HOUSING AND REDEVELOPMENT AUTHORITY
Meeting Agenda

Wayzata City Hall Community Room, 600 Rice Street
Monday, November 29, 2021
3:30 PM

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Agenda**
5. **Approval of Minutes**
   a. Consider Approval of HRA Minutes of July 13, 2021
   b. Consider Approval of HRA Workshop Minutes of October 26, 2021
6. **Old Business**
   a. Consider Amendments to HRA Bylaws
7. **New Business**
   a. Consider Amendments to Business Subsidy Policy to Incorporate Affordable Housing
   b. Recognition of Commissioner Roger Wothe
8. **Next Meeting Date: January 26, 2022**
9. **Adjournment**

Members of the HRA and some staff members may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.

City of Wayzata
Housing and Redevelopment Authority
Agenda Report

MEETING DATE: November 29, 2021	**AGENDA ITEM:** 5.a
TITLE: Consider Approval of HRA Minutes of July 13, 2021	
PROPOSED MOTION: To Approve the Regular Meeting Minutes of the July 13, 2021 Meeting	
PREPARED BY: Kathy Leervig, City Clerk	
REVIEWED BY: Jeffrey Dahl, Executive Director	

ACTION REQUESTED:
Staff recommends approval of the attached minutes.

FINANCIAL OR BUDGET CONSIDERATION:
N/A

BACKGROUND:
N/A

ATTACHMENTS:
1. July 13, 2021 Minutes (draft)

CALL TO ORDER

Chair Shaver called the meeting of the Charter Commission to order at 7:30 a.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Members Present: Thomas Shaver, Roger Wothe, Bob Ambrose, Steve Fox, Terri Huml.
Members Absent: None.

City Staff present: Executive Director Jeff Dahl, Community Development Director Emily Goellner, and Administrative Services Director Aurora Yager.

APPROVAL OF AGENDA

Commissioner Ambrose made a motion, seconded by Commissioner Fox, to approve the July 13, 2021 agenda as presented. Motion carried 5/0.

APPROVAL OF MINUTES

A. Consider Approval of HRA Minutes of April 1, 2021 Meeting

Commissioner Fox suggested minor changes to page 4 and page 5 of the minutes.

Commissioner Ambrose made a motion, seconded by Commissioner Wothe, to approve the April 1, 2021 meeting minutes, as amended. Motion carried 5/0.

OLD BUSINESS - NONE

NEW BUSINESS

A. Consider Receipt of 2020 HRA Financial Report

Executive Director Jeff Dahl introduced Aurora Yager and explained that she would summarize the 2020 HRA Financial Report and answer questions for the HRA.

Aurora Yager, Administrative Services Director, gave a brief overview of the 2020 HRA Financial Report, including updates to the four TIF districts in the City; Widsten (TIF 3); Bay Center (TIF 5); Downtown (TIF 6); and Housing (TIF 2).

Commissioner Huml confirmed that TIF 6 does not include the TCF building.

Executive Director Dahl stated that this was correct but noted that the TCF building could still have it own TIF district if it met the requirements.

Commissioner Huml made a motion, seconded by Commissioner Fox, to accept the 2020 HRA Financial Report, as presented. Motion carried 5/0.

B. Consider Amendments to HRA Bylaws

Executive Director Dahl reminded the HRA that at the last meeting a subcommittee was formed of Commissioner Huml and Commissioner Fox to review the bylaws. He stated that they met with himself and City Attorney Schelzel to walk-through the by-laws line by line. He stated that the consensus at the meeting was that there were three areas that deserved to be called out for further discussion: a number of housing items; add a preamble that reflects the current HRA goals; Discussion of the "Staff Services" section.

Commissioner Fox stated that the question he had was how the HRA objectives align with the other City plans, such as the Comprehensive Plan and the Strategic Plan. He stated that, in his opinion, the HRA goals should align with the 2040 Comprehensive Plan and believes the entire HRA needs to discuss the goals and any modifications. He read aloud examples of old goals and how they may need to be tweaked in order to align with the overall City plans.

Executive Director Dahl stated that this is not something that is time sensitive and feels that staff would support the HRA taking more time to review the Bylaws. He suggested that it may make sense to have a less formal roundtable type discussion at a workshop for this purpose and could also include discussion about the Housing Action Plan sometime over the next few months.

Chair Shaver stated that he had reviewed the draft changes and expressed his appreciation to Commissioners Huml and Fox for their thoughtfulness in the review process and for raising issues that the entire HRA should discuss. He stated that he would support taking this topic to a workshop in order to do a deeper dive on the Bylaws and will work with Executive Director Dahl to get it scheduled.

C. Housing Action Plan Discussion

Executive Director Dahl noted that this was also discussed at the last meeting and the HRA directed staff to bring more information to the table. He stated that this item is in Community Development Director Goellner's wheelhouse and asked her to share the summary she had put together.

Community Development Director Goellner stated that the existing housing stock data was included in the packet, but noted that it is a few years old and may be a bit out of date. She stated that it will be interesting to get updated census data from the 2020 Census, but they do not know when they will be getting that information. She stated that the City has a lot of rental properties in the City, especially older rental properties, which means they are mostly affordable because of their age and condition, which is sometimes referred to as Naturally Occurring Affordable Housing (NOAH). She stated that there is a lot of NOAH found in the Twin Cities that is being bought up by investors from outside the communities and getting fixed up, which is great for housing quality, but it reduces the amount of affordable housing available in the community. She stated that the HRA could consider whether there are things like low interest financing or other financial tools to provide opportunities to fix up some of the buildings, but also set rents at a level that is affordable.

Chair Shaver stated that about 10-12 years ago, they did set up low income financing opportunities for NOAH, but it was generally not used, which he suspects will once again be the issue. He stated that he is hopeful that there are notes from the past discussions that can shed some light on this topic.

Community Development Director Goellner stated that the outreach to the properties are very important and each property is so specific, that the financial needs and ownership model will require one-on-one conversations to get to a point where a deal could be made. She stated that they could also look at shared goals with the property owner, for example, health and safety improvements to the buildings or energy efficiencies. She stated that there are a lot of opportunities, but it will involve reaching out to specific property owners.

Commissioner Ambrose noted that many years ago, the HRA looked at single family dwellings north of Wayzata Boulevard and wanted to keep them affordable, but they did not have any method of doing that. He stated that the desire was to keep affordable housing north of Wayzata Boulevard, but that has obviously changed.

Executive Director Dahl stated that his understanding of the tactic that was used was to make some low interest loans for people that would qualify that could stay in their homes so they weren't burdened by the rising taxes. He stated that it was utilized a bit, but not to a great degree.

Community Development Director Goellner explained that the Land Trust model was also used on a few homes in the City. She suggested that this be discussed in greater detail at a future workshop, but noted that it is a great tool that the HRA could look at using for single family homes. She stated that Wayzata is a majority multi-family housing community at this point. She stated that in the 2040 Comprehensive Plan it notes that the City will have an additional 180 units. She stated that the 2040 Land Use Plan, the City identified parcels on Wayzata Boulevard and Lake Street that are appropriate for multi-family housing, with the possibility of some commercial on the ground floor in some locations. She stated there is the possibility of using TIF financing for potential affordable housing projects in those corridors but it is probably more likely on Wayzata Boulevard. She asked if the HRA had any questions with regard to new affordable housing projects in the City and whether the HRA is interested in looking at more financial tools to be a partner with on those deals.

