ECONOMIC DEVELOPMENT AUTHORITY FOR THE
CITY OF SHAKOPEE, MINNESOTA

RESOLUTION NO. E2022-004

RESOLUTION APPROVING A SPENDING PLAN FOR CERTAIN TAX INCREMENT FINANCING DISTRICTS LOCATED IN THE CITY OF SHAKOPEE

WHEREAS, the Economic Development Authority for the City of Shakopee, Minnesota (the "Authority") and the City of Shakopee (the "City") have previously established the following tax increment financing districts located in the City (collectively, the "TIF Districts"), and adopted tax increment financing plans therefor, pursuant to Minnesota Statutes, Sections 469.001 through 469.047, as amended, and Minnesota Statutes, Sections 469.174 through 469.1794, as amended (the "TIF Act"): Tax Increment Financing District No. 10 (River City Center), Tax Increment Financing District No. 14 (SanMar), Tax Increment Financing District No. 15 (All Saints), Tax Increment Financing District No. 16 (Rahr), Tax Increment Financing District No. 17 (Amazon), Tax Increment Financing District No. 18 (Canterbury), Tax Increment Financing District No. 19 (Riverfront), Tax Increment Financing District No. 20 (Enclave), and Tax Increment Financing District No. 21 (Southbridge Soils); and

WHEREAS, Section 469.176, subdivision 4n of the TIF Act (the "Temporary TIF Authority Act") authorizes the Authority to spend available tax increment from any existing tax increment financing district, notwithstanding any other law to the contrary, to provide improvements, loans, interest rate subsidies, or assistance in any form to private development consisting of construction or substantial rehabilitation of buildings and ancillary facilities, if the following conditions exist:

(1) Such assistance will create or retain jobs in the State of Minnesota, including construction jobs;

(2) Construction commences before December 31, 2025;

(3) The construction would not have commenced before the dates specified above without the assistance;

(4) Tax increments under the spending plan are spent by December 31, 2025; and

(5) The City Council of the City (the "City Council") approves a written spending plan (after a duly noticed public hearing) that specifically authorizes the Authority to take such actions; and

WHEREAS, the Authority proposes to adopt a spending plan for the TIF Districts (the "Spending Plan") in accordance with the Temporary TIF Authority Act in substantially the form submitted to the Board of Commissioners of the Authority (the "Board") to utilize existing tax

increment revenues from the TIF Districts in order to stimulate construction or rehabilitation of private development in a way that will also create or retain jobs; and

WHEREAS, the assistance authorized under the Spending Plan expressly includes but is not limited to assistance for private development that provides for high-wage job creation or development of housing, including but not limited to market rate and affordable multifamily, townhomes, and single-family units; and

WHEREAS, assistance authorized and provided under the Spending Plan may constitute a business subsidy as described in Minnesota Statutes, Sections 116J.993 to 116J.995, as amended (the "Business Subsidy Act"), which will require that the Board conduct a public hearing prior to providing such financial assistance to a developer; and

WHEREAS, on the date hereof, the City Council of the City will conduct a public hearing regarding the Spending Plan, for which notice was published in a newspaper of general circulation in the City and on the City's public website at least ten (10) days but not more than thirty (30) days prior to the date of the public hearing, and consider a resolution approving the Spending Plan; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Economic Development Authority for the City of Shakopee, Minnesota that:

1. The Spending Plan is hereby approved in substantially the form on file in City Hall.

2. The Authority makes all the findings set forth in the Spending Plan, which are incorporated herein by reference.

3. Authority staff and consultants are hereby authorized to take actions necessary to carry out the terms of the Spending Plan.

4. The Board shall conduct a public hearing prior to providing financial assistance to a developer under the Spending Plan if in the opinion of counsel to the Authority such assistance constitutes a business subsidy under the Business Subsidy Act.

Sworn and Executed Under My Hand this 1st day of March, 2022.

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President

_____
Executive Director