



Board of Commissioners

Meeting Minutes

Meeting Date: July 20, 2023

5:00 pm

CDA Boardroom, Chaska, MN

Board Chair Carlson called the meeting to order at 5:00 p.m.

COMMISSIONER ROLL CALL:

		Present	Absent
Chair	Sarah Carlson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vice Chair	Molly Koivumaki	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Secretary/Treasurer	Darrel Sudheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner	Adam Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner	Greg Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CDA Staff in attendance:

Executive Director	Julie Frick
Deputy Director	Allison Streich
Director, Finance	Karen Reed
Director, Housing	Shanika Bumphurs
Director, Economic Development	Chuck Swanson
Human Resources	Janette Meyer

Others in attendance:

Bruce Minor, Waconia/Waterford
 Nick Johnson, City of Mayer
 Courtney Johnson, City of Carver
 Brent Mareck, City of Carver
 John Zimmerman, Waconia Township
 Nick Koktavy, Assistant County Administrator Carver County

AUDIENCE

No audience members addressed the board.

APPROVAL OF AGENDA AND MEETING MINUTES

23-20 Approval of Agenda and Meeting Minutes

BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners, that the agenda for the July 20, 2023 Regular CDA Board meeting be approved.

BE IT FURTHER RESOLVED by the Carver County Community Development Agency Board of Commissioners that the minutes for the June 15, 2023 Regular meeting be approved as written.

Motion: Anderson

Second: Sudheimer

Ayes: 5 Nays: 0 Absent: 0 Abstain: 0

	Yes	No	Absent	Abstain
Carlson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Koivumaki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sudheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CONSENT AGENDA

23-21 Approval of the July 2023 Dashboard

BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners, that the July 2023 Dashboard is approved as written.

23-22 Approval of Write-Off of Past Tenant Balances for June 2023

BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners, that the Write-Off of Past Tenant Balances for June 2023 is approved as written.

23-22 Approval of Record of Disbursements – June 2023

BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners, that the June 2023 Record of Disbursements is approved as written.

23-24 Approval of the Creation of a Limited Partnership and Limited Liability Company General Partner – Carver Place

WHEREAS, the CDA is authorized under Minnesota Statutes, Section 469.012, Subd. 2j, to become a partner in a limited partnership and a member in a limited liability company for the purpose of developing, constructing, rehabilitating, managing, supporting, or preserving housing projects and housing development projects, including low-income housing tax credit projects; and

WHEREAS, limited partnerships, limited liability companies and other entities created by the CDA pursuant to Section 469.012, Subd. 2j, are subject to the provisions of Minnesota laws applicable to housing and redevelopment authorities as if they were housing and redevelopment authorities; and

WHEREAS, the CDA, as sponsor, previously submitted a funding application to the Minnesota Housing Finance Agency to develop a low-income housing tax credit project to be known as Carver Place Apartments Project (the “Project”), and, in December, 2022, the Minnesota Housing Finance Agency selected the Project for an allocation of tax-exempt bonds and related "4%" low-income housing tax credits in the approximate annual amount of \$695,886 (the “Tax Credits”); and

WHEREAS, the Minnesota Housing Finance Agency requires the Project owner to be a duly formed and validly existing limited partnership or limited liability company as a condition to, among other things, entering into the agreement reserving the Tax Credits for the Project; and

WHEREAS, any institutional tax credit investor will require the general partner of the Project Owner to be a single purpose entity as a condition to being admitted as a limited partner in the Project Owner and as a condition to investing capital in the Project Owner; and

WHEREAS, it is in the best interest of the CDA to form a limited partnership pursuant to Minnesota Statutes, including, without limitation, Section 469.012, Subd. 2j, to serve as the owner of the Project (the “Project Owner”) that will develop, construct, operate and own the Project; and

WHEREAS, it is in the best interest of the CDA to form a single purpose limited liability company to serve as the general partner of the Project Owner (the “General Partner”) pursuant to Minnesota Statutes, including, without limitation, Section 469.012, Subd. 2j; and

WHEREAS, sole member of the General Partner will be the CDA, and, until an institutional tax credit investor is admitted as a limited partner of the Project Owner, the sole limited partner of the Project Owner also will be the CDA.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Carver County Community Development Agency as follows:

