

CITY OF SHAKOPEE

RESOLUTION NO R2018-066

RESOLUTION AMENDING RESOLUTION NO. 4206, AS AMENDED, REGARDING
THE CREATION OF AN ECONOMIC DEVELOPMENT AUTHORITY

WHEREAS, the City Council (the “City Council”) of the City of Shakopee, Minnesota (the “City”) created the Economic Development Authority of the City of Shakopee, Minnesota (the “EDA”) by Resolution No. 4206, adopted by the City Council on April 4, 1995, as amended by Resolution No. 4381, adopted by the City Council on February 6, 1996 (collectively, the “Enabling Resolution”), pursuant to Minnesota Statutes, Sections 469.090 through 469.1082, as amended (the “EDA Act”); and

WHEREAS, the Board of Commissioners adopted Resolution No. 95-2 on May 2, 1995, approving the Bylaws of the EDA (the “Bylaws”); and

WHEREAS, the EDA was created to coordinate and administer all economic development and redevelopment activities of the City and has the powers given to an economic development authority under the EDA Act, including the powers of a housing redevelopment authority under Minnesota Statutes, Sections 469.001 through 469.047, as amended; and

WHEREAS, the Enabling Resolution transferred all activities, programs, projects, operations, and authority of the Shakopee Housing and Redevelopment Authority to the EDA; and

WHEREAS, pursuant to Section 469.092, subdivision 2 of the EDA Act, the City Council may modify the Enabling Resolution at any time; and

WHEREAS, pursuant to Section 469.095, subdivision 2(d) of the EDA Act, the Enabling Resolution may provide that the members of the City Council shall serve as the commissioners of the EDA; and

WHEREAS, the City Council has determined to further modify the Enabling Resolution, and on the date hereof, the City Council conducted a duly noticed public hearing regarding the modification of the Enabling Resolution, in accordance with Section 469.095 of the EDA Act, at which all interested persons were given an opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shakopee, that:

1. The legal name of the EDA is hereby amended to be the “Economic Development Authority for the City of Shakopee, Minnesota.” Such amendment conforms with the Bylaws of the EDA.

2. The text of paragraph 3 under the heading of “Enabling Resolution” of the Enabling Resolution is hereby repealed and shall be replaced with the following:

The City Council of the City of Shakopee shall serve as the board of commissioners of the EDA. The term of EDA commissioners will coincide with their term of office as members of the City Council. A vacancy is created in the membership of the commission when a City Councilmember ends Council membership.

3. The following provision shall be added as paragraph 4 under the heading “Transfer of Authority of the Shakopee Housing and Redevelopment Authority, effective April 14, 1995” of the Enabling Resolution and shall be effective upon adoption of this resolution:

All real property owned by the Shakopee Housing and Redevelopment Authority shall be conveyed to the EDA. For the sole purpose of conveying any and all property owned by the Shakopee Housing and Redevelopment Authority to the Economic Development Authority for the City of Shakopee, the President and the Executive Director of the EDA shall have the authority to execute any and all conveyance documents on behalf of the Shakopee Housing and Redevelopment Authority, in the capacity of Chair and Executive Director, respectively.

4. The Enabling Resolution remains in full force and effect and is not modified except as provided herein.

5. This resolution is effective upon approval by the City Council.

Approved by the City Council of the City of Shakopee this 15th day of May, 2018.

Mayor

ATTEST:

City Clerk