



ADVISORY INFORMATION

Date:	August 16, 2009
Subject:	Adopting Resolutions for the Metropolitan Council's Preliminary 2010 Unified Operating Budget and the Proposed 2009, Payable 2010, Tax Levies
District(s), Member(s):	All
Policy/Legal Reference:	Minnesota Statutes Section 275.065, 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/Motion

That the Metropolitan Council adopts the following resolutions:

- 2009-14:** Adopting the Metropolitan Council's Preliminary 2010 Unified Operating Budget
- 2009-15:** Adopting the Metropolitan Council's Proposed 2009 Tax Levy for General Purposes for Certification to the County Auditors
- 2009-16:** Adopting the Metropolitan Council's Proposed 2009 Tax Levy for General Purposes for Certification to the Minnesota Commissioner of Revenue
- 2009-17:** Adopting a Proposed 2009 Tax Levy for the Metropolitan Right-Of-Way Acquisition Loan Fund for the Purposes of Minnesota Statutes Section 473.167 for Certification to the County Auditors
- 2009-18:** Adopting a Proposed 2009 Tax Levy for the Metropolitan Right-Of-Way Acquisition Loan Fund for the Purposes of Minnesota Statutes Section 473.167 for Certification to the Minnesota Commissioner of Revenue
- 2009-19:** Adopting a Proposed 2009 Tax Levy for the Livable Communities Demonstration Account in the Metropolitan Livable Communities Fund
- 2009-20:** Adopting a Proposed 2009 Tax Levy for the Tax Base Revitalization Account of the Livable Communities Act
- 2009-21:** Resolution Certifying a Tax Levy for 2009 for Debt Service on Future Transit Bonds
- 2009-22:** Resolution Certifying a Tax Levy for 2009 for Debt Service on Future Parks Bonds

Issue(s)

Minnesota Statutes require the Metropolitan Council adopt the 2010 preliminary unified operating budget and proposed levies for 2009, payable in 2010, for certification to the County Auditors and Minnesota Commissioner of Revenue.

Minnesota Statutes regarding Truth In Taxation were revised during the 2009 Legislative Session. The Metropolitan Council is now required to:

- ◆ Announce the date and place of its subsequent regularly scheduled meeting(s) at which the budget and levy will be discussed and which the public will be allowed to speak,
- ◆ The meeting(s) in which the budget and levy will be discussed and final budget and levy determined must occur after November 24, and
- ◆ The meeting(s) shall not be held before 6:00 p.m.

Therefore, the date, time and place of the meeting will be the Council Meeting scheduled for:

December 9, 2009, 6:00PM
Council Chambers
390 Robert Street North
St. Paul, Minnesota 55101-1805.

Overview and Funding

Unified Operating Budget

- ◆ Adoption of the Preliminary Unified Operating Budget establishes the framework for development of a public comment document.
- ◆ Minnesota Statutes Section 275.065, Subdivision 1, requires adoption of proposed budget and certification of proposed property tax levies for certification to the Commissioner of Revenue by September 1 and to the County Auditors on or before September 15.
- ◆ The Unified Operating Budget has not changed from the presentation made to the Council on July 22, 2009.
- ◆ Highlights of the proposed budget include:
 - Environmental Services budget is balanced with use of \$2M of operating reserves,
 - 2010 is the first year of a four-year plan that has Transportation 97% structurally balanced,
 - Transportation reserves are built to Council policy levels over four years, and
 - Regional Administration and Community Development General Fund budgets are reduced from 2009.
- ◆ There will be continuing discussion on the budget through the fall so that Council may make further changes to the budget up to final adoption, expected to occur on December 9th, 2009

Preliminary 2009, Payable 2010, Property Tax Levies

- ◆ Prior to final certification of levies in December the Council may elect to reduce levies from this preliminary level, but may not increase them.

The attached tax levy resolutions are summarized as follows:

<u>Levies Requiring Council Action</u>	<u>Preliminary Levies</u>	<u>Resolution No.(s)</u>
General Purposes	\$ 13,139,232	2009-15/16
Metropolitan Right-Of-Way Acquisition Loan Fund	3,531,797	2009-17/18
Livable Communities Demonstration Account	8,184,070	2009-19
Livable Communities Tax Base Revitalization Account	5,000,000	2009-20
Transit Debt Service Anticipation	5,307,147	2009-21
Park Debt Service Anticipation	876,404	2009-22
Total Levies Requiring Council Action	\$ 36,038,650	
 <u>Levies Not Requiring Council Action (previously adopted)</u>		
Transit Debt Service	\$ 36,424,733	
Park Debt Service	2,930,996	
	\$ 39,355,729	
 TOTAL LEVIES	 \$ 75,394,379	

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101-1805
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RESOLUTION NO. 2009-14

**RESOLUTION ADOPTING THE METROPOLITAN COUNCIL'S
PRELIMINARY 2010 UNIFIED OPERATING BUDGET**

WHEREAS, Minnesota Statutes, Section 275.065, Subdivision 1, requires that on or before September 15, the Council adopt the proposed budget and certify to the county auditors a proposed property tax levy for taxes payable in the following year; and

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.

