

# REGIONAL PARKS GRANT ADMINISTRATION GUIDE

*July 2021*



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## Introduction

The Metropolitan Council (Council) administers a variety of funding sources and grant programs for the betterment of the Regional Parks System. These funds are granted to the 10 Regional Parks Implementing Agencies (Agencies) or other recipients as directed by the Minnesota Legislature. Legal requirements for these programs vary, and the Council is responsible for ensuring compliance with all relevant requirements.

## Purpose

This guide provides an overview of the administrative processes related to applying for and managing state funds and regional park bond funds administered by the Council.

## Definitions

**Agency Shares Calculator:** Council spreadsheet using formula-driven inputs to calculate each implementing agency's allocation of various funds, consisting of; Operations and Maintenance (O&M), Parks and Trails Legacy Fund (PTLF) and bonding.

**Agreement and Restrictive Covenant:** A legal contract imposing a restriction on the use of land.

**Application:** A project request submitted into the Council's grant management database which may be specific to a grant program, request for proposal, or notice of funding opportunity.

**Appropriation:** Total sum of money apportioned to the Metropolitan Council by the Minnesota Legislature.

**Authorized Representative:** The person or position designated by the grantee as the point of contact for a particular grant. It is recommended to be a staff person, not an elected or appointed official.

**Capital Asset:** Tangible or intangible assets used in operations having a useful life of more than one year and are capitalized in accordance with generally accepted accounting principles. Capital assets include: (a) land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, lease-purchase, exchange, or through capital leases; and (b) additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance).

**Capital Expenditure:** Money spent to acquire a capital asset or make improvements to a capital asset that increases its value and extends useful life (2 Code of Federal Regulations, section 200.13).

**Cash Flow Report:** Report due from grantees forecasting grant expenditures over a specified time period.

**Closeout:** The procedure initiated by a grantee to finalize a grant agreement, which generally includes submitting final project and financial reports. Closeout also includes the Council's review of final project information.

**Conflict of Interest:** An actual, potential, or perceived conflict of interest occurs when a person has actual or apparent duty or loyalty to more than one organization and the competing duties

or loyalties may impair impartiality to one or both parties. A conflict of interest may exist even if no unethical, improper, or illegal act results.

**Contract:** An agreement to provide a good or service that legally binds two or more parties.

**Contractor:** An organization or a person who is not a grantee employee that enters into a contract with a grantee to provide goods or services.

**Declaration:** Legally recorded document stating that a real property is subject to certain restrictions and encumbrances, such as restrictions on its sale or disposal.

**Eligible Expense:** A cost allowed to be charged to a grant.

**Effective Date:** The date an agreement begins, as stated in the agreement.

**Environment and Natural Resources Trust Fund:** The Environment and Natural Resources Trust Fund (ENRTF) is a state fund derived from Minnesota State Lottery revenue used for the public purpose of protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources. The Trust Fund is administered by the Legislative-Citizen Commission on Minnesota Resources (LCCMR).

**Equipment:** Property that has a useful life expectancy of more than one year and is not expected to be significantly depleted in use.

**Equity Toolkit:** Set of questions and a process to clarify how regional park projects are advancing equity.

**Executed Date:** The date of the final signature by all parties on an agreement.

**Executed Grant Agreement:** A grant agreement that has been signed and dated by all parties.

**Expiration Date:** The end date stated in the grant agreement or the date when all obligations have been satisfactorily fulfilled, whichever comes first.

**Final Certification Form:** A form signed by the grantee's chief financial officer or finance manager certifying the total amount and proper expenditure of grant funds. The form is submitted with grant closeout documentation.

**Financial Reconciliation:** A process that ensures a grantee's reported expenditures for a given period are consistent with supporting documentation, such as purchase orders, receipts, invoices, and payroll records.

**Fiscal Agent:** A person authorized to manage the fiscal matters on behalf of another party.

**Future Reimbursement Consideration:** An option in the Regional Parks Bonding Program that allows Agencies to request Council approval to incur expenses, pay those expenses from Agency funds, and be eligible for later reimbursement with Council bonds.

**Grant Activity Period:** Time period during which expenses incurred are eligible for reimbursement.

**Grant Administration:** Activities such as grant tracking, grant agreement management, reporting and program management, or oversight of activities.

**Grant Agreement:** A written or electronic document defining a legal relationship between the Metropolitan Council and a grantee when the principal purpose of the relationship is to transfer cash of something of value to the recipient to support a public purpose authorized by law.