Chair Shaver stated that he is interested especially on Wayzata Boulevard. He stated that he has looked at what Plymouth is doing with a very specific, smaller project that they called Valor Place. He stated that this is for veterans and believe it is either a quad-home or duplex. He stated that it is relatively small, but it is a way to incrementally get started. He asked if they could contact the Plymouth HRA to see how they set that up. He stated that it may be a good idea to start with something small in order to just dip a toe in the water and get a little further into this process.

Community Development Director Goellner stated that she really likes the idea of doing a smaller scale project of this nature because it aligns with the Land Use Plan as well. She stated that the community has been very clear that they want a small, charming town, so something like a 100+ unit building is not compatible with that. She stated that she could see a smaller scale development working really well on certain parts of Wayzata Boulevard and also just feels more doable for everyone.

Commissioner Wothe stated that he would support starting with a smaller project and noted that it is also the history of projects related to Interfaith Outreach. He stated that starting small would be a manageable first step. He stated that he is also somewhat sympathetic to some large projects, especially along Wayzata Boulevard because of the benefits that could be brought to people living in those units. He noted that it is on a bus line and has relatively easy access to other parts of the Twin Cities as well as easy access to the businesses on Wayzata Boulevard.

Commissioner Fox stated that Community Development Director Goellner had stated that she did not think there was an appetite for a 100+ unit building in the City. He stated that something that was said on the Zoning Task Force, was a question about why a four or five story building would be inappropriate away from the lakefront and why it wouldn't fit in with the community. He stated that if the City is every going to get to affordable housing, he believes it is going to need to happen vertically.

Community Development Director Goellner noted that height is probably the most controversial topic that she has dealt with in the City. She stated that she thinks about 40% of 300 people who filled out the survey, were comfortable with a fourth story on Wayzata Boulevard. She stated that she is not sure that the City will have to build big buildings in order to get the affordability component and feels it will really depend more on the partners the City will work with and the financial tools that they are bringing.

Executive Director Dahl stated that there may also be financial tools that the City/HRA can bring to the table, such as TIF.

Chair Shaver stated that what he sees in the communities he deals with, if TIF is used as a tool for a housing project, 20% of the units within complex will be affordable at an average of 60% AMI. He stated that if the City does 100 units and 20 of them are affordable and the overall goal over the next 9 years is a total of 42 units, that already meets half of the goal. He stated that if they can identify a project along Wayzata Boulevard that can achieve that goal and allow the City to clip off half of the objective to meet the Comprehensive Plan guidance, that is a good thing He stated that he thinks it can be done both large scale and small scale, but it may be good to start with something relatively small and bite sized and move up from there.

Commissioner Huml stated that the City could start on Wayzata Boulevard as you enter town and take a deep dive and look at every single property that is along that road that could possibly be open for development within the next 10 years and look at how to scale a plan so it all fits together so it doesn't look like 'one-offs' everywhere. She stated that they don't have to match, but they should complement each other. She stated that they could even be something like affordable, free-standing, slab on grade townhomes. She explained that there is a VA project in Napa Valley that is very cute with little cottages and white picket fences and thinks something like that would be cute to have in Wayzata also. She stated that it may be fun to look from above with a drone view of the whole of Wayzata Boulevard.

Community Development Director Goellner stated that there is a Wayzata Corridor Study that will be begin this fall and is meant to combine the land use planning, the housing planning, and the transportation planning for the entire corridor and may extend up Central Avenue a bit as well. She stated that she expects the study to take 1-2 years to complete. She noted that they are still a long way from reconstructing Wayzata Boulevard and will continue doing mill and overlays for quite a while, but knowing what the community has preference for is good to be discussing way ahead of time. She stated that she had included three potential next steps for the HRA to consider, that includes an inclusionary housing policy. She stated that an inclusionary housing policy is what Chair Shaver mentioned where the housing products needed to have 20% affordable included and if they aren't able to achieve that, then they pay a fee in lieu of those units. She stated that the community seems very open to mixed income projects. She stated that the City will not be able to just copy and paste a policy from another City and will need to take time to be specifically written for each sub market and small economy. She stated that the City of Bloomington has a very thorough and market driven inclusionary policy that she has seen and thinks the City could use theirs as a best practice. She stated that the Planning Commission has also expressed interest in at least learning more about an inclusionary housing policy.

Chair Shaver agreed that affordable housing would be a good topic of conversation for a workshop. He stated that he would like to make sure everyone understands AMI and what wage differential each of these programs would be talking about.

Community Development Director Goellner stated that she has taken some notes about things the HRA can discuss at a future workshop including more Area Median Income (AMI) current standards and programs. She asked if the HRA had anything else they would like her to research prior to the workshop meeting.

Commissioner Fox asked about the table/graphic because he did not understand what A,B,C,D meant or referenced.

Community Development Director Goellner stated that information referenced page 33 of the packet and A, B, C, and D are the four goals she was referring to earlier.

Executive Director Dahl asked if the HRA would say that the City does not really have a defined housing action plan and that is something that the HRA could lead, or if they are looking for more prioritization of components of an already approved housing action plan.

Community Development Director Goellner stated that what would be helpful is for the HRA to take a look at what financial tools they are open to. She stated that she thinks what is in the Comprehensive Plan is sufficient when it comes to high level policy.

Executive Director Dahl stated that this discussion will tie in very well with the discussion surrounding the by-laws and the goals and could be scheduled for the same workshop.

Community Development Director Goellner stated that they want to work with the best data possible so there may come a time in the next few years that they decide to do a comprehensive housing needs analysis that will use more updated census data.

D. Development Update

Executive Director Dahl explained that a Panoway District Committee has been established. He stated that its goal is to provide a venue for different perspectives in and around Panoway on what is working and what isn't. He explained that the focus, thus far, has been public safety and following that will be maintenance and operations. He stated that since this is the first year it has been interesting to see how patterns and trends have emerged and to see how it is being used. He explained that the Panoway District Committee is comprised of City Council, business owners, nearby residential property owners, staff and other members such as Chamber of Commerce.

Executive Director Dahl stated that there will be flexibility in TIF 6 to help fund the boardwalk in the not too distant future. He stated that this is really good news and staff will be sitting down with the Council to go over updated numbers and suggested that the HRA also attend that meeting to discuss how it will work and confirm that the City wants to go down this road.

Chair Shaver asked who is responsible for the programming on the Panoway.

Executive Director Dahl stated that it is currently treated like any public area and goes through the permitting process through the City. He stated that for this year, because of the level of activity, they have really held off on a lot of programming.

Commissioner Ambrose read aloud a portion of the tax bill that mentions Wayzata and TIF 6.

Executive Director Dahl stated that this was a long time coming and has been worked on for over a year by many individuals.

Chair Shaver asked what kind of public feedback there has been on the Panoway.

Executive Director Dahl stated that typically people are more willing to provide negative comments, so there has been feedback regarding cleanliness, upkeep and public safety concerns. He noted that they have also gotten a lot of positive comments about opening up the space to enjoy the lake and especially the water feature and how it is so great to see kids and families enjoying the space.

