



**INVER GROVE HEIGHTS
ECONOMIC DEVELOPMENT AUTHORITY AGENDA
MONDAY, AUGUST 2, 2021
5:00 P.M.**

NOTICE TO RESIDENTS: Individuals may submit written public comments in advance of the meeting by emailing comments to Kim Fox (kfox@ighmn.gov). Comments received prior to 4:00 p.m. on Friday, July 30, 2021 will be provided to the EDA at or before the August 2, 2021 meeting. Residents can also attend the meeting and participate in-person.

1. CALL TO ORDER

2. ROLL CALL

3. CONSENT AGENDA

- A. Consider Approval of Minutes from the April 26, 2021 Regular Economic Development Authority Meeting and the May 24, 2021 Special Economic Development Authority Meeting
- B. Consider Approval of Claims
- C. Consider Approval of 2nd Quarter Report for “Open To Business” Program of Local Entrepreneurial Support
- D. Consider Approval of Resolution Amending the Purchase and Development Agreement for 1805 60th Street East (former blighted property now residential development)
- E. Consider Approval of EDA Bylaw Amendment To Reflect 5 PM Meeting Start Time

4. REGULAR AGENDA

- A. Discussion on Inver Grove Heights Retail Opportunities – Jen Helm, Managing Director – Retail, Newmark
- B. Presentation of New IGH Community Development Website Content – Amy Looze and Heather Rand
- C. Discussion on EDA Member Composition
- D. EDA Executive Director Activity Report – Heather Rand

5. NEXT MEETING – The next regular EDA meeting is scheduled for November 1, 2021 at 5:00 PM

6. ADJOURN

**INVER GROVE HEIGHTS ECONOMIC DEVELOPMENT AUTHORITY REGULAR MEETING
MONDAY, APRIL 26, 2021 - 8150 BARBARA AVENUE
In Person Meeting and Via Zoom**

1 & 2 CALL TO ORDER/ROLL CALL The Economic Development Authority (EDA) of Inver Grove Heights met in regular session on Monday, April 26, 2021. President Piekarski-Krech called the meeting to order at 6:00 p.m. Present were Economic Development Authority Members Murphy, Dietrich, Bartholomew and Gliva, Executive Director Rand, City Attorney Nason, and Secretary Fox.

3. CONSENT AGENDA

A. Minutes

Motion by Gliva, second by Murphy, to approve the minutes from the February 8, 2021 Regular EDA Meeting

**Ayes: 5
Nays: 0 Motion carried**

B. Claims

Motion by Bartholomew, second by Gliva, to approve disbursements from February 9, 2021 to April 26, 2021.

**Ayes: 5
Nays: 0 Motion carried**

C. Open To Business Program 1st Quarter Activity Report

Motion by Bartholomew, second by Gliva, to Accept the Open to Business Program 1st Quarter Activity Report

**Ayes: 5
Nays: 0 Motion carried**

4. REGULAR MEETING

A. Resolution Approving Joint Powers Agreement with Dakota County Community Development Agency (CDA) and 10 Other Dakota County Cities to Engage with MCCD to Provide Entrepreneurial Support Via a Dakota County Open to Business Program

Executive Director Rand advised that the EDA is being asked to approve the annual joint powers agreement with the Dakota County CDA to provide the Open To Business Program (OTB), which provides entrepreneurial support to small businesses and startups. This service is provided by MCCD, a non-profit. Natalie Mouilso, the City's OTB representative, provides free guidance, connects business owners to resources, and can assist with gap financing. The fee that the EDA would contribute is \$5,500. Staff recommends approval of the Joint Powers Agreement.

Boardmember Murphy asked for clarification that approval of this agreement would give residents starting up businesses in Inver Grove Heights access to these services.

INVER GROVE HEIGHTS ECONOMIC DEVELOPMENT AUTHORITY MEETING - April 26, 2021

President Piekarski-Krech replied in the affirmative.

Motion by Bartholomew, second by Murphy, to Approve Resolution 21-02 Approving Joint Powers Agreement with Dakota County CDA and 10 Other Dakota County Cities to engage with MCCD to Provide Entrepreneurial Support via a Dakota County Open to Business Program.

Ayes: 5

Nays: 0 Motion carried.

B. Resolution Approving a Right-of-Entry Agreement with Dakota County 55077 1805 60th Street Land Trust

Executive Director Rand advised that in February 2021 the EDA approved a development and purchase agreement to this land trust. The agreement specified certain conditions of the sale, including providing a house plan. In order to do that the land trust is requesting a right of entry agreement to allow them to conduct soil borings and a land survey. Staff recommends approval of the right of entry agreement.

Boardmember Bartholomew asked who paid for the drafting of the agreement.

Executive Director Rand replied that the city attorney drafted the agreement and billed their time to the EDA.

Boardmember Bartholomew asked if there was an escrow agreement that could cover the cost.

Executive Director Rand replied there was no escrow and only limited legal assistance that would be needed.

Motion by Gliva, second by Bartholomew, to Approve Resolution No. 21-03 Approving a Right of Entry Agreement with Dakota County 55077 1805 60th Street Land Trust.

Ayes: 5

Nays: 0 Motion carried.

C. Discuss Schedule for Quarterly EDA Meetings

Executive Director Rand advised that changing the start time of City Council meetings from 7 PM to 6 PM triggered a discussion about the start time of EDA meetings. For many years EDA regular meetings have started at 6 PM on a quarterly basis prior to the first City Council meeting of the months of February, May, August, and November. However, City Attorney Nason researched the ordinance that references the EDA and found that the regular meetings are supposed to occur on the first Monday of the month on the work session evenings. She recommended that the EDA establish a regular calendar for these quarterly meetings.

Boardmember Murphy noted that the third Monday of the month is normally free.

President Piekarski-Krech did not think a separate Monday was necessary as the EDA meetings typically last less than an hour.

INVER GROVE HEIGHTS ECONOMIC DEVELOPMENT AUTHORITY MEETING - April 26, 2021

Boardmember Murphy stated that he appreciated the clarification from President Piekarski-Krech.

Boardmember Gliva advised that originally, she had a conflict with 5:00 PM meetings, but four times a year should be manageable.

Boardmember Bartholomew noted that they could hold the EDA meetings after the City Council meetings if a 5:00 PM start time was problematic. He was agreeable with either time.

Boardmember Murphy advised he was fine with either time as well.

Boardmember Dietrich stated she liked the idea of a 5:00 PM start time.

President Piekarski-Krech preferred a 5:00 PM start time as it could be problematic for people giving presentations at the EDA meeting to sit through long Council meetings.

Executive Director Rand clarified that future regular EDA meetings would be held quarterly on the first Monday of the month at 5:00 PM prior to Council work sessions.

D. EDA Executive Director Activity Report

Executive Director Rand stated that staff continues to identify what they consider high value development and redevelopment opportunities. She thanked Boardmember Gliva for requesting they include the redevelopment opportunities on Cahill and noted that she was able to reach out to at least one developer who specializes in that type of redevelopment. The two small area plans for the underdeveloped areas north of Highway 55 and for the areas south of Highway 55 are close to completion and will eventually go before the Planning Commission and City Council. Some changes may be recommended pertaining to zoning to maximize the use of some of the properties in those areas. They worked with Ehlers to determine what the utility extensions would cost. Hopefully those additional costs would be paid for by the developer or new business; however, that often requires a lot of density. Fortistar is working on getting final approvals for their project that will capture the gas at the Pine Bend Landfill. Hopefully there will be a groundbreaking yet this summer. She advised that she reached out to Republic, the operator of Pine Bend Landfill, regarding the 100 acres they own just west of the landfill. She would like to see them relocate their trash collection business to this location or potentially the Swift Trucking Center site. Much of this hinges on improvements to 117th Street, which is one of the reasons that was the City's legislative ask this session. Staff continues to focus on the Argenta Hills area as they would like to see that retail continue to grow and thrive. To do so staff believes more rooftops are needed and they are working with a multi-family housing developer for the property west of Target and the main street businesses. On the Concord redevelopment front, the Dakota County CDA has submitted an application for a 35-unit workforce housing project in the 6300 block of Concord. The City also received an application for a memory care unit located across from Cub Foods. The City continues to look for opportunities to partner with the River Heights Chamber of Commerce and to hopefully hold an informational event to discuss special service marketing districts within the City's commercial districts and help create an identity for each of the retail areas.

5. NEXT MEETING – The next regularly scheduled EDA meeting is August 2, 2021 at 5:00 pm.

Executive Director Rand noted that Mr. Gullickson will likely be bringing his house plans to the EDA for approval at an upcoming meeting.

INVER GROVE HEIGHTS ECONOMIC DEVELOPMENT AUTHORITY MEETING - April 26, 2021

6. ADJOURNMENT: Motion by Murphy, second by Bartholomew, to adjourn. The meeting was adjourned by unanimous vote at 6:23 p.m.

DRAFT

INVER GROVE HEIGHTS ECONOMIC DEVELOPMENT AUTHORITY SPECIAL MEETING
MONDAY, MAY 24, 2021 - 8150 BARBARA AVE
****Hybrid In-Person or Zoom Virtual Meeting****

1 & 2 CALL TO ORDER/ROLL CALL

The Economic Development Authority (EDA) of Inver Grove Heights met in special session via In-Person and Zoom Video Conferencing on May 24, 2021. President Piekarski Krech called the meeting to order at 5:45 p.m. Present were Economic Development Authority Members Bartholomew, Dietrich, Murphy, and Gliva, Executive Director Rand, City Attorney Nason, and City Clerk Kiernan.

3. REGULAR AGENDA

- A.** Consideration and Approval of House Plans for 1805 – 60th Street and related closing approvals.

Heather Rand, Executive Director, advised the Economic Development Authority on house plans for 1805 – 60th Street. The property was acquisitioned in December from the past owner. Tonight, staff is asking the EDA to approve the House Plans and any closing documentation for the title transfer to the builder. The property was approved for sale at the February meeting. The closing on this property is scheduled for May 26, 2021.

The City Chief Building Official, Steve Johnson, has approved the plans and specifications of the house.

No questions were asked of this item.

Motion by Gliva, second by Murphy, to Approve Resolution EDA 21-04
Approving Construction Plans and Authorizing Closing on Sale of Property
at 1805 – 60th Street

Ayes: 5

Nays: 0 Motion carried.

4. NEXT MEETING

The next regularly schedule meeting is August 2, 2021 at 5:00 p.m.

5. ADJOURNMENT

Motion by Gliva, second by Bartholomew, to adjourn. The meeting was adjourned by unanimous vote at 5:48 p.m.

Minutes prepared by City Clerk Rebecca Kiernan.



Dakota County Quarterly Report – 6.30.2021

Open to Business

3137 Chicago Ave
Minneapolis, MN 55407
612-789-7337

Industry Segment

Construction / Real Estate	9
Food	18
Health/Fitness	7
Manufacturing	6
Consulting	12
Retail	28
Service	24
Technology	4
Wholesale / Distribution	3
Other	2
Total	113

Referral Source

Bank Referral	4
Entrepreneur	4
Friends and Family	4
Municipality	55
MCCD Partner	12
Other	12
Web	22
Total	113

Clients Served

Client Inquiry	8
Existing - Challenged	18
Existing -Opportunity	35
Pre-start planning	32
Start-up	20
Total	113

Business Owner Demographics

Low-Income Owned	34
BIPOC or Immigrant Owned	41
Woman Owned	67

Financing & Access to Capital

Approved	(YRLY Total)	\$ 5,000.00
Equity	(YRLY Total)	\$ 6,000.00
Facilitated	(YRLY Total)	\$ 25,000.00

Program Hours

	TA	Program HRS
1 st QTR	284.75	318
2 nd QTR	258.27	235
Total	549.52	553

TA: Client Meetings, Providing Resources, Client Calls,
Client Deliverables, Loan Packaging

Program HRS: City Initiatives, Program Outreach, Public
Events, City Meetings, Research, Client Follow Up,
Data/Admin, General Inquiries

City	Business	Resident
Apple Valley	10	7
Burnsville	15	16
Eagan	14	11
Farmington	10	12
Hastings	14	9
Inver Grove Heights	5	6
Lakeville	12	13
Rosemount	7	7
Mendota Heights	4	4
South St. Paul	4	4
West St. Paul	10	8
Other Dakota Co.	3	3
Other/ No Data	4	13

Direct Financing & Access to Capital*

In recent months there has been unprecedented opportunities for small business relief capital in the form of grants as well as low-cost and forgivable loans which has contributed to reduced demand for traditional small business lending. MCCD staff has focused our efforts on directing clients to the available relief grants and loans. Recently we have seen traditional lending inquiries from clients and financial partners pick up again as businesses are stabilizing and shifting back into growth mode.

