

John M. Kysylyczyn

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March 25, 2024

Senate State and Local Government and Veterans Committee
SF4655, Ramsey County EDA creation

Chair and committee members,

I am a lifelong resident of Ramsey County. I was employed by the Minnesota Senate from 1995 to 2002. I served as mayor of the City of Roseville from 2000-2004.

In 2016, I led the effort to successfully defeat the Ramsey County suburban EDA bill that had the same intent as the bill before you today, being presented under similar circumstances. I wrote a column about the ordeal in the April 12, 2016 edition of the Anoka County Record. I have attached this article, the 2016 legislation, and my city's currently valid resolution in opposition of this EDA proposal to my testimony.

I opposed the bill in 2016 and oppose the bill before you today for several reasons:

First, the process Ramsey County has gone about to seek this authority is nothing more than a raw exercise of political power at the expense of suburban county residents and suburban city elected leadership. It is unethical, underhanded, and runs roughshod over the rights of the people that exist under current law and the Ramsey County Home Rule Charter.

It should seriously concern this committee that it was I, a regular county resident, who first informed my city's elected leadership and staff that the House version of this bill was up for a hearing on March 6, 2024. Note that the hearing request was withdrawn the day prior and therefore has not received a hearing in the House.

Second, current law already allows Ramsey County to create an EDA through one of two processes. Minnesota Statutes 469.1082 already provides a framework to accomplish this. What Ramsey County opposes is that they cannot dictate its creation by fiat. Instead it must be recommended by a local committee made up of local stakeholders throughout the county who would first study the issue. If recommended and created, cities would still retain the option to join this county EDA, instead of the mandate demanded by Ramsey County.

In addition, Ramsey County is the only home rule charter county in Minnesota, created by legislation in 1987. The county board has had the authority to recommend placing the creation of a county EDA on the ballot for the past 35 years. Their opposition is likely due to the fact that approval would require a vote of county residents, the last group they have any interest in consulting.

Third, this is yet another scheme by Ramsey County to raise regressive property taxes on suburban cities, for the purpose of doling out corporate welfare to favored businesses and developers. In 2016, a Ramsey County Commissioner lamented to me how disappointed he was that the county didn't have the ability to add county taxpayer dollars to Shoreview's \$1.3 million taxpayer subsidy to replace a Rainbow Foods with a Kowalski's supermarket that year.

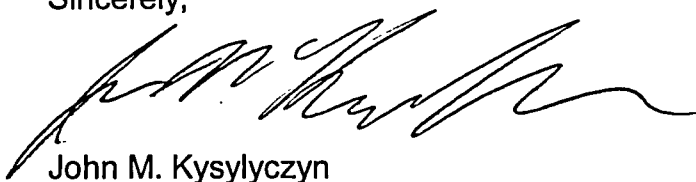
It would not surprise me to hear Ramsey County claim that this bill language and their efforts differ from 2016. They are correct, but for the wrong reasons. Back in 2016, the county proposed taxing all suburban cities for their EDA, but would allow them to veto projects in their jurisdictions. I read the 2024 version as giving Ramsey County carte blanche authority to do whatever they please with or without the consent of suburban elected officials. Furthermore, when a city council is cut out of the decision making process, that also eliminates the public's ability to speak on these issues at hearings.

While the legislation is somewhat ambiguous on its face to the following point, as explained to me by county staff in 2016, Ramsey County will only have the authority to exercise these new EDA powers in suburban Ramsey County, as the City of St. Paul's authority predates. St. Paul's HRA was founded in 1947 and their EDA in 2009.

The suburban Ramsey County delegation that would be impacted by this bill is Sen. Gustafson, Sen. Kunesh, Sen. Marty, Sen. Xiong, Sen. Mitchell, and Sen. Oumou Verbeten, none of whom are co-authors of this bill.

For the reasons stated above, and because it appears that this bill failed to meet last Friday's deadline, I would ask committee members to vote a hard no on this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'John M. Kysylyczyn', with a stylized, flowing script.

