



MEMORANDUM

Date: September 14, 2021

To: Mayor and City Council Members

From: Catherine Pausche, Administrative Services Director

Subject: Ordinance Amending Chapter 78 – Waterways

The Purchase and Development Agreement with Lifestyle Communities approved in August 2020 and reassigned to Mound Harbor Holdings, LLC in August of 2021 provided for exclusive access of up to 10 Lost Lake boat slips and required the City Code of Ordinances to be amended to reflect this agreement.

The attached Ordinance Amendment for Chapter 78 Waterways provides for this requirement and has been properly noticed in advance of today's meeting.

To summarize, the Cooperative will have to decide which 10 residents can take advantage of the first right of refusal for the 10 slips on Lost Lake circled below.



Staff recommends approval of the attached Ordinance Amending City Code Chapter 78 Waterways. Please let Catherine know if you have any questions at (952)472-0633.

**PROPOSED ORDINANCE TO BE ACTED UPON SEPT. 28, 2021 AT
THE REGULAR CITY COUNCIL MEETING (POSED 09-14-21)**

**CITY OF MOUND
ORDINANCE __-2021**

**AN ORDINANCE AMENDING CHAPTER 78 OF THE MOUND CITY CODE AS IT RELATES
TO WATERWAYS**

The City Council of the City of Mound ordains:

SECTION 1. The City Council of the City of Mound hereby amends Chapter 78 Waterways Article IV. Charter Boat Use of Municipal Docks Section 78-73. Definitions of the Mound City Code as follows:

Sec. 78-73. Definitions.

Greenway municipal dock means the municipal transient mooring located nearest to the ~~Shoreline Drive and Auditors Road intersection~~ Greenway Trail and Pier in the Harbor District and included in the Lake Minnetonka Conservation District Lost Lake - Transient license and excludes the dockage included in the ~~Commons program for the Villas on Lost Lake Subdivision~~ Lake Minnetonka Conservation District Lost Lake - Overnight license.

SECTION 2. The City Council of the City of Mound hereby amends Chapter 78 Waterways Article V. Dock and Slip Licensing Section 78-102. Licenses of the Mound City Code as follows:

(e) *License Priorities for Lost Lake Slips ("Lost Lake Slips")*. The Dock Administration shall assign all locations to the applicants upon compliance with this ordinance and subject to reasonable conditions. The number of slip licenses available in each of these categories will be determined by the Dock Administration on an annual basis. Every Lost Lake townhome located on Lost Lake Lane or Lost Lake Court in Mound, Minnesota ("Lost Lake Resident"), will be offered one Lost Lake Slip to be charged on an annual basis at the Lost Lake Resident Rate for Primary Slip Holders as established in the City of Mound Fee Schedule. If any Lost Lake Resident declines a Lost Lake Slip, it will be included in the pool of slips rented at the higher rates as established in the City of Mound Fee Schedule. Mound Artessa Cooperative Community residents will have first priority for up to 10 Lost Lake overnight slips numbered 38 to 47 adjacent to the Mound Transient Slips per the terms of the Declaration Regarding Boat Slips and Slip Use Agreement included in the Purchase and Development Agreement with Mound Harbor Holdings, LLC. Mound Artessa Cooperative Community residents renting a slip shall be charged on an annual basis at the Mound Non-Lost Lake Resident Rate for Lost Lake Slips as established in the City of Mound Fee Schedule.

The following priorities govern the issuance of Lost Lake Slip licenses available in the pool to be issued on an annual basis through the enrollment period ending the last day in February of each year. Beginning March 1st of each year, the Lost Lake Slips will be assigned on a first come-first serve basis until all Lost Lake Slips are rented. The Lost Lake slips in the pool will be rented at the rates established in the City of Mound Fee Schedule for Lost Lake Slips at the Non-Lost Lake Resident ~~and Lost Lake Resident Second Slip Rates~~:

Adopted by the City Council this 28th day of September, 2021.

Mayor Raymond J. Salazar

Attest: Kevin Kelly, City Clerk

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Effective the ____ day of October, 2021.