Community Development Director Goellner stated that having public access to the lake has been transformative for the community and others who visit the City. She stated that almost 98% of shoreline of Lake Minnetonka is privately owned, so this is a great asset and has been exciting to see so many people enjoying this space. She stated that all the comments have been really constructive and have put them on a list and sort them out into four categories. The categories are: Public Safety; Operations and Maintenance; Programming and Events; General Planning/Communications. She stated that the legislation that they were able to get through to allow the TIF 6 to be used for the boardwalk area is a great opportunity. She stated that as far as she can tell, businesses are thriving in the downtown area and doing really well. She stated that it worked out very well for the City to build during COVID.

Commissioner Huml noted that even the people in the community that initially were very bold in that their statements against this whole thing have turned around and said nothing but positive things. She stated that she thinks this is a huge benefit and once the boardwalk is complete, it will really put the City at a much different level.

Community Development Director Goellner gave brief updates on other development projects including, Ventana, the public parking facility, applications for the TCF site, the abandoned gas station on Wayzata Boulevard, Wells Fargo site, Park N' Ride site.

Commissioner Huml asked for an update on the Meridian Manor site.

Community Development Director Goellner stated that Meridian Manor closed last year due to COVID and came under new ownership last fall. She stated that the new owners have brought one proposal to rehab the building and continue to use it for senior housing. She stated that the building was in pretty rough shape with an extensive amount of mold in the building. She stated that they are proposing assisted living with an additional structure on site. She noted that the City's website has a development page that has more details and the plans. She stated they appeared before the Planning Commission and were not successful so they have decided to rework their plan and bring it back to the Planning Commission.

Chair Shaver asked whether the development moratorium was in place.

Community Development Director Goellner stated that the conversation seems to be over, for now. She stated that the Council talked it through and ultimately decided that they were not ready for a development moratorium.

Executive Director Dahl announced that Assistant Planner Nick Kieser will be transitioning into the Parks Planner position starting next week.

Community Development Director Goellner noted that the City is in the process of hiring a new Assistant Planner as well as a Permit Technician.

OTHER BUSINESS

Commissioner Wothe stated that he is planning to retire from the HRA at the end of the year. He stated that he has served on the HRA for a long time and it has been a great opportunity for him to see the changes in the community, but it is time for someone else to serve. He stated that he is been here since May of 1955 before many people in the room were even born.

Chair Shaver stated that he understands that there are changes in life but wanted it to be known that it has been an absolute pleasure to serve on the HRA with Commissioner Wothe. He stated that Commissioner Wothe has also just been a wonderful steward for the entire community.

NEXT MEETING DATE: TBD

ADJOURN

There being no further business, Commissioner Ambrose made a motion, seconded by Commissioner Fox to adjourn the meeting. The motion carried 5/0.The meeting adjourned at 9:00 am.

Respectfully submitted,

Kathy Leervig
City Clerk
City of Wayzata

City of Wayzata
Housing and Redevelopment Authority
Agenda Report

MEETING DATE: November 29, 2021	**AGENDA ITEM:** 5.b
TITLE: Consider Approval of HRA Workshop Minutes of October 26, 2021	
PROPOSED MOTION: To Approve the Workshop Meeting Minutes of October 26, 2021	
PREPARED BY: Kathy Leervig, City Clerk	
REVIEWED BY: Jeffrey Dahl, Executive Director	

ACTION REQUESTED:
Staff recommends approval of the attached minutes.

FINANCIAL OR BUDGET CONSIDERATION:
N/A

BACKGROUND:
N/A

ATTACHMENTS:
1. October 26, 2021 Meeting Minutes (Draft)

CALL TO ORDER

Chair Shaver called the HRA Workshop to order at 7:30 a.m.

1) Discussion of EDA Bylaw Updates

The workshop was held in-person in the Community Room at City Hall. HRA Members present: Ambrose, S Fox, T Fox, and Wothe. Also present: City Manager Jeff Dahl, Community Development Director Goellner, Assistant Planner Quarles, and Attorney Schelzel.

Executive Director Dahl provided background that at the July 13 Meeting, the HRA discussed potential updates to the HRA Bylaws as a result of a recommendation from Commissioner Huml and Fox. Previously noted, it had been several years since the bylaws were updated by the commission and that it was time to ensure its language reflected the current and desired function of the HRA and its priorities. Discussion included updating the bylaws to reflect the goals of City's recent visioning document, 2040 Comprehensive Plan, and Business Subsidy Processes.

The Commission discussed the proposed amendments at length and focused most of the time on the specific goals of the HRA and the need for them to be updated and aligned with the City's vision and comprehensive plan. Commissioner Fox brought up several points about the goals including the redundancy of some of them. The Commission liked the new preamble.

Discussion also included updating the section on "Staff Services." Since most of staff's work with the HRA directly or indirectly focused on TIF, administration of TIF is an eligible expense and thus reimbursement of staff time. If the HRA pivoted to projects and goals outside of TIF, then staff time would and how they are reimbursed, would need to be reevaluated.

At this point, the HRA agreed to leave the section regarding Staff Services as is.

Direction was given to staff to make several grammatical changes and prepare updated goals to discuss in a final draft to be considered for adoption at a future meeting in 2021.

Discussion of Housing Action Plan

Community Development Director Goellner provided background from July 13 which summarized information about the existing housing stock, increasing land values, and the housing goals set forth in the 2040 Comprehensive Plan (also called the Housing Action Plan). Discussion included the City's pivoting towards diversity in housing choices including life cycle housing.

The Commission agreed that housing was more of a priority of the group now that the blight removal and the redevelopment of the west end of downtown was almost complete.

Director Goellner indicated that the HRA's primary economic development tool it leverages is TIF. And, in recent history, the City has utilized TIF through redevelopment projects. She then went over Housing TIF, how it is different from Redevelopment TIF, and how it could be leveraged by the City in future projects, specifically, along the Wayzata Boulevard Corridor which is the City's next priority area for development and redevelopment. In order for the City and HRA to consider using Housing TIF, it would need to amend its Business Subsidy Assistance Policy to incorporate Housing TIF.

The HRA discussed the need for more tools by the City in order to attract increased life cycle and affordable housing units. Direction was that staff should prepare draft amendments to the Business Subsidy Assistance Policy for consideration at a future meeting.

The workshop was adjourned at 9:30 a.m.

Respectfully submitted,

Kathy Leervig
City Clerk
City of Wayzata

City of Wayzata
Housing and Redevelopment Authority
Agenda Report

MEETING DATE: November 29, 2021	**AGENDA ITEM:** 6.a
TITLE: Consider Amendments to HRA Bylaws	
PROPOSED MOTION: To Adopt the Draft Amendments to the HRA Bylaws	
PREPARED BY: Jeffrey Dahl, Executive Director	
REVIEWED BY: N/A	

ACTION REQUESTED:
Staff recommends adoption of the draft amendments to the EDA Bylaws.

FINANCIAL OR BUDGET CONSIDERATION:
N/A

BACKGROUND:
At the July 13 Meeting, the HRA discussed potential updates to the HRA Bylaws as a result of a recommendation from Commissioner Huml and Fox. Previously, there was consensus from the commission that it had been several years since the bylaws were last updated and that it was time to ensure its language reflected the current and desired function of the HRA and its priorities.