**Grant Agreement Amendment:** An addition, deletion, or change to a fully executed grant agreement.

**Grant Assignment:** A grant agreement summarizes the rights, responsibilities, and duties of the Council and the grantee. When some or all these rights, duties, and responsibilities are transferred to a different entity, it is known as a “grant assignment.” A grant assignment is not permitted without written approval from the Council and the grantee. An executed assignment agreement is needed to transfer any rights, responsibilities, or duties under a grant agreement to a different entity.

**Grant Budget:** A plan for all income and expenses for the project funded by the grant. Grant budgets typically include construction cost, internal professional services, and external professional services.

**Grant Period:** The time period between the executed date and expiration date of a grant agreement.

**Grantee or Grant Recipient:** The party responsible for implementing the terms of the grant agreement with the Council.

**Ineligible Expense:** A cost that is not allowed for reimbursement with grant funds.

**Legislative-Citizen Commission on Minnesota Resources:** The Legislative-Citizen Commission on Minnesota Resources (LCCMR) is made up of 17 members: five Senators, five Representatives, five citizens appointed by the governor, one citizen appointed by the Minnesota Senate, and one citizen appointed by the Minnesota House. The function of the LCCMR is to make funding recommendations to the Legislature for special environmental and natural resource projects, primarily from the Environment and Natural Resources Trust Fund.

**Legislative Coordinating Commission:** The Legislative Coordinating Commission (LCC) coordinates the legislative activities of the Minnesota Senate and House of Representatives. The LCC maintains Minnesota’s Legacy website, which displays how funds from the following are being used throughout the state: Arts and Cultural Heritage Fund, Outdoor Heritage Fund, Clean Water Fund, Parks and Trails Fund, and Environment and Natural Resources Trust Fund.

**Master Plan:** A long-term planning document, revised and updated over time, that provides a development concept, park or trail boundaries, an estimate of costs, as well as other elements.

**Match:** Services, materials, or cash contributed to supplement other funding sources to accomplish grant objectives. Specific programs may have limitations on what may be used as match.

**Measurable Outcomes:** A clearly defined metric of verifiable project deliverables, such as miles of trail completed, number of program attendees, acres of land acquired.

**Metropolitan Parks and Open Space Commission:** The Metropolitan Parks and Open Space Commission (MPOSC) advises the Council on development of the long-range plan for the Regional Park System and on acquisition and development programs, including priorities for funding. MPOSC works in coordination with the 10 regional park implementing agencies.

**Minnesota Management and Budget:** Minnesota Management and Budget (MMB) is the state agency responsible for the financial management of Minnesota state government, including accounting, budgeting, economic and fiscal forecasting, debt management, compensation, and employee relations.

**Monitoring:** A procedure of reviewing and documenting progress of grant agreement implementation and compliance with grant agreement provisions.

**Monitoring Visit:** A visit involving both Council staff and the grantee representatives that occurs during the grant period. The purpose of grant monitoring visits is to review and ensure progress toward the grant's goals, address any problems or issues before the end of the grant period, and build rapport between the state agency and the grantee.

**Post-Award:** The time period during implementation of the grant, reporting progress, reviewing, and processing reimbursement requests and completing closeout requirements.

**Pre-Award:** The time period consisting of the beginning of the grant lifecycle, which includes announcing opportunities, submitting applications, and reviewing applications.

**Prevailing Wage:** The minimum hourly wage, plus benefits, that employers must pay certain workers who work on construction projects funded at least in part by state dollars, as set by the Minnesota Department of Labor and Industry. Questions about applying prevailing wage rates should be directed to the Department of Labor and Industry.

**Progress Report:** A summary of grant activities and outcomes for a given period. A progress report may have narrative, data, and/or financial elements.

**Regional Park Implementing Agencies:** Minnesota Statutes, section 473.351, subdivision 1(a) defines the Regional Park Implementing Agencies as follows: the counties of Anoka, Carver, Dakota, Ramsey, Scott, and Washington; the Cities of Bloomington and Saint Paul; the Minneapolis Park and Recreation Board; and Three Rivers Park District.

**Regional Parks Policy Plan:** Document that puts forward policy direction to ensure the fulfillment of outdoor recreation benefits for all residents of the metropolitan region, now and into the future.

**Regional Park System:** The nationally renowned collection of regional parks, regional trails, and special recreation features across the seven-county Twin Cities metropolitan area.

