

City of Brainerd
Economic Development Authority
Meeting Agenda

Police Department Training Room
February 13, 2020
7:30 A.M.

- I. Call to Order
 - II. Roll Call
 - III. Approval/Amendment of Agenda
 - IV. Approval of Minutes from December 5, 2019
 - V. Financial Report
 - VI. Updates
 - a. Executive Director
 - b. HRA
 - i. Revolving Loan Fund (RLF)
 - ii. Small Cities Development Program (SCDP)
 - iii. Housing Updates
 - iv. Other
 - c. BLAEDC
 - i. Unified Fund
 - ii. Other
 - VII. Old Business
 - a. BLAEDC Agreement
 - b. Call for Applicants
 - VIII. New Business
 - a. Election of Officers
 - b. City Council Workshop Discussion
 - IX. Informational
 - X. Commissioner's Comments/Questions
 - XI. Adjournment
- | | |
|--|-------------------|
| | _____ E. Menk |
| | _____ K. Bevans |
| | _____ J. Sinner |
| | _____ W. Erickson |
| | _____ G. Johnson |
| | _____ Y. Campbell |
| | _____ Vacant |

BRAINERD ECONOMIC DEVELOPMENT AUTHORITY

Thursday, December 5, 2019

Official Minutes

Pursuant to the call and notice thereof, President Menk called the meeting of the Brainerd Economic Development Authority to order at 7:30 a.m.

Present were Commissioners Ed Menk, Kelly Bevans, Jerry Sinner, Wayne Erickson, Yvette Campbell and Gabe Johnson. Also present were Community Development Director Chanski, Finance Director Hillman, Jennifer Bergman, HRA director, Tyler Glynn, BLAEDC economic development, and John Schommer, HRA rehab director.

Approval/Amendment of Agenda

MOVED AND SECONDED BY COMMISSIONERS BEVANS AND ERICKSON, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS BEVANS AND JOHNSON, DULY CARRIED, TO APPROVE THE MINUTES FROM THE OCTOBER 10, 2019 AND THE OCTOBER 31, 2019 EDA MEETINGS AS PRESENTED.

Approval of Financial Report

MOVED AND SECONDED BY COMMISSIONERS BEVANS AND ERICKSON, DULY CARRIED, TO APPROVE THE FINANCIAL REPORT AS PRESENTED.

Update from HRA – John Schommer

Revolving Loan Fund

John Schommer stated Community Development Director Chanski referred a resident to the HRA to inquire about the program to repair the roof of his home. Mr. Schommer indicated he has received the application and will follow up on the remaining required documents.

Small Cities Development Program (SCDP)

John Schommer said the downtown grant has been closed out. He indicated the northeast grant has one commercial unit nearing completion. He spoke with the DEED representative regarding the scope of work for the mixed-use units above the Knotty Pine Bakery downtown.

He stated with the owner-occupied projects, one is nearly completed with paperwork to finish and the other had two windows back ordered so it has been delayed.

He indicated the rental rehab program has shown progress with a duplex and two triplexes that have applications in process.

He said he will find out about funding on a Federal Home Loan Bank application later this month.

Housing Updates

John Schommer stated recent ground-breaking is taking place at Dal-Mar Estates, as a custom home is being constructed . He said there are four homes that are framed in the Brainerd Oaks development on the southeast side and Serene Pines has three foundations done.

Update from BLAEDC – Tyler Glynn

Tyler Glynn stated the search continues for an executive director to replace Sheila Haverkamp with the first round of interviews set up for December 12th. He said they are hoping to have a new hire start in mid-January.

Unified Fund

Tyler Glynn indicated there are now 14 current loans from the Unified Fund as one was recently paid off from a business in Crosby. He said a loan was recently accepted to fund El Tequila in Baxter and another for Teeny Bubbles Daycare Center in Brainerd. He stated the program has been successful and there have been no delinquencies or late payments to date. He indicated there are two more loans in progress with details available in early 2020.

Tyler Glynn indicated Mike Bjerkness, workforce director for BLAEDC has been working hard at recruiting, which is currently at 36 new hires, but has lost approximately nine potential people for various reasons.

Commissioner Bevans stated he would like documentation of how BLAEDC configures their budget and revenues between their company and government entities. Mr. Glynn said he would provide the requested information.

Commissioner Campbell indicated she understands Commissioner Bevans' request, but asks that the commission keeps the request at a higher level. She said it is not a good use of time for either party to request all the minor details and tasks.

