



**ADVISORY INFORMATION**

**Date:** December 3, 2008

**Subject:** Adopting of the 2008, Payable 2009, Tax Levies for General Purposes, Livable Communities Demonstration Account, Livable Communities Tax Base Revitalization Account, Metropolitan Right-Of-Way Acquisition Loan Fund, Transit Debt Anticipation and Parks Debt Anticipation, the City of Lakeville for Future Transit Debt and the 2009 Unified Operating Budget (Resolutions 2008-40, 2008-41, 2008-42, 2008-43, 2008-44, 2008-45, 2008-48 and 2008-46)

**District(s), Member(s):** All

**Policy/Legal Reference:** Minnesota Statutes Section 275.065, Subdivision 6, Section 275.07, Subdivision 1, Section 473.121 and Section 473.13, Subdivision 1

**Staff Prepared/Presented:** Wes Kooistra, Chief Finance Officer (651) 602-1567

**Division/Department:** Regional Administration

**Proposed Action**

That the Metropolitan Council adopts the following resolutions:

- **2008-40:** Adopting the Council's 2008 Tax Levy for General Purposes for Certification to the County Auditors
- **2008-41:** Adopting the Council's 2008 Tax Levy for the Livable Communities Demonstration Account in the Metropolitan Livable Communities Fund
- **2008-42:** Adopting the Council's 2008 Tax Levy for the Tax Base Revitalization Account of the Livable Communities Act
- **2008-43:** Adopting the Council's 2008 Tax Levy for the Metropolitan Right-Of-Way Acquisition Loan Fund for the Purposes of Minnesota Statutes Section 473.167
- **2008-44:** Certifying the Council's 2008 Tax Levy for Debt Service on Future Transit Bonds
- **2008-45:** Certifying the Council's 2008 Tax Levy for Debt Service on Future Park Bonds
- **2008-48:** Adopting the Council's 2008 Tax Levy for the City of Lakeville for Debt Service on Future Transit Bonds

and

- **2008-46:** Adopting the Metropolitan Council's 2009 Unified Operating Budget

**Rationale and Funding**

- Under Minnesota Statutes 473.13, Subdivision 1, the Council must adopt the final budget covering anticipated receipts and disbursements for 2009 and decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget on or before December 20, 2008.
- Under Minnesota Statutes 275.07, Subdivision 1, and 473.13, Subdivision 1, the Council must certify final 2008, payable 2009 property tax levies to the county auditors on or before five working days after December 20, 2008.
- Under Minnesota Statutes 275.065, Subdivision 6, the Council must adopt the final property tax levy prior to adopting the final budget.

- The attached resolutions are shown with the preliminary levy amounts adopted by the Council on August 27, 2008. The Council may not increase, but may elect to reduce, the preliminary levies.

<u>Levies Requiring Council Action</u>	<u>Preliminary Levies as Adopted</u>	<u>Resolution</u>
General Purposes	\$ 10,300,000	2008-40
Livable Communities Demonstration Account	8,184,070	2008-41
Livable Communities Tax Base Revitalization Account	5,000,000	2008-42
Metropolitan Right-Of-Way Acquisition Loan Fund	3,426,923	2008-43
Transit Debt Service Anticipation	8,191,445	2008-44
Parks Debt Service Anticipation	4,491,053	2008-45
Transit Debt Service Anticipation – City of Lakeville	370,000	2008-48
<b>Total Levies Requiring Council Action</b>	<b>\$ 39,963,491</b>	
Levies Not Requiring Council Action (Previously Approved)		
Transit Debt Service Levy	\$ 30,877,086	
Parks Debt Service Levy	3,044,947	
<b>Total Levies Not Requiring Council Action</b>	<b>\$ 33,922,033</b>	
<b>Total Levies</b>	<b>\$ 73,885,524</b>	

- Resolution 2008-46: The 2009 Unified Operating Budget remains unchanged from the public hearing draft dated October 22, 2008.