**Risk:** The possibility that an event will occur that adversely affects the achievement of objectives.

**Risk Assessment:** Evaluating a grant recipient's risk of noncompliance with statutes, rules, grant agreements, and policies to determine appropriate monitoring and reconciliation procedures.

**Small Disadvantaged Business Report:** Report on proactive steps, if any, taken by grantees and their contractors to hire Small Disadvantaged Businesses (SDB) to complete grant projects and whether the grantee set a goal to hire SDBs and the result.

**State Jobs Report:** Report from the grantee to the Minnesota Department of Management and Budget identifying the number of jobs created or retained by the grant project.

**WebGrants:** The Council's web-based grant management database used for grant administration, applications, payment requests, and reporting.

## *Organization of the Council*

The Council provides essential services and infrastructure through its divisions: Metro Transit, Metropolitan Transportation Services, Community Development and Environmental Services.

### **Community Development Division**

The Community Development Division is responsible for the Council's regional growth strategy, planning and technical assistance to local communities, and for planning and funding regional parks and open space. Several departments within Community Development support the Regional Parks and Open Space System. These include the Regional Parks Unit, the Research Unit, and the Finance and Administration Department.

#### ***Regional Parks Unit***

The Regional Parks Unit works closely with the 10 regional park implementing agencies and other partners to plan, fund, and support the operation and development of the Regional Parks System. The unit leads the grant solicitation and award processes and provides program guidance and review for amendments to project scopes.

#### ***Research Unit***

Research collects, analyzes, and provides data about the region, forecasts regional growth trends, and analyzes other regional trends. This unit is responsible for conducting Regional Parks and Trails visitor studies, annual use estimates, and collecting population estimates that help calculate the shares of funds among all Implementing Agencies.

#### ***Finance and Administration Department***

Finance and Administration is responsible for establishing and maintaining a formal communications process with Regional Parks grantees and ensuring the efficient financial and technical management of grants. The department provides guidance to grant program managers, processes grant awards for execution, and leads post-award processes, including reporting, payments, amendments, risk assessments, monitoring, and closeout procedures.

## *Roles and Responsibilities*

### **Regional Parks Unit**

**Parks Planning Team:** The Parks Planning Team reviews regional park and trail master plans to ensure that all projects proposed for funding are included in a Council-approved master plan.

**Senior Parks Planner:** The Senior Parks Planner administers all pre-award processes for grant programs supporting the Regional Parks System: The Park Acquisition Opportunity Fund, Regional Parks Bonding Program, Parks and Trails Legacy Fund, and the Equity Grant

Program. The Senior Parks Planner also coordinates and monitors the requests for Regional Parks Systems funding from the Environment and Natural Resources Trust Fund.

**Regional Parks Manager:** The Regional Parks Manager oversees the implementation of the Regional Parks System program. The manager oversees development and updating of the Regional Parks Policy Plan, which guides decisions of the 10 regional park implementing agencies. The manager also provides staff support to the Metropolitan Parks and Open Space Commission.

## Finance and Administration Department

**Senior Grant Administrator:** The Senior Grant Administrator administers all post-award processes for grant programs supporting the Regional Parks System: Park Acquisition Opportunity Fund, Regional Parks Bonding Program, Parks and Trails Legacy Fund, Equity Grant Program, Operation and Maintenance Funding, and legislatively directed pass-through grants. The Senior Grant Administrator drafts grant agreements and amendments that ensure grant compliance and carries out grant monitoring, including desk reviews, semi-annual reporting, risk assessments and site visits.

**Grants Manager:** The Grants Manager oversees grant monitoring activities and ensures appropriate controls are in place to comply with state and Council laws, regulations, and policies.

**Finance Analyst:** Council finance staff support Regional Parks grant programs by maintaining the Shares Calculator, developing budget amendments, leading financial forecasting, and reporting to the state, and providing individual financial reports to grant stakeholders.

## Grantee

**Authorized Representative:** The Authorized Representative is the designated representative of the grantee organization in matters related to the award and administration of its grants. In signing a grant agreement, this person certifies that the organization will comply with all applicable conditions referenced in the agreement. The Authorized Representative's signature further certifies that their organization will be accountable both for the appropriate use of funds awarded and for the performance of the grant-supported project or activities funded by from the award.

**Project Manager:** The Project Manager is designated by the grantee organization to have the appropriate level of authority and responsibility to direct the project or program supported by the award. The grantee organization may designate more than one person to serve as Project Managers if they share the authority and responsibility for leading and directing the project. Each Project Manager is responsible and accountable to the grantee organization for the proper conduct of the project or program, including the submission of all required reports.