Commission discussion took place.

Old Business

Approval of 2020 Budget

Finance Director Hillman explained the details of the 2020 budget as presented.

MOVED AND SECONDED BY COMMISSIONERS SINNER AND CAMPBELL TO APPROVE THE 2020 BUDGET AS PRESENTED.

Commissioners Menk, Sinner, Erickson and Campbell voted “aye”. Commissioners Bevans and Johnson voted “nay”. The Chair declared the motion carried.

Services Agreement

MOVED AND SECONDED BY COMMISSIONERS BEVANS AND SINNER, DULY CARRIED, TO RECOMMEND ADOPTION OF THE SERVICES AGREEMENT BETWEEN THE CITY OF BRAINERD AND THE EDA.

Finance Director Hillman indicated the indemnification paragraph was removed by the City Attorney after speaking with the insurance company, as it was determined that we do not need a separate clause. She said she has asked the City Attorney to review the agreement one more time and it would then go to the City Council for adoption on December 16, 2019.

Call for Applicants

Commissioner Menk announced there is one vacancy on the EDA that needs to be filled.

New Business

2020 Goals and Priorities

Community Development Director Chanski stated the EDA has been more active in 2019 than ever and would like it to continue by reviewing the goals and priorities for next year. He explained there is approximately \$5,000 in the budget for training, development or strategic planning.

Commissioner Sinner said that strategic planning is a great idea as to discuss what types of businesses does Brainerd want to attract. He stated the opportunities are not going to come to us; we need to go out and look for them and without a vision that is not possible.

Jennifer Bergman indicated we need to obtain the input of the City Council as to what they would like to see the EDA pursue and accomplish.

Commissioner Bevans stated that the EDA, as well as all the other boards and committees serves as a vetting body that completes the research for the Council. He said the Council relies on these groups to do the background work needed in order to make an educated motion.

Commission discussion took place.

Set Meeting Dates for 2020

Commissioners approved the proposed 2020 meeting dates as presented, which will be every other month on the first Thursday after a Monday council meeting at 7:30 a.m.

Informational

Darkow Farms Update

Community Development Director Chanski stated Mr. Darkow is still interested in the industrial lot property and is currently working through the financing details of the project.

Commission discussion took place regarding the potential business.

Comments/Questions

Jennifer Bergman stated the HRA Board is holding a Special Meeting at 9:00 a.m. today to consider the hiring of David Drowns and Associates for the executive director position. She said she is looking forward to working with the EDA as the City Administrator.

Adjournment

The Authority adjourned at 8:20 a.m.

Connie Hillman, Secretary/Treasurer

Financial Report for EDA

As of December 31, 2019

	<u>Cash & Investments</u>	<u>Receivable Balance</u>	<u>Deferred Loans (as of 12/31/18) **</u>	<u>Awarded Grants</u>
General Funds:				
EDA Fund - #295	\$ 38,000	\$ -	\$ -	\$ -
Total	\$ 38,000	\$ -	\$ -	\$ -
CDBG (Housing/Commerical (Slum & Blight/Federal Objective)):				
Downtown - #298	\$ 9,126	\$ 26,832	\$ 11,020	\$ -
SE Brainerd - #215	-	-	439,852	-
NE Brainerd - #218	(54,398)	-	-	638,338
Willows Project - #209	8,300	-	87,150	-
Old Housing - #209	6,540	-	65,475	-
Local Income - #275	18,396	17,693	26,489	-
Total	\$ (12,035)	\$ 44,525	\$ 629,985	\$ 638,338
Federal & State MIF (Commerical (Jobs)):				
Commerical - #210 ^^	\$ 6,540	\$ 646,427	\$ -	\$ -
Federal MIF - #296	17,975	-	-	-
Total	\$ 24,515	\$ 646,427	\$ -	\$ -
Grand Total	\$ 50,479	\$ 690,952	\$ 629,985	\$ 638,338

** Portion of the loan that is forgivable with the passage of time

^^ The Receivable Balance **DOES** include the \$646,427 borrowed to pay for the industrial park land.