Loan Closed - (Q2 - 2021):

Business Type: Dessert Vendor with Food Trailer

Location: Inver Grove Heights

Referred by: Partner Organization

OTB Financing: \$5,000.00

Owner Equity: \$6,000.00

Other Financing: \$25,000.00

Overview: This 100% BIPOC-woman-owned dessert business sells sweets at festivals and pop-up events on a seasonal basis. The business owner is growing her business by investing in a fully equipped food trailer. This investment will result in new efficiencies for the business as she has been operating as a food stand and spends valuable time and resources setting up, loading equipment, traveling back and forth to events, and packing up when weather is bad. The new trailer will allow her to focus more time on her customers and give her increased flexibility.

The financing secured comes after working closely with Open to Business for approximately 24 months. In that time, the business owner has built her branding, social media presence, budgeting skills, and financial projections in preparation for the loan request with her credit union. The total funding is \$36,000. OTB is directly financing the purchase of baking equipment for the build-out of the trailer, as well as working capital for the overall project.

*Does not capture relief loans/grants/funding facilitated by MCCD staff.

Q2 Highlights, Networking, & Outreach

- CDFI Award: Big news from MCCD! This June MCCD was awarded a \$1.826M grant, the maximum, from the [US Dept. of the Treasury CDFI Rapid Response Program \(CDFI RRP\)](#). MCCD and 26 other CDFIs in Minnesota received this unprecedented funding which can be used for financial services and products, technical assistance, and loan loss reserves among other eligible uses.
- Dakota County business owner and Open to Business client Annie Qaiser was recently named an MSP Business Journal Women in Business 2021 Honoree! Annie built her business out of a desire to bring HALAL certified skincare products to her family and community. All products are handmade by Annie with high quality and 100% natural ingredients (information is shared with Annie's permission).
 - <https://www.bizjournals.com/twincities/news/2021/07/19/2021-women-in-business-honorees-first-round.html>
 - Check out Annie's recent profile in the Star Tribune <https://www.startribune.com/exposure-at-moa-helps-entrepreneur-grow-halal-certified-wellness-brand/600066744/>
- OTB's May 18th PPP Loan Forgiveness Q&A with Northeast Bank and Bottom Line Business Solutions was a great success. The webinar was recorded and is available for download via the link in my signature under News, Trainings, Events.
- In partnership with the Dakota County Library System we are hosting an in-person networking and learning series at various library locations throughout Dakota County. The first event is a Small Business Lending Q&A on

August 18th from 9:30 – 10:30 AM at the Wescott Library in Eagan. I will be joined by Minnwest Bank. The event will be conversational, and we plan to discuss financing options and strategies for small business.

- Thanks to all who shared out the Q2 OTB ads. We are focusing on lending outreach and strengthening our bank partnerships. I will continue targeted outreach to banks in Q3 & Q4 and always welcome direct referrals to your contacts. Warm introductions tend to work much better than cold outreach.
- Office Hours: As of mid-June, in person client meetings have resumed on a case by case basis. I am available to meet in person with clients upon request. Virtual office hours will continue for the time being until there is a demonstrated need for a regular in person schedule. Virtual hours are Mondays and Wednesdays from 1 – 3 PM and Friday mornings from 9:30 – noon. The signup link is in my email signature.
- Meetings, presentations, and events that occurred in Q2 and early July include South Saint Paul presentation Apr 5, Mendota Heights presentation Apr 6, Northeast Bank meeting Apr 8, recurring Business Services/Economic Development Committee meetings, City of Rosemount presentation Apr 20, virtual attendance at Farmington State of the City April 29, virtual attendance at Employers of Excellence event May 13, virtual attendance at Eagan State of the City May 27, City of Eagan check in June 22. June and July bank outreach conversations include Bremer Bank, Choice Bank, Frandsen Bank, Genisys Credit Union, Home Federal, Minnwest Bank, Think Bank, and Wells Fargo.
- Meetings, presentations, and events slated for Q3 include Prime Security Bank meeting Aug 4, MCCD Summer Social for Loan Committee Volunteers & Consortium Lending Partners Aug 12, Mendota Heights Community Coffee Connection at City Hall Aug 14, Small Business Lending Q&A Aug 18, recurring Business Services/Economic Development Committee meetings, Choice Bank group presentation Sept 20.
- MCCD staff recently completed a 3-part diversity, equity, and inclusion training with one-on-one and group sessions focused on building our intercultural competencies. The training and assessments aimed to increase our effectiveness and understanding as we work across cultures within our organization and with clients.

Client Profile: Greg Bolton, The Gym in Mendota Heights



Greg Bolton, owner and operator of The Gym in Mendota Heights, prides himself on responding to the needs of the community as he meets new challenges with optimism and creativity. Greg's gym offers a broad range of martial arts classes for a variety of age groups and skill levels. What sets this business apart is Greg's solution-oriented mindset and his ability to recognize when there's an opportunity to help his students and their families.

This commitment to finding solutions was particularly helpful in 2020 when, early in the pandemic, Greg recognized that some of the families in his community were experiencing challenges related to virtual learning at home. Greg swiftly launched Virtual Learning Camp by converting one of his practice rooms into a socially distanced classroom and hiring a part-time teacher to facilitate the virtual learning from The Gym. When students finished their schoolwork, they could play outside or join a martial arts class. Virtual Learning Camp continued through 2020 and proved to be a helpful alternative for the families and kids who participated.

MCCD's Open to Business team began working with Greg in 2016 when he secured financing for an expansion and remodel of The Gym. In 2020, the OTB team provided business advising and resources including partially forgivable capital via Minnesota's Small Business Emergency Loan program. Greg plans to continue building community and growing his business in the years to come and MCCD will continue to be a resource for him along the way.

*The Gym Martial Arts / Group Fitness / Youth Programs
780 S Plaza Drive, Mendota Heights, MN 55120
651-683-0355
[Hello@TheGymMH.com](mailto>Hello@TheGymMH.com)
<https://thegymmh.com/>*

Selected Program Feedback

"You are a great resource for us as well as our clients." - SBA Division Manager of Financial Institution, Lakeville

"I really appreciate all that you do for Small Business." - Rosemount Business Owner

"I would encourage any small business owner to work with [Open to Business]. They are totally 'there' for you. I truly felt that I had people coaching me who were dedicated to helping my business succeed." - Hastings Business Owner

Business Description	Industry	Business Stage	Business Source	City Impacted - Business	City Impacted - Resident	Other Cities Impacted (Manual)	Additional Comments	All assistance Provided	Total TA Hours	Q1 TA Hours	Q2 TA Hours	Q3 TA Hours	Q4 TA Hours	Owner Equity	Approved MCCD Financing Amount	Approved Outside Financing Amount	Low-Income Owned (0 = No, 1 = Yes)	BIPOC or Immigrant Owned (0 = No, 1 = Yes)	Woman Owned (0 = No, 1 = Yes)
Dessert Vendor	Food	Existing - Challenged	Other	Inver Grove Heights	Inver Grove Heights			Marketing;Strategic planning;Other Loan Related;Cash Flow Analysis & Projections;General business issues/guidance;Business Plan Development;Loan Facilitation	34	18.5	15.5	0	0	\$ 6,000.00	\$ 5,000.00	\$ 25,000.00	0	1	1
3D printing, woodworking , laser printing fabrication	Construction / Real Estate	Pre-start planning	Municipality	Rosemount	Rosemount			Business Plan Development;Networking/referrals;General business issues/guidance;Initial Consultation;Strategic planning;Operation/logistics	7	5	2	0	0				0	0	1
Apple Cider and Juice	Food	Existing - Opportunity	Municipality	Other-Dakota County	Saint Paul			Loan packaging;Loan Facilitation;Initial Consultation;Business purchase evaluation;Networking/referrals;Zoning Assistance	6.5	6	0.5	0	0				0	1	1
Art Store	Retail	Existing - Challenged	Other	Stillwater	Lakeville		TA for an existing loan client	Other Loan Related;TA for Existing Clients	9.75	4.75	5	0	0				0	0	0
Art studio	Retail	Existing - Challenged	Web	Farmington	Farmington		Questions regarding PPP eligibility and small business relief	Business Plan Development;Cash Flow Analysis & Projections;Record keeping/bookkeeping;Networking/referrals;General business issues/guidance;TA for Existing Clients	11.5	0	11.5	0	0				0	0	0
Art Studio	Retail	Existing - Challenged	Municipality	Farmington	Farmington			Initial Consultation;Personal Financial planning;Networking/referrals;General business issues/guidance	2	2	0	0	0				0	0	1
Art studio & shop	Retail	Start-up	Municipality	Farmington	Farmington			Initial Consultation;Business Plan Development;Real estate analysis;Strategic planning	7	0	7	0	0				0	0	1
Baseball franchise	Other	Existing - Challenged	Web	Eagan	Eagan		Assistance with covid relief grants, shuttered venue program	Initial Consultation;Networking/referrals	2	0	2	0	0				0	0	0
beauty business	Retail	Pre-start planning	Municipality	Burnsville	Burnsville			Initial Consultation;Business Plan Development;Marketing;Strategic planning;Networking/referrals;Licensing Assistance	3	3	0	0	0				0	0	1
Beauty Supply	Retail	Existing - Opportunity	Municipality	Farmington	Lakeville			Lease review/negotiation;Marketing;TA for Existing Clients;Business Plan Development;Real estate analysis;Strategic planning;Networking/referrals;Operation/logistics;Financial Management Assistance	13	10.5	2.5	0	0				1	1	1
Beverage & Tea Shop	Food	Start-up	Municipality	Eagan	Eagan			Business Plan Development;Marketing;General business issues/guidance;Loan Facilitation;Other Loan Related;Initial Consultation;Loan packaging	8	8	0	0	0				0	1	1
Bin cleaning service	Service	Existing - Opportunity	MCCD Community Partner/Member Org	Other-Dakota County	Other-Dakota County		Looking for assistance with HR/hiring, marketing, growth strategies	General business issues/guidance;Initial Consultation;Marketing;Networking/referrals;Operation/logistics	9.5	0	6	0	0				0	0	0
Cafe	Food	Pre-start planning	Municipality	West Saint Paul	West Saint Paul			Business Plan Development;Strategic planning;Networking/referrals;TA for Existing Clients	5	5	0	0	0				1	1	1
Canning and Beverages	Wholesale / Distribution	Existing - Opportunity	Municipality	South Saint Paul	Anoka		Business advisory and idea workshopping assistance.	TAActivity;Strategic planning;Networking/referrals;Cash Flow Analysis & Projections	3	1.5	1.5	0	0				0	0	0
Car dealership	Retail	Pre-start planning	Municipality	Burnsville	Burnsville			Initial Consultation;Regulatory assistance;Zoning Assistance	1.5	1.5	0	0	0				0	1	0
Chicken Food Truck	Food	Existing - Opportunity	Municipality	Apple Valley	Apple Valley		Existing loan client, TA for an existing client	Tax Advice & Assistance;Other Loan Related;TA for Existing Clients	2	2	0	0	0				1	1	1
child care facility	Service	Existing - Opportunity	Web	Inver Grove Heights	South Saint Paul			Strategic planning;Networking/referrals;Initial Consultation;Marketing;General business issues/guidance;Other Loan Related	3.25	2.5	0.75	0	0				0	1	1
Cleaning Business	Service	Pre-start planning	Web	Other-Dakota County	Jordan	Other-Dakota County	Client is just starting plans to form a cleaning business, looking for grants and start up assistance	Initial Consultation;Business Plan Development;Other Loan Related	1.5	0	1.5	0	0				1	1	1
Cleaning, organization, personal assistance	Service	Existing - Opportunity	Municipality	Hastings	Hastings			Record keeping/bookkeeping;Initial Consultation;Networking/referrals;Operation/logistics;Tax Advice & Assistance	15.75	5	10.75	0	0				0	0	1
Clothing Boutique	Retail	Start-up	Municipality	Hastings	Hastings		Existing loan client, reach out to see how they are fairing.	TA for Existing Clients;Other Loan Related	4.5	2	2.5	0	0				0	0	1
Clothing business	Retail	Start-up	MCCD Community Partner/Member Org	Inver Grove Heights	Eagan			Initial Consultation;Networking/referrals;Other Loan Related	3	3	0	0	0				1	1	1
Clothing Store	Retail	Pre-start planning	Web	West Saint Paul	West Saint Paul			Initial Consultation;Business Plan Development;Other Loan Related	2	2	0	0	0				0	1	0
Coffee and Confections	Food	Pre-start planning	Municipality	Burnsville	Burnsville		Client wants to start a business and needs help scoping their ideas/concepts.	General business issues/guidance	1	1	0	0	0				1	0	1