In addition to grammar and layout amendments, Commissioners Huml and Fox recommended further discussion in two areas:

- A preamble should be added and updated to reflect the goals of City's recent visioning document, 2040 Comprehensive Plan, and Business Subsidy Processes; and
- The HRA should discuss the section on "Staff Services."Staff and City Attorney David Schelzel previously made updates to the bylaws which were discussed at a HRA workshop on October 26.

Overall, the discussion was positive at the workshop and additional tweaks were made, especially in relation to updating the HRA's overall goals.

Attached are both a "red-lined" and "clean" version of the draft bylaws led by the City Attorney. If adopted, the draft will then be considered by the City Council at a meeting in the near future.

ATTACHMENTS:
1. HRA BYLAWS - Proposed 2021 Amendments (City Atty Edits v2)_6608253
2. HRA BYLAWS - Proposed 2021 Amendments (Clean)_6608253

AMENDED AND RESTATED
BYLAWS
of the
HOUSING AND REDEVELOPMENT AUTHORITY
In and for the City of Wayzata, Minnesota
(Adopted _______, 2021)

PREAMBLE

State law provides that cities may create housing and redevelopment authorities to undertake certain types of housing and redevelopment or renewal activities. Housing and redevelopment authorities are separate public entities, governed by a board of commissioners, which may authorize the acquisition of real estate, housing and commercial loans and grants, and the issuance of bonds.

The Housing and Redevelopment Authority in and for the City of Wayzata (HRA) ~~(HRA)~~ was created by the Wayzata City Council ~~in accordance with State Law by:~~

~~A resolution passed by the City Council of Wayzata, Minnesota, on the 4th day of April,~~in 1967~~,~~ after holding~~providing for~~ a hearing ~~to~~and determining~~e~~ the need for an HRA in the City ~~Housing and Redevelopment Authority to function in Wayzata, Minnesota;~~

~~A resolution passed by the City Council of Wayzata, Minnesota, on the 16th day of May, 1967, determining the need for a Housing and Redevelopment Authority in Wayzata, Minnesota; and~~

~~A resolution passed by the City Council of Wayzata, Minnesota, on the 1st day of August, 1967, approving the appointment of the Commissioners of the Housing and Redevelopment Authority of Wayzata, Minnesota~~.

The original goals ~~for~~ of the HRA were:

1. Set a standard for future development of Wayzata;
2. Exploit the natural advantages of Lake Minnetonka;
3. Preserve the distinctive atmosphere of Wayzata;
4. Create a business climate that will enable local businesses to compete with the planned investment in nearby commercial centers;
5. Attract businesses that will offer improved employment opportunities;
6. Establish an improved quality in multiple housing facilities; and
7. Maximize tax return.

Additional area-specific goals ~~were~~ have been established ~~when~~ in connection with the creation of individual tax increment (TIF) districts ~~were created in the City of Wayzata, Minnesota~~within the City.

Overall, the Wayzata HRA seeks to help realize the goals of the Wayzata 2040 Comprehensive Plan, the vision and mission of the City's most recent Strategic Plan, and the provisions of the City's TIF and Business Subsidy Policies. These include:

1. Redeveloping blighted areas
2. Creating and enhancing areas of greater housing diversity
3. Supporting housing density initiatives in targeted neighborhood zones
4. Establishing and supporting, financially and politically, a local Inclusionary Housing Policy
5. Promoting environmental sustainability initiatives and components of projects
6. Promoting connected, walkable, and pedestrian friendly development
7. Promoting charming, thoughtful, and managed development
8. Diversifying and enhancing jobs and local tax base
9. Enhancing public parking infrastructure, and upgrading parking facilities with green energy features
10. Maintaining and enhancing vibrant commercial corridors

Commented [DS1]: Jeff, I have reworded these to begin with a verb and incorporate the feedback and suggestions from Steve Fox; there may be some overlap here / opportunity to condense and edit, but I think each is distinguishable…

ARTICLE I. **AUTHORITY**

Section A. Name. The legal name of the HRA is "Housing and Redevelopment Authority of the City of Wayzata".

Section B. Office. The offices of the HRA shall be at the City Hall in the City of Wayzata, Minnesota, but the HRA may hold its meetings at such place or places as it may designate.

ARTICLE II. **MEETINGS**

Section A. Date of Annual Meeting. The annual meeting shall be held on the third ~~Monday~~ Thursday in ~~September~~ January of each year at ~~6~~7:~~00~~ 30 ~~P~~A.M., or such other date and time as set by the HRA, ~~as scheduled by mutual consent~~ at the regular meeting place of the HRA. In the event such day shall be a legal holiday, the annual meeting shall be on the ~~next succeeding~~preceding Wednesday or such other time as set by the HRA.

Section B. Quorum. There ~~shall~~ must be a quorum, as defined in Article IV, to conduct business at all meetings. If a quorum is not present for an annual meeting, the Chair shall establish a date for a new annual meeting. If a quorum is not present for a regular or special meeting, the Chair shall adjourn the meeting to the next regular or special meeting of the HRA.

Section C. Annual Meeting. The following, among any other appropriate matters, ~~may~~ shall be considered at the annual meeting:

1. Election of officers;

2. Determination of need for regular meetings to be held until the next annual meeting and if necessary determination of dates for regular meetings;

3. Discussion of bylaws and any suggested amendments;

4. Receipt of Financial Report, unless scheduled and presented at a subsequent meeting; and

5. Appointment of Executive Director

Section D. Regular Meetings. If determined necessary by the HRA, regular meetings shall be held at a fixed place and at a time as determined by the HRA at its annual meeting. The time may be changed by the HRA at any subsequent meeting by a majority vote of all Commissioners and after notification of such change in the City's official newspaper. Agendas for regular meetings shall include at least the following order and items of business:

1. Call to Order;

2. Approval of Agenda;

3. Approval of Minutes;

4. Unfinished or Organizational Business;

5. New Business; and

6. Adjournment.

Section E. Special Meetings. Special meetings of the HRA may be called by the Chair, or any two members of the HRA, for any proper purpose of the HRA upon oral or written notice to each of the Commissioners and to the local newspapers at least 3 days prior to the date of the special meeting. A written notice shall set forth the time and place of the special meeting and be posted at City Hall at least 3 days prior to the date of the special meeting.

Section F. Public Meetings. All meetings shall be open to the public in accordance with the provisions of Minnesota Statutes.

ARTICLE III. **COMMISSIONERS, OFFICERS, ADMINISTRATOR, STAFF**

Section A. Commissioners. The HRA shall consist of five (5) Commissioners who ~~shall~~ must be residents of the ~~area of operation of the HRA~~City of Wayzata. The Commissioners shall be appointed by the Wayzata City Council. Each Commissioner shall serve a term of five (5) years in accordance with Minnesota statute § 469.003.

Section B. Officers. The officers of the HRA shall consist of a Chair, a Vice Chair, a Secretary, and such other officers as shall from time to time be chosen and appointed by the HRA.

Section C. Chair. The HRA shall select a Chair from among its Commissioners who shall preside at all meetings of the HRA.

Section D.~~.~~ Vice Chair. The HRA shall select a Vice Chair from among its Commissioners who shall preside at all meetings of the HRA in the absence of the Chair and shall perform such other duties as may be assigned by the Commissioners. In the case of death, retirement, or resignation of the Chair, the Vice Chair shall perform and be vested with all the duties and powers of the Chair until such time that a new Chair is chosen by the Commissioners.