1. There is hereby authorized the formation of a limited partnership to serve as the Project Owner pursuant to Minnesota Statutes, Section 469.012, Subd. 2j and Chapter 321 for the purpose of, among other things, reserving the Tax Credits for the Project in order to develop, construct, operate and own the Project.
2. There is hereby authorized the formation of a limited liability company pursuant to Minnesota Statutes, Section 469.012, Subd. 2j and Chapter 322C for the purpose of creating a single purpose entity to serve as the General Partner of the Project Owner.
3. All actions taken by staff of and counsel to the CDA to create the Project Owner and the General Partner in accordance with the laws of the State of Minnesota are hereby ratified and confirmed;
4. The Executive Director is authorized and directed to execute and deliver on behalf of the CDA any and all documents necessary or convenient to transfer the CDA’s interests in the Project to the Project Owner. The Executive Director is authorized and directed to take such actions and execute such documents as may be necessary or convenient in connection with the establishment, and the acquisition by the CDA, of the sole membership interest in the General Partner and of a limited partnership interest in the Project Owner, including, without limitation, causing the CDA to make initial capital contributions to such entities in the approximate aggregate amount of \$200;
5. The Certificate of Limited Partnership of the Project Owner, which is to be filed with the Minnesota Secretary of State, is adopted and approved; and when and as received from the Minnesota Secretary of State, the original Certificate of Limited Partnership and the Certificate of Formation for the Project Owner shall be inserted in the Project Owner’s minute book and made a permanent part of its records;
6. The form of Agreement of Limited Partnership on file with the CDA as of the date hereof is adopted and approved as the initial partnership agreement of the Project Owner; the Executive Director of the CDA is directed to execute the Agreement of Limited Partnership on behalf of the General Partner in her capacity as Chief Manager and President of the General Partner, and the Executive Director of the CDA is directed to execute the Agreement of Limited Partnership on behalf of the CDA as the initial limited partner in her capacity as the Executive Director of the CDA; and the original of the Agreement of Limited Partnership shall be inserted in the Project Owner’s minute book and made a permanent part of its records;
7. The Articles of Organization of the General Partner, which are to be filed with the Minnesota Secretary of State, are adopted and approved; and when and as received from the Minnesota Secretary of State, the original Articles of Organization and the Certificate of Organization for the General Partner shall be inserted in the General Partner’s minute book and made a permanent part of its records;
8. The form of Operating Agreement on file with the CDA as of the date hereof is adopted and approved as the Operating Agreement of the General Partner; the Executive Director of the CDA is

directed to execute the Operating Agreement on behalf of the CDA as sole member of the General Partner in her capacity as the Executive Director of the CDA; and the original of the Operating Agreement shall be inserted in the General Partner's minute book and made a permanent part of its records;

9. The CDA, as the sole member of the General Partner, is authorized to pay, or cause to be paid, all charges and expenses arising out of the organization of the General Partner and/or the Project Owner, and to reimburse any persons who have made any disbursements therefore, consistent with the policies and procedures of the CDA.

10. The initial fiscal year of the Project Owner and the General Partner shall end December 31, 2023; thereafter the Project Owner and General Partner's fiscal year shall begin the first day of January and shall end on the last day of December; provided, however, the Project Owner's fiscal year may change at a later date depending on the requirements of the institutional tax credit investor;

11. The CDA's Executive Director or her designee is authorized to open an account or accounts in the name of the General Partner and the Partnership with Old National Bank, which is hereby designated as the General Partner's and the Partnership's depository, and to execute such documents or certificates necessary or convenient in order to open such accounts; and that each of the persons named in the master certificate of authority for the CDA and its subsidiaries are authorized and empowered to sign checks and other orders for withdrawals of funds and to take such other actions as are in accordance with such certificate;

12. The Project Owner shall be managed by the General Partner, and the General Partner shall be managed by the CDA, its sole member, rather than by a Board of Governors.

13. As long as the sole member of the General Partner is the CDA and the General Partner is the General Partner of the Project Owner, the Project Owner and the General Partner are and shall be subject to the provisions of Minnesota Statutes, Sections 469.001 to 469.047, and other laws that apply to housing and redevelopment authorities, as if the Project Owner and the General Partner were a housing and redevelopment authority, in accordance with Minnesota Statutes, Section 469.102, Subd. 2j.

