

**CERTIFICATE OF APPROVAL OF SPECIAL LAW
BY GOVERNING BODY**

(Pursuant to Minnesota Statutes, 645.02 and 645.021)

STATE OF MINNESOTA

County of Hennepin

TO THE SECRETARY OF STATE OF MINNESOTA:

PLEASE TAKE NOTICE, That the undersigned chief clerical officer of the City of Excelsior DOES HEREBY CERTIFY, that in compliance with the provisions of Laws, 2019, First Special Session, Chapter 6, Article 6, Section 18 requiring approval by a majority* of the governing body of said local governmental unit before it becomes effective, the City Council at a meeting duly held on the 22nd day of July 2019, by resolution 2019-33 did approve said Laws, 2019, First Special Session, Chapter 6, Article 6, Section 18 by a majority vote* of all of the members thereof (Ayes 0; Noes 0; Absent or not voting 0) and the following additional steps, if any required by statute or charter were taken: N/A

A copy of the resolution is hereto annexed and made a part of this certificate by reference.

Signed: _____

City Clerk
(Official designation of officer)

200489

(This form prescribed by the Attorney General and furnished by the Secretary of State as required in Minnesota Statutes 645.021.)
*If extraordinary majority is required by the special law, insert fraction or percentage here.

Please see reverse side for instructions for completing this form.

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City of Excelsior
Resolution No. 2019-33

A Resolution Approving Session Laws 2019, First Special Session, Chapter 6,
Article 6, Section 18

WHEREAS, the 2019 special session of the Minnesota Legislature passed and the Governor signed Minnesota Laws, 2019, First Special Session, Chapter 6, Section 18 which authorizes the City of Excelsior, Minnesota (the "City") to impose by ordinance a sales and use tax of up to one-half of one percent to pay the costs of collecting and administering the tax and to finance the capital and administrative costs of improvements to The Commons as indicated in The Commons Master Plan as adopted by the City Council on November 20, 2017, in an amount not to exceed \$20 million; and

WHEREAS, such legislation requires local approval in accordance with Minnesota Statute §645.021; and

WHEREAS, the City desires the law to become effective; and

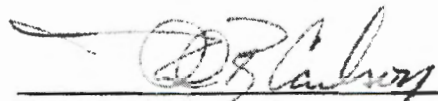
WHEREAS, The tax imposed expires at the earlier of: (1) 25 years after the tax is first imposed; or (2) when the City Council determines that \$7,000,000 has been received from the tax to pay for the cost of the projects authorized under subdivision 2, plus an amount sufficient to pay the costs related to issuance of the bonds authorized under subdivision 3, including interest on the bonds; and

WHEREAS, this resolution replaces Resolution No. 2019-26.

NOW, THEREFORE, IT IS RESOLVED by the City Council of the City of Excelsior that Minnesota Laws 2019, First Special Session, Chapter 6, Section 18 is hereby approved. Attached to this resolution is the Master Park Plan summary including the estimated total cost of proposed improvements that will be funded using sales tax revenue as required by law.

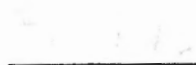
BE IT FURTHER RESOLVED that the City Manager is hereby instructed to submit the appropriate documents and a copy of this Resolution to the Secretary of the State of Minnesota.

Adopted by the City Council of the City of Excelsior, Minnesota, this 22nd day of July 2019.



Todd R. Carlson, Mayor

ATTEST:



Lynette R. Peterson, City Clerk



Kristi Luger, City Manager

City of Excelsior Master Park Plan



Proposed Improvements:

- New parking stalls on West Lake Street and at playground drop-off area add parking capacity with minimal impact on green space.
- A restroom building with space for rental of equipment (i.e. paddle boards, kayaks, skates/skies) and space for a winter warming house. The building would be accessed from roundabout and provide a central hub for activity. A new picnic pavilion for family gatherings would be located at the top of the hill grade.
- Upgrade existing play equipment to address universal accessibility and modern play.
- Provide pretreatment infiltration of road runoff to improve water quality at the beach.
- Enhanced picnic facilities on top of knoll.
- Bike parking.
- Shoreline improvements to minimize erosion into lake.
- Elimination of invasive species on knoll.
- Move courts away from Lake Street to provide improved green buffer and re-purpose for multi-use activity, such as an ice rink.
- Shoreline fortification and restoration
- Perimeter loop trail and boardwalk
- Multi-functional, bidirectional, bandshell with seating on the knoll
- Infiltration basins to filter runoff prior to discharge into the Lake
- New concession and restroom building that serves events on ballfield and open lawn area
- Enhanced neighborhood entries across Lake Street
- Refurbish ballfield
- Invasive species removal on knolls
- Preservation of existing tree canopy
- Fishing pier
- Enhanced lighting, minimizing light pollution and glare
- New refuse/restroom building location options
- New boardwalk adjacent to the Lake to better connect the docks and restore historic Port experience
- Terraced seating along Lake and Water Streets provides seating for Port activities and community events
- Open green space for passive activities
- Steps that realign key neighborhood access points
- Consideration of converting Lake Street to one way traffic (subject to public input and a traffic study) would allow a sidewalk to be constructed at the top of the slope that improves access for residents and users parking on Lake Street.

TOTAL COST OF IMPROVEMENTS: \$20 MILLION

Breems, Nancy (OSS)

From: Lynette Peterson <lpeterson@excelsiormn.org>
Sent: Wednesday, July 24, 2019 8:11 AM
To: Documents, Official (OSS)
Cc: Kevin Staunton; Kristi Luger; Staffenhagen, Anthony (MDOR)
Subject: RE: City of Excelsior Sales and Use Tax
Attachments: Res. 2019-33 Sales Tax Resolution.pdf

Nancy,

In reviewing paperwork this morning, I realized I did not scan in the attachment to the resolution. Attached is the new copy of the resolution with the attachment for filing. Thank you and sorry for not including it with the first email sent yesterday afternoon.

Lynette R. Peterson, CMC • City Clerk
City of Excelsior | 339 Third Street | Excelsior, MN 55331
Direct Phone 952.653.3675 | Fax 952.474.6300
lpeterson@excelsiormn.org | www.excelsiormn.org/



PLEASE NOTE: City Hall is open 7:30 am-5:30 pm, Monday-Thursday

From: Lynette Peterson
Sent: Tuesday, July 23, 2019 3:04 PM
To: official.documents@state.mn.us
Cc: Kevin Staunton <kevin@stauntonlaw.com>; Kristi Luger <kluger@excelsiormn.org>; Staffenhagen, Anthony (MDOR) <anthony.staffenhagen@state.mn.us>
Subject: City of Excelsior Sales and Use Tax

Enclosed is a Certificate of Approval of Special Law by Governing Body documenting the City of Excelsior's approval of special legislation authorizing the imposition of a sales and use tax. This certificate (and the attached City of Excelsior Resolution No. 2019-33) replaces the certificate previously filed on or about June 4, 2019 (along with City of Excelsior Resolution No. 2019-26). We modified the Resolution 2019-26 to incorporate additional language requested by the Minnesota Department of Revenue and are filing this replacement certificate (including the new resolution) to ensure that your office's records include the most current version of our approval of the special law approval.

Please feel free to contact me with any questions.

Lynette R. Peterson, CMC • City Clerk
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