Section E. Secretary. The HRA shall select a Secretary from among its Commissioners who shall be responsible for certification of official actions of the HRA.

Section F. Executive Director. The HRA ~~may~~ shall appoint an Executive Director, who shall not be a Commissioner. The Executive Director shall be responsible for:

1. Securing, supervising and directing any personnel required for work to be accomplished by the HRA;

2. Providing for the taking of and preparing minutes of each meeting of the HRA;

3. Maintaining any appropriate files as deemed necessary by the Commissioners, including files of minutes, publication of meetings, and meeting agendas;

4. The general administration and financial management of the affairs of the HRA pursuant to policies determined by the Commissioners; and

5. Any other responsibilities assigned by the Chair or Commissioners.

Section G. Staff Services. If the HRA appoints the City Manager as the Executive Director and/or uses personnel under the control of the City Manager, a contract for staff services shall be entered into which clearly designates the services provided.

Commented [DS2]: Jeff, where did we land on this provision? I believe we are going to look internally more at a few questions this raised?

ARTICLE IV. **QUORUM AND VOTING**

Section A. Quorum. A quorum of the HRA shall be three Commissioners. A quorum shall be required to conduct business at any meeting of the HRA.

Section B. Voting. An affirmative vote of ~~approval by~~ a majority of those Commissioners present at a meeting shall be required to take action on or approve any matter before the HRA, except that with respect to the following matters, an affirmative vote of ~~approval by~~ three (3) or more Commissioners shall be required~~ to act;~~:

1. To ~~request replacement of~~appoint or revoke the appointment of the Executive Director~~; or~~

~~1.~~2. To cancel~~lation of the~~a contract~~; with the City;~~

~~2.~~3. To amend the Bylaws;

~~3.~~4. To change the time of regular meetings ~~time~~ or the time of the annual meeting;

~~4.~~5. To borrow money; or

~~5.~~6. To approve a project.

ARTICLE V. **FINANCE AND CONTRACTS**

Section A. Fiscal Year. The Calendar year shall be the fiscal year of the HRA. However, other fiscal years for specific purposes or undertaking of the HRA may be established as required or desirable.

Section B. Budgets. The Executive Director shall prepare a budget for each project that is being considered by the HRA. If an annual operating budget is desired by the HRA, the HRA shall submit its request in accordance with the City's established budget approval process. City Council approval of project and operating budgets is required.

Section C. Investments of the HRA. The investments of the HRA funds shall be the responsibility of the Executive Director in accordance with the investment ~~practices~~ policies of the City.

Section D. Project and Procurement Manager. The responsibility for Project Management and Procurement for each approved HRA project shall be outlined in a Project Manager/Procurement Contract.

Section E. Disbursements.

1. Federal and State funds. All funds received from the Government of the United States or any of its agencies, and the state of Minnesota or any of its agencies, shall be disbursed and accounted for in accordance with the regulations or requirements from time to time made by the Federal or State agencies furnishing funds to the HRA.

2. Official Depository. All monies received by the HRA from any source whatsoever shall be deposited in bank accounts in accordance with the established practices of the City. All disbursements shall be in accordance with the established practices of the City.

3. Checks. All checks drawn on bank accounts of the HRA shall indicate the fund and, in the case of a project, the project to be charged. All checks shall be signed by the Executive Director.

ARTICLE VI. **POWERS AND DUTIES**

Section A. General Powers and Duties. The HRA shall have the powers and duties provided to the HRA by Minnesota Statutes.

ARTICLE VII. **AMENDMENTS**

These Bylaws may be amended at any meeting of the HRA provided that notice of such proposed amendment is mailed to each Commissioner of the HRA at least ten days prior to such meeting. The amendment of the Bylaws and the vote required shall be in accordance with Article IV~~, that sets forth the voting provisions~~ of these Bylaws.

AMENDED AND RESTATED
BYLAWS
of the
HOUSING AND REDEVELOPMENT AUTHORITY
In and for the City of Wayzata, Minnesota
(Adopted _____, 2021)

PREAMBLE

State law provides that cities may create housing and redevelopment authorities to undertake certain types of housing and redevelopment or renewal activities. Housing and redevelopment authorities are separate public entities, governed by a board of commissioners, which may authorize the acquisition of real estate, housing and commercial loans and grants, and the issuance of bonds.

The Housing and Redevelopment Authority in and for the City of Wayzata (HRA) was created by the Wayzata City Council in 1967, after holding a hearing and determining the need for an HRA in the City. The original goals of the HRA were:

1. Set a standard for future development of Wayzata;
2. Exploit the natural advantages of Lake Minnetonka;
3. Preserve the distinctive atmosphere of Wayzata;
4. Create a business climate that will enable local businesses to compete with the planned investment in nearby commercial centers;
5. Attract businesses that will offer improved employment opportunities;
6. Establish an improved quality in multiple housing facilities; and
7. Maximize tax return.

Additional area-specific goals have been established in connection with the creation of individual tax increment (TIF) districts within the City.

Overall, the Wayzata HRA seeks to help realize the goals of the Wayzata 2040 Comprehensive Plan, the vision and mission of the City's most recent Strategic Plan, and the provisions of the City's TIF and Business Subsidy Policies. These include:

1. Redeveloping blighted areas
2. Creating and enhancing areas of greater housing diversity
3. Supporting housing density initiatives in targeted neighborhood zones
4. Establishing and supporting, financially and politically, a local Inclusionary Housing Policy
5. Promoting environmental sustainability initiatives and components of projects
6. Promoting connected, walkable, and pedestrian friendly development
7. Promoting charming, thoughtful, and managed development
8. Diversifying and enhancing jobs and local tax base
9. Enhancing public parking infrastructure, and upgrading parking facilities with green energy features
10. Maintaining and enhancing vibrant commercial corridors

ARTICLE I. **AUTHORITY**

Section A. Name. The legal name of the HRA is "Housing and Redevelopment Authority of the City of Wayzata".

Section B. Office. The offices of the HRA shall be at the City Hall in the City of Wayzata, Minnesota, but the HRA may hold its meetings at such place or places as it may designate.

ARTICLE II. **MEETINGS**

Section A. Date of Annual Meeting. The annual meeting shall be held on the third Thursday in January of each year at 7:30 A.M., or such other date and time as set by the HRA, at the regular meeting place of the HRA. In the event such day shall be a legal holiday, the annual meeting shall be on the preceding Wednesday or such other time as set by the HRA.

Section B. Quorum. There must be a quorum, as defined in Article IV, to conduct business at all meetings. If a quorum is not present for an annual meeting, the Chair shall establish a date for a new annual meeting. If a quorum is not present for a regular or special meeting, the Chair shall adjourn the meeting to the next regular or special meeting of the HRA.