**METROPOLITAN COUNCIL**  
**390 Robert Street North, Saint Paul, Minnesota 55101**  
**(651) 602-1000 TTY (651) 291-0904**

**RESOLUTION NO. 2008-40**

**RESOLUTION ADOPTING THE METROPOLITAN COUNCIL'S  
2008 TAX LEVY FOR GENERAL PURPOSES  
FOR CERTIFICATION TO THE COUNTY AUDITORS**

- WHEREAS,** Minnesota Statutes, Section 473.121, Subdivision 2, defines the Metropolitan Area as including only the Counties of Anoka, Carver, Dakota excluding the City of Northfield, Hennepin excluding the Cities of Hanover and Rockford, Ramsey, Scott excluding the City of New Prague and Washington; and
- WHEREAS,** Minnesota Statutes, Section 473.13, Subdivision 1, requires that on or before December 20, the Council shall adopt a final budget and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget; and
- WHEREAS,** Minnesota Statutes, Section 473.13, Subdivision 1, requires that no later than five working days after December 20, the Council shall certify to the county auditors the property tax levy for taxes payable in the following year; and
- WHEREAS,** Minnesota Statutes Section 473.13, Subdivision 1, requires that the share of the tax to be levied within each county by the Council must be an amount bearing the same proportion to the total final levy agreed on by the Council as the net tax capacity of the county bears to the net tax capacity of the metropolitan area; and
- WHEREAS,** Minnesota Statutes Section 473.249, Subdivision 1, authorizes the Council to levy a tax on all taxable property in the Metropolitan Area to provide funds for the general purpose of carrying out the Council's responsibilities as provided by law.

**NOW, THEREFORE, BE IT RESOLVED:**

THAT the amount to be raised from ad valorem taxes levied in 2008, for collection during 2009, for general purposes is \$ 10,300,000.

Adopted this 10<sup>th</sup> day of December 2008.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary

**METROPOLITAN COUNCIL**  
**390 Robert Street North, Saint Paul, Minnesota 55101**  
**(651) 602-1000 TTY (651) 291-0904**

**RESOLUTION NO. 2008-41**

**RESOLUTION ADOPTING A 2008 TAX LEVY FOR THE  
LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT IN THE  
METROPOLITAN LIVABLE COMMUNITIES FUND**

- WHEREAS,** Minnesota Statutes, Section 473.121, Subdivision 2, defines the Metropolitan Area as including only the Counties of Anoka, Carver, Dakota excluding the City of Northfield, Hennepin excluding the Cities of Hanover and Rockford, Ramsey, Scott excluding the City of New Prague and Washington; and
- WHEREAS,** Minnesota Statutes, Section 473.13, Subdivision 1, requires that on or before December 20, the Council shall adopt a final budget and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget; and
- WHEREAS,** Minnesota Statutes, Section 473.13, Subdivision 1, requires that no later than five working days after December 20, the Council shall certify to the county auditors the property tax levy for taxes payable in the following year; and
- WHEREAS,** Minnesota Statutes Section 473.13, Subdivision 1, requires that the share of the tax to be levied within each county by the Council must be an amount bearing the same proportion to the total final levy agreed on by the Council as the net tax capacity of the county bears to the net tax capacity of the metropolitan area; and
- WHEREAS,** Minnesota Statutes Section 473.253, Subdivision 1, authorizes a property tax levy for the Livable Communities Demonstration Account in the Metropolitan Livable Communities Fund.

**NOW, THEREFORE, BE IT RESOLVED:**

THAT the amount to be raised from ad valorem taxes levied in 2008, for collection during 2009, for the Livable Communities Demonstration Account in the Metropolitan Livable Communities Fund is \$ 8,174,070.

Adopted this 10<sup>th</sup> day of December 2008.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary

**METROPOLITAN COUNCIL**  
**390 Robert Street North, Saint Paul, Minnesota 55101**  
**(651) 602-1000 TTY (651) 291-0904**

**RESOLUTION NO. 2008-42**

**RESOLUTION ADOPTING A 2008 TAX LEVY FOR THE  
TAX BASE REVITALIZATION ACCOUNT  
OF THE LIVABLE COMMUNITIES ACT**

- WHEREAS,** Minnesota Statutes, Section 473.121, Subdivision 2, defines the Metropolitan Area as including only the Counties of Anoka, Carver, Dakota excluding the City of Northfield, Hennepin excluding the Cities of Hanover and Rockford, Ramsey, Scott excluding the City of New Prague and Washington; and
- WHEREAS,** Minnesota Statutes, Section 473.13, Subdivision 1, requires that on or before December 20, the Council shall adopt a final budget and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget; and
- WHEREAS,** Minnesota Statutes, Section 473.13, Subdivision 1, requires that no later than five working days after December 20, the Council shall certify to the county auditors the property tax levy for taxes payable in the following year; and
- WHEREAS,** Minnesota Statutes Section 473.13, Subdivision 1, requires that the share of the tax to be levied within each county by the Council must be an amount bearing the same proportion to the total final levy agreed on by the Council as the net tax capacity of the county bears to the net tax capacity of the metropolitan area; and
- WHEREAS,** The Hennepin County Auditor has certified an amount of \$ 7,876,457.50 under Minnesota Statutes, Section 473F.08, Subdivision 3b(b); and
- WHEREAS,** Minnesota Statutes, Section 473F.08, Subdivision 3b(c), provides that the Metropolitan Council may annually certify to the Ramsey County auditor the amount certified by the Hennepin County auditor under Minnesota Statutes, Section 473F.08, Subdivision 3b(b), but not to exceed \$ 5,000,000, to be used to provide funds for the cleanup of polluted lands in the metropolitan area.