John M. Kysylyczyn

TUESDAY • APRIL 12, 2016

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Turnout for School Board Special Election increases by 250% *Asamarai wins Col Hts school board seat*

Hala Asamarai won the last of two Columbia Heights ISD 13 school board seats that were put to special election after resignations in July and October of last year. Naty Severson won the first seat at a Jan. 26, 2016 special election.

What made the April 5 election of Asamarai significant was the surge in voter turnout. 1,343 voters came out, but this was still short of a 10% turnout. The three special elections prior (a primary and a general election was required for each seat) barely got above a 3% turnout. Shortly before the April 5 special election the *Star Tribune* reported a rift between Muslims in the area. There were predictions of a closer race and higher turnout, both of which turned out to be accurate.

Asamarai had 740 votes to Tim Utz's 599.

Legislation addressing school board member removal

A bill taking away a school board's ability to remove one of its own elected members has been introduced in the state House of Representatives by Rep. Linda Runbeck (R-Circle Pines). House File 1962 was sent to the Government Operations and Elections Policy Committee, chaired by Rep. Tim Sanders (R-Blaine) and Rep. Cindy Pugh (R-Chanhassen). The bill has not yet had a hearing. It modifies statutes 351.14 and 351.16, which currently provides for the removal of a county elected official. The new bill strikes out county and replaces it with "local official".

A citizens' petition would be required for the removal process to begin. The petition would have to specify charges of "malfeasance or nonfeasance in the performance of official duties..." The number of signatures required is presently 25% of those who voted in the last

After Gross Misrepresentations, Anoka Legislators Pull Support of Bill Runbeck and Chamberlain Abandon Ramsey County EDA Proposal

April 12, 2016 - Yesterday morning, Ramsey County Commissioner Blake Huffman and staff lobbyist Nicholas Riley were walking the halls of the state capitol complex. Huffman was trying to save Ramsey County's proposal to create a County Economic Development Authority (EDA). It was too late.

The chief author in the Minnesota House, Rep. Linda Runbeck (R-Circle Pines), was permanently withdrawing her Ramsey County EDA bill, HF2957. It would not receive its final hearing at tomorrow's House Property Tax and Local Government Finance Division meeting. Had the bill passed out of this committee, it most likely would have become law. Sen. Roger Chamberlain (R-Lino Lakes) also withdrew his support from the Senate bill.

Rep. Runbeck and Sen. Chamberlain made their decision after learning of the gross misrepresentations made by Ramsey County officials. Whether they were intentionally made or not, is a matter of debate.

EDA: Current Law vs. County's Request

With a County EDA, Ramsey County Commissioners, regardless of intent, would be able to more easily give away taxpayer dollars for what many would consider corporate welfare. Subsidies could include free streets, utilities, parking ramps, transit stops, training, flat-out cash subsidies, or forgivable loans, all under the guise of retaining or bringing businesses into the county.

County Commissioners had the option of creating this EDA under current law without involving legislators. Minnesota Statutes 469.1082 allows for the appointment of a citizen committee of 11 to 15 local stakeholders who would represent local government, business, labor, etc. Only two members of the committee could be county

Publisher's Column



John Kysylczyn

beginning. The petition would have to specify charges of malfeasance or nonfeasance in the performance of official duties..." The number of signatures required is presently 25% of those who voted in the last election for the office in question and petition signatures must be that of registered voters who reside in the jurisdiction.

Among the authors of the Senate version is Sen. Michelle Benson (R-Ham Lake).

Removals of and threatened removals against school board members have taken place in Saint Francis, Cambridge, Duluth and Farmington among others in recent years.

Grant Nichols was the subject of a removal process from the Columbia Heights ISD 13 school board last fall, but the board lacked one vote to carry it through. Nichols was then pressured into resigning, although he had not been charged with malfeasance or nonfeasance in his official duties. (See *Anoka County Record*, Sept. 18, Sept. 25, Oct. 16, 2015).