Section C. Annual Meeting. The following, among any other appropriate matters, shall be considered at the annual meeting:

1. Election of officers;

2. Determination of need for regular meetings to be held until the next annual meeting and if necessary determination of dates for regular meetings;

3. Discussion of bylaws and any suggested amendments;

4. Receipt of Financial Report, unless scheduled and presented at a subsequent meeting; and

5. Appointment of Executive Director

Section D. Regular Meetings. If determined necessary by the HRA, regular meetings shall be held at a fixed place and at a time as determined by the HRA at its annual meeting. The time may be changed by the HRA at any subsequent meeting by a majority vote of all Commissioners and after notification of such change in the City's official newspaper. Agendas for regular meetings shall include at least the following order and items of business:

1. Call to Order;

2. Approval of Agenda;

3. Approval of Minutes;

4. Unfinished or Organizational Business;

5. New Business; and

6. Adjournment.

Section E. Special Meetings. Special meetings of the HRA may be called by the Chair, or any two members of the HRA, for any proper purpose of the HRA upon oral or written notice to each of the Commissioners and to the local newspapers at least 3 days prior to the date of the special meeting. A written notice shall set forth the time and place of the special meeting and be posted at City Hall at least 3 days prior to the date of the special meeting.

Section F. Public Meetings. All meetings shall be open to the public in accordance with the provisions of Minnesota Statutes.

ARTICLE III. **COMMISSIONERS, OFFICERS, ADMINISTRATOR, STAFF**

Section A. Commissioners. The HRA shall consist of five (5) Commissioners who must be residents of the City of Wayzata. The Commissioners shall be appointed by the Wayzata City Council. Each Commissioner shall serve a term of five (5) years in accordance with Minnesota statute § 469.003.

Section B. Officers. The officers of the HRA shall consist of a Chair, a Vice Chair, a Secretary, and such other officers as shall from time to time be chosen and appointed by the HRA.

Section C. Chair. The HRA shall select a Chair from among its Commissioners who shall preside at all meetings of the HRA.

Section D. Vice Chair. The HRA shall select a Vice Chair from among its Commissioners who shall preside at all meetings of the HRA in the absence of the Chair and shall perform such other duties as may be assigned by the Commissioners. In the case of death, retirement, or resignation of the Chair, the Vice Chair shall perform and be vested with all the duties and powers of the Chair until such time that a new Chair is chosen by the Commissioners.

Section E. Secretary. The HRA shall select a Secretary from among its Commissioners who shall be responsible for certification of official actions of the HRA.

Section F. Executive Director. The HRA shall appoint an Executive Director, who shall not be a Commissioner. The Executive Director shall be responsible for:

1. Securing, supervising and directing any personnel required for work to be accomplished by the HRA;

2. Providing for the taking of and preparing minutes of each meeting of the HRA;

3. Maintaining any appropriate files as deemed necessary by the Commissioners, including files of minutes, publication of meetings, and meeting agendas;

4. The general administration and financial management of the affairs of the HRA pursuant to policies determined by the Commissioners; and

5. Any other responsibilities assigned by the Chair or Commissioners.

Section G. Staff Services. If the HRA appoints the City Manager as the Executive Director and/or uses personnel under the control of the City Manager, a contract for staff services shall be entered into which clearly designates the services provided.

ARTICLE IV. **QUORUM AND VOTING**

Section A. Quorum. A quorum of the HRA shall be three Commissioners. A quorum shall be required to conduct business at any meeting of the HRA.

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1. To appoint or revoke the appointment of the Executive Director;

2. To cancel a contract;

3. To amend the Bylaws;

4. To change the time of regular meetings or the time of the annual meeting;

5. To borrow money; or

6. To approve a project.

ARTICLE V. **FINANCE AND CONTRACTS**

Section A. Fiscal Year. The Calendar year shall be the fiscal year of the HRA. However, other fiscal years for specific purposes or undertaking of the HRA may be established as required or desirable.

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2. Official Depository. All monies received by the HRA from any source whatsoever shall be deposited in bank accounts in accordance with the established practices of the City. All disbursements shall be in accordance with the established practices of the City.

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ARTICLE VI. **POWERS AND DUTIES**

Section A. General Powers and Duties. The HRA shall have the powers and duties provided to the HRA by Minnesota Statutes.

ARTICLE VII. **AMENDMENTS**

These Bylaws may be amended at any meeting of the HRA provided that notice of such proposed amendment is mailed to each Commissioner of the HRA at least ten days prior to such meeting. The amendment of the Bylaws and the vote required shall be in accordance with Article IV of these Bylaws.

City of Wayzata
Housing and Redevelopment Authority
Agenda Report

MEETING DATE: November 29, 2021	**AGENDA ITEM:** 7.a
TITLE: Consider Amendments to Business Subsidy Policy to Incorporate Affordable Housing	
PROPOSED MOTION: To Approve Amendments to the Business Subsidy Policy to Incorporate Affordable Housing	
PREPARED BY: Emily Goellner, Community Development Director	
REVIEWED BY: Jeffrey Dahl, Executive Director	

ACTION REQUESTED:
Staff recommends approval of the policy amendments.

FINANCIAL OR BUDGET CONSIDERATION:
Approval of the policy will allow the City and HRA to utilize Tax Increment Financing (TIF) as a tool, amongst others, in order to encourage and incentivize more life-cycle and affordable housing within the community. Specific financial impacts would be dependent on an individual basis, however, revenues can only be used from future tax increment and NOT the existing tax base.

BACKGROUND:
At the HRA meeting on July 13, staff summarized information about the existing housing stock, increasing land values, and the housing goals set forth in the 2040 Comprehensive Plan (also called the Housing Action Plan), which was attached to the July 13 Agenda Packet.

The HRA and staff discussed that State Statute requires that each City's Comprehensive Plan acknowledges the city's share of the regional need for low- and moderate income housing. The Metropolitan Council has identified its total need of 37,900 affordable housing units between 2021 and 2030 throughout the entire region. A total of 42 units have been allocated to the City of Wayzata to support the development of the affordable housing stock. To accommodate this, the City has identified growth areas within the future land use plan primarily on Wayzata Boulevard and Lake Street. Proposals for housing developments in these corridors are likely to be market rate unless public financial resources, from the City or other partners, are provided. A list of funding sources and potential partnerships were discussed at that time, with Housing TIF Districts being the most notable tool for further discussion. During the discussion, Commissioners noted special interest in opportunities along Wayzata Boulevard. As a result of this discussion and direction, a workshop was held held in October to discuss the following items:

- Summarize how Area Median Income (AMI) is calculated and utilized to meet various state requirements to qualify as affordable
- After learning more about Housing TIF Districts, prioritize their use and set expectations about housing affordability in the existing Business Subsidy Criteria and Public Financing Policy
- Consider having conversations with City Council about a local Inclusionary Housing Policy that would require affordable units within market rate projects (or would require a fee-in-lieu to be used on a different affordable project)

The first step in this process is to amend the City's Business Subsidy Policy to allow Housing TIF Districts. Staff drafted the attached amendments which would allow for Housing TIF assuming it is consistent with the City's Strategic Plan, in addition to the other long-term planning documents previously mentioned.

This action aligns specifically with the City's most recent Strategic Plan in terms one of it's Strategtic Priorities of Managing Thoughtful Development. More specifically, the City has a target of adding 20 affordable/moderately priced units along the Wayzata Boulevard Corridor.

This policy will need to be approved by the City Council as well.

