



**MAYOR & COUNCIL COMMUNICATION**

**DATE:** March 3, 2015  
**REGULAR**  
**ITEM #** 6  
**PUBLIC HEARING**

**AGENDA ITEM:** EDA Resolution Modification  
**SUBMITTED BY:** Adam Bell, City Clerk  
**THROUGH:** Julie Fliflet, Council Member  
**REVIEWED BY:** Julie Fliflet, Council Member  
Beckie Gumatz, Deputy Clerk

**SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item .....City Clerk
- Report/Presentation.....Staff
- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

**POLICY RECOMMENDER:** Council Member Fliflet

**FISCAL IMPACT:** None.

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to hold a public hearing to consider the modification of the EDA Enabling Resolution. Following the hearing, Council is further requested to approve Resolution No. 2015-13, Modification to Enabling Resolution Establishing the Economic Development Authority of the City of Lake Elmo, Minnesota Under Minnesota Statutes, Section 469.090 Through 469.1082 by the following motion:

***“Move to approve Resolution No. 2015-15, Modification to Enabling Resolution Establishing the Economic Development Authority of the City of Lake Elmo, Minnesota.”***

**LEGISLATIVE HISTORY/ BACKGROUND INFORMATION:**

The Lake Elmo Economic Development Authority was formally enabled in 2013 by Resolution 2013-05. It was established as a recommending body only, and was not to have the power to act on any matter independently without City Council approval. In 2014 the EDA began work on a downtown development plan which was reviewed by the Planning Commission in November

2014. As there had not been much activity by the EDA prior to this point, new and current officials requested more information on the EDA. In a review of the Enabling Resolution, it was noted that the language included did not clearly state that the EDA was a recommending body only.

At the January 13, 2015 City Council Meeting, it was requested that the language used in the initial EDA Enabling Resolution be revised to clarify the enumerated powers to reflect the original intent. Council Member Fliflet, who made the request, wanted to make it clear that the intent of the modification is not to reduce the authority of the EDA, but simply to clarify that any action taken by the EDA must be brought to the City Council for formal approval, which was the original intent when the EDA was established. This recommendation is not changing the way in which the EDA is currently functioning, or was intended to function, in any manner. It is simply changing the language in the Enabling Resolution to more clearly represent the way in which the EDA was established to function.

Per state statute, any modifications to the Enabling Resolution must be made following a public hearing. Legal notice of the public hearing was published in the *Oakdale – Lake Elmo Review* on February 11, 2015 and February 18, 2015 per state statute.

**RECOMMENDATION:**

Staff recommends the City Council hold a public hearing to consider the modification of the EDA Enabling Resolution and following the hearing, approve Resolution No. 2015-13, Modification to Enabling Resolution Establishing the Economic Development Authority of the City of Lake Elmo, Minnesota Under Minnesota Statutes, Section 469.090 Through 469.1082 by the following motion:

***“Move to approve Resolution No. 2015-15, Modification to Enabling Resolution Establishing the Economic Development Authority of the City of Lake Elmo, Minnesota.”***

**ATTACHMENT:**

1. Resolution No. 2015-15