

CITY OF FALCON HEIGHTS
COUNCIL RESOLUTION
December 14, 2011
No. 11-24

**RESOLUTION ADOPTING THE MODIFICATION TO THE TAX INCREMENT
FINANCING PLANS FOR TAX INCREMENT FINANCING DISTRICTS
NOS. 1-2 AND 2-1.**

BE IT RESOLVED by the City Council (the "Council") of the City of Falcon Heights, Minnesota (the "City"), as follows:

Section 1. Recitals.

1.01. The City has heretofore established Development District No. 1 and adopted the Development Program therefore and established Tax Increment Financing Districts Nos. 1-2 and 2-1 therein and adopted the Tax Increment Financing Plans therefore. It has been proposed that the City adopt modifications to the Tax Increment Financing Plans (the "Modifications") for Tax Increment Financing Districts Nos. 1-2 and 2-1 (the "Districts"), all pursuant to and in conformity with applicable law, including Minnesota Statutes, 469.124 through 469.134, and Sections 469.174 to 469.1799, inclusive as amended (the "Act"), all as reflected in the Modifications, and presented for the Council's consideration.

1.02. The Council has investigated the facts related to the Modifications and has caused the Modifications to be prepared.

1.03. The City has performed all actions required by law to be performed prior to the adoption and approval of the proposed Modifications, including, but not limited to, notification of Ramsey County and Independent School District No. 623 having taxing jurisdiction over the property in the Districts, and the holding of a public hearing upon published notice as required by law.

1.04. The City is not modifying the boundaries of Development District No. 1 or the Development Program therefore.

Section 2. Findings for the Modifications

2.01. The Council hereby reaffirms the original findings for the Districts, namely that when District 1-2 was established, it was established as a "housing district" under Minnesota Statutes, Section 469.174, Subd. 11., and when District 2-1 was established, it was established as a "redevelopment district" under Minnesota Statutes, Section 469.174, Subd. 10 (a)(1). In addition, the City makes the following findings:

- (a) The Modifications conform to the general plan for development or redevelopment of the City as a whole. The reason for supporting this finding is that the Modifications will generally compliment and serve to implement

policies adopted in the City's comprehensive plan.

- (b) The Modifications will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of Development District No. 1 by private enterprise. The reason for supporting this finding is that the development activities are necessary so that development and redevelopment by private enterprise can occur within Development District No. 1.

Section 3. Public Purpose

3.01. The Modifications conform in all respects to the requirements of the Act and will help fulfill a need to develop an area of the State which is already built up, to provide employment opportunities, to improve the tax base and to improve the general economy of the State and thereby serves a public purpose.

Section 4. Approval and Adoption of the Modifications; Filing.

4.01. The Modifications are hereby approved, and shall be placed on file in the office of the City Administrator. Approval of the Modifications does not constitute approval of any project or a development agreement with any developer.

4.02. The staff of the City is authorized to file the Modifications with the Commissioner of Revenue, the Ramsey County Auditor, and the Office of the State Auditor.

4.03. The staff of the City, the City's advisors and legal counsel are authorized and directed to proceed with the implementation of the Modifications and for this purpose to negotiate, draft, prepare and present to this Council for its consideration all further modifications, resolutions, documents and contracts necessary for this purpose.

Moved by: Long

Approved by: Peter Lindstrom
Peter Lindstrom, Mayor
December 14, 2011

LINDSTROM	<u>5</u>	In Favor
GOSLINE		
HARRIS	<u>0</u>	Against
LONG		
MERCER-TAYLOR		

Attested by: Justin Miller
Justin Miller, Administrator
December 14, 2011