23-25 Approval of County-Wide Housing Study

WHEREAS, the Carver County Community Development Agency (CDA) "the "Authority" and the Carver County "the County" has identified a need for affordable housing by developing new affordable housing, preserving and rehabilitating the existing housing stock in Carver County; and

WHEREAS, the Carver County CDA has successfully implemented a county-wide housing study in 2007 and 2014 and is in need of an update for planning and financing purposes and has the legal authority and staff ability and resources to make the study beneficial and cost effective for Carver County residents and cities; and

WHEREAS, the Carver County CDA and the cities in Carver County have identified a need for planning for a wide variety of housing in their communities; and

WHEREAS, the CDA operates numerous housing programs in cooperation with the Minnesota Housing Finance Agency, the Department of Housing and Urban Development (HUD), the USDA Rural Development, etc. and has identified a need for housing opportunities in Carver County and in its cities; and

WHEREAS, the proposed study would fill a much-needed gap in county housing study research after the completion of the 2020 US Census Data and conducting the Carver County Community Health Assessment.

NOW THEREFORE, BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners that:

- 1.) The Carver County CDA shall engage the services of Maxfield Research and Consulting, Inc. to prepare a Comprehensive Housing Needs Analysis for Carver County.

Motion: Teske

Second: Sudheimer

	Ayes: 5	Nays:	Absent:	Abstain:	
		Yes	No	Absent	Abstain
Carlson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Koivumaki		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sudheimer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anderson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REGULAR AGENDA

23-26 Approval of the 2024 Budget and Levy

Karen Reed presented.

WHEREAS, the Carver County Community Development Agency (the “Agency”) is duly organized and existing under the laws of the State of Minnesota, including Laws of Minnesota for 1980, Chapter 482, as amended (the “Special Law”); and

WHEREAS, with the approval of the Carver County Board of Commissioners (the “Carver County Board”), the Agency may levy special benefit taxes as authorized under Minnesota Statutes, section 469.107 or 469.033, Subd 6; and

WHEREAS, the Agency has prepared its 2024 General Administrative Operating Budget (the “2024 Budget”) and seeks the approval of the Carver County Board for the 2024 Budget and, to the extent required by law, the Agency’s levy of its special benefits tax, in order to continue the work of the Agency in Carver County;

WHEREAS, the Agency is required to certify a proposed special benefits tax levy to the Carver County Auditor (the “Auditor”) on or before September 30th, 2023, as required by Minnesota Statutes, Section 275.065, Subdivision 1(a), and to certify to the Auditor a final special benefits tax levy on or before December 27, 2023, which is five working days after December 20th, as required by Minnesota Statutes, Section 275.07;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Carver County Community Development Agency as follows:

1. The 2024 Budget is hereby approved and directed to be submitted to Carver County pursuant to the requirements of Minnesota Statutes, Sections 469.033 and 275.065.
2. Subject to the consent of the Carver County Board, to the extent required under Minnesota Statutes, Section 469.033, and the Special Law, the Executive Director of the Agency is

hereby authorized to certify to the Auditor on or before September 30, 2023, a proposed levy of the Agency’s special benefits tax for taxes payable in 2024 in the amount of \$3,775,425 which, based on current estimates of market value for property in Carver County, is the maximum permitted by law, and to determine the final maximum amount of such levy and certify the final levy to the Auditor on or before December 27, 2023.

3. Upon approval of the Carver County Board of the Agency’s budget and levy of the special benefits tax, the County’s approving resolution shall be attached hereto and made a part of this resolution.

Motion: Koivumaki

Second: Anderson

	Ayes: 5	Nays:	Absent:	Abstain:	
		Yes	No	Absent	Abstain
Carlson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Koivumaki		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sudheimer		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anderson		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Approval of the Chaska Yards Development Agreement

Swanson informed the Board this would be postponed until the August 2023 board meeting.

23-27 Approval of the Community Growth Partnership Initiative Grant Awards

Chuck Swanson presented.