**Other staff:** As determined by each individual agency.

## General Timeline

Item	January-June		July-December	
<b>Administrative Activity Timeline</b>				
Agency Shares	<ul style="list-style-type: none"> <li>February Forecast update sent to Agencies</li> </ul>		<ul style="list-style-type: none"> <li>Post-session update sent to Agencies</li> <li>November Forecast update sent to Agencies</li> </ul>	
Monitoring (risk assessments, semi-annual reports, closeout)	Ongoing – coordinated between Grant Administrator and Agency staff		Ongoing – coordinated between Grant Administrator and Agency staff	
Reporting	Semi-annual reports and cashflow projections due for open grants. Final reports are due at end of grant term or 90 days from project completion, whichever occurs first		Semi-annual reports and cashflow projections for open grants. Final reports due at end of grant term or 90 days from project completion, whichever occurs first	
<b>Programmatic Timeline</b>				
Operations & Maintenance	<ul style="list-style-type: none"> <li>Council sends forms for acreage and O&amp;M expenses to Agencies</li> <li>Agencies submit forms and O&amp;M documentation due</li> </ul>		<ul style="list-style-type: none"> <li>O&amp;M allocations finalized</li> <li>O&amp;M Grant Agreements sent for execution every other biennium (multi-year agreements)</li> </ul>	
Parks Acquisition Opportunity Fund	<ul style="list-style-type: none"> <li>Finalize parcel list for ENRTF acquisitions with Agencies</li> </ul>		<ul style="list-style-type: none"> <li>New appropriations adopted into Council Budget</li> <li>Funds distributed first-come first-served</li> <li>Grant agreements distributed</li> </ul>	
	Even Years	Odd Years	Even Years	Odd Years
Parks and Trails Legacy Fund	<ul style="list-style-type: none"> <li>Applications officially submitted into WebGrants to reflect final funding allocations</li> </ul>	<ul style="list-style-type: none"> <li>Applications officially submitted into WebGrants to reflect final funding allocations</li> </ul>	<ul style="list-style-type: none"> <li>Estimated appropriation shared with Implementing Agencies</li> <li>Proposed project list due (Aug.-Sept.)</li> <li>Proposed project list reviewed for eligibility</li> <li>New appropriations adopted into Council Budget</li> <li>Grant agreements distributed</li> </ul>	<ul style="list-style-type: none"> <li>New appropriations adopted into Council Budget</li> <li>Grant agreements distributed</li> </ul>
Bonding	<ul style="list-style-type: none"> <li>Applications officially submitted into WebGrants to reflect final funding allocations</li> </ul>		<ul style="list-style-type: none"> <li>New appropriations adopted into Council Budget</li> <li>Grant agreements distributed</li> </ul>	<ul style="list-style-type: none"> <li>Estimated appropriation shared with Agencies</li> <li>Proposed project list due (Aug.-Sept.)</li> <li>Proposed project list reviewed</li> </ul>
Competitive Equity Grant Program		<ul style="list-style-type: none"> <li>Review of submitted applications (winter)</li> <li>Equity grants awarded (spring)</li> </ul>		<ul style="list-style-type: none"> <li>Notice of Funding Availability released to agencies (early winter)</li> <li>Application period opens (winter)</li> </ul>

Note: General timeline is subject to change and focuses on Council and Agency actions.

## Regional Parks System Funding, Programs, and Agency Shares

### *Regional Park System Funding*

The Council Regional Park System is funded through a variety of sources:

- State General Obligation Bonds
- State General Funds
- State Lottery in Lieu of Sales Tax Revenue
- Environment and Natural Resources Trust Fund
- Minnesota Clean Water, Land and Legacy Amendment Parks and Trails Fund
- Metropolitan Council Regional Park Bonds
- Interest Earned on Regional Parks System Funding



### *Funding Programs*

#### **Regional Parks Bonding Grant Program**

Two funding sources make up the Regional Parks Bonding Program:

- Regional park bonds issued by the Council for the Regional Parks System.
- State general obligation bonds appropriated for the Regional Parks System.

As noted in the [2040 Regional Parks Policy Plan](#) and the Council's Capital Financing Policy, the Council matches every \$3 of state general obligation bonds with \$2 of Council regional park bonds.

#### **Parks and Trails Legacy Fund Grant Program**

The [Minnesota Constitution, Article XI, Section 15](#) established the Parks and Trails Legacy Fund (PTLF) to support parks and trails of regional or statewide significance.

