

CITY OF SHAKOPEE

RESOLUTION NO. E2019-020

RESOLUTION REAUTHORIZING A LOAN TO DOGGIE DOO'S
SPA & RETREAT INC AND THE EXECUTION OF DOCUMENTS
IN CONNECTION THEREWITH

WHEREAS, the City of Shakopee, Minnesota (the "City") previously received a loan of proceeds from the Minnesota Investment Fund of the State of Minnesota (the "MIF Loan") and currently has funds in the amount of \$73,003.96 (plus any accrued interest) remaining; and

WHEREAS, the Economic Development Authority for the City of Shakopee, Minnesota has sold property to Doggie Doo's Spa & Retreat Inc, a Minnesota corporation (the "Borrower"), which the Borrower will use for business purposes; and

WHEREAS, the City is considering using all the remaining proceeds of the MIF Loan to make a loan to the Borrower for the purpose of purchasing equipment for its business (the "City Loan"); and

WHEREAS, the City Loan will be in the maximum amount of \$73,003.96 (plus any accrued interest) plus \$12,000 in EDA funds and will be considered a forgivable loan if the Borrower complies with certain wage and jobs goals provided in the loan documentation described herein; and

WHEREAS, the City Council previously approved the following loan documents: (i) a Loan Agreement (the "Loan Agreement") between the City and the Borrower, pursuant to which the City will loan the proceeds of the City Loan to the Borrower; (ii) a Promissory Note (the "Note") from the Borrower to the City; and (iii) a Security Agreement (the "Security Agreement"), including a UCC-1 financing statement, between the Borrower and the City; and

WHEREAS, there has been presented to the City Council an Amended and Restated Loan Agreement;

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

1. The Amended and Restated Loan Agreement is hereby approved.
2. The Mayor and City Administrator are authorized and directed to execute Amended and Restated Loan Agreement in substantially the forms on file in City Hall, subject to modifications that do not alter the substance of the transaction and are approved by the Mayor and City Administrator; provided that execution of the Loan Agreement and the Security Agreement will be conclusive evidence of approval.
3. The Mayor and City Administrator are hereby authorized to execute any other documents or certificates deemed necessary to carry out the transactions described in the Amended and Restated Loan Agreement and the intention of this resolution.

Approved by the City Council of the City of Shakopee this 15th day of October, 2019.

Mayor

ATTEST:

City Clerk