BALANCE SHEET

AS OF: DECEMBER 31ST, 2019

295-EDA FUND

Unaudited - Cash Basis

ACCOUNT# TITLE

ASSETS

=====

10100	CASH	37,799.92
10700	DELINQUENT TAX RECEIVABLE	6,625.40
10800	ALLOWANCE FOR UNCOLLECT	(4,771.17)
16160	FA-LAND HELD FOR RESALE	488,252.22
		<hr/>
		527,906.37
		<hr/>

TOTAL ASSETS	527,906.37
	=====

LIABILITIES

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21710	LIFE & LTC INSURANCE	1.01
22200	DEFERRED REVENUE	488,252.22
		<hr/>
TOTAL LIABILITIES	488,253.23	
	<hr/>	

EQUITY

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28900	FUND BALANCE/EQUITY ACCT	33,987.52
		<hr/>
TOTAL BEGINNING EQUITY	33,987.52	
		<hr/>
TOTAL REVENUE	124,156.43	
TOTAL EXPENSES	118,490.81	
		<hr/>
TOTAL SURPLUS/(DEFICIT)	5,665.62	
		<hr/>
TOTAL EQUITY & SURPLUS/(DEFICIT)	39,653.14	
	<hr/>	

TOTAL LIABILITIES, EQUITY & SURPLUS/DEFICIT	527,906.37
	=====

CITY OF BRAINERD
 INCOME STATEMENT BUDGET TO ACTUAL
 AS OF: DECEMBER 31ST, 2019

Unaudited - Cash Basis

295-EDA FUND
 REVENUES

	CURRENT BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<hr/>					
<u>TAXES AND PENALTIES</u>					
295-31010 CURRENT AD VALOREM	124,351.00	54,276.11	122,223.58	2,127.42	98.29
295-31020 DELINQUENT AD VALOREM	0.00	449.59	1,597.97	(1,597.97)	0.00
TOTAL TAXES AND PENALTIES	124,351.00	54,725.70	123,821.55	529.45	99.57
<u>PROGRAM INCOME</u>					
<u>STATE GRANTS & AIDS</u>					
<u>PRINCIPAL & INTEREST</u>					
<u>OTHER REVENUE</u>					
295-36210 INTEREST INCOME	100.00	0.00	334.88	(234.88)	334.88
TOTAL OTHER REVENUE	100.00	0.00	334.88	(234.88)	334.88
TOTAL REVENUE	124,451.00	54,725.70	124,156.43	294.57	99.76
	=====	=====	=====	=====	=====
<u>OTHER FINANCING SOURCES</u>					
TOTAL REVENUE & OTHER FINANCING SOURCES	124,451.00	54,725.70	124,156.43	294.57	99.76
	=====	=====	=====	=====	=====

CITY OF BRAINERD
 INCOME STATEMENT BUDGET TO ACTUAL
 AS OF: DECEMBER 31ST, 2019

Unaudited - Cash Basis

295-EDA FUND
 ECONOMIC DEVELOPMENT AUTH
 DEPARTMENTAL EXPENDITURES

	CURRENT BUDGET	CURRENT PERIOD	Y-T-D ACTUAL	BUDGET BALANCE	% OF BUDGET
<u>PERSONAL SERVICES</u>					
295-46510-1101 SALARY	28,066.00	1,045.93	24,187.71	3,878.29	86.18
295-46510-1121 PERA	2,105.00	14.19	1,543.21	561.79	73.31
295-46510-1122 FICA	1,740.00	63.04	1,323.55	416.45	76.07
295-46510-1123 MEDICARE	407.00	14.75	309.58	97.42	76.06
295-46510-1131 HEALTH INSURANCE	4,892.00	72.00	4,194.54	697.46	85.74
295-46510-1133 LIFE INSURANCE	48.00	0.00	3.84	44.16	8.00
295-46510-1134 LTD INSURANCE	47.00	0.00	4.53	42.47	9.64
TOTAL PERSONAL SERVICES	37,305.00	1,209.91	31,566.96	5,738.04	84.62
<u>SUPPLIES</u>					
<u>SERVICES</u>					
295-46510-3300 PROFESSIONAL SERVICES	0.00	39,750.00	81,370.74 (81,370.74)	0.00
295-46510-3330 PROFESSIONAL DEVELOPMENT	78,500.00	0.00	0.00	78,500.00	0.00
295-46510-3361 INS - GENERAL LIABILITY	125.00	0.00	163.11 (38.11)	130.49
295-46510-3430 MISCELLANEOUS	500.00	0.00	40.00	460.00	8.00
295-46510-3433 COALITION ASSMT	5,350.00	0.00	5,350.00	0.00	100.00
TOTAL SERVICES	84,475.00	39,750.00	86,923.85 (2,448.85)	102.90
<u>CAPITAL OUTLAY</u>					
<u>DEBT PAYMENTS</u>					
TOTAL ECONOMIC DEVELOPMENT AUTH	121,780.00	40,959.91	118,490.81	3,289.19	97.30
	=====	=====	=====	=====	=====
TOTAL EXPENDITURES	121,780.00	40,959.91	118,490.81	3,289.19	97.30
	=====	=====	=====	=====	=====
<u>OTHER FINANCING USES</u>					
TOTAL EXPENDITURES & OTHER FINANCING (USES)	121,780.00	40,959.91	118,490.81	3,289.19	97.30
	=====	=====	=====	=====	=====
REVENUE & OTHER SOURCES IN EXCESS (DEFICIT) OF EXPENDITURES & OTHER (USES)	2,671.00	13,765.79	5,665.62 (2,994.62)	212.12
	=====	=====	=====	=====	=====