#### **Park Acquisition Opportunity Fund Grant Program**

The Park Acquisition Opportunity Fund (PAOF) assists Agencies in acquiring land for the Regional Parks System. The PAOF comprises state and regional funding sources in two separate accounts:

- The Parks and Trails Legacy Fund/Park Acquisition Opportunity Fund (PTLF/PAOF)
- The Environment and Natural Resources Trust Fund/Park Acquisition Opportunity Fund (ENRTF/PAOF)

Per the Plan and the Council's Capital Financing Policy, the Council matches every \$3 of state funds with \$2 of regional park bonds.

#### **Competitive Equity Grant Program**

The Competitive Equity Grant Program provides funding to Regional Park Implementing Agencies for projects that will strengthen equitable usage of regional parks and trails by all our region's residents,

across age, race, ethnicity, income, national origin, and ability. The program is also designed to enhance institutional capacity to advance equity work across the Regional Park System and with individual Agencies.

## **Operation and Maintenance Program**

The State of Minnesota appropriates money under [\*Minnesota Statutes, section 473.351\*](#), to defray the cost of operation and maintenance activities for waters, lands, and facilities that are part of the Regional Parks System.

## **Legislatively Directed Pass-Through Grant Program**

From time to time, the Legislature directs the Council to administer pass-through grants from direct appropriations that are earmarked for special projects related to parks and trails in the metropolitan area. These grants are awarded to local government jurisdictions, including the Regional Park Implementing Agencies, counties, cities, and townships.

## ***Agency Shares***

Council Finance Analyst calculates forecasted and final Agency funding shares for each formula-based program using a tool called the Agency Share Calculator. Formulas differ by program and use such variables as an Agency's relative share of regional park visits, nonlocal visits, population within Agency's jurisdiction, acreage, and operational and maintenance expenses. Forecasted Agency shares fluctuate throughout the year as appropriations and inputs are finalized. Council staff will distribute the updated Shares Calculator to Agencies at defined intervals throughout the year:

- Following issuance of the State of Minnesota February forecast.
- Post legislative session update but no earlier than the date when the Council's population estimates are certified (about July 15).
- Following issuance of the State of Minnesota November forecast.

## **Grant Lifecycle**

### ***Project Development***

Project development, also referred to as the "pre-award" phase, begins when the Council begins to solicit project proposals and concludes when projects are recommended for a grant. The Council's Parks planners are the primary points of contact during the pre-award phase.

Council Parks Planner communicates funding opportunities to implementing agencies to help them prepare for anticipated funding. For all grant programs, this includes coordinating the submission of proposed projects. Council Parks Planner then reviews proposed projects for alignment with master plans and program eligibility.

### ***Project Submission***

All grant programs use WebGrants for submitting final project applications.

Council Parks Planner initiates and opens a funding opportunity in WebGrants and notifies agencies that they may begin submitting final project applications. Agencies will see a list of available funding opportunities when they login to WebGrants. Agencies then begin inputting application information and may continue to edit inputs until all information is complete. Once agencies are satisfied with their application, they will officially submit within WebGrants. Council Parks Planner will then review

applications and work with agencies on any additional information that may be needed. After submission in WebGrants, the Council Parks Planner will use the “negotiate back” function in WebGrants to allow agencies to complete any necessary edits to a submitted application.

## *Project Review and Approval*

Council Parks Planner conducts final verification of master plan compliance and program eligibility before moving to the approval process. Proposed formula grants are reviewed by the Metropolitan Parks and Open Space Commission (MPOSC) before the legislative session, and awards are made after the Council receives an appropriation from the state and the funds are brought into the Council’s budget. Nonformula grants are individually reviewed by MPOSC and approved by the Council before awards are made.

Once applications have been submitted, reviewed, and approved and funding has been brought into the Council’s budget, projects move to “Awarded” status in WebGrants. The projects are then in the post-award phase and development of the grant agreement begins.

## *Grant Agreement*

Council Grants Administrators prepare grant agreements and route them for execution. Routing a grant agreement for execution entails the following:

- Council Grant Administrators send grant agreements to grantees for review and signature by the grantee’s Authorized Representative.
- Grantees return signed grant agreements to Council Grant Administrators to route internally for executing signature.

Grantee receives notification that the agreement has been executed. A copy of the executed grant agreement is provided to the grantee, along with direction on next steps for grant project implementation.