DFL endorses candidates for Senate District 41 and House seats

Rep. Carolyn Laine of Columbia Heights was endorsed April 2 as the DFL candidate for Senate District 41 in the fall elections. Sen. Barb Goodwin is retiring, creating an open seat.

Mary Kunes-Podein was endorsed for Laine's 41B House seat. She has been a past candidate for New Brighton City Council.

Rep. Connie Bernardy, who challenged Laine for the SD 41 endorsement, was endorsed to run for re-election to the 41A House seat.

— *Bryan Olson for ACR*

involving legislators. Minnesota Statutes 469.1082 allows for the appointment of a citizen committee of 11 to 15 local stakeholders who would represent local government, business, labor, etc. Only two members of the committee could be county commissioners, preventing them from easily controlling the outcome. The committee could recommend that a County EDA be created or that none was necessary. That decision would be binding on the county commissioners. If the County EDA was created, every city would have a choice to determine for themselves whether they wanted to contribute tax base to the County EDA or not.

Instead of following current law, County Commissioners asked legislators to pass a special law to create their County EDA... without the public committee... and without the ability of cities to independently decide whether they wanted to contribute tax base. They also included language that allowed the commissioners to appoint themselves to every seat on the County EDA.

Commissioner Huffman defended this decision by stating, "The County's proposal makes the process more streamlined." He also felt it would be unfair if Ramsey County had to go through the citizen committee process when other counties in the past didn't have to. Huffman indicated that time was short and action needed to be taken now.

Assistant Ramsey County Administrator Heather Worthington echoed similar comments. She stated, "The legislation was written to achieve flexibility", implying that the citizen committee process was cumbersome. Worthington indicated that staff has been discussing economic development issues for several years.

Gross Misrepresentation – No City Support

Rep. Runbeck and Sen. Chamberlain were given the impression that city elected officials were fully informed and supportive of the County EDA. Lobbyist Riley told the *Record* that all city elected officials in the county were aware of the County EDA proposal and were supportive. That claim directly conflicted with the *Record's* findings.

The *Record* contacted local elected officials in the county, some of them very well connected in the political system, and not one had even heard of the County EDA proposal. One participated in several county-hosted economic development meetings and still never heard of it. The *Record* spoke with North St. Paul councilmember Jan

Runbeck-Chamberlain *continued on back page*

General SPECIAL ELECTION SEAT "B" ISD 13 COLUMBIA HEIGHTS SCHOOL BOARD APRIL 5, 2016	Hala ASAMARAI	Tim UTZ	Registered Voters at 7 AM	Election Day Registrations	Spoiled	Signatures on Roster	# Ballots Counted	Rejected Absentee Ballots	Regular/Military/Overseas	Total Accepted Absentee Ballots	Total Persons Voting	Turnout
ISD 13 P-1 *	298	287	7212	42	4	568	568	1	19	19	587	8.14%
ISD 13 P-2 **	442	312	6773	16	3	734	734	0	22	22	756	11.16%
TOTALS	740	599	13,985	58	7	1302	1302	1	41	41	1343	9.60%

* Consolidated polling place, Valley View Elementary School, Columbia Heights

** Consolidated polling place, Highland Elementary School, Columbia Heights
There were 2 write-in votes cast in P-1.

PUBLIC NOTICES

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AN ORDINANCE AMENDING SECTION 2-2-1, Council Meetings – Time and Place

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until the contract has been awarded and executed, but no longer than 60 days from the date of opening bids. All other deposits will be refunded promptly.

The City reserves the right to reject any and all bids, and to adjourn the meeting to a later date for the purpose of further consideration of the bids and taking action thereon. No bid may be withdrawn within 60 days from the date of opening of bids.

The City Council will consider award of contract at their regular meeting held on Monday, April 25, 2016 at 7:00 p.m. in the Council Chamber at 590 40th Avenue NE.

Kevin Hansen, Public Works Director/City Engineer

City of Columbus

Public Notice

Important Information Regarding Assessment and Classification of Property

This may affect your 2017 property tax payments.