WHEREAS, the Carver County Community Development Agency (CDA) established a Community Growth Partnership Initiative program (Initiative) in 2016 to assist Carver County cities with redevelopment goals and promote the development of affordable housing; and

WHEREAS, the Initiative program has an approved budget of available grant funds of \$400,000 for the fiscal year ending December 31, 2023; and

WHEREAS, Carver County cities and townships can apply up to \$100,000 per community development project (through one or a combination of projects per local government) and up to \$7,500 per pre-development grant (one per local government);

WHEREAS, the CDA received four pre-developments grants and six community development applications from Carver County cities and townships on May 26th, 2023, for a total request of \$630,000; and

WHEREAS, the Initiative Review Panel reviewed applications based upon the threshold and competitive criteria; and

WHEREAS, the Initiative Review Panel recommends four pre-development grants and four community development grants; and

NOW, THEREFORE, BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners as follows:

That the following projects be awarded upon the grantees meeting program guidelines, and entering into grant agreements with the CDA, in form and content acceptable to the Executive Director of the CDA; and

APPLICANT	PROJECT	GRANT SOURCE	FUNDING AMOUNT
Laketown Township	Sewer Feasibility	Pre-Development	\$7,500
City of NYA	Comp Hsg Study	Pre-Development	\$7,500
City of Chanhassen	Downtown Design	Pre-Development	\$7,500
City of New Germany	Black Forest/Trophy Lake Wastewater	Pre-Development	\$7,500
Waconia Township	Sovereign Estates Tasting Rm Kitchen & Bathroom	Community Development	\$90,000
City of Mayer	Old Firehall Redevelopment	Community Development	\$90,000
City of Carver	Mizzy's Pizza	Community Development	\$90,000
City of Watertown	Watertown Warehouses	Community Development	\$90,000

Motion: Anderson

Second: Koivumaki

Ayes: 5 Nays: Absent: Abstain:

	Yes	No	Absent	Abstain
Carlson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Koivumaki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sudheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPROVAL OF COMMUNITY GROWTH PARTNERSHIP INITIATIVE GRANT AWARD

23-28 Approval of the Community Growth Partnership Initiative Grant Award

Chuck Swanson presented.

WHEREAS, the Carver County Community Development Agency (CDA) established a Community Growth Partnership Initiative program (Initiative) in 2016 to assist Carver County cities with redevelopment goals and promote the development of affordable housing; and

WHEREAS, the Initiative program has an approved budget of available grant funds of \$400,000 for the fiscal year ending December 31, 2023; and

WHEREAS, Carver County cities and townships can apply up to \$100,000 per community development project (through one or a combination of projects per local government) and up to \$7,500 per pre-development grant (one per local government);

WHEREAS, the CDA received one pre-development grant application for the month of June 2023; and

WHEREAS, the CDA staff reviewed the application based upon the threshold and grant guidelines;

WHEREAS, the CDA staff recommends approving one pre-development grant application; and

NOW, THEREFORE, BE IT RESOLVED by the Carver County Community Development Agency Board of Commissioners as follows:

That the following projects be awarded upon the grantees meeting program guidelines, and entering into grant agreements with the CDA, in form and content acceptable to the Executive Director of the CDA; and

APPLICANT	PROJECT	GRANT SOURCE	FUNDING AMOUNT
City of Waconia	Waterford Evolution Townhomes	Pre-Development	\$7,500

Motion: Teske

Second: Anderson

Ayes: 5 Nays: Absent: Abstain:

	Yes	No	Absent	Abstain
Carlson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Koivumaki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sudheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

INFO Carver County update

Carver County Assistant County Administrator provided an update.

INFORMATION

INFO CDA Housing Roundtable July 19, 2023

From 12:00 pm to 2:00 pm.

INFO CDA Strategic Planning August 10, 2023

From 8:30 am to 4:30 pm.

ADJOURNMENT

23-29 Adjournment

BE IT RESOLVED that the Carver County Community Development Agency Board of Commissioners hereby adjourns until Thursday, August 17, 2023.

Motion: Teske

Second: Anderson

Ayes: 5 Nays: Absent: Abstain:

	Yes	No	Absent	Abstain
Carlson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Koivumaki	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sudheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Teske	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The CDA Board meeting adjourned at 6:58 p.m.