CITY OF TONKA BAY
ITEM NO. 9E

Memo

To: Honorable Mayor and City Council

From: Joe Kohlmann, City Administrator

Date: December 11, 2012

Re: Electronic Data from Hennepin County

Enclosed is a conditional use license renewal agreement from Hennepin County to allow the City access to the County's electronic data (property information, notice of foreclosures, etc.) It is important we receive information from the County on a regular basis so we can transfer water bills to the rightful owner or get final payments. The information is provided to the city at no cost.

Council Action Requested:
Motion to adopt the attached resolution authorizing the City Administrator to enter into a renewal agreement with Hennepin County to allow access to electronic data.

RESOLUTION NO. 12-

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO RENEW AN AGREEMENT WITH HENNEPIN COUNTY TO ALLOW ACCESS TO ELECTRONIC DATA

WHEREAS, Hennepin County has developed electronic forms of certain data bases and an electronic proprietary geographical digitized data base hereinafter referred to as "EPDB;" and

WHEREAS, the City of Tonka Bay desires to use the County's EPDB in the course of conducting City business; and

WHEREAS, in acknowledgement of the City of Tonka Bay's above-stated purpose, the County is agreeable to provide to the City the EPDB; and

WHEREAS, the parties agree that the renewal of an Agreement is necessary in order to adequately protect said EPDB; and

WHEREAS, the County exclusively owns the EPDB which is the subject of said Agreement and has the authority and legal right to grant the City of Tonka Bay a license to have and use the EPDB as provided in the Agreement; and

WHEREAS, the EPDB is trade secret or confidential information under the Minnesota Government Data Practices Act and is governed by Minnesota Statutes sections 375.86 and 13.03 as well as other applicable state and federal laws.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tonka Bay that the City Administrator is directed to renew the Conditional Use License Agreement with Hennepin County for the purpose of electronic data retrieval through December 31, 2013.

PASSED at a regular meeting of the Tonka Bay City Council this 11th day of December, 2012.

Motion introduced by _____ and seconded by _____.

Roll call vote:
Ayes:
Nayes:
Absent:

_____
William LaBelle, Mayor

ATTEST:

_____
Joseph Kohlmann, Clerk/Administrator

Hennepin County Taxpayer Services Department

Survey Division - Suite A-703
Hennepin County Government Center
Minneapolis, Minnesota 55487

612.348.3131 Phone
612.348.2837 Fax
www.co.hennepin.mn.us

November 8, 2012

Clare Link, Administrator Asst.
City of Tonka Bay
4901 Manitou Rd
Tonka Bay MN 55331

Agreement # A091450

Hennepin County desires to extend the above referenced EPDB Conditional Use License Agreement through December 31, 2013. If you as a Government Unit, Consultant/Third Party or Private Corporation, desire to extend the above-reference Agreement, the following requirements must be satisfied as they pertain to your entity. Please return the required information to Hennepin County, Attention: Robert Moulder (at the address stated at the top of this page).

A.) **GOVERNMENTAL UNIT** MUST FURNISH TO THE COUNTY A COPY OF THE ACTION OF USER'S GOVERNING BODY AUTHORIZING THIS AGREEMENT EXTENSION. HOWEVER, IF AN OFFICIAL OF USER IS AUTHORIZED BY STATUTE OR CHARTER TO APPROVE AN AGREEMENT OF THIS NATURE THEN THIS ORIGINAL LETTER SIGNED BY SUCH OFFICIAL AUTHORIZING THE EXTENSION MUST BE RETURNED TO THE COUNTY. *NOTE: SUCH OFFICIAL MUST ATTACH TO THIS LETTER A COPY OF THEIR STATUTORY OR CHARTER AUTHORITY TO APPROVE THE AGREEMENTS.*

B.) **CONSULTANT/THIRD PARTY** MUST PROVIDE THE COUNTY A COPY OF AFFIRMATION BY GOVERNMENTAL UNIT THAT YOU WILL CONTINUE AS CONSULTANT AS STATED IN AGREEMENT NO. _____ THROUGH THE YEAR 2013. IN ADDITION, CONSULTANT/THIRD PARTY MUST SIGN THE ATTACHED SIGNATURE PAGE AND ACKOWLEDGEMENT AND RETURN ORIGINALS OF BOTH TO THE COUNTY.

C.) **PRIVATE CORPORATION** MUST SIGN THE ATTACHED SIGNATURE PAGE AND ACKNOWLEDGEMENT AND RETURN ORIGINALS OF BOTH TO THE COUNTY.

As authorized by the Agreement and noting the above requirements, which pertain to you specifically, please indicate below your intention to extend or not to extend this agreement through the year 2013. Please return the originals of this page and the acknowledgement page and a copy of affirmation as Consultant/Third Party, as required, to the attention of Robert Moulder at the address shown at the top of page 1 as soon as possible.

Please check (X) appropriate box.

___ **It IS our intention to extend this agreement through the year 2013.**

___ **It is NOT our intention to extend this agreement through the year 2013. We no longer require this information.**

Signature: _____ **Date:** _____
Authorized Signature

Title: _____

If you have any questions about this notice, please call Robert Moulder at 612-348-2618 for assistance.

Sincerely,

Richard P. Johnson

Richard P. Johnson
County Administrator