Notice is hereby given that the Board of Appeal and Equalization for Columbus in Anoka County shall meet on April 25, 2016 7:00 p.m. at Columbus City Hall located at 16319 Kettle River Blvd. The purpose of this meeting is to determine whether taxable property heard are invited to speak in the jurisdiction has at this meeting. Questions classified by the assessor, Brown at 763-767-6430. and to determine whether corrections to the property tax value assessment need to be made for the 2017 payable tax year.

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RUNBECK-CHAMBERLAIN

continued from front page

Walczak, White Bear Lake councilmember Bill Walsh, Roseville councilmember Lisa Labiberte, Vadnais Heights councilmember Craig Johnson, Falcon Heights councilmember Randy Gustafson, and Roseville Mayor Dan Roe.

When confronted with the *Record's* findings, lobbyist Riley said that I needed to talk to Administrator Worthington. He said, "She was the one responsible for talking to all the city elected officials and she told me that they were all fine with this."

When the *Record* spoke with Administrator Worthington about lobbyist Riley's comments, she said, "Nick had the wrong information. We informed city economic development staff, not elected officials."

The *Record* spoke with the Roseville Economic Development Authority Executive Director Jeanne Kelsey, Community Development Director Kari Collins, and City Manager Pat Trudgeon concerning Worthington's comments. None of them were aware of the County EDA proposal. Trudgeon stated, "Only council can support policy issues." Trudgeon further stated that he had concerns about the County EDA proposal, as he learned about some of the details yesterday afternoon.

Commissioner Huffman informed the *Record* that he knew of several local elected officials that were aware of the County EDA and stated that maybe the *Record* did not make enough phone calls. He began to offer, but then declined to provide the *Record* with a list of names. When asked how many of these local elected officials testified in support of his bill at the capitol, he said none, which was confirmed by the committee meeting minutes.

Gross Misrepresentation

not create an EDA by means already available in state law, Administrator Worthington stated, "They felt that this would not meet their goals." She also said if they could not do this by special legislation, they would probably not pursue this.

Commissioner Huffman sidestepped the question numerous times. He said, "The board didn't reject the citizen committee process. We believe that pursuing special legislation to create a County EDA is the best option." He didn't oppose the citizen committee; he just didn't have any interest in it. Huffman was adamant that there was a significant difference between these two positions.

A Public Process? That Depends...

Administrator Worthington claimed that by seeking special legislation at the capitol, this proves that the county was being very open to the public with their efforts. She stated, "County staff determined they could have expanded their authority on their own, but felt it was more transparent to seek special legislation." The county narrowed the choices to notifying no one vs. notifying capitol lobbyists. The third option of appointing a stakeholder committee and hold public meetings, would have notified thousands of regular citizens, but apparently was not a desirable option in the minds of County Commissioners.

County Continues To Push Ahead Cities Beware

Administrator Worthington informed the *Record* that county staff and attorneys spent months determining the best and most efficient way to create a County EDA. The *Record* requested a copy of the legal analysis which supported their decision to eliminate the citizens committee, force cities to contribute tax base, and allow commissioners to appoint themselves

supported their decision to eliminate the citizens committee, force cities to contribute tax base, and allow commissioners to appoint themselves to all of the seats. Worthington stated that no documentation existed as the legal analysis was only a series of verbal discussions.

What Administrator Worthington made very clear to the *Record*, and city officials beware, is that county staff will continue to pursue the County EDA they want regardless of what any city elected officials or staff have to say about it. The County Board has told staff how they want this job done and staff is obligated to follow through until the County Board changes their mind.

Expect county staff to make attempts to sneak this County EDA onto some other bill as an amendment this session. As a last resort, they will find different legislators that did not read this article, and hope they will carry this same bill in the 2017 Legislative Session. - *ACR*

by the committee meeting minutes.

Gross Misrepresentation
No Citizen Committee & Mandatory Taxation
 The *Record* asked lobbyist Riley, Administrator Worthington, and Commissioner Huffman why they did not inform Rep. Runbeck and Sen. Chamberlain that the County EDA proposal eliminated the citizens committee, forced all cities to contribute tax base, and allowed the county commissioners to appoint themselves to every seat.

