

Meeting date: December 12, 2012

ADVISORY INFORMATION

Date: December 5, 2012

Subject: Adopting of the 2012, Payable 2013, Tax Levies for General Purposes, Metropolitan Right-Of-Way Acquisition Loan Fund, Livable Communities Demonstration Account, Livable Communities Tax Base Revitalization Account, Parks Debt Anticipation, Transit Debt Anticipation and the 2013 Unified Operating Budget (Resolutions 2012-37, 2012-38, 2012-39, 2012-40, 2012-41, 2012-42 and 2012-35)

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

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

Prepared/Presented: Mary Bogie, Chief Finance Officer (651) 602-1359

Division/Department: Regional Administration

Proposed Action

That the Metropolitan Council adopts the following resolutions:

- **2012-37:** Adopting the Council's 2012 Tax Levy for General Purposes for Certification to the County Auditors
- **2012-38:** Adopting the Council's 2012 Tax Levy for the Metropolitan Right-Of-Way Acquisition Loan Fund for the Purposes of Minnesota Statutes Section 473.167
- **2012-39:** Adopting the Council's 2012 Tax Levy for the Livable Communities Demonstration Account in the Metropolitan Livable Communities Fund
- **2012-40:** Adopting the Council's 2012 Tax Levy for the Tax Base Revitalization Account of the Livable Communities Act
- **2012-41:** Certifying the Council's 2012 Tax Levy for Debt Service on Future Park Bonds
- **2012-42:** Certifying the Council's 2012 Tax Levy for Debt Service on Future Transit Bonds

and

- **2012-35:** Adopting the Metropolitan Council's 2013 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 2013 and decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget on or before December 20.

- Under Minnesota Statutes 275.07, Subdivision 1, and 473.13, Subdivision 1, the Council must certify final 2012, payable 2013 property tax levies to the county auditors on or before five working days after December 20.
- The attached resolutions are shown with the preliminary levy amounts adopted by the Council on August 15, 2012. 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	\$ 10,711,678	2012-37
Metropolitan Right-Of-Way Acquisition Loan Fund	2,967,696	2012-38
Livable Communities Demonstration Account	11,066,123	2012-39
Livable Communities Tax Base Revitalization Acct	5,000,000	2012-40
Parks Debt Service Anticipation	2,075,062	2012-41
Transit Debt Service Anticipation	12,097,313	2012-42
Total Levies Requiring Council Action	\$ 43,917,872	
<u>Levies Certified By Debt Issuance (Council Action Not Required)</u>		
Transit Debt Service Levy	\$ 31,480,243	
Parks Debt Service Levy	3,073,823	
Total Levies Not Requiring Council Action	\$ 34,554,066	
Total Levies	\$ 78,471,938	

- Resolution 2012-35: Adopting the 2013 Unified Operating Budget. Total levies and full-time equivalents remain unchanged from the public comment draft dated October 31, 2012.

Total expenditures decreased by \$616 thousand. Community Development removed \$1M expected use of reserve for Small Business Mitigation Program. Metro Transit reduced expenditures by \$526K to reflect adjusted ridership projections. Regional Administration increased \$211K in salaries and benefits due to staff working out of class for the stadium support contracts. And Passthrough grants to Suburban Transit Providers increased \$699K.

Known Support/Opposition

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

RESOLUTION NO. 2012-35

**RESOLUTION ADOPTING THE METROPOLITAN COUNCIL'S
2013 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 the 2013 Unified Operating Budget for public comment on October 31, 2012; and
- WHEREAS,** Public comment on the 2013 Unified Operating Budget was accepted via phone, mail or email on or before 5:00 PM December 11, 2012; and
- WHEREAS,** Public comment on the 2013 Unified Operating Budget was allowed at 6:00 PM during the Metropolitan Council's regularly scheduled meeting on December 12, 2012.

NOW, THEREFORE, BE IT RESOLVED:

THAT the Metropolitan Council 2013 Unified Operating Budget is \$ 827,779,000 consisting of \$ 572,006,000 for Council operations, \$ 109,891,000 for pass-through grants and loans, and \$ 145,882,000 for debt service.

Adopted this 12th day of December 2012.

Susan Haigh, Chair

Emily Getty, Recording Secretary

METROPOLITAN COUNCIL
390 Robert Street North, Saint Paul, Minnesota 55101
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RESOLUTION NO. 2012-37

**RESOLUTION ADOPTING THE METROPOLITAN COUNCIL'S
2012 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 2012, for collection during 2013, for general purposes is \$ 10,711,678.

Adopted this 12th day of December 2012.

Susan Haigh, Chair

Emily Getty, Recording Secretary

METROPOLITAN COUNCIL
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RESOLUTION NO. 2012-38

**RESOLUTION ADOPTING A 2012 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 2012, for collection during 2013, for the Metropolitan Right-of-Way Acquisition Loan Fund is \$ 2,967,696.

Adopted this 12th day of December 2012.

Susan Haigh, Chair

Emily Getty, Recording Secretary

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RESOLUTION NO. 2012-39

**RESOLUTION ADOPTING A 2012 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 2012, for collection during 2013, for the Livable Communities Demonstration Account in the Metropolitan Livable Communities Fund is \$ 11,066,123.

Adopted this 12th day of December 2012.

Susan Haigh, Chair

Emily Getty, Recording Secretary

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RESOLUTION NO. 2012-40

**RESOLUTION ADOPTING A 2012 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 2012, for collection during 2013, 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 12th day of December 2012.

Susan Haigh, Chair

Emily Getty, Recording Secretary

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RESOLUTION NO. 2012-41

**RESOLUTION CERTIFYING 2012 TAX LEVY FOR
FOR DEBT SERVICE ON FUTURE PARKS BONDS**

- WHEREAS,** The Council anticipates issuing general obligation parks bonds in 2012 and/or 2013 and making principal and interest payments on said bonds during the period from February 2, 2013 to February 1, 2014; 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 2012, payable in 2013, is necessary to fund principal and interest payments on said bonds during the period from February 2, 2013 to February 1, 2014.

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 \$ 2,075,062 for debt service on general obligation parks bonds to be issued by the Council in 2013 and/or 2014.

Adopted this 12th day of December 2012.

Susan Haigh, Chair

Emily Getty, Recording Secretary

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RESOLUTION NO. 2012-42
RESOLUTION CERTIFYING 2012 TAX LEVY FOR
FOR DEBT SERVICE ON FUTURE TRANSIT BONDS

- WHEREAS,** The Council anticipates issuing general obligation transit bonds in 2012 and/or 2013 and making principal and interest payments on said bonds during the period from February 2, 2013 to February 1, 2014; 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, Lakeville, Maple Plain and Ramsey in accordance with the provisions of Minnesota Statutes, section 473.4461; and
- WHEREAS,** It has been determined that a tax levy in 2012, payable in 2013, is necessary to fund principal and interest payments on said bonds during the period from February 2, 2013 to February 1, 2014.

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 \$12,097,313 upon the Transit Taxing District as defined in Minnesota Statutes, section 473.446, subdivision 2, and upon the cities of Columbus, Forest Lake, Lakeville, Maple Plain and Ramsey for debt service on general obligation transit bonds to be issued by the Council in 2013 and/or 2014.

Adopted this 12th day of December 2012.

Susan Haigh, Chair

Emily Getty, Recording Secretary