Coffee Shop	Food	Pre-start planning	Municipality	Burnsville	Burnsville		Start up coffee shop and community meeting place	Initial Consultation;Business Plan Development;Real estate analysis;Marketing;Strategic planning;Business Registration	2.5	0	2.5	0	0				0	0	1
Coffee Shop	Food	Existing - Opportunity	Entrepreneur	Hastings	Hastings		Client purchased coffee shop and needs assistance getting set up, understanding payroll, taxation, budgeting, cashflows.	Initial Consultation;Business purchase evaluation;General business issues/guidance;Business Registration;Financial Management Assistance	3	0	3	0	0				1	0	1
Coffee Shop	Retail	Pre-start planning	Municipality	Apple Valley	Farmington	Apple Valley		Initial Consultation	0.5	0	0.5	0	0				1	1	1
Coffee Shop	Food	Pre-start planning	Municipality	Hastings	Hastings			Strategic planning;Networking/referrals	1.5	1.5	0	0	0				1	1	1
communicati on business	Service	Existing - Challenged	Municipality	Hastings	Hastings			Business Plan Development;Record keeping/bookkeeping;Marketing;Strategic planning;General business issues/guidance;Initial Consultation;Networking/referrals	8.5	2	6.5	0	0				1	0	0
construction	Construction / Real Estate	Existing - Opportunity	Web	Inver Grove Heights				Networking/referrals;Other Loan Related	1.5	1.5	0	0	0				0	0	1
construction & remodeling	Construction / Real Estate	Client Inquiry	MCCD Community Partner/Member Org	Burnsville	Burnsville			Business Plan Development	0.5	0.5	0	0	0				1	0	1
Consulting	Professional / Consulting	Client Inquiry	MCCD Community Partner/Member Org	Lakeville	Lakeville		Assistance provided related to business structure, cashflow, and US operations	Initial Consultation;Regulatory assistance	2.5	0	2.5	0	0				0	1	0
Consulting	Professional / Consulting	Start-up	Municipality	Burnsville	Burnsville			Marketing;Strategic planning;Networking/referrals	2	0	2	0	0				1	0	0
Custom clothing	Retail	Existing - Challenged	Web	Lakeville	Lakeville		Business advising on controlling costs, marketing, strategic planning, and financial assistance	Initial Consultation;Cash Flow Analysis & Projections;General business issues/guidance;Financial Management Assistance	4.5	0	4.5	0	0				0	0	1
custom gift business idea	Manufacturing	Client Inquiry	Municipality	West Saint Paul	West Saint Paul			Initial Consultation;Business Plan Development;Marketing	1	1	0	0	0				0	0	0
Dairy technology	Technology	Start-up	Municipality	Mendota Heights	Mendota Heights			Business Plan Development;Marketing;Strategic planning;Networking/referrals;General business issues/guidance;TA for Existing Clients	7.5	0	7.5	0	0				1	0	0
Disability Service Employment Provider	Professional / Consulting	Existing - Opportunity	MCCD Community Partner/Member Org	Lakeville	Lakeville			Initial Consultation;Marketing;Strategic planning;Networking/referrals	6	6	0	0	0				0	0	1
Drive thru Coffee	Retail	Pre-start planning	Municipality	Burnsville	Burnsville			Networking/referrals;Initial Consultation;Real estate analysis;Regulatory assistance;Strategic planning;Operation/logistics	4	3.5	0.5	0	0				1	0	0
early learning music academy	Service	Existing - Opportunity	Municipality	Mendota Heights	Mendota Heights			Initial Consultation;Cash Flow Analysis & Projections;Marketing;Strategic planning;Networking/referrals	1	1	0	0	0				0	0	1
East African Restaurant	Food	Pre-start planning	Web	Eagan	Eagan		Start up restaurant business in the pre-planning stages. Looking for assistance navigating east steps, business establishment, real estate search, financing strategies	Initial Consultation;Business Plan Development;General business issues/guidance;Business Registration;Loan Facillitation;Other Loan Related	3	0	3	0	0				1	1	0
eCommerce Coffee	Retail	Start-up	Web	West Saint Paul	West Saint Paul			Initial Consultation;Business Plan Development;Strategic planning;Networking/referrals;Operation/logistics;General business issues/guidance	3.5	3.5	0	0	0				1	1	1
Entertainment	Retail	Existing - Opportunity	Municipality	Hastings	Woodbury		Client is in entertainment field and is looking for general business assistance including networking/marketing/referrals.	Initial Consultation;Networking/referrals	2.5	2.5	0	0	0				0	0	0
Feng Shui and interior design	Professional / Consulting	Start-up	Friends_and_Family	West Saint Paul	West Saint Paul		start up assistance and planning	Initial Consultation	1	0	1	0	0				0	1	1
Fitness	Service	Existing - Challenged	Other	Apple Valley	Excelsior		Small Business relief outreach	Networking/referrals;Other Loan Related	0.5	0	0.5	0	0				1	0	0
Fitness and Health Education	Health / Fitness	Existing - Opportunity	Municipality	Eagan	Eagan			TA for Existing Clients;Cash Flow Analysis & Projections;Marketing;Operation/logistics;General business issues/guidance;Financial Management Assistance	16	13	3	0	0				1	0	1
Flooring	Service	Existing - Challenged	Other	Eagan	Eagan			Other Loan Related	0.5	0.5	0	0	0				0	0	0
franchise opportunity	Service	Pre-start planning	Municipality	Apple Valley	Burnsville			Marketing;Strategic planning;Operation/logistics;Franchise evaluation;Initial Consultation	5	0.5	4.5	0	0				1	0	1

Gasoline station and C-store	Retail	Existing - Opportunity	Bank_Referral	Minneapolis	Burnsville		Outreach to an existing Loan client	TA for Existing Clients;Other Loan Related	0.75	0.75	0	0	0				0	0	0
General Contractor	Construction / Real Estate	Existing - Opportunity	Municipality	Farmington	Farmington			Networking/referrals;General business issues/guidance;TA for Existing Clients;Other Loan Related	1	1	0	0	0				1	0	1
Gourmet Oil & Vinegar Retail Shop	Retail	Pre-start planning	MCCD Community Partner/Member Org	Lakeville	Lakeville			Networking/referrals;TA for Existing Clients	0.5	0.5	0	0	0				0	0	1
Hair Salon	Service	Existing - Opportunity	Web	West Saint Paul	West Saint Paul		existing business with an opportunity to expand. Assistance needed with web presence and general guidance	Initial Consultation;Marketing;Strategic planning	2.5	0	2.5	0	0				0	1	1
halal beauty	Retail	Existing - Opportunity	Municipality	Rosemount			Assistance with growing business, marketing, referrals, and networking.	Marketing;Strategic planning;Networking/referrals;TA for Existing Clients	1.5	0	1.5	0	0				0	1	1
Handyman services	Construction / Real Estate	Start-up	MCCD Community Partner/Member Org	Burnsville	Burnsville			Initial Consultation;Business Plan Development;Networking/referrals	2	2	0	0	0				1	0	0
Hauling and junk removal	Service	Existing - Opportunity	MCCD Community Partner/Member Org	Eagan	Eagan		Assistance with marketing, website development, advertising for growing business	Initial Consultation;Marketing;Strategic planning;Networking/referrals;Operation/logistics;General business issues/guidance;Financial Management Assistance	3.5	0	3.5	0	0				1	1	0
Heavy Equipment Use for Entertainment	Service	Existing - Opportunity	Municipality	Hastings	Farmington			Other Loan Related;TA for Existing Clients	1.5	1	0.5	0	0				0	0	0
Home based Wellness, Pilates, Ayurveda	Health / Fitness	Existing - Challenged	Municipality	Hastings	Hastings			TA for Existing Clients;Marketing;Strategic planning;General business issues/guidance;Tax Advice & Assistance;Initial Consultation;Networking/referrals;Operation/logistics	29	17.5	11.5	0	0				1	0	1
Home Health Care	Health / Fitness	Existing - Challenged	Municipality	Burnsville	Rosemount			General business issues/guidance	1.5	1.5	0	0	0				0	1	0
Ice cream shop	Food	Pre-start planning	Web	Eagan	Lakeville		start up assistance, business planning, initial steps	Initial Consultation;Business Plan Development;Marketing;Strategic planning;Networking/referrals	2.5	0	2.5	0	0				0	1	1
Indoor play park	Service	Pre-start planning	Municipality	Lakeville	Lakeville		initial start up planning and consultation, financing Qs for indoor play park business	Initial Consultation;Business Plan Development;Strategic planning;Networking/referrals;Loan Facilitation	2	0	2	0	0				0	0	1
Insurance Agency	Service	Existing - Challenged	Other	Woodbury	Inver Grove Heights		The client is a long-time client that has reached out for help with marketing and expanding sales. The agency has grown significantly in the past two years and they are looking for ways to expand their client base.	Marketing;General business issues/guidance	3	0	0	0	0				0	0	1
Insurance agency	Professional / Consulting	Pre-start planning	Other	Lakeville	Eden Prairie		Client is in start up stages for a new insurance agency. Assistance provided for initial start up steps, basic financing walkthrough, strategic planning, and outreach.	Initial Consultation;Business Plan Development;Networking/referrals;Other Loan Related	2.5	0	2.5	0	0				0	1	1
interior design and consulting	Professional / Consulting	Pre-start planning	Municipality	Farmington	Farmington			Business Plan Development;Marketing;Strategic planning;Networking/referrals;Initial Consultation	2	0.5	1.5	0	0				0	0	1
Laundry & cleaning supply business	Wholesale / Distribution	Client Inquiry	Municipality	Farmington	Farmington			Business Plan Development;Networking/referrals	0.25	0.25	0	0	0				0	1	0
Laundry Mat	Service	Pre-start planning	Municipality	South Saint Paul	South Saint Paul			Business Plan Development	1	1	0	0	0				1	1	1
Lawn Care & snow removal	Service	Pre-start planning	Other	Burnsville	Burnsville			Initial Consultation;Business Plan Development;Personal Financial planning	1.5	0	1.5	0	0				1	0	1
Lawn Care Business	Service	Existing - Opportunity	MCCD Community Partner/Member Org	Eagan	Richfield			Record keeping/bookkeeping;Operation/logistics;General business issues/guidance;TA for Existing Clients;Financial Management Assistance	13.5	8.25	5.25	0	0				0	1	0
learning technology	Technology	Existing - Opportunity	Web	Saint Paul	Inver Grove Heights			Initial Consultation;Marketing	1.5	1.5	0	0	0				0	0	1
Life Coaching and Space Organization	Professional / Consulting	Pre-start planning	MCCD Community Partner/Member Org	Burnsville	Burnsville			Business Plan Development;Personal Financial planning;Marketing;Strategic planning;Operation/logistics;Business Registration	5	5	0	0	0				0	1	1