ATTACHMENTS:

1. Business Subsidy Policy - DRAFT Amendments - 23 Nov 2021 - v1

City of Wayzata
Business Subsidy Criteria and Public Financing Policy
September 23, 2014

Amendments Drafted for HRA Review

November 29, 2021

INTRODUCTION:

This Policy is adopted for purposes of the business subsidies act, which is Minnesota Statutes, Sections 116J.993 through 116J.995 (the "Statutes"). Terms used in this Policy are intended to have the same meanings as used in Statutes. Subdivision 3 of the Statutes specifies forms of financial assistance that are not considered a business subsidy. This list contains exceptions for several activities, including redevelopment, pollution clean-up, and housing, among others. By providing a business subsidy, the city commits to holding a public hearing, as applicable, and reporting annually to the Department of Employment and Economic Development on job and wage goal progress.

1. PURPOSE AND AUTHORITY

A. The purpose of this document is to establish criteria for the City of Wayzata for granting of business subsidies and City public financing for private development within the City. These criteria shall be used as a guide in processing and reviewing applications requesting business subsidies and/or City public financing.

B. The City's ability to grant business subsidies is governed by the limitations established in the Statutes. The City may choose to apply its Business Subsidy Criteria to other development activities not covered under this statute. City public financing may or may not be considered a business subsidy as defined by the Statutes.

C. Unless specifically excluded by the Statutes, business subsidies include grants by state or local government agencies, contributions of personal property, real property, infrastructure, the principal amount of a loan at rates below those commercially available to the recipient of the subsidy, any reduction or deferral of any tax or any fee, tax increment financing (TIF), abatement of property taxes, loans made from City funds, any guarantee of any payment under any loan, lease, or other obligation, or any preferential use of government facilities given to a business.

D. These criteria are to be used in conjunction with other relevant policies of the City. Compliance with the Business Subsidy Criteria and City Public Financing

Guidelines shall not automatically mean compliance with such separate policies.

E. The City may deviate from these criteria by documenting in writing the reason(s) for the deviation. The documentation shall be submitted to the Department of Employment and Economic Development with the next annual report.

F. The City may amend this document at any time. Amendments to these criteria are subject to public hearing requirements contained in the Statutes.

2. BUSINESS SUBSIDY PUBLIC PURPOSE REQUIREMENT

A. All business subsidies must meet a public purpose with measurable benefit to the City as a whole. Public purpose may include, but not be limited to: diversification of the local economy, creating needed services or facilities not currently available, redeveloping and removing blight and encouraging redevelopment in the commercial areas of the City in order to encourage high levels of property maintenance and private reinvestment in those areas, retaining local jobs, increasing the job base, and providing diversity in that job base, enhancing existing jobs through increased wages, encouraging additional unsubsidized private development in the area, either directly, or through secondary "spin off" development, offsetting increased costs of redevelopment over and above those costs that a developer would incur in normal urban and suburban development, and meeting other uses of public policy, as adopted by the Council from time to time including the promotion of quality urban design, quality architectural design, energy conservation, decreasing the capital and operating costs of local government, etc.

B. Job retention may only be used as a public purpose in cases where job loss is specific and demonstrable. The City shall document the information used to determine the nature of the job loss.

C. The creation of tax base shall not be the sole public purpose of a subsidy.

D. Unless the creation of jobs is removed from a particular project pursuant to the requirements of the Statutes, the creation of jobs is a public purpose for granting a subsidy. Creation of at least one Full Time Equivalent (FTE) job is a minimum requirement for consideration of assistance.

E. The wage floor for wages to be paid for the jobs created shall be not less than 150% of the State of MN Minimum Wage. The City will seek to create jobs with higher wages as appropriate for the overall public purpose of the subsidy. Wage goals may also be set to enhance existing jobs through increased wages, which increase must result in wages higher than the minimum under this Section.

F. After a public hearing, if the creation or retention of jobs is determined not to be a goal, the wage and job goals may be set at zero.

3. SUBSIDY AGREEMENT

A. In granting a business subsidy, the City shall enter into a subsidy agreement with the recipient that provides the following information: wage and job goals (if applicable), commitments to provide necessary reporting data, and recourse for failure to meet goals required by the Statutes.

B. The subsidy agreement may be incorporated into a broader development agreement for a project.

C. The subsidy agreement will commit the recipient to providing the reporting information required by the Statutes.

4. CITY'S OBJECTIVE FOR THE USE OF PUBLIC FINANCING

A. As a matter of adopted policy, the City may consider using public financing which may include tax increment financing (TIF), tax abatement, bonds, and other forms of public financing as appropriate, to assist private development projects when such assistance complies with all applicable statutory requirements to:

1. Remove blight and/or encourage redevelopment in designated redevelopment/development area(s) per the goals and visions established by the HRA and City Council.

2. Diversify the local economy and tax base.

3. Encourage additional unsubsidized private development in the area, either directly or through secondary "spin-off" development.

4. Offset increased costs for redevelopment over and above the costs that a developer would incur in normal urban and suburban development (determined as part of the But-For analysis).

5. Facilitate the development process and promote development on sites that could not be developed without this assistance.

6. Retain local jobs and/or increase the number and diversity of quality jobs

7. Meet other uses of public policy, as adopted by the City Council from time to time, including but not limited to promotion of quality urban design, quality architectural design, energy conservation, sustainable building practices, affordable housing, and decreasing the capital and operating costs of local government.

5. PUBLIC FINANCING PRINCIPLES

A. The guidelines and principles set forth in this document pertain to all applications for City public financing regardless of whether they are considered a Business Subsidy as defined by the Statutes. The following general assumptions of development/redevelopment shall serve as a guide for City public financing:

1. All viable requests for City public financing assistance shall be reviewed by staff, and, if staff designates so, a third party financial advisor who will inform the City of its findings and recommendations.

2. The City shall establish mechanisms within the development agreement to ensure that adequate checks and balances are incorporated in the distribution of financial assistance where feasible and appropriate, including but not limited to:

    a. Third party review of the “but for” analysis

    b. Establishment of “look back provisions”

    c. Establishment of minimum assessment agreements

3. TIF and abatement will be provided on a pay-as-you-go-basis. Any request for upfront assistance will be evaluated on its own merits and may require security to cover any risks assumed by the City.

4. The City will set up TIF districts in accordance with the maximum number of statutory years allowable. However, this does not mean that the developer will be granted assistance for the full term of the district.

5. The City will elect the fiscal disparities contribution to come from inside applicable TIF district(s) to eliminate any impact to the existing tax payers of the community.

6. Public financing will not be used to support speculative commercial, office or housing projects. In general the developer should be able to provide market data, tenant letters of commitment or finance statements which support the market potential/demand for the proposed project.

7. Public financing will not be used in projects that would give a significant competitive financial advantage over similar projects in the area due to the use of public subsidies. Developers should provide information to support that assistance will not create such a competitive advantage. Priority consideration will be given to projects that fill an unmet market need.

8. Public financing will not be used in a project that involves a land and/or property acquisition price in excess of fair market value.

9. The City may consider public financing for the construction of affordable housing or the preservation and reinvestment in the existing housing stock. The goal of such financing would be to preserve and promote affordability and/or alleviate blight conditions.

10. The developer will pay all applicable application fees and pay for the City and HRA’s fiscal and legal advisor time as stated in the City’s Public Assistance Application.