Lobbyist Riley informed the *Record* that he did not know any of these things, and had no understanding of the tax issues. He said, "I didn't do any research. I just asked the Revisor's office to draft something like Scott County has. I gave that to the administration. They gave it back to me to get it done."

When asked why the Ramsey County Board will



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MINOR NAME CHANGE
 State of Minnesota
 County of Anoka
 In the matter of the application of:
 Courtne Marie Cook
 On Behalf of: Eleanora Maelynn Kivelay
 For a Change of Name to: Eleanora Maelynn Cook
 An Application for Name Change in Anoka County District Court for a change of name for the minor child from Eleanora Kivelay to Eleanora Cook will be heard on May 10, 2016 at 9:00 a.m. at the Anoka County Courthouse, 325 East Main Street, Anoka, MN 55303.
 /s/ Courtne Cook, Applicant, Dated March 18, 2016
 /s/ Lawrence R. Johnson, Judge of District Court, Dated: March 22, 2016
 (Published 4/5, 4/12, 4/19, 2016 Anoka County Record) # 403

ESTATE OF MICHAEL D. HALVORSEN
 State of Minnesota
 County of Anoka
 Estate of Michael D. Halvorsen
 Notice of informal probate of will and appointment of personal representative and notice to creditors
 Decedent.
 TO ALL INTERESTED PERSONS AND CREDITORS:
 Notice is hereby given that an application for informal probate of the above-named Decedent's last Will, dated May 8, 2015, has been filed with the Registrar herein, and the Application has been granted informally probating such Will. Any objections may be filed in the above named court and the same will be heard by the Court upon notice of hearing fixed for such purpose.

Notice is hereby further given that informal appointment of Bonita J. Long whose address is 10775 Kingsfield Lane, Woodbury, Minnesota, 55129, as personal representative of the estate of the above-named Decedent, has been made. Any heir, devisee, or other interested person may be entitled to appointment as personal representative or may object to the appointment of the personal representative, and the personal representative is empowered to fully administer the estate, including, after 30 days from the date of issuance of her letters, the power to sell, encumber, lease, or distribute real estate, unless objections thereto are filed with the Court (pursuant to Minnesota Statutes §524.3-607), and the Court otherwise orders.

Notice is hereby given that ALL CREDITORS having claims against said estate are required to present the same to said personal representative or to the Court Administrator within four months after the date of this notice or said claims will be barred.

Dated: March 8, 2016
 /s/ Peggy Zdon, Registrar, /s/ Lori Meyer, Court Administrator
 Attorney for Personal Representative:
 Steven T. Hennek, Hennek Klienhammer Law, PLLC
 2585 Hamline Avenue North, Suite A, Roseville, MN 55113
 Attorney License No.: 238673, Telephone: 651.633.4400
 Email: steveh@hklaw.com

(Published 4/5, 4/12, 2016 Anoka County Record) # 404

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in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES
EIGHTY-NINTH SESSION
H. F. No. 2957

03/10/2016 Authored by Runbeck; Yarusso; Dean, M., and Murphy, E.,
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy
03/16/2016 Adoption of Report: Re-referred to the Committee on Taxes

1.1 A bill for an act
1.2 relating to local government; creating the Ramsey County Economic
1.3 Development Authority.
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **RAMSEY COUNTY ECONOMIC DEVELOPMENT AUTHORITY.**

1.6 Subdivision 1. **Creation.** There is created in Ramsey County a public body corporate
1.7 and politic, known as the Ramsey County Economic Development Authority, that has the
1.8 powers contained in Minnesota Statutes, sections 469.090 to 469.108, the powers of
1.9 a housing and redevelopment authority under Minnesota Statutes, sections 469.001 to
1.10 469.047, or other law, and the powers of a city under Minnesota Statutes, sections 469.124
1.11 to 469.133, or other law. For the purpose of applying Minnesota Statutes, chapter 469, to
1.12 Ramsey County, the county has all of the powers and duties of a city, the county board has
1.13 all of the powers and duties of a governing body, the chair of the county board has all of
1.14 the powers and duties of a mayor, and with respect to the exercise of powers of a housing
1.15 and redevelopment authority subject to Minnesota Statutes, section 469.008, the area of
1.16 operation includes the area within the territorial boundaries of the county.