Logistics and organization business	Professional / Consulting	Start-up	Web	West Saint Paul	West Saint Paul		start up business with questions on business registration, taxes, financing, business plan, marketing.	Initial Consultation;Business Plan Development;Regulatory assistance;Marketing;Networking/referrals;Operation/logistics;Business Registration	7	0	7	0	0				1	0	1
Machine Shop	Manufacturing	Existing - Opportunity	Other	Hastings	Woodbury			TA for Existing Clients	0.5	0	0.5	0	0				0	0	0
marketing and promo products	Retail	Existing - Opportunity	Bank_Referral	Hastings	Other-Dakota County		considering a new business purchase or starting her own business	Initial Consultation;Business Plan Development;Business purchase evaluation	2.5	0	2.5	0	0				0	0	1
martial arts instruction and fitness	Health / Fitness	Existing - Opportunity	Municipality	Mendota Heights	Mendota Heights			Strategic planning;TA for Existing Clients;Regulatory assistance;Tax Advice & Assistance	5	0.5	4.5	0	0				1	0	0
Mechanic	Service	Existing - Opportunity	Municipality	Burnsville	Burnsville			Loan Facilitation;Initial Consultation;Networking/referrals;Other Loan Related	3.5	3	0.5	0	0				0	0	0
Mexican Market and Restaurant	Food	Start-up	Municipality	Apple Valley	Apple Valley		New venture and development of ground up market & restaurant in apple valley.	Initial Consultation	0.5	0	0.5	0	0				0	1	0
Mobile Game Developer	Technology	Start-up	Municipality	Apple Valley	Apple Valley			Business Plan Development;Cash Flow Analysis & Projections;Marketing;Networking/referrals;General business issues/guidance;Loan Facilitation;Initial Consultation;Strategic planning;Operation/logistics	28	15.5	12.5	0	0				0	1	0
multiple lines of business	Other	Client Inquiry	MCCD Community Partner/Member Org	Eagan	Eagan		multiple business ideas and lines, client is seeking assistance narrowing her scope	Initial Consultation	0.5	0	0.5	0	0				0	0	1
net-zero lawn care	Service	Existing - Challenged	Web	Farmington	Farmington			Initial Consultation;Operation/logistics;General business issues/guidance;Other Loan Related	3.5	3.5	0	0	0				1	0	0
occupational therapy and counseling	Health / Fitness	Existing - Opportunity	Web	Apple Valley	Apple Valley			Networking/referrals	0.5	0	0.5	0	0				0	0	1
Online Business	Service	Pre-start planning	Friends_and_Family	Lakeville				Networking/referrals;Loan Facilitation	1	1	0	0	0				0	0	0
online marketing	Professional / Consulting	Start-up	Web	Inver Grove Heights	Inver Grove Heights			Initial Consultation;Regulatory assistance;Networking/referrals	3	3	0	0	0				0	1	1
personal care service	Health / Fitness	Existing - Opportunity	Municipality	Lakeville	Lakeville		business assistance and mentorship for new personal health care business, grant resources and start up advising	Initial Consultation;Business Plan Development;Marketing;Strategic planning;Networking/referrals;Business Registration	2.5	0	2.5	0	0				0	1	1
physical therapy studio	Health / Fitness	Existing - Challenged	Friends_and_Family	Lakeville	Lakeville			Record keeping/bookkeeping;Initial Consultation;Networking/referrals	20	15	5	0	0				0	0	1
Promotional items	Retail	Existing - Challenged	Municipality	Burnsville	Burnsville			Networking/referrals;Loan Facilitation	2	2	0	0	0				0	0	1
Real Estate	Construction / Real Estate	Existing - Opportunity	Municipality	Mendota Heights	Mendota Heights			Initial Consultation;Real estate analysis;Networking/referrals	2.5	0	2.5	0	0				0	0	1
Real Estate Sales	Construction / Real Estate	Existing - Challenged	Municipality	Rosemount	Rosemount			Networking/referrals;Initial Consultation;Marketing;Operation/logistics;General business issues/guidance	2.5	1	1.5	0	0				0	0	0
Resale & collectibles	Retail	Client Inquiry	Web	South Saint Paul	South Saint Paul		Initial business set-up, registration	Initial Consultation	0.5	0	0.5	0	0				0	0	1
Restaurant	Food	Pre-start planning	Municipality	Lakeville	Minneapolis		Existing loan client, participation with WV, loan servicing	Other Loan Related	7.25	7.25	0	0	0				0	0	0
Restaurant	Food	Start-up	Municipality	West Saint Paul	Inver Grove Heights			Other Loan Related;TAActivity;Networking/referrals	2.52	1.75	0.77	0	0				0	0	1
Restaurant	Food	Start-up	Web	Eagan	Eagan		TA for an existing Gap Loan client	Other Loan Related;Networking/referrals	3.25	1.25	2	0	0				0	1	0
Restaurant	Food	Pre-start planning	Bank_Referral	Eagan	Farmington			Initial Consultation;Loan Facilitation;Business Plan Development;Loan packaging;Lease review/negotiation;Strategic planning;Networking/referrals;TA for Existing Clients;Financial Management Assistance;General business issues/guidance;Other Loan Related	40.5	16	24.5	0	0				0	1	0
restaurant and market	Food	Start-up	Municipality	Rosemount	Rosemount		Emergency financing and start up assistance	Initial Consultation;Other Loan Related	1	0	1	0	0				0	1	1
Retail	Retail	Start-up	Municipality	Eagan	Eagan			TA for Existing Clients;Business Plan Development;Record keeping/bookkeeping;Marketing;Strategic planning;Networking/referrals;General business issues/guidance	13	12	1	0	0				1	0	1
Risk management consulting	Professional / Consulting	Pre-start planning	Municipality	Rosemount	Rosemount			Initial Consultation	0.5	0	0.5	0	0				0	0	1
RV Rental	Retail	Existing - Opportunity	Municipality	Apple Valley	Apple Valley			Initial Consultation;Real estate analysis;Operation/logistics	1.5	1.5	0	0	0				0	0	1

RV storage	Retail	Client Inquiry	Web	Hastings	Hastings		Initial assistance and consult for start up business	TA for Existing Clients;Initial Consultation	1.5	1	0.5	0	0				0	0	0
Self Service flower farm	Retail	Start-up	Municipality	Rosemount	Rosemount			Initial Consultation;Business Plan Development;Networking/referrals	3	3	0	0	0				0	0	1
Self Storage	Service	Start-up	Bank_Referral	West Saint Paul	Inver Grove Heights		Loan review and Requesting FS from an existing MCCD loan client	Other Loan Related	0.75	0.75	0	0	0				0	0	0
Self storage facility	Construction / Real Estate	Existing - Opportunity	Municipality	Hastings	Hastings			Initial Consultation;Marketing;Networking/referrals	1.5	1.5	0	0	0				0	0	0
service business	Service	Pre-start planning	Web	Farmington	Farmington			Business Plan Development;Networking/referrals;General business issues/guidance;Initial Consultation	2	0.5	1.5	0	0				1	1	1
Specialty shop	Retail	Pre-start planning	Municipality	Hastings	Richfield		Start up technical assistance for a new gourmet specialty shop and wine store.	Initial Consultation;Business Plan Development;Regulatory assistance;Marketing;Strategic planning;Operation/logistics	2.5	0	2.5	0	0				0	0	1
Spice Manufacturing	Manufacturing	Client Inquiry	Municipality	Eagan	Eagan			Initial Consultation;Business Plan Development;Real estate analysis;Strategic planning;Loan Facilitation	2.5	0	2.5	0	0				1	1	0
Swim School	Professional / Consulting	Existing - Challenged	Other	Apple Valley		Eagan; Lakeville		Initial Consultation;Networking/referrals;General business issues/guidance	2	2	0	0	0				0	0	1
TBD	Food	Pre-start planning	Web	South Saint Paul	South Saint Paul			Initial Consultation	0.5	0.5	0	0	0				0	1	0
Technology Repair	Technology	Existing - Opportunity	Entrepreneur	Shakopee	Lakeville		Long time client seeks advisory for setting up operations systems to enhance consistency for their business	Strategic planning;Operation/logistics;Lease review/negotiation	17.5	9	8.5	0	0				0	0	0
textile production	Manufacturing	Start-up	Municipality	Burnsville	Burnsville			Networking/referrals;Operation/logistics;General business issues/guidance;TA for Existing Clients;Record keeping/bookkeeping;Initial Consultation;Business Plan Development;Financial Management Assistance	10	4.5	5.5	0	0				0	0	1
Training	Professional / Consulting	Existing - Opportunity	Municipality	Rosemount	Rosemount			Business Plan Development;General business issues/guidance	3	3	0	0	0				0	0	0
Transportation	Wholesale / Distribution	Existing - Challenged	MCCD Community Partner/Member Org	West Saint Paul	West Saint Paul			Regulatory assistance;Business Registration;Initial Consultation;Networking/referrals;Loan Facilitation	6.5	3.5	3	0	0				0	1	0
trophy & award retail and fabrication	Retail	Pre-start planning	Other	Lakeville	Lakeville		Consultation on potential business purchase and potential new business start	Business purchase evaluation;Initial Consultation;Record keeping/bookkeeping;Strategic planning;Networking/referrals;General business issues/guidance	10	0	10	0	0				0	0	1
Unknown	Service	Pre-start planning	Entrepreneur	Apple Valley	Apple Valley		Client wants to start a business and wanted to workshop some ideas	TAActivity;Strategic planning;Initial Consultation	5	4.5	0.5	0	0				1	1	1
Waste Management & Sanitation	Service	Pre-start planning	Other	Farmington	Farmington			Record keeping/bookkeeping;Regulatory assistance;General business issues/guidance;Business Registration;Business Plan Development;Marketing;Strategic planning;TA for Existing Clients	6	3	3	0	0				1	0	0
Welding	Manufacturing	Existing - Opportunity	Other	Eagan	Burnsville		Servicing for a loan client	TA for Existing Clients;Other Loan Related	1.25	1.25	0	0	0				0	0	0
wholesale online merchant	Manufacturing	Existing - Opportunity	Web	Lakeville	Lakeville		startup assistance, registration, and planning for new online business	Initial Consultation;Business Plan Development;Regulatory assistance;Marketing;Operation/logistics;General business issues/guidance;Tax Advice & Assistance	4	0	4	0	0				0	1	1
Wine & Chocolate store	Retail	Pre-start planning	Friends_and_Family	Hastings	Hastings			Initial Consultation;Business Plan Development	1.5	1.5	0	0	0				0	0	1
Wood Finishing	Construction / Real Estate	Existing - Opportunity	Entrepreneur	Burnsville	Apple Valley		Business relief outreach	Networking/referrals;Other Loan Related	0.75	0	0.75	0	0				1	1	0
							TA HOURS		549.52	284.75	258.27						34	41	67
							PROGRAM HOURS	Program Hours: City Initiatives, Program Outreach, Public Events, City Meetings, Research, Follow Up, Data/Admin, General Inquiries, Logistics and Planning	553	318	235								
							ANNUAL TOTAL		1103	603	493			\$ 6,000.00	\$ 5,000.00	\$ 25,000.00	30% of total individuals served	36% of total individuals served	59% of total individuals served



IN PARTNERSHIP WITH
MINNWEST BANK OF EAGAN

SMALL BUSINESS LENDING Q&A



August 18, 2021 | 9:30 AM to 10:30 AM

Wescott Library, 1340 Wescott Rd, Eagan, MN 55123

Scan the QR Code to RSVP

Entrepreneurs and Small Business Owners!

Join us in person for coffee, networking, and a small business lending discussion. Meet traditional and nonprofit lenders who will shed light on financing options and strategies for businesses like yours.

**Request for EDA Action****TITLE:** Approval of Amendment to Purchase Agreement

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	August 2, 2021	None	x
Item Type:		Amount included in current budget	
Contact:	Heather Rand	Budget amendment requested	
Prepared by:	Heather Rand	FTE included in current complement	
Reviewed by:	Bridget Nason	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

The EDA entered into a purchase agreement for the sale of the property located at 1805 60th Street. The Purchase Agreement required that the purchaser construct a house on the property by November of 2021. Due to existing conditions related to labor shortages and a construction boom, the purchaser has advised he will not be able to complete construction of the house by the November deadline and has requested a short extension of the completion timeframe to December 31, 2021. An amendment to the Purchase Agreement to amend the construction deadline has been prepared and the EDA is asked to approve the same.

SUMMARY:

The EDA is asked to consider approval of the attached First Amendment to Purchase Agreement.

FIRST AMENDMENT TO PURCHASE AND DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO PURCHASE AND DEVELOPMENT AGREEMENT (this "First Amendment") is entered into as of August 2, 2021 (the "Effective Date"), by and between the Inver Grove Heights Economic Development Authority, a public body corporate and politic organized under the laws of Minnesota ("EDA"), and The Dakota County 55077 1805 60th Street Land Trust dated 2-4-2021 ("Developer").

RECITALS

Recital No. 1. The EDA and Developer entered into a Purchase and Development Agreement dated February 17, 2021, recorded as Document No. 3470499 on June 16, 2021 in the Dakota County Recorder's Office ("Development Agreement"), for the purchase and sale of real property identified in the Development Agreement.

