

## Enabling Resolution Establishing the Red Wing Port Authority – A Summary

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- **Resolution 2226 - Adopted July 8, 1985**
- **Resolution 3643 modifying Resolution 2226 - Adopted February 12, 1996**
  - Section 1: Added definition for “Annual Budget” and “Public Activities”. Modified the “Project Plan” definition.
  - Section 5: Modified the Seat Designation and defined when commissioner terms expire.
  - Section 7: Changed the Council Administrator from being the secretary to being an ex-officio member.
  - Section 10: Added to A.1 and B.1 “No council approval is needed for a project for which no public activities are undertaken by the Authority”.
  - Section 11: Changed how the maximum levy amount is calculated to reflect changes in state statute.
- **Resolution 4185 modifying Resolution 2226 - Adopted March 8, 1999**
  - Section 5: Changed the date when commissioner terms expire. Added “The President of the Port Authority shall not serve more than two (2) consecutive terms of office each term representing one (1) year”.
  - Section 10: In C references to development districts 1 and 2 was removed.
- **2010 Proposed Changes**
  - Whereas: Paragraphs 1 and 6 correct the outdated statute numbers. Paragraph 4 strike “board”. Paragraph 5 add “encourage economic development”
  - Section 1: Correct the outdated statute numbers. Correct “Enabling Act” and “Enabling Resolution” from dropped text between Res 3643 to Res 4185. Add “Budget Calendar” definition. Clarify “Project Budget” relating to exceeding estimated expenditures. Added “other such facilities” to “Public Activities”
  - Section 2: Grammatical changes. Change “a housing and redevelopment authority” to “and the powers, duties and responsibilities of a housing and redevelopment authority”.
  - Section 3: Add dropped text between Res 3643 to Res 4185 “the Development Act” and “and in the event there is a conflict between the Port Act and any such statutes, The Port Act shall control”
  - Section 5: Strike the “Initial Term” column. Strike “February 12, 1996”. Add “or reappointment”. Strike “For subsequent terms”. Strike “For the initial and subsequent terms”. Strike “commencing in the calendar year 1999”
  - Section 6 and 7: Grammatical changes.
  - Section 8: Rename B to C, A.2 to B and A.1 to A. Change the date in A to September 6 to conform to MN 469.081, Subd. 2 9(C).
  - Section 9: In A clean up city position titles. In B change “August 1<sup>st</sup>” to “by the date established in the City’s budget calendar as approved by the City Council”. In B change “upon the issuance of obligations by the city for the purpose of funding said Authority budget” to “upon the approval of the transfer of City funds”
  - Section 10: Grammatical changes. Add dropped text between Res 3643 to Res 4185 from B.4 to C.
  - Section 11: Cleanup Levy language. In A the base levy up to the maximum authorized by MN 469.053 still need Council approval. In B any increase beyond the base must go through the procedure that includes a public hearing and possible referendum.

- 2010 Proposed Changes - What's not Changed
  - Section 5: The board structure is the same.
  - Section 6: The staff structure and duties remain the same.
  - Section 8: The reporting responsibilities remain the same.
  - Section 9: The budget procedures remain the same. The City Council retains its "review and approval" oversight.
  - Section 11: The levy process is clarified. The City Council retains its "authority to approve, disapprove or establish a reduced Base levy". Any potential levy increase beyond the Base must go through a procedure that includes a public hearing and possible referendum.
  - Who owns the land? The current Enabling Resolution is silent on the matter. The proposed changes are still silent on the matter.