

CITY OF LAKE ELMO

RESOLUTION NO. 98 - 71

GIVING PRELIMINARY APPROVAL TO A PROGRAM FOR THE USE OF ABATEMENT AUTHORITY IN THE CITY AND AUTHORIZING THE PREPARATION OF NECESSARY DOCUMENTS AND ESTABLISHMENT OF A DATE FOR A PUBLIC HEARING TO CONSIDER THE IMPLEMENTATION OF AN ABATEMENT PROGRAM.

WHEREAS, the City Council of the City of Lake Elmo, Minnesota (the "City") is authorized under the provisions of Minnesota Statutes, Sections 469.1812 to 469.1815, as amended (the "Abatement Act") to grant an abatement of the taxes imposed by the City on a parcel of property located in the City; and

WHEREAS, the Abatement Act provides that, prior to granting any abatement of taxes thereunder, the City shall make a finding that it expects that the benefits to the City of the proposed abatement shall be at least equal to the costs to the City of such abatement; and

WHEREAS, the Abatement Act further provides that the City shall make a finding that granting an abatement is in the public interest because it will (a) increase or preserve tax base; (b) provide or help acquire public facilities; (c) help redevelop or renew blighted areas; or (d) help provide access to services for residents of the City; and

WHEREAS, the Abatement Act also authorizes the county and the school district in which a parcel of property is located to grant an abatement of their respective taxes in coordination with the City, subject to the approval of their respective governing bodies and to the limitations set forth in the Abatement Act; and

WHEREAS, the City Council of the City has preliminarily determined that it may be in the public interest of the City to develop a program to grant abatements of taxes on certain parcels of real property located in the City for the purposes set forth in the Abatement Act; and

WHEREAS, the City has identified the property located at 8650 Hudson Boulevard in the City, P.I.D. 33-029-21-44-0007 (the "Property") as a parcel which may meet the requirements of the Abatement Act to provide for an abatement of taxes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, Minnesota, that:

1. The City hereby gives its preliminary approval to the establishment of a program in the City to provide for the abatement of taxes in accordance with the authority and limitations set forth in the Abatement Act.

2. The City hereby states its preliminary intention to exercise its abatement authority under the Abatement Act with respect to the Property, subject to compliance with the requirements of the Abatement Act and subject to the adoption by the City Council of the City to an abatement resolution setting forth the specific terms of such abatement and the nature and extent of the public benefits to be derived therefrom.
3. The City Administrator and staff of the City are authorized and directed to contact the owner of the Property and the representatives of Washington County (the "County") and Independent School District No. ____ (the "School District") to negotiate a coordinated application of abatement authority by the City, the County and the School District with respect to the Property.
4. The City Administrator, staff of the City and special counsel to the City, Best & Flanagan LLP, are hereby authorized and directed to negotiate and prepare any necessary resolutions, documents, policies or agreements with the owner of the Property, the County and the School District as may be necessary or appropriate for the implementation of a program for the abatement of taxes on the Property and elsewhere in the City. The City Administrator and staff of the City are further authorized to establish the date or dates for one or more public hearings on the use of abatement authority as required by the Abatement Act and to publish one or more notices of public hearings therefor.
5. This Resolution shall be in full force and effect from and after its date of adoption.

CITY OF LAKE ELMO,
MINNESOTA

By: Lee Hunt
Lee Hunt, MAYOR

By: Mary Kueffner
Mary Kueffner, City Administrator