Recital No. 2. Developer has requested the Development Agreement be amended to extend the date to complete construction of the Residence.

Recital No. 3. The EDA does not object to the extension.

NOW, THEREFORE, in consideration of the mutual promises and covenants of each to the other contained in this First Amendment and other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto do covenant and agree as follows:

1. The Development Agreement shall be amended as follows:

II(D). One-year deadline. Pursuant to Minnesota Statutes, Section 469.105, subd. 5, the Real Property shall be devoted to its intended use or work on the improvements to the Property to devote it to that use must be started within one year of the Closing Date, based upon the final plans and specifications for the development project approved by the EDA. Notwithstanding the foregoing, Developer further agrees to complete construction of the Residence by ~~November 1, 2021~~ December 30, 2021.

- IV(C)(4). One-year deadline. Pursuant to Minnesota Statutes, Section 469.105, subd. 5, the Real Property shall be devoted to its intended use or work on the improvements to the Property to devote it to that use must be started within one year of the Closing Date, based upon the final plans and specifications for the development project approved by the EDA. Notwithstanding the foregoing, Developer agrees to complete construction of the Residence by ~~November 1, 2021~~December 30, 2021.
- V(7). Developer is prepared to immediately commence construction of the Residence upon closing on the purchase of the Property, and construction shall be completed by ~~November 1, 2021~~December 30, 2021.
2. Except as provided for above, the terms and provisions of the Development Agreement shall remain in full force and effect.
 3. This First Amendment and all disputes or controversies arising out of or relating to this First Amendment or the transactions contemplated hereby shall be governed by, and construed in accordance with, the internal laws of the State of Minnesota, without regard to the laws of any other jurisdiction that might be applied because of the conflicts of laws principles of the State of Minnesota.
 4. Nothing contained herein shall be deemed a waiver by the EDA of any governmental immunity defenses, statutory or otherwise. Further, any and all claims brought by Developer or its successors or assigns, shall be subject to any governmental immunity defenses of the EDA and the maximum liability limits provided by Minnesota Statutes, Chapter 466.
 5. This First Amendment may be executed in two or more counterparts, all of which shall be considered one and the same instrument and shall become effective when one or more counterparts have been signed by the parties and delivered to the other parties.
 6. This First Amendment shall not be amended, modified or supplemented, except by a written instrument signed by an authorized representative of each party.

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IN AGREEMENT, the parties hereto have hereunto set their hands as of the Effective Date.

**EDA:
INVER GROVE HEIGHTS
ECONOMIC DEVELOPMENT AUTHORITY**

By _____
Rosemary Piekarski-Krech
Its: President

By _____
Heather Rand
Its: Executive Director

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by Rosemary Piekarski-Krech and Heather Rand, the President and Executive Director respectively, of the Inver Grove Heights Economic Development Authority, a public body corporate and politic organized and existing under the Constitution and laws of Minnesota, on behalf of the EDA.

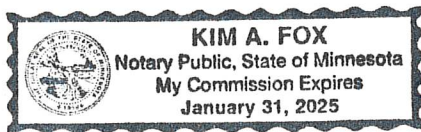
Notary Public

**DEVELOPER
THE DAKOTA COUNTY 55077 1805 60TH
STREET LAND TRUST DATED 2-4-2021**


Eric Gullickson, Trustee

STATE OF MINNESOTA)
) ss.
COUNTY OF Dakota)

The foregoing instrument was acknowledged before me on 22nd day of July, 2021, by Eric Gullickson, trustee of The Dakota County 55077 1805 60th Street Land Trust dated 2-4-2021, on behalf of the trust.




Notary Public

**This instrument was drafted by
and after recording return to:**

Bridget McCauley Nason (#0347322)
LeVander, Gillen & Miller, P.A.
633 South Concord Street, Suite 400
South St. Paul, MN 55075
651-451-1831

**Request for EDA Action****TITLE: CONSIDER APPROVAL OF RESOLUTION AMENDING BYLAWS TO CHANGE REGULAR MEETING TIME OF THE EDA**

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	August 2, 2021	None	x
Item Type:	Consent	Amount included in current budget	
Contact:	Heather Rand, Executive Director	Budget amendment requested	
Prepared by:	Bridget Nason, City Attorney	FTE included in current complement	
Reviewed by:	Heather Rand	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

The Bylaws of the Inver Grove Heights Economic Development Authority (EDA) establish the regular meeting dates and times for meetings of the EDA. Due to the meeting time change approved earlier this year for regular council meetings, the regularly scheduled meeting time of the Inver Grove Heights Economic Development Authority conflicts with the current City Council work session. At its meeting in February, the EDA directed that the regular meeting time for future EDA meetings should be changed from 6:00 p.m. to 5:00 p.m. Amendments to the Bylaws are required to be in writing and approved by a majority of the members of the EDA. To effectuate this requested regular meeting time change, the attached resolution amending the existing EDA Bylaws has been prepared for consideration by the EDA.

SUMMARY:

Consider approval of attached resolution amending the existing EDA Bylaws to change the regular meeting time of the EDA from 6:00 p.m. to 5:00 p.m. on the first Monday of February, May, August, and November.

INVER GROVE HEIGHTS ECONOMIC DEVELOPMENT AUTHORITY

RESOLUTION NO. _____

**RESOLUTION AMENDING THE BYLAWS OF THE INVER GROVE HEIGHTS
ECONOMIC DEVELOPMENT AUTHORITY**

WHEREAS, Article IV, Section 1 of the Amended Bylaws of the Inver Grove Heights Economic Development Authority, adopted on March 7, 2011, (Bylaws) provides that regular meetings of the Inver Grove Heights Economic Development Authority (EDA) shall be held on the first Monday of February, May, August, and November at 6:00 p.m. at the City of Inver Grove Heights City Hall; and

WHEREAS, the City Council has changed the start time of its regular Council work session from 7:00 p.m. on the first Monday of each month to 6:00 p.m. on the first Monday of each month, the same time as the existing EDA meeting, and the EDA wishes to change its regularly-scheduled meeting time from 6:00 p.m. to 5:00 p.m. to avoid a scheduling conflict with the City Council work session; and

WHEREAS, Article VIII, Section 1 of the Bylaws provides that the Bylaws may be amended by a majority vote of the EDA membership at a regular or special meeting, and that amendments to the Bylaws must be in written form.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the City of Inver Grove Heights Economic Development Authority (the "EDA") as follows:

1. Article IV, Section 1 of the Amended Bylaws of the Inver Grove Heights Economic Development Authority, adopted on March 7, 2011, is hereby amended to read as follows:

Section 1. Regular Meetings. Regular meetings shall be held on the first Monday of February, May, August, and November at 5:00 p.m., at the City of Inver Grove Heights City Hall unless otherwise determined by the Board after notice as required for a special meeting.

Approved by the Board of Commissioners of the Inver Grove Heights Economic Development Authority this 2nd day of August, 2021.

Rosemary Piekarski-Krech
Its: President

Attest:

Heather Rand
Its: Executive Director

TITLE: Discussion - IGH Retail Opportunities

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	August 2, 2021	None	
Item Type:	Regular	Amount included in current budget	
Contact:	Heather Rand, Exec Dir	Budget amendment requested	
Prepared by:	Heather Rand, Exec Dir	FTE included in current complement	
Reviewed by:		New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

The IGH EDA desires to continue to support stable growth of the retail sector in the city of IGH including retail shops, restaurants and other professional services. To better understand the competitiveness and opportunities for supporting retail growth, Ms. Jen Helm, Manager Director - Retail, Newmark, LLC., has agreed to provide EDA commissioners and staff with her professional update on the current status of retail development in the Twin Cities metro market and IGH specifically. The EDA may also discuss the value of having the EDA Executive Director secure proposals for a city-wide retail study to provide additional information and guidance. from professional.

SUMMARY:

The EDA Executive Director has recommended that a professional consultant be secured via a proposal solicitation for the development and completion of a comprehensive retail market study in 2022. Such study would include the preparation of a retail overview for the city and its surrounds, analysis of existing commercial districts in the city, identification of potential retail needs based on socio-economic needs and demographic growth projections, and deliver final conclusions and recommendations for the IGH EDA to support future retail growth. Some city councilors have suggested such study be embarked upon sooner rather than later.

To facilitate a decision as to if the city of IGH and its EDA should move forward with a comprehensive retail study, a local expert on retail development, Ms. Jen Helm of Newmark, has been invited to update EDA members and staff on existing retail trends and opportunities for the city of IGH. Attached as background is her bio. She does not currently have any direct conflicts of interest with existing retail development projects or listings in the city, however, she is a familiar with the city of IGH as she is a resident.



Jen Helm, CCIM

Managing Director

t 612-430-9943
jen.helm@ngkf.com

**YEARS OF
EXPERIENCE**

20+

**AREAS OF
SPECIALTY**

Tenant Representation
Landlord Representation
Retail Properties
Shopping Center Sales
Land Sales & Development

Jen Helm, CCIM, is an experienced managing director in Newmark's Minneapolis-St. Paul office, specializing in tenant representation and sale/leasing advisory services for properties in the Twin Cities and throughout the Midwest. The first female president of the Minnesota Commercial Association of Real Estate/REALTORS (MNCAR) in 2014, Ms. Helm is an award-winning industry professional with approximately 21 years' experience and a cadre of well-known national retail clients.

Ms. Helm joined Newmark in 2018. She was previously a director of brokerage services at Cushman & Wakefield, where she provided landlord and tenant representation including strategic planning, market research and site selection services for retail and hospitality clients, along with shopping center sales and new land development consulting services.

Known for her professional and community involvement, Ms. Helm is a board member for MNCAR and a past board member of the Minnesota Shopping Center Association (MSCA). She remains active in the organizations by serving on various committees.

Retail Clients, Past and Present

- Raising Cane's
- Panera Bread
- Orange Theory Fitness
- Golden Corral
- Harbor Freight and Tools
- Pure Hockey
- Super Valu
- Pancheros
- Pei Wei
- Qdoba
- Which Wich

Hospitality Clients

- Hilton
- IHG
- Value Place Hotels
- Intown Suite

Achievements

- Recognized as one of The POWER 30 top real estate professionals by Finance & Commerce, 2021
- Hospitality Transaction of the Year, Minnesota Commercial Association of Real Estate/REALTORS (MNCAR), 2017
- Top Women in Business award, Minneapolis/St. Paul Business Journal, 2014
- Top Women in Finance award, Finance & Commerce, 2014
- Top Broker, Minnesota Business Magazine, 2014

-
- Member of the Year, Minnesota Shopping Center Association (MSCA), 2010
 - FIVE STAR Best in Client Satisfaction award, 2009
 - Multiple CoStar Power Broker awards

Professional Affiliations

- Member, Minnesota Commercial Association of Real Estate/REALTORS (MNCAR) Member, Minnesota Shopping Center Association (MSCA)
- Member, International Council of Shopping Centers (ICSC)
- Member, National Association of Realtors (NAR)
- Former member, ChainLinks Retail Advisors
- CCIM (Certified Commercial Investment Member) designation, CCIM

Education

Ms. Helm earned a Bachelor of Science degree in real estate finance from the University of St. Thomas.

**Request for EDA Action****TITLE: DISCUSSION REGARDING EDA ORGANIZATION/COMPOSITION**

		Fiscal/FTE Impact	Mark all that apply
Meeting Date:	August 2, 2021	None	x
Item Type:	Consent	Amount included in current budget	
Contact:	Heather Rand, Executive Director	Budget amendment requested	
Prepared by:	Bridget Nason, City Attorney	FTE included in current complement	
Reviewed by:	Heather Rand	New FTE requested - N/A	
		Other	

PURPOSE/ACTION REQUESTED:

The City Council of the City of Inver Grove Heights, by way of resolution No. 5477, created the Inver Grove Heights Economic Development Authority (EDA) in 1992. At the time of its creation, and continued through the City Council's adoption in 2011 of Resolution 11-13, the membership of the EDA has consisted of the five members of the Inver Grove Heights City Council.

At a previous meeting, the EDA directed staff to provide additional information to the Commissioners regarding the existing composition of the EDA and the ability for that composition to be changed to include non-council members. In 2013, the EDA explored expanding the composition of the EDA to include two non-council members, but ultimately took no action to expand the EDA to seven members.

