

Councilmember introduced the following resolution and moved for its adoption:

RESOLUTION #22-206

RESOLUTION APPROVING RIVERSTONE SOUTH PARTIAL FINANCIAL SECURITY REDUCTION

WHEREAS, the City of Ramsey (City) and Riverstone Development, LLC (Permittee) entered into a Development Agreement (Agreement) for Riverstone South on February 25, 2022; and

WHEREAS, the Agreement requires the Permittee to provide financial security in the amount of \$4,842,219 to the City for required Stage I and Stage II Improvements; and

WHEREAS, that financial security exists for the purpose of protecting the City by allowing it to complete the specified work in the Agreement if the Developer fails to do so and that need diminishes directly and proportionately to the extent that each item specified is completed;

WHEREAS, the Agreement allows for a reduction of the financial security upon completion of Stage I and Stage II Improvements; and

WHEREAS, the City has historically and consistently followed the practice of reducing the financial security proportionately for projects as specific improvements subject to the Development Agreement are completed through the stages, while retaining security sufficient to assure completion of the remaining items ; and

WHEREAS, the request of the Permittee is entirely consistent with past practice and the expectations of the parties; and

WHEREAS, City staff has reviewed a request from the Permittee establishing the completion of specific items governed by the agreement and supports proportionately reducing the financial security to \$1,400,000 based upon that completed work; and

WHEREAS, the remaining amount is sufficient to cover remaining improvements, guarantees and warranty as required by the Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

- 1) That the Ramsey City Council hereby approves the partial reduction to the Riverstone South Development Agreement to an amount of \$1,400,000.
- 2) That the financial security may be reduced further upon review of work completed by City staff to a minimum amount sufficient to cover remaining Stage I and Stage II Improvements, guarantees and warranties as identified in the Agreement.

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

and the following voted against the same:

and the following abstained:

and the following were absent:

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 23rd day of August, 2022.

Mayor

ATTEST:

City Clerk