NOW, THEREFORE BE IT RESOLVED:

1. THAT the Metropolitan Council Preliminary Budget for fiscal year 2010 is \$742,241,405 consisting of \$523,405,970 for Council operations, \$78,253,455 for pass-through grants and loans, \$140,581,980 for debt service.
2. THAT the Preliminary proposed 2010 Budget for Environmental Services is \$124,494,107.
3. THAT the Metropolitan Council will continue to review the proposed budget until the final budget is adopted in December 2009.

Adopted this 26th day of August 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

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RESOLUTION NO. 2009-15

**RESOLUTION ADOPTING THE METROPOLITAN COUNCIL'S PROPOSED
2009 TAX LEVY FOR GENERAL PURPOSES
FOR CERTIFICATION TO THE COUNTY AUDITORS**

WHEREAS, Minnesota Statutes, Section 275.065, Subdivision 1, requires that on or before September 15, the Council adopt the proposed budget and certify to the county auditors a proposed property tax levy for taxes payable in the following year; and

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 473.249, 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; and

WHEREAS, Minnesota Statutes, Section 473.13 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.

NOW, THEREFORE BE IT RESOLVED:

THAT the amount proposed to be raised from ad valorem taxes levied in 2009, payable in 2010, for general Council purposes is \$13,139,232.

Adopted this 26th day of August 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

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RESOLUTION NO. 2009-16

**RESOLUTION ADOPTING THE METROPOLITAN COUNCIL'S PROPOSED
2009 TAX LEVY FOR GENERAL PURPOSES
FOR CERTIFICATION TO THE MINNESOTA COMMISSIONER OF REVENUE**

WHEREAS, Minnesota Statutes, Section 275.065, Subdivision 1, requires that on or before September 15, the Council adopt the proposed budget and certify to the county auditors a proposed property tax levy for taxes payable in the following year; and

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 473.249, 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; and

WHEREAS, Minnesota Statutes, Section 473.249, Subdivision 2, requires the Council to certify its proposed property tax levy for general Council purposes to the Minnesota Commissioner of Revenue by September 1 of the levy year.

NOW, THEREFORE BE IT RESOLVED:

THAT the amount proposed to be raised from ad valorem taxes levied in 2009, payable in 2010, for general Council purposes is \$13,139,232.

Adopted this 26th day of August 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

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RESOLUTION NO. 2009-17

**RESOLUTION ADOPTING A PROPOSED 2009 TAX LEVY FOR THE
METROPOLITAN RIGHT-OF-WAY ACQUISITION LOAN FUND
FOR THE PURPOSES OF MINNESOTA STATUTES SECTION 473.167
FOR CERTIFICATION TO THE COUNTY AUDITORS**

WHEREAS, Minnesota Statutes, Section 275.065, Subdivision 1, requires that on or before September 15, the Council adopt the proposed budget and certify to the county auditors a proposed property tax levy for taxes payable in the following year; and

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 473.167, 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; and

WHEREAS, This tax must be certified by the Council, levied, and collected in the manner provided by Minnesota Statutes Section 473.13.

NOW, THEREFORE BE IT RESOLVED:

THAT pursuant to Minnesota Statutes Section 473.167, Subdivision 3, the Council hereby proposes to levy property taxes in 2009, payable in 2010, in the amount of \$3,531,797 for the Metropolitan Right-of-Way Acquisition Loan Fund.