For the purpose of facilitating the preliminary discussion by the EDA related to potential expansion of the EDA, attached please find the following documents for review by the Commissioners in advance of the August 2, 2021 EDA meeting:

1. **Existing Organizational Documents for the Inver Grove Heights Economic Development Authority**
 - a. Resolution 5477 Establishing the Inver Grove Heights Economic Development Authority

- b. Resolution 11-13 Amended and Restated Resolution Establishing the Inver Grove Heights Economic Development Authority
- c. Amended Bylaws of the Inver Grove Heights Economic Development Authority

2. Relevant Statutory Provisions Governing the Composition of the EDA and the Process for Expanding the Membership of the EDA

- a. Minn. Stat. § 469.091: Economic Development Authority (process for establishing an EDA)
- b. Minn. Stat. § 469.092: Limit of Powers (process for amending enabling resolution; process for EDA to provide recommendation to City Council regarding amendment of enabling resolution)
- c. Minn. Stat. § 469.093: Procedural Requirement (procedural requirements for modification of enabling resolution)
- d. Minn. Stat. § 463.095: Commissioners; Appointment, Terms, Vacancies, Pay, Removal (requirements related to size and composition of economic development authorities)

3. 2013 Expansion Related Documents

- a. Memo to EDA Executive Director Regarding Organization of Board of Commissioners of the EDA
- b. DRAFT Resolution Amending Composition of EDA to Expand EDA from 5 to 7 members

SUMMARY:

The EDA is asked to discuss its existing organizational structure/composition and the potential for modification of the same.

CITY OF INVER GROVE HEIGHTS
DAKOTA COUNTY, MINNESOTA

RESOLUTION NO. 5477

ENABLING RESOLUTION ESTABLISHING AN ECONOMIC
DEVELOPMENT AUTHORITY FOR THE
CITY OF INVER GROVE HEIGHTS

BE IT RESOLVED, by the City Council of the City of Inver Grove Heights, Minnesota, as follows:

Section 1. Recitals and Findings.

1.01. Minnesota Statutes, Sections 469.090 to 469.108 (the "EDA Act"), authorize the City to establish an economic development authority for the purpose of conducting various economic development, housing, and redevelopment programs and activities in and for the City, following the holding of a public hearing on the question of establishing the authority and adopting a proposed enabling resolution for this purpose.

1.02. This City Council has conducted a public hearing on the proposed establishment of an economic development authority and the adoption of this enabling resolution for this purpose, on published notice as required by the EDA Act, and now has authority to establish the Authority and adopt this resolution.

1.03. The City Council hereby finds and determines that it is necessary and in the best interests of the City and its residents to establish an economic development authority in and for the City, the purpose of which shall be to advise the City Council regarding economic development, housing, and redevelopment matters, and to exercise certain powers relating thereto as authorized by, and subject to the limitations provided by, this resolution.

Section 2. Creation of an Economic Development Authority
In and For the City of Inver Grove Heights.

2.01. There is hereby created an Economic Development Authority in and for the City of Inver Grove Heights (the "Authority"), to be known as the Inver Grove Heights Economic Development Authority, which may exercise all powers now or hereafter provided by law, including, without limitation, the powers contained in the EDA Act and the powers of a housing and

redevelopment authority pursuant to Minnesota Statutes, Sections 469.001 to 469.047 or other law, and of a city pursuant to Minnesota Statutes, Sections 469.124 to 469.134 or other law, subject to the following limitations and conditions:

- (a) the Authority may not undertake any new project or program without the prior approval of the City Council;
- (b) except when previously pledged by the Authority in accordance with law, the City Council may, by resolution, require the Authority to transfer to the debt service fund of the City any portion of the reserves generated by activities of the authority that the City Council determines is not necessary for the successful operation of the Authority, to be used solely to reduce tax levied for bonded indebtedness of the City;
- (c) the issuance and sale of all bonds or obligations proposed to be issued and sold by the Authority must be approved by the City Council;
- (d) the Authority must follow the budget process for the City departments as provided by the City and as implemented by the City Council and the Mayor;
- (e) all official actions of the Authority must be consistent with the adopted comprehensive plan of the City, and all ordinances, resolutions and regulations of the City implementing the comprehensive plan;
- (f) the Authority must submit all planned activities for influencing the action of any other governmental agency, subdivision or body to the City Council for approval;
- (g) the Authority must submit its administrative structure and management practices to the City Council for approval; and
- (h) the Mayor of the City shall be the President of the Authority.

2.02.

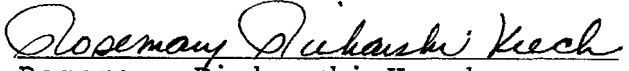
- (a) The Authority shall consist of five (5) Commissioners who shall be the Mayor and the four (4) Councilmembers of the City. The terms of the Commissioners shall coincide with their respective term of office as Mayor and Councilmembers.
- (b) A vacancy is created in the membership of the Authority when a member of the City Council who is a member of the Authority ends City Council membership. Vacancies

shall be filled for the balance of the unexpired term
in the manner in which Councilmembers vacancies are
filled.

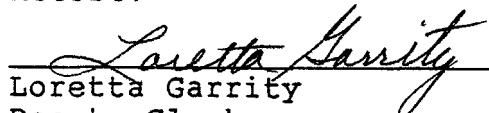
Passed this 10th day of August, 1992.

Ayes: 4

Nayes: 0


Rosemary Piekarski-Krech
Mayor

Attest:


Loretta Garrity
Deputy Clerk

ID#6832K

CITY OF INVER GROVE HEIGHTS

RESOLUTION NO. 11-13

**AMENDED AND RESTATED RESOLUTION ESTABLISHING AN
ECONOMIC DEVELOPMENT AUTHORITY FOR THE CITY OF INVER
GROVE HEIGHTS**

BE IT RESOLVED By the City Council of the City of Inver Grove Heights, Minnesota ("City") as follows:

Section 1. Background: Findings.

1.01. The City is authorized by Minnesota Statutes, Sections 469.090 to 469.1081 (the "EDA Act") to establish an economic development authority to conduct and administer economic development and redevelopment plans and programs of the City.

1.02. By Resolution No. 5477 approved August 10, 1992 (the "Enabling Resolution"), the City Council established the Inver Grove Heights Economic Authority (the "EDA").

1.03. The City Council has determined to amend the Enabling Resolution in certain respects.

1.04. The Council reaffirms its finding that the encouragement and financial support of economic development and redevelopment in the City is vital to the orderly development and financing of the City and in the best interests of the health, safety, prosperity and general welfare of the citizens of the City.

1.05. The City Council reaffirms its finding that it is in the best interest of the City and its residents to establish the EDA, whose purpose is to carry out certain economic development, redevelopment, and housing activities in accordance with the EDA Act and this amended Enabling Resolution.

1.06. The City Council has, in accordance with the EDA Act, provided published notice and conducted a public hearing on January 24, 2011, concerning this amended Enabling Resolution, at which all persons wishing to be heard expressed their views.

Section 2. Establishment of EDA .

2.01. The City Council reaffirms that there is created an economic development authority for the City, known as the "Inver Grove Heights Economic Development Authority."

2.02. The EDA may exercise all powers now or hereafter provided by law,

including without limitation all powers of an economic development authority under the EDA Act; all powers of a housing and redevelopment authority under Minnesota Statutes, Sections 469.001 to 469.047 (the "HRA Act:") and all powers of a city under Minnesota Statutes, Sections 469.124 to 469.134.

2.03. The board of commissioners of the EDA shall consist of five members, who shall be the Mayor and the four members of the City Council. The terms of the EDA commissioners shall coincide with their respective term of office as Mayor and councilmembers.

2.04. A vacancy is created in the membership of the EDA when a City Council member of the board of commissioners ends City Council membership. A vacancy for this or any other reason must be filled for a new term or the balance of the expired term, as the case may be, in the manner in which Councilmember vacancies are filled.

Section 3. Limitations.

3.01. The following limits apply to the EDA and its operation:

(a) The EDA must follow the budget process for City departments in accordance with City policies, ordinances, and resolutions and the City charter.

(b) Development and redevelopment actions of the EDA must be in conformance with the City comprehensive plan and official controls implementing the comprehensive plan.

(c) The EDA shall not hire permanent or temporary employees without prior approval by the City Council.

(d) Because the EDA board of commissioners consists of members of the City Council, the City Council determines that, notwithstanding anything to the contrary in Section 469.095, subd. 4, of the EDA Act, EDA commissioners shall not receive pay from the EDA for attending regular or special EDA meetings, other than amounts (if any) paid by the City to members in their role as councilmembers.

3.02. As provided in the EDA Act it is the intention of the City Council that nothing in this resolution nor any activities of the EDA are to be construed to impair the obligations of the City under any of its contracts or to affect in any detrimental manner the rights and privileges of a holder of a bond or other obligation heretofore issued by the City.

Section 4. Implementation.

4.01. The City Council will from time to time and at the appropriate time

adopt such ordinances and resolutions as are required and permitted by the Act to give full effect to this resolution.

4.02. The Mayor, City Administrator and other appropriate City officials are authorized and directed to take the actions and execute and deliver the documents necessary to give full effect to his resolution.

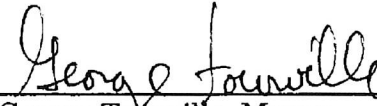
4.03. Nothing in this resolution is intended to prevent the City from modifying this enabling resolution in any way, including modifications to impose new or different limitations on the EDA as authorized by the EDA ACT.

Section 5. Effective Date. This resolution is effective upon approval, and supersedes in all respects the original Enabling Resolution approved on August 10, 1992.

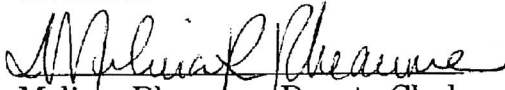
Approved by the City Council of the City of Inver Grove Heights this 24th day of January 2011.

Ayes: 4

Nays: 1 (Piekarski Kréch)


George Tourville, Mayor

ATTEST:


Melissa Rheaume, Deputy Clerk

**AMENDED BYLAWS OF THE
INVER GROVE HEIGHTS ECONOMIC DEVELOPMENT AUTHORITY**

ARTICLE I - THE AUTHORITY

Section 1. Name of Authority. The name of the Authority shall be the “City of Inver Grove Heights Economic Development Authority.”

Section 2. Office of Authority. The office of the Authority shall be at the City Hall in the City of Inver Grove Heights, State of Minnesota, but the Authority may hold its meetings at such other place or places as it may designate by resolution.

Section 3. Seal of Authority. The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority.

Section 4. Establishment. The City of Inver Grove Heights Economic Development Authority is established by Resolution No. 11-13, approved by the City Council of the City on January 24, 2011 (the “Enabling Resolution”), pursuant to Minnesota Statutes, Section 469.090 to 469.1081, as amended.

Section 5. Commissioners. In accordance with the Enabling Resolution, the Mayor of the City and four council members shall serve as the Board of Commissioners (the “Board”) of the Authority. Their terms as commissioners coincide with their respective term of office as Mayor and council members.

ARTICLE II - THE OFFICERS

Section 1. Officers. The Authority shall elect a president, a vice president, a treasurer, a secretary, and an assistant treasurer. The president, treasurer and secretary shall be elected at each annual meeting, and shall hold office one year or until their successors are elected and qualified. The vice president and assistant treasurer may hold office for any term designated by the Board, or until any successors are elected and qualified. A commissioner must not serve as president and vice president at the same time. The other offices may be held by the same commissioner. The offices of secretary and assistant treasurer need not be held by a commissioner.

Section 2. President. The President shall preside at all meetings of the Authority.

Section 3. Vice President. The Vice President shall perform the duties of the President in the absence or incapacity of the President, including signing all contracts, deeds, and other instruments executed by the Authority; and in the case of the resignation or death of the President, the Vice President shall perform such duties as are imposed on the President (including without limitation execution of contracts) until such time as the Board shall select a new President.

Section 4. Secretary. The Secretary shall keep minutes of all meetings of the Board and shall maintain all records of the Authority. The office of Secretary may be held by a person who is an employee of the City or Authority.

Section 5. Treasurer's Duties. The treasurer:

- (1) shall receive and is responsible for Authority money;
- (2) is responsible for the acts of the assistant treasurer;
- (3) shall disburse Authority money by check only;
- (4) shall keep an account of the source of all receipts and the nature, purpose, and authority of all disbursements; and
- (5) shall file the Authority's detailed financial statement with its secretary at least once a year at times set by the Authority.