**NOW, THEREFORE, BE IT RESOLVED:**

THAT the amount to be raised from ad valorem taxes levied in 2008, for collection during 2009, as an addition to the area wide levy under the Metropolitan Revenue Distribution Act and credited to the Tax Base Revitalization Account within the Metropolitan Livable Communities Fund is \$ 5,000,000.

Adopted this 10<sup>th</sup> day of December 2008.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary

**METROPOLITAN COUNCIL**  
**390 Robert Street North, Saint Paul, Minnesota 55101**  
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**RESOLUTION NO. 2008-43**

**RESOLUTION ADOPTING A 2008 TAX LEVY FOR THE  
METROPOLITAN RIGHT-OF-WAY ACQUISITION LOAN FUND  
FOR THE PURPOSES OF MINNESOTA STATUTES SECTION 473.167**

- WHEREAS,** Minnesota Statutes, Section 473.121, Subdivision 2, defines the Metropolitan Area as including only the Counties of Anoka, Carver, Dakota excluding the City of Northfield, Hennepin excluding the Cities of Hanover and Rockford, Ramsey, Scott excluding the City of New Prague and Washington; and
- WHEREAS,** Minnesota Statutes, Section 473.13, Subdivision 1, requires that on or before December 20, the Council shall adopt a final budget and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget; and
- WHEREAS,** Minnesota Statutes, Section 473.13, Subdivision 1, requires that no later than five working days after December 20, the Council shall certify to the county auditors the property tax levy for taxes payable in the following year; and
- WHEREAS,** Minnesota Statutes Section 473.13, Subdivision 1, requires that the share of the tax to be levied within each county by the Council must be an amount bearing the same proportion to the total final levy agreed on by the Council as the net tax capacity of the county bears to the net tax capacity of the metropolitan area; and
- WHEREAS,** Minnesota Statutes Section 473.167, Subdivision 3, authorizes the Council to levy property taxes on all taxable property in the Metropolitan Area for the Metropolitan Right-of-Way Acquisition Loan Fund.

**NOW, THEREFORE, BE IT RESOLVED:**

THAT pursuant to Minnesota Statutes Section 473.167, Subdivision 3, the amount to be levied in 2008, for collection during 2009, for the Metropolitan Right-of-Way Acquisition Loan Fund is \$ 3,426,923.

Adopted this 10<sup>th</sup> day of December 2008.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary

**METROPOLITAN COUNCIL**  
**390 Robert Street North, Saint Paul, Minnesota 55101**  
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**RESOLUTION NO. 2008-44**

**RESOLUTION CERTIFYING 2008 TAX LEVY FOR  
FOR DEBT SERVICE ON FUTURE TRANSIT BONDS**

**WHEREAS,** The Council anticipates issuing general obligation transit bonds in 2009 and making principal and interest payments on said bonds during the period from February 2, 2009 to February 1, 2010; and

**WHEREAS,** The Council may certify a tax levy in anticipation of the issuance of general obligation bonds in the manner and to the extent permitted by Minnesota Statutes Section 475.61, Subdivision 1; and

**WHEREAS,** It has been determined that a tax levy in 2008, payable in 2009, is necessary to fund principal and interest payments on said bonds during the period from February 2, 2009 to February 1, 2010.

**NOW, THEREFORE, BE IT RESOLVED:**

THAT pursuant to the provisions of Minnesota Statutes Section 475.61, Subdivision 1, the Chair of the Council is directed to authorize and direct the County Auditors of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington Counties to levy a tax of \$ 8,191,445 for debt service on general obligation transit bonds to be issued by the Council in 2009.