1.17 Subd. 2. **Coordination with other authorities.** The county authority shall notify a
1.18 municipal authority by January 31 of each year as to the activities the county authority
1.19 plans to participate in within the municipality. If the municipal authority does not consent
1.20 to the activities of the county authority, the municipal authority shall notify the county
1.21 authority within 45 days of the date of the notice from the county authority. If a city
1.22 authority requests that the county authority exercise any power or perform any function of
1.23 the municipal authority, the county authority may do so.

2.1 Subd. 3. **Local approval.** Before the Ramsey County Economic Development
2.2 Authority undertakes a project, the project must be approved by the local governing body
2.3 with jurisdiction over any part of the area in which the proposed project is located.

2.4 Subd. 4. **Commissioners.** Notwithstanding any section of Minnesota Statutes,
2.5 chapter 469, the Ramsey County Economic Development Authority shall consist of seven
2.6 commissioners. The county board shall appoint the commissioners and shall fill vacancies
2.7 in the office of any commissioner. The term of each commissioner shall be one year, or in
2.8 the case of a vacancy, the term shall be the remainder of the one-year term for which a
2.9 vacancy is filled, or until a successor is appointed.

2.10 **EFFECTIVE DATE.** This section is effective the day after the governing body
2.11 of Ramsey County and its chief clerical officer timely complete their compliance with
2.12 Minnesota Statutes, section 645.021, subdivisions 2 and 3.

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

* * * * *

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Roseville, County of Ramsey, Minnesota, was duly held on the 18th day of April, 2016, at 6:00 p.m.

The following members were present: Willmus, Etten, McGehee, Laliberte, Roe and the following members were absent: None

Councilmember McGehee introduced the following resolution and moved its adoption:

RESOLUTION No. 11313

RESOLUTION NOT SUPPORTING THE PROPOSED RAMSEY COUNTY
ECONOMIC DEVELOPMENT AUTHORITY IN HOUSE FILE (HF) NO.
2957/SENATE FILE (SF) 2774

WHEREAS, the City of Roseville recently became aware of House File (HF) No. 2957/Senate File (SF) 2774 that proposes the creation of a Ramsey County Economic Development Authority (EDA);

WHEREAS, the creation of a Ramsey County EDA has levy authority on Roseville residents; and

WHEREAS, the proposed legislation was created without input from the affected municipalities and citizens; and

WHEREAS, the City of Roseville created a municipal EDA in January of 2016 with levy authority; and

WHEREAS, the City of Roseville is concerned with an additional tax on Roseville residents for purposes of economic development; and

WHEREAS, the proposed legislation omits any reference to opt-out of a County EDA levy; and

WHEREAS, it is not clear to the City of Roseville why the rigorous community engagement processes in the existing statutes for creating a county EDA would not be followed;

WHEREAS, the City of Roseville is concerned with the administrative feasibility of cities that opt-out of specific County EDA programs (per the opt-out language contained in Subdivision 2 of the proposed legislation) and be levied a tax for others; and

WHEREAS, the City of Roseville does not have enough information to feel comfortable with the proposed legislation;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEVILLE, MINNESOTA, that the City of Roseville cannot support the proposed Ramsey County EDA in House File (HF) No. 2957/Senate File (SF 2774).

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Willmus and upon vote being taken thereon, the following voted in favor thereof: Willmus, Etten, McGehee, Laliberte, Roe and the following voted against the same: None

WHEAREUPON said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, the undersigned, being the duly qualified City Manager of the City of Roseville, County of Ramsey, State of Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of said City Council held on the 18th day of April, 2016, with the original thereof on file in my office.

WITNESS MY HAND officially as such Manager this 18th day of April, 2016.



Patrick Trudgeon, City Manager

(SEAL)