Section 6. Assistant Treasurer. The assistant treasurer has the powers and duties of the treasurer if the treasurer is absent or disabled.

ARTICLE III - EXECUTIVE DIRECTOR

Section 1. Designation. The Community Development Director of the City is designated as Executive Director of the Authority, unless and until another person is so designated by the Board. Any person appointed to fill the office of Executive Director, or any vacancy herein, shall have such terms as the Authority fixes, but no commissioner of the Authority shall be eligible to serve as the Executive Director.

Section 2. Duties. The Executive Director shall have general supervision over the administration of the Authority's business and affairs subject to the direction of the Board.

ARTICLE IV - MEETINGS

Section 1. Regular Meetings. Regular meetings shall be held on the first Monday of February, May, August, and November at 6:00 p.m., at the City of Inver Grove Heights City Hall unless otherwise determined by the Board after notice as required for a special meeting.

Section 2. Annual Meeting. The annual meeting of the Authority shall be held as part of the regular February meeting each year.

Section 3. Special Meetings. Special meetings of the Authority may be called by the President, two members of the Authority, or the Executive Director, for the purpose of

transacting any business designated in the call. All commissioners of the Authority shall be notified, and the special meeting shall be noticed in accordance with state law.

Section 4. Quorum. At any meeting of the Authority, the presence of three commissioners shall constitute a quorum. If a quorum is not present at any meeting, those present shall have power to adjourn the meeting from time to time without notice other than announcement at such meeting until the requisite number of votes shall be present to constitute a quorum. At any such adjourned meeting at which a quorum is present, any business may be transacted which might have been transacted at the meeting as originally called. Any resolution, election, or other formal action of the Authority shall be adopted upon the affirmative vote of a majority of the Authority membership.

Section 5. Rules of Procedure. All meetings of the Authority shall be conducted in accordance with the most recent editions of Roberts' Rules of Order.

Section 6. Manner of Voting. The voting on all questions coming before the Authority shall be by voice unless any commissioner calls for a roll call vote. The yeas and nays shall be entered upon the minutes of such meetings.

Section 7. Adoption of Resolutions. Resolutions need not be read aloud prior to vote. Resolutions are deemed adopted if approved by at least a simple majority of all commissioners present, unless State law requires otherwise.

Section 8. Presentation of Recommendations and Information. At any meeting of the Authority, the officers, commissioners and the Executive Director may present such recommendations and information as they may consider proper concerning the business, affairs and policies of the authority.

ARTICLE V - ADMINISTRATION OF FINANCES

Section 1. Contracts, Checks and Drafts. The Executive Director shall be the chief purchasing agent of the Authority. All purchases and contracts on behalf of the Authority shall be made by the Executive Director, provided that the approval of the Authority must be given whenever the amount of such purchase or contract exceeds \$5,000.00. All contracts, bonds, and instruments of every kind to which the Authority is a party shall be executed in the name of the Authority and shall be signed by the President and Executive Director.

Section 2. Manner of Presentation of Claims. All bills, invoices, statements and claims for payment of money in discharge of any obligation of the Authority shall be filed with the Executive Director who shall cause the same to be examined and entered into the record. Each claim against the Authority shall be accompanied by either an itemized bill or payroll, or time sheet, each of which shall be approved and signed by the responsible officer who vouches for the correctness and reasonableness thereof and, except in the case of salaries and wages of employees and laborers of the Authority, shall be accompanied by the claimant's verified statement of claim as required by law.

ARTICLE VI - EMPLOYEES; SERVICES; SUPPLIES

Section 1. Employees. Subject to limits set by the appropriations or other funds made available, the Authority may employ such staff, technicians, and experts as may be deemed proper and may incur such other expenses as may be necessary and proper for the conduct of its affairs.

Section 2. Contract for Services. The Authority may contract for services of consultants, agents, public accountants, and other persons needed to perform its duties and exercise its powers.

Section 3. Legal Services. The Authority may use the services of the city attorney or hire a general or specialized counsel, and any combination thereof, for its legal needs.

Section 4. Supplies. The Authority may purchase the supplies and materials it needs to carry out its function pursuant to Minnesota Statutes, Sections 469.090 to 469.1081.

Section 5. City Purchasing. The Authority may use the facilities of its city's purchasing department in connection with construction work and to purchase equipment, supplies, or materials.

Section 6. City Facilities, Services. The City may furnish offices, structures and space, and stenographic, clerical, engineering, or other assistance to the Authority.

Section 7. Delegation Power. The Authority may delegate to one or more of its agents or employees powers or duties as it may deem proper.

ARTICLE VII - POWERS

Section 1. Functions, Powers, and Duties. The Authority has all the powers set forth in the Enabling Resolution.

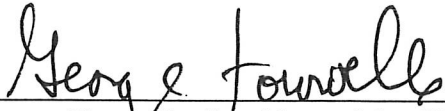
ARTICLE VIII - AMENDMENTS

Section 1. Amendment to Bylaws. The bylaws of the Authority may be amended by a majority vote of the Authority membership at a regular or special meeting. The amendments must be in written form.

Section 2. Conflicts. In any instance where these bylaws are in conflict with the Enabling Resolution, the Enabling Resolution shall control.

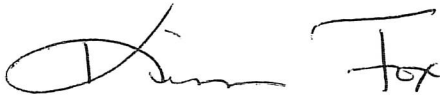
Section 3. Effective Date. These bylaws are effective upon their adoption by the Board.

Adopted March 7th 2011.



George Tourville, President of the City of
Inver Grove Heights Economic Development
Authority

ATTEST:



Kim Fox, Secretary

Index of Amendments

March 7, 2011 – Amendment to Section 1, Article V

469.091 ECONOMIC DEVELOPMENT AUTHORITY.

Subdivision 1. **Establishment.** A city may, by adopting an enabling resolution in compliance with the procedural requirements of section 469.093, establish an economic development authority that, subject to section 469.092, has the powers contained in sections 469.090 to 469.108 and the powers of a housing and redevelopment authority under sections 469.001 to 469.047 or other law, and of a city under sections 469.124 to 469.133 or other law. If the economic development authority exercises the powers of a housing and redevelopment authority contained in sections 469.001 to 469.047 or other law, the city shall exercise the powers relating to a housing and redevelopment authority granted to a city by sections 469.001 to 469.047 or other law.

Subd. 2. **Characteristics.** An economic development authority is a public body corporate and politic and a political subdivision of the state with the right to sue and be sued in its own name. An authority carries out an essential governmental function when it exercises its power, but the authority is not immune from liability because of this.

Subd. 3. **Unpaid officers, directors, and agents; liability.** Section 317A.257 applies to an economic development authority or to a nonprofit corporation exercising the powers of an economic development authority.

History: 1987 c 291 s 92; 1994 c 623 art 5 s 2; 2013 c 125 art 1 s 107

469.092 LIMIT OF POWERS.

Subdivision 1. **Resolution.** The enabling resolution may impose the following limits upon the actions of the authority:

(1) that the authority must not exercise any specified powers contained in sections 469.001 to 469.047, 469.090 to 469.108, and 469.124 to 469.133 or that the authority must not exercise any powers without the prior approval of the city council;

(2) that, except when previously pledged by the authority, the city council may by resolution require the authority to transfer any portion of the reserves generated by activities of the authority that the city council determines is not necessary for the successful operation of the authority to the debt service fund of the city, to be used solely to reduce tax levies for bonded indebtedness of the city;

(3) that the sale of all bonds or obligations issued by the authority be approved by the city council before issuance;

(4) that the authority follow the budget process for city departments as provided by the city and as implemented by the city council and mayor;

(5) that all official actions of the authority must be consistent with the adopted comprehensive plan of the city, and any official controls implementing the comprehensive plan;

(6) that the authority submit all planned activities for influencing the action of any other governmental agency, subdivision, or body to the city council for approval;

(7) that the authority submit its administrative structure and management practices to the city council for approval; and

(8) any other limitation or control established by the city council by the enabling resolution.

Subd. 2. **Modification of resolution.** The enabling resolution may be modified at any time, subject to subdivision 5, and provided that any modification is made in accordance with this section.

Subd. 3. **Report on resolution.** Without limiting the right of the authority to petition the city council at any time, each year, within 60 days of the anniversary date of the first adoption of the enabling resolution, the authority shall submit to the city council a report stating whether and how the enabling resolution should be modified. Within 30 days of receipt of the recommendation, the city council shall review the enabling resolution, consider the recommendations of the authority, and make any modification it considers appropriate. Modifications must be made in accordance with the procedural requirements of section 469.093.

Subd. 4. **Compliance.** The city council's determination that the authority has complied with the limitations imposed under this section is conclusive.

Subd. 5. **Limits; security.** Limits imposed under this section must not be applied in a manner that impairs the security of any bonds issued or contracts executed before the limit is imposed. The city council must not modify any limit in effect at the time any bonds or obligations are issued or contracts executed to the detriment of the holder of the bonds or obligations or any contracting party.

History: 1987 c 291 s 93; 2013 c 125 art 1 s 107

469.093 PROCEDURAL REQUIREMENT.

Subdivision 1. Enabling resolution. The creation of an authority by a city must be by written resolution referred to as the enabling resolution. Before adopting the enabling resolution, the city council shall conduct a public hearing. Notice of the time and place of hearing, a statement of the purpose of the hearing, and a summary of the resolution must be published in a newspaper of general circulation within the city once a week for two consecutive weeks. The first publication must appear not more than 30 days from the date of the public hearing.

Subd. 2. Modifications. All modifications to the enabling resolution must be by written resolution and must be adopted after notice is given and a public hearing conducted as required for the original adoption of the enabling resolution.

History: 1987 c 291 s 94

469.095 COMMISSIONERS; APPOINTMENT, TERMS, VACANCIES, PAY, REMOVAL.

Subdivision 1. **Commissioners.** Except as provided in subdivision 2, paragraph (d), an economic development authority shall consist of either three, five, or seven commissioners who shall be appointed after the enabling resolution provided for in section 469.093 becomes effective. The resolution must indicate the number of commissioners constituting the authority.

Subd. 2. **Appointment, terms; vacancies.** (a) Three-member authority: the commissioners constituting a three-member authority, one of whom must be a member of the city council, shall be appointed by the mayor with the approval of the city council. Those initially appointed shall be appointed for terms of two, four, and six years, respectively. Thereafter all commissioners shall be appointed for six-year terms.

(b) Five-member authority: the commissioners constituting a five-member authority, two of whom must be members of the city council, shall be appointed by the mayor with the approval of the city council. Those initially appointed shall be appointed for terms of two, three, four, five, and six years respectively. Thereafter all commissioners shall be appointed for six-year terms.

(c) Seven-member authority: the commissioners constituting a seven-member authority, two of whom must be members of the city council, shall be appointed by the mayor with the approval of the city council. Those initially appointed shall be appointed for terms of one, two, three, four, and five years respectively and two members for six years. Thereafter all commissioners shall be appointed for six-year terms.

(d) The enabling resolution may provide that the members of the city council shall serve as the commissioners.

(e) The enabling resolution may provide for the appointment of members of the city council in excess of the number required in paragraphs (a), (b), and (c).

(f) A vacancy is created in the membership of an authority when a city council member of the authority ends council membership. A vacancy for this or another reason must be filled for the balance of the unexpired term, in the manner in which the original appointment was made. The city council may set the term of the commissioners who are members of the city council to coincide with their term of office as members of the city council.

Subd. 3. **Increase in commission members.** An authority may be increased from three to five or seven members, or from five to seven members by a resolution adopted by the city council following the procedure provided for modifying the enabling resolution in section 469.093.

Subd. 4. **Compensation and reimbursement.** A commissioner, including the president, shall be paid for attending each regular or special meeting of the authority in an amount to be determined by the city council. In addition to receiving pay for meetings, the commissioners may be reimbursed for actual expenses incurred in doing official business of the authority. All money paid for compensation or reimbursement must be paid out of the authority's budget.

Subd. 5. **Removal for cause.** A commissioner may be removed by the city council for inefficiency, neglect of duty, or misconduct in office. A commissioner shall be removed only after a hearing. A copy of the charges must be given to the commissioner at least ten days before the hearing. The commissioner must be given an opportunity to be heard in person or by counsel at the hearing. When written charges have been submitted against a commissioner, the city council may temporarily suspend the commissioner. If the city council finds that those charges have not been substantiated, the commissioner shall be immediately reinstated.