*** END OF REPORT ***

2020 Budget (Continued)

Economic Development Authority Fund (EDA)

The Economic Development Authority Fund, a special revenue fund, was established by the bylaws of the Economic Development Authority and accounts for property tax levy revenues which are committed for the activities of the Economic Development Authority.

The table below shows a 3-year comparison of the revenues, expenditures, and changes in fund balance for the EDA Fund.

	<u>2018 Actual</u>	<u>2019 Budget</u>	<u>2020 Budget</u>
Revenues			
Property Taxes	120,504	124,351	127,817
Other Taxes	1,705	-	-
Interest	247	100	250
Other Revenues	-	-	-
Total Revenues	<u>122,456</u>	<u>124,451</u>	<u>128,067</u>
Expenditures			
Personnel Services	32,305	37,305	-
Supplies	-	-	-
Services	83,130	84,475	126,950
Total Expenditures	<u>115,435</u>	<u>121,780</u>	<u>126,950</u>
Other Sources (Uses)			
Transfer In (Out)	-	-	-
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>
Excess of Revenue Over (Under) Expenditures and Other Sources (Uses)	<u>7,021</u>	<u>2,671</u>	<u>1,117</u>
Fund Balance - Jan 1st	26,966	33,987	36,658
Fund Balance - Dec 31st	33,987	36,658	37,775



324 East River Road
Brainerd, MN 56401

Phone: 218/828-3705
Fax: 218/828-8817

To: EDA Board Members
From: John Schommer, Rehab Coordinator
Date: February 6, 2020
Re: Brainerd HRA Update

Destination Downtown

The final Destination Downtown contest resulted in 3 businesses receiving prizes from Brainerd HRA in the form of lease subsidy. Starting January 1st, Minnesota Makerspace is leasing space at 217 South 7th Street from Pueringer Investments. Loide's High End Appliances and Oils is on track to be starting their lease at 623 Laurel Street starting March 1st. The grand prize winner, Crow Wing Food Coop is currently still working on a location.

Workforce Housing Study

The Workforce Housing Task Force met on January 23rd to discuss draft recommendations. Further revisions were suggested from the Task Force and an additional meeting will be scheduled in February to discuss the updates. The final Study will tentatively be presented by Kristen Fish-Peterson from Redevelopment Resources at the March CWC HRA Board Meeting.

Housing Trust Fund Ordinance

HRA staff presented the Housing Trust Fund Ordinance at the January 21st Committee of the Whole meeting. At the February 25th Crow Wing County Board meeting there will be a public hearing before consideration for approval by the County Board.

Rehab

The current Brainerd SCDP (Small Cities Development Program) grant continues to move forward with rehab complete on one commercial unit which is the Knotty Pine Bakery and two Owner Occupied homes. We are currently working on eight units of multi-family rental rehab and have nine units of mixed use rental rehab bidding. The MHFA (Minnesota Housing Finance Agency) program has recently completed five home rehabs and has one home in construction with another in work write-up.



Brainerd Oaks/Serene Pines/Dalmar Estates

Development	Total	# Sold to Developer	# Sold to End Buyer	For Sale	In Construction
Brainerd Oaks	81*	35	33	2	6
Serene Pines	23	11	10	1	3
Dalmar Estates	7	1	1	0	1

*Originally 83 lots, 2 have been merged/combined into a single parcel

MEMO



TO: EDA Board of Commissioners
FROM: David Chanski, Community Development Director
DATE: February 13, 2020
RE: BLAEDC Agreement

The BLAEDC Board of Commissioners approved contracting with the Brainerd Lakes Economic Development Corporation (BLAEDC) for economic development services for the amount \$78,500 during their October 10, 2019 meeting.

