



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

REGULAR

ITEM #: 14

AGENDA ITEM: Approval of Revised Memorandum of Understanding Between the City and Metropolitan Council

SUBMITTED BY: Kyle Klatt, Director of Planning

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: LisaBeth Barajas, Met Council Local Planning Assistance Manager

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item..... Staff
- Report/Presentation Staff
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

PUBLIC POLICY STATEMENT

The City Council must take action to approve a revised Memorandum of Understanding with the Metropolitan Council before the document as amended earlier this year will become effective.

SUMMARY AND ACTION REQUESTED:

The City Council is being asked to authorize the execution of an updated Memorandum of Understanding (MOU) between the City of Lake Elmo and the Metropolitan Council consistent with revisions that were previously authorized by the Met Council on February 27, 2013. These changes were developed in response to the City's recently adopted Comprehensive Plan amendment, which was considered at the same meeting as the MOU revisions. The Comprehensive Plan amendment incorporated the flexibility from the wastewater inefficiency fees and development staging that was granted in 2010 and that ultimately led to an extension of five additional years for the City to complete its mandated growth targets.

Met Council Staff has prepared formal amendments to the MOU that now reflect the revised staging as proposed in the City's I-94 Corridor Comprehensive Plan Update. Staff is recommending that the City Council execute the attached MOU amendment document and take the following action / with the following motion:

“Move to adopt Resolution No. 2013-45 authorizing execution of a revised Memorandum of Understanding between the City of Lake Elmo and Metropolitan Council”

BACKGROUND AND STAFF REPORT:

The attached documents, which include the proposed Memorandum of Understanding amendments and Met Council Resolution 2013-01, provide a fairly detailed accounting of events that have led to the Met Council granting relief from the original MOU. Even with this relief, the City has continued to communicate to the Met Council that the updated development staging (and associated inefficiency fees) may still be very difficult to achieve, especially with the condensed time period under which the City needs to accomplish the projected growth. The proposed MOU document does address these concerns by noting that the Met Council will continue to continue its dialogue with the City regarding the long-term forecasted growth and pace of growth for the City. Staff is especially pleased to see that the revised MOU document specifically notes that no Wastewater Inefficiency Fees will be imposed until the new System Statement forecasts are incorporated into the MOU.

Staff is recommending that the proposed modifications be implemented while the City continues to work towards longer-term revisions to the MOU with the goals of 1) better reflecting the most appropriate pace for future development, 2) reconsidering the overall REC unit numbers with the goal of better matching current and anticipated market conditions to the unit totals, and 3) extending the development staging period out to 2040.

RECOMMENDATION:

Based upon the above background information and Staff report, it is recommended that the City Council authorize the execution of an updated Memorandum of Understanding (MOU) between the City of Lake Elmo and the Metropolitan Council with the following motion:

“Move to adopt Resolution No. 2013-45 authorizing execution of a revised Memorandum of Understanding between the City of Lake Elmo and Metropolitan Council”

ATTACHMENT(S):

1. Resolution No. 2013-45
2. Proposed Memorandum of Understanding Amendment (Exhibit “A”)
3. Met Council Resolution 2013-01