Authority. The name of the Authority shall be the Housing and Redevelopment Authority in and for the City of Roseville, Minnesota (hereinafter, the "Authority" or "HRA"), and its governing body shall be called the Board of Commissioners (hereinafter, the "Board" and each individual member a "Commissioner").

SECTION 1.2. Office. The principal office of the Authority shall be the Roseville City Hall.

SECTION 1.3. Seal. The Authority shall have no official seal.

2. BOARD MEMBERSHIP

SECTION 2.1. Board Membership and Terms. The Commissioners of the Authority shall be the same as the current members of the City Council, with terms running concurrent with the City Council terms.

SECTION 2.2. Compensation of Commissioners. Pursuant to Minnesota Statutes, Section 469.011, subdivision 4, as amended, Commissioners may receive necessary expenses and compensation.

SECTION 2.3. Meeting Attendance. It shall be the duty of each Commissioner to attend all regular and special meetings of the Authority and to attend each subcommittee meeting to which a member is appointed. Attendance of Commissioners shall be entered in the minutes of each meeting.

3. OFFICERS

SECTION 3.1. Officers. The officers of the Authority shall consist of a Chairperson, an Acting Chairperson, a Secretary, and an Executive Director. The Chairperson, the Acting Chairperson, and the Secretary shall be members of the Board.

SECTION 3.2. Chairperson. The Chairperson shall preside at all meetings of the Authority. The Chairperson, with the assistance of the Executive Director, will set the monthly Board agenda. On at least a quarterly basis, the Chairperson shall meet with the City Manager to discuss Authority matters.

SECTION 3.3. Acting Chairperson. The Acting Chairperson shall preside at any meeting of the Board in the absence of the Chairperson and may exercise all powers and perform all responsibilities of the Chairperson if the Chairperson cannot exercise or perform the same due to absence or other inability.

SECTION 3.4. Secretary. In the absence of the Executive Director, the Secretary shall keep minutes of all meetings of the Board and shall maintain all records of the Authority. The Secretary shall also have such additional duties and responsibilities as the Board may from time to time and by resolution prescribe.

SECTION 3.5. Chairperson Pro Tem. In the absence or inability of the Chairperson and the Acting Chairperson at any meeting, the Board may appoint any remaining Commissioner as Chairperson Pro Tem to preside at such meeting.

SECTION 3.6. Executive Director. The Authority shall appoint an Executive Director nominated by the City Manager. The Executive Director shall be the chief appointed executive officer of the Authority, and shall have such additional responsibilities and authority as the Board may from time to time by resolution prescribe. In addition, the Executive Director is responsible for recording and maintaining accurate records of the meetings of the Board and of all official actions taken by or on behalf of the Authority.

SECTION 3.7. Election or Appointment; Vacancies. The Chairperson, Acting Chairperson, and Secretary shall be elected by the Commissioners at the first meeting of each new year, and shall hold such office until his/her successor is elected. Should the office of Chairperson, Acting Chairperson, or Secretary become vacant, the Authority shall appoint a successor from its membership at the next regular meeting, and such appointment shall be for the unexpired term of the said office.

4. MEETINGS OF THE HRA BOARD

SECTION 4.1. Annual Meeting. The annual meeting of the Board shall be held in the month of January in each year.

SECTION 4.2. Regular Meetings. The Board shall hold regular meetings upon a schedule to be determined by the Board.

SECTION 4.3. Special Meetings. Special meetings of the Board may be called by the Chairperson or, in the event of the Chairperson's absence or inability, by the Acting Chairperson at any time, upon twenty-four hours prior notice to all Commissioners and the City Clerk and Executive Director. Upon the same notice, special meetings of the Board may also be called by any two Commissioners. The City Clerk shall post notice of any special meeting in the principal office of the Authority no less than three days prior to such special meeting, or such other period required for notice of special meetings under Minnesota Statutes, Chapter 13D.

SECTION 4.4. Quorum. A quorum of the Board shall consist of three of the five Commissioners. In the absence of a quorum, no official action may be taken by, on behalf of, or in the name of the Board or the Authority.

SECTION 4.5. Adoption of Resolutions. Resolutions of the Board shall be deemed adopted if approved by not less than a simple majority of all Commissioners present, except as otherwise required by law. Resolutions may but need not be read aloud prior to vote taken thereon and may but need not be executed after passage.

SECTION 4.6. Rules of Order. The presider shall conduct the meetings of the Board in such a fashion as to efficiently transact public business in compliance with law and fairness. In this regard, Rosenberg's Rules of Order may be used as a parliamentary guide, but the sense of the Board operating in compliance with law and fairness rather than Rosenberg's Rules of Order shall prevail in resolving all procedural issues. Commissioners may appeal procedural decisions of the presider by a motion that is made and seconded at the time of the presider's action or inaction. Such appeal motion shall have priority over all other motions.

A majority of the quorum in attendance voting in favor of the appeal motion is sufficient to reverse the presider's ruling.

SECTION 4.7. Conflict of Interest. Any Commissioner or employee who has a financial interest in any matter that is before the Authority shall publicly state the nature of said interest, excuse himself or herself from participation in the discussion or any decision-making process regarding the matter, and comply with the requirements of Minnesota Statutes, Section 469.009, as amended.

5. PROCEDURES OF THE HRA BOARD

SECTION 5.1. Fiscal Year. The fiscal year of the Authority shall be the calendar year.

SECTION 5.2. Execution of Contracts. All contracts, notes and other written agreements or instruments to which the Authority is a party or signatory or by which the Authority may be bound shall be executed by the Chairperson and/or the Executive Director or by such other Commissioners or officers of the Authority as the Board may by resolution prescribe.

SECTION 5.3. Amendment of By-Laws. These By-Laws may be amended by the Board only by not less than a majority vote of all the Commissioners, provided that any such proposed amendment shall first have been delivered to each Commissioner at least five days prior to the meeting at which such amendment is considered.