Adopted this 10<sup>th</sup> day of December 2008.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary

**METROPOLITAN COUNCIL**  
**390 Robert Street North, Saint Paul, Minnesota 55101**  
**(651) 602-1000 TTY (651) 291-0904**

**RESOLUTION NO. 2008-45**

**RESOLUTION CERTIFYING 2008 TAX LEVY FOR  
FOR DEBT SERVICE ON FUTURE PARKS BONDS**

- WHEREAS,** The Council anticipates issuing general obligation parks bonds in 2009 and making principal and interest payments on said bonds during the period from February 2, 2009 to February 1, 2010; and
- WHEREAS,** The Council may certify a tax levy in anticipation of the issuance of general obligation bonds in the manner and to the extent permitted by Minnesota Statutes Section 475.61, Subdivision 1; and
- WHEREAS,** It has been determined that a tax levy in 2008, payable in 2009, is necessary to fund principal and interest payments on said bonds during the period from February 2, 2009 to February 1, 2010.

**NOW, THEREFORE, BE IT RESOLVED:**

THAT pursuant to the provisions of Minnesota Statutes Section 475.61, Subdivision 1, the Chair of the Council is directed to authorize and direct the County Auditors of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington Counties to levy a tax of \$ 4,491,053 for debt service on general obligation parks bonds to be issued by the Council in 2009.

Adopted this 10<sup>th</sup> day of December 2008.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary



**METROPOLITAN COUNCIL**  
**390 Robert Street North, Saint Paul, Minnesota 55101-1805**  
**(651) 602-1000 TTY (651) 291-0904**

**RESOLUTION NO. 2008-48**

**RESOLUTION CERTIFYING A TAX LEVY FOR 2008**  
**FOR THE CITY OF LAKEVILLE**  
**FOR DEBT SERVICE ON TRANSIT BONDS**

- WHEREAS,** The Council shall levy each year upon all taxable property within the metropolitan area, as defined in Minnesota Statutes, Section 473.121, Subdivision 2, a certain transit tax as specified in the subdivision; and,
- WHEREAS,** Minnesota Statutes, Section 473.4461, provides that notwithstanding any provision of Section 473.446 or any other law, the Council may not levy a tax under Section 473.446, Subdivision 1, in any city not included in the transit taxing district as it existed on January 1, 2001, unless the Council and the governing body of that city have agreed on a transit service expansion plan; and,
- WHEREAS,** The transit taxing district is defined in Minnesota Statutes, Section 473.446, Subdivision 2; and,
- WHEREAS,** The City of Lakeville is located in the Metropolitan Area but was not included in the transit taxing district as it existed and was defined by statute on January 1, 2001; and
- WHEREAS,** The Council and the City of Lakeville have agreed on a transit service expansion plan in accordance with Minnesota Statutes, Section 473.4461; and,
- WHEREAS,** The Council and the City of Lakeville have agreed the Council levy, for taxes in 2008, payable 2009, within the City of Lakeville shall be limited to the amount of \$370,000.

**NOW, THEREFORE BE IT RESOLVED:**

THAT pursuant to the provisions of Minnesota Statutes Section 473.121, Subdivision 2, Section 473.446 and Section 473.4461, the Chair of the Council is directed to authorize and direct the County Auditor of Dakota County to levy a tax of \$370,000 on all of the taxable property within the City of Lakeville for debt service on general obligation transit bonds to be issued by the Council in 2009.

Adopted this 10th day of December 2008.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary

**METROPOLITAN COUNCIL**  
**390 Robert Street North, Saint Paul, Minnesota 55101**  
**(651) 602-1000 TTY (651) 291-0904**

**RESOLUTION NO. 2008-46**

**RESOLUTION ADOPTING THE METROPOLITAN COUNCIL'S  
2009 UNIFIED OPERATING BUDGET**

- WHEREAS,** Minnesota Statutes, Section 473.121 defines the Metropolitan area as including only the Counties of Anoka, Carver, Dakota excluding the City of Northfield, Hennepin excluding the Cities of Hanover and Rockford, Ramsey, Scott excluding the City of New Prague and Washington; and
- WHEREAS,** Minnesota Statutes, Section 473.13, Subdivision 1, requires that on or before December 20, the Council shall adopt a final budget and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget; and
- WHEREAS,** The Council adopted a proposed 2009 unified operating budget for public hearing on October 22, 2008; and
- WHEREAS,** A public hearing on the 2009 unified operating budget was held on November 12, 2008.

**NOW, THEREFORE, BE IT RESOLVED:**

THAT the Metropolitan Council Unified Operating Budget for fiscal year 2009 is \$ 750,131,754 consisting of \$ 521,497,748 for Council operations, \$ 78,254,927 for pass-through grants and loans, and \$ 150,379,079 for debt service.

Adopted this 10<sup>th</sup> day of December 2008.

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Peter Bell, Chair

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Pat Curtiss, Recording Secretary