

Attachment A

RESOLUTION NO. 23-130

RESOLUTION ORDERING MINNESOTA SCIENCE AND TECHNOLOGY CENTER PROJECT NO. 23-18, ORDERING PLANS AND SPECIFICATIONS, AND APPROVING DEVELOPER'S AGREEMENT, SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY AND DIRECTOR OF PUBLIC WORKS

WHEREAS, a resolution of the City Council adopted August 7, 2023 fixed a date for a Council hearing on the proposed improvement of Minnesota Science and Technology Center Project No. 23-18; and

WHEREAS, publication and mailed notice pursuant to Minnesota Statutes 429.031 Subd. I was given and the hearing was held thereon on the 21st day of August, 2023, at which hearing all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, a developer's agreement has been prepared for Minnesota Science and Technology Center; and

WHEREAS, Black Bear MN, LLC is required to submit a surety to the city in the amount of \$843,000.00 to guarantee payment of costs associated with the petition items as set forth in the developer's agreement; and

WHEREAS, C.S. McCrossan, Inc. is required to submit a surety to the city in the amount of \$1,500,000 to guarantee payment of costs associated with the petition items as set forth in the developer's agreement; and

WHEREAS, Black Bear MN, LLC is required to submit a surety to the city in the amount of \$20,000 to guarantee payment of costs associated with the escrow items as set forth in Exhibit 2 in the developer's agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maple Grove, Minnesota:

1. Such improvement is necessary, cost-effective and feasible as detailed in the Feasibility Report.
2. Minnesota Science and Technology Center Project No. 23-18 is hereby ordered as proposed.
3. The consulting firm of Stantec shall prepare plans and specifications for Minnesota Science and Technology Center Project No. 23-18.

4. The developer's agreement for Minnesota Science and Technology Center is hereby approved subject to final review by the City Attorney and Director of Public Works.
5. The surety from Black Bear MN, LLC in the amount of \$843,400.00 is required and acknowledged as guarantee of payment of costs associated with the petition items as set forth in the Minnesota Science and Technology Center developer's agreement.
6. The surety from C.S. McCrossan, Inc. in the amount of \$1,500,000.00 is required and acknowledged as guarantee of payment of costs associated with the petition items as set forth in the Minnesota Science and Technology Center developer's agreement.
7. The surety from Black Bear MN, LLC in the amount of \$843,400.00 is required and acknowledged as guarantee of payment of costs associated with the escrow items as set forth in Exhibit 2 of the Minnesota Science and Technology Center developer's agreement.

Adopted by the City Council on this 21st day of August, 2021.

The motion for the adoption of the foregoing resolution was made by Councilmember _____, seconded by Councilmember _____, and upon vote being duly taken thereon, the following voted in favor thereof:

and the following voted against the same:

and the following were absent:

whereupon said resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

I, the undersigned, being the duly qualified and acting Clerk of the City of Maple Grove, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 23-130 is a true and correct copy of the Resolution as adopted by the City Council on the 21st day of August, 2021.

Amy Dietl, City Clerk