This item is strictly a formality as staff received legal counsel that the attached agreement should be adopted by the EDA Board through resolution (said resolution is also attached).



**AGREEMENT FOR PROFESSIONAL SERVICES BY AND BETWEEN
THE BRAINERD ECONOMIC DEVELOPMENT AUTHORITY
AND
THE BRAINERD LAKES AREA
ECONOMIC DEVELOPMENT CORPORATION
FOR CALENDAR YEAR 2020**

Whereas, the Brainerd Economic Development Authority (EDA) desires to actively implement an ongoing program to assist in the retention and support of its existing business community, promote the location of new businesses in the community, and support economic development in Crow Wing County; and

Whereas, the Brainerd Lakes Area Economic Development Corporation (BLAEDC), a private non-profit organization created “To Expand Business, Build Community, and Grow Jobs in Crow Wing County”, has established a comprehensive program to accomplish this mission;

Therefore, the EDA does hereby enter into this agreement with the Brainerd Lakes Area Economic Development Corporation.

I. SERVICES

BLAEDC does hereby agree to provide the following services on behalf of the EDA:

- a) BLAEDC agrees to provide a focal point for economic development in Brainerd, to assist businesses and industry with their site location needs, provide financial packaging services, and business planning assistance. BLAEDC will provide these services in cooperation with others such as the Brainerd office of the Small Business Development Center.

- b) BLAEDC will provide community services and marketing programs throughout the year to fulfill its mission to expand the tax base and increase employment.
- c) With respect to the BLAEDC funds spent on activities and projects within or related to the City of Brainerd (Brainerd), BLAEDC agrees to prioritize its expenditures by focusing primarily on the revitalization of Brainerd's central business district, and secondarily on Brainerd's industrial lots as well as enhancing existing and attracting new commercial, industrial and health care partners to Brainerd.
- e) BLAEDC does hereby agree to maintain an office within the Brainerd Lakes area to conduct its services under this contract.
- f) BLAEDC will provide reports every other month to the EDA and Brainerd City Council on the activities and progress to fulfill the services identified above. The reports shall contain sufficient detail concerning BLAEDC's activities for the EDA to understand and assess the nature, extent and success of BLAEDC's efforts undertaken pursuant to this contract. The specific data to be included in the reports shall be determined by agreement between the BLAEDC Representative and the Brainerd City Administrator.
- g) A BLAEDC representative will attend all EDA meetings except as otherwise requested by the EDA.

II. TERM OF CONTRACT

The term of this contract shall be one year, commencing January 1, 2020, and terminating on December 31, 2020.

This contract may be modified, amended or terminated upon the mutual agreement of the parties in writing and fully executed by both parties. If either party desires to modify, amend or terminate this contract, it shall give written notice of such intent to the other party not less than 30 days prior to the date such modification, amendment or termination shall take effect.

III. COMPENSATION

Services Relating to Accomplishing Our Mission

After all monthly reports have been delivered prior to July and December invoicing, the EDA agrees to pay BLAEDC **\$47,200** for these services, payable in payments of **\$23,600** on or about **July 1, 2020** and **December 1, 2020**.

Additional Services Including Retail Related projects

After all monthly reports have been delivered prior to July and December invoicing, the EDA agrees to pay BLAEDC **\$11,950** for these services, payable in payments of **\$5,975** on or about **July 1, 2020** and **December 1, 2020**.

IV. REPRESENTATION

- a) The EDA does hereby acknowledge that BLAEDC will be conducting similar and complimentary services throughout the 1,000 square miles of Crow Wing County. This acknowledgment recognizes that when BLAEDC successfully helps a company expand or locate in Crow Wing County, it ultimately helps the community of Brainerd. Depending on the locality of the business, there could be employment opportunities for residents in your area and increased spending with local businesses. With the expansion of the economic base of Crow Wing County, it enables the community to stabilize and hopefully lower property taxes, and allow an expansion and enrichment of community amenities such as parks, service programs and the like.
- b) Each party to this agreement binds himself and his partners, successors, executors, administrators, and assigns to the other party of this agreement and to the partners, successors, executors, administrators, and assigns of such other party, in respect to all covenants of this agreement. Except as above, neither party shall assign, sublet, or transfer his interest in this agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body which may be party hereto, nor shall it be construed as giving any rights or benefits hereunder to anyone other than the parties to this agreement.

IN WITNESS WHEREOF, the parties have executed this agreement on this ____ day of February, 2020.