If a commissioner is removed, a record of the proceedings, together with the charges and findings, shall be filed in the office of the city clerk.

History: *1987 c 291 s 96*

**LEVANDER,
GILLEN &
MILLER, P.A.**

ATTORNEYS AT LAW

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1919-2005
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1924-2009

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◊ALSO ADMITTED IN OKLAHOMA

MEMO

TO: Tom Link, Executive Director of EDA
FROM: Timothy J. Kuntz, City Attorney
DATE: May 2, 2013
RE: Organization of Board of Commissioners of EDA

Section 1. Background. The current structure of the Board of Commissioners of the EDA was established by an “enabling resolution” dated January 24, 2011 and identified as Resolution No. 11-13. Under the Resolution, the Board consists of five members. The members are the Mayor and the council. The terms of the EDA Commissioners coincide with their respective term of office as Mayor and council members.

The Board asked three questions:

1. Can the Board consist of seven members?
2. Can five out of the seven members be the Mayor and council members?
3. Can the terms of the Mayor and council members as commissioners on the Board coincide with their terms as Mayor and council members?

The answer to all three questions is yes.

Minnesota Statute § 469.095 governs the organization of the Board. The Statute allows a number of options. The Board can consist of three or five or seven members.

If the Board consists of three members, then Subdivision 2(a) of the Statute provides as follows:

Subd. 2. Appointment, terms; vacancies.

(a) Three-member authority: the commissioners constituting a three-member authority, one of whom must be a member of the city council, shall be appointed by the mayor with the approval of the city council. Those initially appointed shall be appointed for terms of two, four, and six years, respectively. Thereafter all commissioners shall be appointed for six-year terms.

If the Board consists of five members, then Subdivision 2(b) provides as follows:

Subd. 2. Appointment, terms; vacancies.

(b) Five-member authority: the commissioners constituting a five-member authority, two of whom must be members of the city council, shall be appointed by the mayor with the approval of the city council. Those initially appointed shall be appointed for terms of two, three, four, five, and six years respectively. Thereafter all commissioners shall be appointed for six-year terms.

If the Board consists of seven members, then Subdivision 2(c) provides as follows:

Subd. 2. Appointment, terms; vacancies.

(c) Seven-member authority: the commissioners constituting a seven-member authority, two of whom must be members of the city council, shall be appointed by the mayor with the approval of the city council. Those initially appointed shall be appointed for terms of one, two, three, four, and five years respectively and two members for six years. Thereafter all commissioners shall be appointed for six-year terms.

The Statute, however, also allows for more council members than those that are required by Subdivision 2 (a), (b) and (c). In dealing with council members on the Board, the Statute recognizes that the whole council could be on the Board and that the terms of the council members as commissioners could coincide with their terms as council members. In this regard, the three relevant provisions of the Statute are:

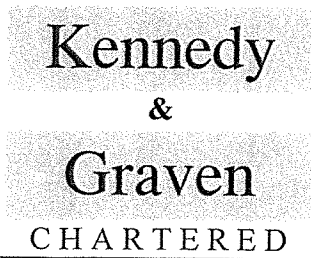
- The enabling resolution may provide that the members of the city council shall serve as the commissioners.
- The enabling resolution may provide for the appointment of members of the city council in excess of the number required in paragraphs (a), (b), and (c).
- The city council may set the term of the commissioners who are members of the city council to coincide with their term of office as members of the city council.

Because the Statute allows all members of the council to be on the Board, the enabling resolution could provide for a seven person board with five council members (the Mayor and the four council members) with the provision that their terms as board members coincide with their terms as Mayor and council members. To accomplish this objective the enabling resolution has to be amended and be preceded by a public hearing in the same manner as the original enabling resolution was preceded by a public hearing.

Section 2. Opinion of Bond Counsel. Attorney Steve Bubul is the Bond counsel. He drafted the original enabling resolution. Further, each time the EDA issues any debt instrument the Bond Counsel has to opine as to the regular and correct organization of the EDA and its Board. Thus, I asked Bond counsel to also provide an opinion as to the three questions raised above. His opinion is attached to this memo. He concurs in the answers. His opinion is attached to the memo.

Section 3. Board Action. If the Board wants to proceed to amend the enabling resolution, it needs to give direction to the executive director and city attorney to give notice of a public

hearing to consider the amendment. It also needs to address the terms of the two members that would not be on the council. Bond counsel suggests that those terms be staggered and that the initial terms be one year for one member and two years for the other member and that thereafter the terms be six years as required by Statute.



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MEMORANDUM

TO: Inver Grove Heights EDA
Tom Link
Joe Lynch

FROM: Stephen Bubul

DATE: May 1, 2013

RE: EDA Board of Commissioner Membership and Terms

On January 24, 2011, the City Council of the City “reactivated” the Inver Grove Heights Economic Development Authority (the “EDA”) by adopting the Amended and Restated Resolution Establishing an Economic Development Authority for the City of Inver Grove Heights,” (the “Enabling Resolution”), pursuant to Minnesota Statutes, Sections 469.090 to 469.1081 (the “EDA Act”). The Enabling Resolution specified that the EDA’s board of commissioners consists of the Mayor and all council members.

I understand that the City Council may consider amending the Enabling Resolution to provide for a seven-member board of commissioners. The current proposal is to specify that five commissioners would be the mayor and council members, and two would be citizens appointed by the Mayor with approval by the council.

You asked me to advise on certain aspects of that proposal, as follows:

1. Is the proposed board configuration permitted under the EDA Act?

Yes. Under Section 469.095, subd. 2(c), one option for an EDA board is seven members, at least two of whom *must* be members of the city council. However, Section 469.095, subd. 2(e) expressly states that the enabling resolution may provide for the appointment of city council members in excess of the minimum number. So the Enabling Resolution may be amended to appoint the entire city council to the EDA board, plus two citizens.

2. What are the terms of office of the board members under the revised board make-up?

We recommend the Enabling Resolution should specify that commissioners who are members of the City Council (including the Mayor) have EDA terms that coincide with their term of office on the City Council; and that the two citizens have staggered six-year terms (explained below).

Section 469.095 of the EDA Act specifies that in a seven-member board, the commissioners must be initially appointed for terms of one, two, three, four and five years, and two commissioners with terms of six years; and thereafter, all commissioners have six-year terms. However, Section 469.095, subd. 2(f) also states that the City Council may set the terms of commissioners who are members of the city council to coincide with their city council terms.

To reconcile these two provisions, we recommend that the two citizens be initially appointed for terms of one year and two years, respectively, and thereafter for six-year terms. This preserves the concept of staggered terms, while also allowing EDA and council member terms to coincide. In my experience this is the most common solution to the question of how EDA terms should be configured when the EDA includes a mix of council members and citizens.

3. How is the change implemented?

The City Council must adopt an amendment to the Enabling Resolution (or an updated “amended and restated” resolution), after holding a public hearing. The hearing notice must be published once a week for two consecutive weeks, the first publication no more than 30 days before the hearing; and must include a summary of the proposed amendment.

If the amended Enabling Resolution is adopted, as soon as possible thereafter, the Mayor should propose, and the Council should consider, the candidates for citizen appointments to the board, for initial one and two-year terms (respectively).

Cities often develop an application and interview process to select citizen EDA commissioners; that’s a policy question for the Council to decide.

After the two citizens take office, the EDA should review and revise its by-laws to the extent necessary to make them consistent with the amended Enabling Resolution. The EDA, if it wishes, may elect a new slate of officers for the remainder of the calendar year (which would require a small change in the existing by-laws). Or, the existing officers may continue to serve for the remainder of the year, and new officers elected by the full seven-member board at the next annual meeting.

If you or council members have further questions about this memo, please contact me.

CITY OF INVER GROVE HEIGHTS

RESOLUTION NO. _____

**RESOLUTION AMENDING THE AMENDED ENABLING RESOLUTION OF THE
CITY OF INVER GROVE HEIGHTS ECONOMIC DEVELOPMENT AUTHORITY
RELATING TO THE NUMBER AND COMPOSITION
OF THE BOARD OF COMMISSIONERS; AND SPECIFYING THAT
THE NAME OF THE AUTHORITY IS CITY OF INVER GROVE HEIGHTS
ECONOMIC AUTHORITY**

WHEREAS, by Resolution No. 5477 adopted August 10, 1992 (the “Enabling Resolution”) the City of Inver Grove Heights (the “City”) established the Inver Grove Heights Economic Development Authority (“EDA”) pursuant to Minnesota Statutes, Sections 469.090 to 469.1081 (the “EDA Act”); and

WHEREAS, the City Council amended and restated the original Enabling Resolution by Resolution No. 11-13 Amended and Restated Resolution Establishing an Economic Development Authority for the City of Inver Grove Heights, dated January 24, 2011 (the Amended Enabling Resolution); and

WHEREAS, the City Council wishes to make an amendment to change the number and the composition of the Board of Commissioners; and

WHEREAS, the Council wishes to specify that the name of the EDA is City of Inver Grove Heights Economic Authority.

NOW, THEREFORE, BE IT RESOLVED by the City Council that Section 2 and Section 3 of the Amended Enabling Resolution (Resolution No. 11-13) are hereby amended to read as follows:

Section 2. Establishment of EDA.

2.01. The City Council reaffirms that there is created an economic development authority for the City, known as the “City of Inver Grove Heights Economic Development Authority.”

2.02. The EDA may exercise all powers now or hereafter provided by law, including without limitation all powers of an economic development authority under the EDA Act; all powers of a housing and redevelopment authority under Minnesota Statutes, Sections 469.001 to 469.047 (the “HRA Act:”) and all powers of a city under Minnesota Statutes, Sections 469.124 to 469.134.

2.03. Up to January 1, 20114, ~~the~~ the board of commissioners of the EDA shall consist of five members, who shall be the Mayor and the four members of the City Council. The terms of ~~such the~~ EDA commissioners shall coincide with their respective term of office as Mayor and councilmembers.

Beginning January 1, 2014, and continuing thereafter, the board of commissioners of the EDA shall consist of seven members; five of the members shall be the Mayor and the four councilmembers and the terms of those members that are the Mayor and the councilmembers shall coincide with their respective term of office as Mayor and councilmembers; the other two members of the board of commissioners shall be persons who are not the Mayor and councilmembers.

With respect to the members who are not the Mayor or councilmembers, their terms shall be for six years provided, however, that the initial term for one such member shall be two years running from January 1, 2014, through December 31, 2015, and the initial term for the other such member shall be for three years running from January 1, 2014, through December 31, 2016. The members who are not the Mayor or councilmembers shall be appointed by the Mayor with the approval of the City Council.

2.04. With respect to the members of the EDA who are the Mayor or councilmembers, ~~A~~a vacancy is created in the membership of the EDA when the term of the Mayor or councilmember as Mayor or councilmember ends~~a City Council member of the board of commissioners ends City Council membership~~. A vacancy for this or any other reason must be filled for a new term or the balance of the expired term, as the case may be, in the manner in which Mayor and councilmember vacancies are filled.

With respect to members of the EDA who are not the Mayor or councilmembers, if a vacancy occurs with respect to such member positions, the vacancy for the unexpired term shall be filled by appointment of the Mayor with approval of the City Council.

Section 3. Limitations.

3.01. The following limits apply to the EDA and its operation:

(a) The EDA must follow the budget process for City departments in accordance with City policies, ordinances, and resolutions and the City charter.

(b) Development and redevelopment actions of the EDA must be in conformance with the City comprehensive plan and official controls implementing the comprehensive plan.

(c) The EDA shall not hire permanent or temporary employees without prior approval by the City Council.

(d) ~~Because the EDA board of commissioners consists of members of the City Council, t~~The City Council determines that, notwithstanding anything to the contrary in Section 469.095, subd.4, of the EDA Act, EDA commissioners shall not receive pay from the EDA for attending regular or special EDA meetings. Nothing contained in this section affects other ~~than~~ amounts (if any) paid by the City to members in their role as Mayor or councilmembers.

3.02. As provided in the EDA Act it is the intention of the City Council that nothing in this resolution or any activities of the EDA are to be construed to impair the obligations of the City under any of its contracts or to affect in any detrimental manner the

rights and privileges of a holder of a bond or other obligation heretofore issued by the City.

Approved by the City Council of the City of Inver Grove Heights this _____ day of November, 2013.

Mayor

ATTEST:

Deputy Clerk