Adopted this 26th day of August 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

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RESOLUTION NO. 2009-18

**RESOLUTION ADOPTING A PROPOSED 2009 TAX LEVY FOR THE
METROPOLITAN RIGHT-OF-WAY ACQUISITION LOAN FUND
FOR THE PURPOSES OF MINNESOTA STATUTES SECTION 473.167
FOR CERTIFICATION TO THE MINNESOTA COMMISSIONER OF REVENUE**

WHEREAS, Minnesota Statutes, Section 275.065, Subdivision 1, requires that on or before September 15, the Council adopt the proposed budget and certify to the county auditors a proposed property tax levy for taxes payable in the following year; and

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 473.167, 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; and

WHEREAS, This tax must be certified by the Council, levied, and collected in the manner provided by Minnesota Statutes Section 473.13; and

WHEREAS, Minnesota Statutes, Section 473.167, Subdivision 3, requires the Council to certify its proposed property tax levy under Minnesota Statutes Section 473.167 to the Minnesota Commissioner of Revenue by September 1 of the levy year.

NOW, THEREFORE BE IT RESOLVED:

THAT pursuant to Minnesota Statutes Section 473.167, Subdivision 3, the Council hereby proposes to levy property taxes in 2009, payable in 2010, in the amount of \$3,531,797 for the Metropolitan Right-of-Way Acquisition Loan Fund.

Adopted this 26th day of August 2009.

Peter Bell, Chair

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RESOLUTION NO. 2009-19

**RESOLUTION ADOPTING A PROPOSED 2009 TAX LEVY FOR THE
LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT IN THE
METROPOLITAN LIVABLE COMMUNITIES FUND**

WHEREAS, Minnesota Statutes, Section 275.065, Subdivision 1, requires that on or before September 15, the Council adopt the proposed budget and certify to the county auditors a proposed property tax levy for taxes payable in the following year; and

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 473.253, 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 of the Livable Communities Demonstration Account in the Metropolitan Livable Communities Fund proposed to be raised from ad valorem taxes levied in 2009, payable in 2010, is \$8,184,070.

Adopted this 26th day of August 2009.

Peter Bell, Chair

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RESOLUTION NO. 2009-20

**RESOLUTION ADOPTING A PROPOSED 2009 TAX LEVY FOR THE
TAX BASE REVITALIZATION ACCOUNT
OF THE LIVABLE COMMUNITIES ACT**

WHEREAS, Minnesota Statutes, Section 275.065, Subdivision 1, requires that on or before September 15, the Council adopt the proposed budget and certify to the county auditors a proposed property tax levy for taxes payable in the following year; and

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, 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 cleanup of polluted lands in the metropolitan area.

NOW, THEREFORE BE IT RESOLVED:

THAT the amount proposed to be raised from ad valorem taxes levied in 2009, payable in 2010, 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 26th day of August 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary

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

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RESOLUTION NO. 2009-21

**RESOLUTION CERTIFYING A TAX LEVY FOR 2009
FOR DEBT SERVICE ON FUTURE TRANSIT BONDS**

WHEREAS, The Council anticipates issuing general obligation transit bonds in 2009 and/or 2010 and making principal and interest payments on said bonds during the period from February 2, 2010 to February 1, 2011; and

WHEREAS, The Council may certify a tax levy in anticipation of the issuance of general obligation bonds in a manner and to the extent permitted by Minnesota Statutes Section 475.61, Subdivision 1; 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 Council has reached agreement on a transit service expansion plan with each of the governing bodies of the Cities of Columbus, Forest Lake and Lakeville in accordance with the provisions of Minnesota Statutes, section 473.4461; and

WHEREAS, It has been determined that a tax levy in 2009, payable in 2010, is necessary to fund principal and interest payments on said bonds during the period from February 2, 2010 to February 1, 2011.

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 \$5,307,147 upon the Transit Taxing District as defined in Minnesota Statutes, section 473.446, subdivision 2, and upon the cities of Columbus, Forest Lake and Lakeville for debt service on general obligation transit bonds to be issued by the Council in 2009 and/or 2010.

Adopted this 26th day of August 2009.

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RESOLUTION NO. 2009-22

**RESOLUTION CERTIFYING A TAX LEVY FOR 2009
FOR DEBT SERVICE ON FUTURE PARKS BONDS**

WHEREAS, The Council anticipates issuing general obligation transit and parks bonds in 2009 and/or 2010 and making principal and interest payments on said bonds during the period from February 2, 2010 to February 1, 2011; and

WHEREAS, The Council may certify a tax levy in anticipation of the issuance of general obligation bonds in a 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 2009, payable in 2010, is necessary to fund principal and interest payments on said bonds during the period from February 2, 2010 to February 1, 2011.

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 \$876,404 for debt service on general obligation parks bonds to be issued by the Council in 2009 and/or 2010.

Adopted this 26th day of August 2009.

Peter Bell, Chair

Pat Curtiss, Recording Secretary