BRAINERD ECONOMIC
ECONOMIC DEVELOPMENT
AUTHORITY

BRAINERD LAKES AREA
ECONOMIC DEVELOPMENT
CORPORATION

By Its President

By Its President
Tom Haglin

By Its Executive Director

By Its Executive Director

AGREEMENT TO SUPPORT ENHANCED ECONOMIC
DEVELOPMENT MARKETING ENDEAVORS (20/20)

FOR CALENDAR YEAR 2020

Whereas, the Brainerd Lakes Area Economic Development Corporation (BLAEDC), has established a comprehensive work plan guided by community and industry representatives, to enhance its economic development program. This enhanced effort will require community wide support plus additional financial resources to implement. BLAEDC will secure additional funding from business and industry, as well as requesting local units of government to support this program, and

Whereas, the Brainerd Economic Development Authority (EDA) desires BLAEDC to continue this enhanced economic development program and agrees to provide funding in 2020.

Enhanced Economic Development Marketing Endeavors (20/20)

Therefore, after all monthly reports have been delivered prior to July and December invoicing, the EDA agrees to pay BLAEDC **\$19,350** for these services in 2020, payable in equal installments of **\$9,675** on or about **July 1, 2020** and **December 1, 2020**.

IN WITNESS WHEREOF, the parties have executed this agreement on this ____ day of February, 2020.

BRAINERD ECONOMIC
ECONOMIC DEVELOPMENT
AUTHORITY

BRAINERD LAKES AREA
ECONOMIC DEVELOPMENT
CORPORATION

By Its President

By Its President
Tom Haglin

**Addendum to 2020 BLAEDC and Brainerd Economic Development Authority
(EDA) Contract**

1. Provide a Focal Point for Economic Development:

BLAEDC, during the one-year term of this agreement, will:

- a. Document and provide to the EDA notation of all contacts with developers or individuals through e-mail, phone contact, personal visits and correspondence, any of which BLAEDC determines to be intentions to bring to, or expand a business/manufacturing firm/processing facility/storage space/hospitality industry/medical facility within the City of Brainerd and throughout Crow Wing County; the EDA recognizes, until such time that public announcement is appropriate and/or legally required, that contact information will remain confidential in order to protect the identities of prospective investors.
 - b. Document the number of requests for assistance to plan, seek financing, acquire property or seek any publicly-offered financing assistance for retail projects in the City of Brainerd.
- 2.
- a. Provide to the EDA a sample financing proposal to indicate the manner and method of offering a financing mechanism for applicants.
 - b. Document “major business planning assistance” efforts provided to individuals or firms which require attention beyond a nominal inquiry regarding opportunities to invest in Brainerd and Crow Wing County.
- 3.
- a. Provide access to the EDA to use any BLAEDC marketing materials and efforts.
 - b. Provide to the EDA a report of the past year’s marketing efforts.

BRAINERD ECONOMIC DEVELOPMENT AUTHORITY

RESOLUTION NO. _____

RESOLUTION APPROVING AGREEMENT FOR PROFESSIONAL SERVICES
AND AGREEMENT TO SUPPORT ENHANCED ECONOMIC
DEVELOPMENT MARKETING ENDEAVORS BETWEEN THE BRAINERD
ECONOMIC DEVELOPMENT AUTHORITY AND BRAINERD LAKES AREA
DEVELOPMENT CORPORATION

BE IT RESOLVED By the Board of Commissioners ("Board") of the Brainerd Economic Development Authority ("Authority") as follows:

Section 1. Recitals.

1.01. The Authority is an economic development authority governed by Minnesota Statutes, Sections 469.090 to 469.1081 ("EDA Act"), and has determined to carry out economic development activities within the City of Brainerd (the "City") pursuant to the EDA Act.

1.02. The Authority and Brainerd Lakes Area Development Corporation ("BLADC") have proposed to enter into an Agreement for Professional Services and an Agreement to Support Enhanced Economic Development Marketing Endeavors (together, the "Agreement"), setting forth the scope and terms of various economic development activities to be performed by BLADC on behalf of the Authority.

1.03. The Board has reviewed the Agreement and found that the execution thereof and performance of the Authority's obligations thereunder are in the public interest and will further the objectives of its general plan of economic development and redevelopment, because it will further the above-stated economic development goals of the City.

Section 2. Authority Approval; Further Proceedings.