11. The developer shall proactively attempt to minimize the amount of public assistance needed through the pursuit of grants, innovative solutions in structuring the deal, and other funding mechanisms.

6. PROJECTS WHICH MAY QUALIFY FOR PUBLIC FINANCING ASSISTANCE

A. All new applications for assistance considered by the City must meet each of the following minimum qualifications. However, it should **not** be presumed that a project meeting any of the qualifications will automatically be approved for assistance. Meeting the qualifications does not imply or create contractual rights on the part of any potential developer to have its project approved for assistance.

6.1 MINIMUM QUALIFICATIONS:

A. In addition to meeting the applicable requirements of State law, the project shall meet one or more of the Public financing objectives outlined in Section 4; and shall either:

1. Remove blight and/or encourage redevelopment in the City in order to encourage high quality development or redevelopment and private reinvestment in those areas; OR

2. Facilitate the development process to achieve development on sites which would not be developed without this assistance.

B. The developer must demonstrate to the satisfaction of the City that the project is not financially feasible "but for" the use of tax increment or other public financing.

C. The project must be consistent with the City's Comprehensive Plan and Zoning Ordinances, Design Guidelines or any other applicable land use documents.

D. Prior to approval of a financing plan, the developer shall provide any requested market and financial feasibility studies, appraisals, soil boring, private lender commitment, and/or other information the City or its financial consultants may require in order to proceed with an independent evaluation of the proposal.

E. The developer must provide adequate financial guarantees to ensure the repayment of any public financing and completion of the project. These may include, but are not limited to, assessment agreements, letters of credit, personal deficiency guarantees, guaranteed maximum cost contract, etc.

F. Any developer requesting assistance must be able to demonstrate past successful general development capability as well as specific capability in the type and size of development proposed. Public financing will not be used when the developer's credentials, in the sole judgment of the City, are inadequate due to past history relating to completion of projects, general reputation, and/or bankruptcy, or other problems or issues considered relevant to the City.

G. The developer, or its contractual assigns, shall retain ownership of any portion of the project long enough to complete it, to stabilize its occupancy, to establish project management and/or needed mechanisms to ensure successful operation.

6.2 DESIRED QUALIFICATIONS:

A. Projects providing higher than a 3 to 1 ratio of private investment to City public investment will receive priority consideration. Private investment includes developer cash, government and bank loans, conduit bonds, tax credit equity, and land if already owned by the developer.

B. Proposals that significantly increase the amount of property taxes paid after redevelopment will receive priority consideration.

C. Proposals that encourage the following will receive priority consideration:

1. Implementation of the City's values and vision for its lakefront, as detailed in the Lake Effect Design Framework

2. Adding needed road, access and multi-modal improvements

3. Contributes additional public parking

4. Alleviates the need for additional public parking

5. Provides significant improvement to surrounding land uses, the neighborhood, and/or the City

6. Attracts or retains a significant employer within the City

7. Provides significant rehabilitation of an existing apartment complex or significant rehabilitation and/or expansion of existing office or commercial facility

~~7.~~ 8. Support housing development which recognizes the diverse housing needs of the community, including all affordability levels, young families and the elderly.

D. Preference will be given to projects that meet good public policy criteria as determined by the City Council, including:

1. High project quality (e.g. sound architectural design, quality construction and materials, sustainable building practices)

2. Projects that meet financial feasibility criteria established by the City

3. Projects that provide the highest and best desired use for the property

7. PUBLIC FINANCING PROJECT EVALUATION PROCESS

A. The following methods of analysis for all public financing proposals will be used:

1. Consideration of project meeting minimum qualifications
2. Consideration of project meeting desired qualifications
3. Project meets "but-for" analysis and/or statutory qualifications
4. Project is deemed consistent with City's Goals and Objectives

Please note that the evaluation methodology is intended to provide a balanced review. Each area will be evaluated individually and collectively and in no case should one area outweigh another in terms of importance to determining the level of assistance.

Adopted by the Wayzata HRA August 8, 2014

Adopted by the Wayzata City Council ________, 2014

City of Wayzata
Housing and Redevelopment Authority
Agenda Report

MEETING DATE: November 29, 2021	**AGENDA ITEM:** 7.b
TITLE: Recognition of Commissioner Roger Wothe	
PROPOSED MOTION: N/A	
PREPARED BY: Jeffrey Dahl, Executive Director	
REVIEWED BY: N/A	

ACTION REQUESTED:
N/A

FINANCIAL OR BUDGET CONSIDERATION:
N/A

BACKGROUND:
Commissioner Roger Wothe passed away on November 13th. This agenda item is reserved for comments regarding Commissioner Wothe's dedicated service to the Wayzata community he so loved.

Commissioner Wothe officially served the City (at least) in the following capacities:

- Planning Commission, from 1979 to 1985
- HRA, from 1990 to 2021
- Affordable Housing Task Force 2009-2010

Attached is Commissioner Wothe's obituary. The City has sent flowers expressing our thoughts and prayers to his family. May he rest in peace.

ATTACHMENTS:
1. Roger Wothe Obituary _ Star Tribune

Roger Wothe

Wothe, Roger age 85, of Wayzata, passed away November 13th, 2021. Preceded in death by parents, and son, Mark Wothe. Roger's early life was varied and interesting, growing up in Redwood Falls, attending MIT and the University of Minnesota, traveling around Europe and living for a while in Germany, and training and serving in the Army Reserves as a radio operator. He made lifelong friends in those early years, including his fraternity brothers of Delta Upsilon. After working for several companies as a draftsman in the retail store fixture business, he founded Environments Incorporated with a partner, and enjoyed a 40-year run as one of the most successful and influential manufacturers in the industry. His impact in that community is legion, and his career was distinguished with numerous awards, including the TwinWest Chamber of Commerce Entrepreneur of the Year. Roger made connections to many, many people over the years, often as a member of all kinds of groups and foundations, including civic boards such as the Wayzata Planning Commission, Wayzata HRA and other various city committees; many car club boards, and serving as a member of the Hennepin Technical College woodworking program's Advisory Board since its inception. His passions included his business and buildings, and in later years his car collection and clubs, all of which led to more and more widespread connections with people. Another interest was his love of music and singing, from a barbershop chorus, to church choir, to performing with the Minnetonka Choral Society most recently. Roger was a talker, and his stories will be missed even though they may have been heard a time or two previously. He was regarded by many as the smartest person they knew, and often turned to him for advice or problem-solving, and he was always willing to offer it. Every problem could be reduced to drawing something on his drafting table for a solution. Roger is survived by wife, Barbara Wothe; son and daughter-in-law, Scott and Laurie Wothe; grandchildren, Chloe and Simon Wothe; sister, Dianne (Wothe) Bjerke; nieces, nephews, and a whole bunch of cars. He will truly be missed by folks far and wide. Memorial visitation 1-5 pm Saturday, November 27, 2021 at David Lee Funeral Home, 1220 East Wayzata Boulevard, Wayzata. Memorials preferred to Hennepin Technical College (HTC) Foundation Scholarships (please specify for Cabinetmaking) hennepintech.edu/giving, and Minnetonka Choral Society (MCS) Foundation. minnetonkachoralsociety.org David Lee Funeral Home Wayzata 952-473-5577 davidleefuneralhome.com (http://www.davidleefuneralhome.com)

Published on November 21, 2021