

CITY OF MINNEAPOLIS

# Minneapolis Park and Recreation Board Levy Referendum Resolution

Committee of the Whole

March 16, 2016

# MPRB Closing the Gap Initiative

MPRB is calling for dedicated funding to address its identified financial gap for necessary maintenance, rehabilitation and capital improvements

- Potential avenues to accomplish:

- (1) Charter Commission
- (2) City Council
- (3) Citizen petition
- (4) State Legislature

# Request to City Council

## Special Levy by Voter Referendum

- MPRB resolution approving proposed ballot language for a November 2016 referendum:
  - (1) Requesting the City Council to place a referendum on the election ballot to impose a special levy of .0388 of estimated market value of all property in City to fund capitol improvements and to supplement the operating budget in and for neighborhood parks (\$15M in 2016 values);
  - (2) Levy to be in addition to normal funding; and
  - (3) MPRB to seek agreement with City to protect MPRB funding streams and hold them harmless from reductions.
- Mayor vetoed the resolution on January 27, 2016 and MPRB overrode the veto on February 3

# Special Levy by Voter Referendum

- Legal Prerequisite:
  - To Place a Referendum Question on the Election Ballot, the City must have specific charter or statutory authority
  - (A.G. opinion; caselaw; Minn. Stat. §205.10)
- City Charter has no provision for levy referendum

# Authority for Levy Referendum

- Only statutory authority cited by MPRB for City to place levy referendum on the ballot:
  - Minn. Stat. §275.73
    - Part of 1997 law relating to state-imposed levy limits
    - This section appears to apply only during times when levy limits have been imposed on local governments by the legislature (e.g., 2008 – 2010)
    - If applicable, still subject to other law or charter provisions on amount of taxes a local government may levy

# Authority for Levy Referendum

- Trust for Public Land has taken two different positions:
  - Conservation Finance Feasibility Study, September 2015 – No authority under §275.73 unless levy limits are in place
  - Recent letter: Allows levy referenda regardless of whether levy limits are in place
- Not a special levy under Minn. Stat. §275.70, subd. 5 (5)
- If voter-approved levy is permitted by law, it must be ordered by City Council
- If §275.73 is source of authority, ballot question has to be levied against net tax capacity and not estimated market value
- Needs to state a specific amount under Minn. Stat. §275.01

# Request to Charter Commission

- (1) Requesting authorization to present to the voters on the November 2016 ballot a proposed amendment to Minneapolis Charter Chapter 6.5
- (2) If passed, the amendment would give the MPRB authority to levy additional property taxes equivalent to .0388 of estimated market value of all property in City to fund capitol improvements and to supplement the operating budget in and for neighborhood parks (\$15M in 2016 values)
- (3) Proposed levy to be in addition to normal funding
- (4) MPRB would still need to seek agreement with City to protect MPRB funding streams and hold them harmless from reductions

# Request to Charter Commission

## Public Hearings Scheduled:

- 3/29/16, 5:30 p.m. – Washburn Public Library
- 4/4/16, 5:30 p.m. – North Regional Public Library
- 4/6/16, 4:00 p.m. – City Council Chambers

City Attorney reviewing question of whether MPRB proposal is proper subject matter for the Charter