2.01. The Agreement as presented to the Board, including the terms of payment by the Authority for the Services described therein, is hereby in all respects approved, subject to modifications that do not alter the substance of the transaction and that are approved by the President and Executive Director, provided that execution of the documents by such officials shall be conclusive evidence of approval.

2.02. The President and Executive Director are hereby authorized to execute on behalf of the Authority the Agreement and any documents referenced therein requiring execution by the Authority, and to carry out, on behalf of the Authority, its obligations thereunder.

2.03. Authority staff are authorized and directed to take all actions to implement the Agreement.

Approved by the Board of Commissioners of the Brainerd Economic Development Authority this
13th day of February, 2020.

President

ATTEST:

Secretary

MEMO



TO: EDA Board of Commissioners
FROM: David Chanski, Community Development Director
DATE: February 13, 2020
RE: Election of Officers

The Bylaws of the EDA state, “The President, Vice-President, Treasurer and Secretary shall be elected at the annual meeting of the Authority from among the Commissioners of the Authority, and shall hold office for one year or until their successors are elected and qualified.” Additionally, it states that the annual meeting shall be the Authority’s first regular meeting in February of each year.

Please see the attached Bylaws for descriptions of these positions.

The current officers of the EDA are:

- President: Ed Menk
- Vice-President: Jerry Sinner
- Secretary-Treasurer: Vacant (formally held by Matt Mallie)

The Executive Director of the EDA is the City Administrator (see attached resolution from 2003), and the Assistant Treasurer is the City Finance Director.

BYLAWS OF THE ECONOMIC DEVELOPMENT
AUTHORITY OF BRAINERD, MINNESOTA

#5

ARTICLE I - THE AUTHORITY

Section 1. Name of Authority. The name of the Authority is the "Economic Development Authority of Brainerd, Minnesota".

Section 2. Seal of Authority. The seal of Authority shall be in the form of a circle and shall bear the name of the Authority and the date of it's establishment.

Section 3. Office of Authority. The offices of the Authority are at City Hall in the City of Brainerd, State of Minnesota, or at such other place as the Authority may designate by resolution.

ARTICLE II - OFFICERS

Section 1. Officers. The officers of the Authority are the President, Vice-president, Secretary, Treasurer and Assistant Treasurer.

Section 2. President. At the annual meeting, the President shall submit to the Authority a report summarizing the activities and programs of the Authority for the past year and containing the President's recommendation for Authority activities for the ensuing year.

Section 3. Vice-President. The Vice-President shall perform the duties of the President on the absence or incapacity of the President; and in case of the resignation or death of the President, the Vice-President shall perform such duties as are imposed on the President until such time as the Authority shall select a new President.

Section 4. Secretary and Treasurer. The Secretary and Treasurer shall perform the duties of a Secretary and Treasurer, respectively for the Authority.

Section 5. Executive Director. The Brainerd City Economic Developer/City Planner shall be the Executive Director of the Authority and shall have general supervision over the administration of its business and affairs, subject to the direction of the Authority. The Administrator is charged with the management of the Economic Development Projects of Authority.

Section 6. Other Administrative Officers. The Authority may designate an assistant to the Secretary who shall keep the records of the Authority, shall act as recorder of the meetings of the Authority and record all votes, and shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose, and shall perform all duties incident to the office of Secretary. The Secretary shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Authority.

The Brainerd City Clerk/Treasurer shall be the Assistant Treasurer of the Authority and shall have the care and custody of all funds of the Authority. He shall deposit the same in the name of the Authority in such bank or banks as the Authority may select. The Executive Director and the Treasurer shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Authority. Except as otherwise authorized by resolution of the Authority, all such orders and checks shall also be countersigned by the President. The Treasurer shall keep regular books of account showing Authority receipts and expenditures and shall render to the Authority, at each annual meeting (or as often as requested), an account of the Authority's financial transactions and also of the financial condition of the Authority.

Section 7. Combining Administrative Offices: Compensation. The compensation of the administrative personnel of the Authority other than the Executive Director and Assistant Treasurer shall be determined by the Authority. Any two or more administrative offices may be combined.

Section 8. Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority or the bylaws or rules and regulations of the Authority.

Section 9. Election or Appointment. The President, Vice-President, Treasurer and Secretary shall be elected at the annual meeting of the Authority from among the Commissioners of the Authority, and shall hold office for one year or until their successors are elected and qualified.

Section 10. Vacancies. Should the office of President, Vice-President, Treasurer and Secretary become vacant, pursuant to Minnesota statutes 351.02 or by other provisions of law, the Authority shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of the office.

Section 11. Additional Personnel. The Authority may from time to time employ or contract for such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by Minnesota Statutes, Chapter 458C, applicable thereto. Such personnel may be employees of the Authority, employees of other governmental organizations, or independent contractors. The selection and compensation of such personnel shall be determined by the Authority subject to the laws of the State of Minnesota.

ARTICLE III - MEETINGS

Section 1. Annual Meeting. The annual meeting of the Authority shall be its first regular meeting in February each year.

Section 2. Regular Meetings. Regular meetings of the Authority shall be held on the _____ of each month unless the same shall be held on the next preceding secular day. Until otherwise fixed by resolution of the Authority, regular meeting shall commence at _____ p.m.

Section 3. Special Meetings. Special meetings of the Authority may be called by the President, or two members of the Authority for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered at any time prior to the time of the proposed meeting to each member of the Authority or may be mailed to the business or home address of each member of the Authority at least two days prior to the date of such special meeting. At such special meeting no business shall be considered other than as designated in the call, but if all of the members of the Authority are present at a special meeting, any and all business may be transacted at such special meeting by unanimous vote.

Section 4. Quorum. The powers of the Authority shall be vested in the Commissioners thereof in office from time to time. Four Commissioners shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained.

Section 5. Order of Business. At the regular meetings of the Authority the following shall be the order of business:

1. Roll call.
2. Approval of minutes of the previous meeting.
3. Reports of the Executive Director.
4. Unfinished business.
5. New business.
6. Adjournment.

All resolutions shall be in writing and shall be copied in the journal of the proceedings of the Authority. The meeting will be conducted in accordance with Roberts Rules of Order, Revised.

Section 6. Manner of Voting. The voting on all questions coming before the Authority shall be entered upon the minutes of such meeting. When a quorum is in attendance, action may be taken by the Authority upon a vote of the majority of the Commissioners.

ARTICLE IV - AMENDMENTS

Amendments to By-Laws. The bylaws of the Authority shall be amended only with the approval of at least five of the members of the Authority at a regular or special meeting.

RESOLUTION NO. 07:03

RESOLUTION DESIGNATING THE CITY ADMINISTRATOR AS THE ACTING EXECUTIVE DIRECTOR OF THE EDA AND AUTHORIZING THE ASSISTANT TREASURER OF THE EDA TO EXECUTE DOCUMENTS ON BEHALF OF THE EXECUTIVE DIRECTOR OR ACTING EXECUTIVE DIRECTOR

BE IT RESOLVED By the Economic Development Authority of the City of Brainerd, Crow Wing County, Minnesota (Authority) as follows:

Section 1. Recitals.

1.01. The Executive Director of the Authority expects to be called to military leave of several months duration.

1.02. The Authority, in order to fulfill its mandate from the City and to better conduct its business and affairs on behalf of the citizenry of the City, desires to designate an Acting Executive Director to serve in the capacity of the Executive Director during the absences of the Executive Director.

1.03. The Authority desires to provide to the Assistant Treasurer the authority to execute documents on behalf of the Executive Director or the Acting Executive Director.

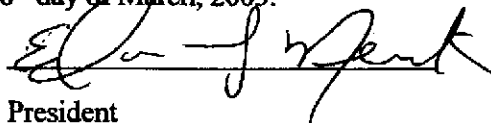
Section 2. Designation.

2.01. The Authority hereby designates the City Administrator as the Acting Executive Director of the EDA, with rights, powers, and obligations co-extensive with those of the Executive Director.

2.02. The Authority further authorizes and approves all actions that the City Administrator undertook prior to the passage of this Resolution in his capacity as Acting Executive Director of the Authority, including execution of the Subordination Agreements.

2.03. The Authority authorizes the Assistant Treasurer to execute documents on behalf of the Executive Director in the absence of both the Executive Director and the Acting Executive Director.

Adopted this 18th day of March, 2003.



President

Attest:



Executive Director

MEMO



TO: EDA Board of Commissioners
FROM: David Chanski, Community Development Director
DATE: February 13, 2020
RE: City Council Workshop Discussion

The City Council is holding a workshop on Monday, February 10 at 6:00pm in the Brainerd Police Department Training Room. This meeting is open to the public, and the EDA Board is invited to attend. Two items will be discussed during this meeting, one of which is the Council's expectations of the EDA.

The purpose of this item is to allow discussion among the EDA Board regarding the outcome of the Council's discussion.