- Attachments to the grant agreement and other required documentation may need to be completed before the project activities occur, or before expenditures are reimbursed. (See individual grant program sections for more information.)
- The Grant Activity Period begins on the date indicated in the grant agreement. (See individual grant program sections for more information.)

## *Project Implementation*

### **Monitoring**

Grantees are responsible for managing the day-to-day management of their grant. As stewards of state and regional funds, Council Grant Administrators monitor grants to identify potential problems and areas where technical assistance might be necessary. This monitoring is done through review of reports and correspondence from the grantee, risk assessments, site visits, and other information available to the Council.

Grantees may be asked to provide documentation for desk reviews and participate in site visits. The Council Grant Administrator may complete periodic site visits to ensure compliance with grant agreements. Monitoring expectations will be communicated to grantees annually.

## Risk Assessments

Council Grant Administrators perform risk assessments of each grantee. Risk assessments are performed at least every two years. Risk assessments include a financial review and examination of prior grantee performance to determine monitoring expectations.

Factors considered in the risk assessment consist of:

- Financial review using both of the most recent:
  - Comprehensive Annual Financial Report from grantee's governing body.
  - Management and Compliance Report from grantee's governing body.
- Prior performance:
  - Required reports and documents were submitted on time.
  - Required reports and documents provided accurate and pertinent information.
  - Reimbursement requests did not include ineligible activities.
  - Program outcomes were met.
- Staff turnover or grantee systems changes.
- Debarment and suspension of grantee by state or federal government.

Risk assessment findings inform monitoring strategies and the frequency of future risk assessments.

## Site Visits

Site visits may be conducted as part of the Council's monitoring procedure. Grantees will receive advance notification of visits, including date of the meeting and which documents they should be prepared to share and/or review with Council Grant Administrators.

Council Grant Administrators will perform site visits to fulfill several functions:

- Collect information for monitoring and risk assessment activities.
- Verify specific status of grant project, activities, or outcomes.
- Provide orientation on Council grant programs.
- Update grantees on any changes in the grant program or process.
- Provide technical support:
  - Advise on grant project implementation strategies.
  - Assist with development of grant administration policy and procedure.
- Document grant projects for system-wide publicity efforts.

## Grant Reporting

The Council and the state require grantees to submit reports that are due at specific times during the lifecycle of a grant award. All reports must be accurate, complete, and submitted on time.

Council Grant Administrators will communicate all known general reporting requirements and anticipated deadlines in January each year. Additional specific reporting requirements may be found in grant agreements.

General reporting requirements include:

- Submission of semi-annual progress reports and cash flow projections on all active projects using Council provided report templates. Reports are due July 31 and January 31 of each calendar year.
- Council or state reporting requirements stated in the grant agreement that are necessary for the Council to meet its reporting obligations. For example, the Council will use reports to meet annual reporting requirements of the Parks and Trails Legacy Fund and the Environment and Natural Resources Trust Fund.

## Payment Requests

The Council disburses grant funds on a reimbursement basis for grant-eligible expenses incurred during the grant's activity period. Although grant expenses may be incurred during the grant's activity period, the Council will not disburse grant funds until the grant agreement has been executed and other required documentation identified by the Council is complete and submitted. (See individual grant program sections for more information on required documentation.)

Once the grant agreement is executed and all required documentation received, the grantee may submit a reimbursement request for grant-eligible expenses at intervals chosen by the grantee, but not more than monthly.

Eligible expenses are:

- Consistent with the grant agreement, specifically the scope and budget presented in the grant project summary.
- Consistent with state statutes, as applicable.
- Consistent with state guidance documents, as applicable:
  - Bond-eligible expenses listed in the [State of Minnesota Capital Grants Manual](#).
  - PTLF eligible expenses subject to [MMB Guidance to Agencies on Legacy Fund Expenditure](#).
- Consistent with relevant Council policies.
- Consistent with individual grant program requirements.

## Required Supporting Documentation

Grantees must supply adequate supporting documentation to substantiate each cost claimed for reimbursement. Council Grant Administrators review reimbursement requests for accuracy to ensure expenses align with the grant scope and budget. Each payment request must contain a description of the activity, date of activity, expense, and proof of payment. Payment-request documentation should be noted on a payment request form and verified by the grantee's Authorized Representative.

Supporting documents include, but are not limited to:

- Contractor and/or subcontractor invoices.
  - If invoices include subcontractor expenses, a copy of the subcontractor's invoice(s) must be provided.
- Pay applications and their line-item details (continuation sheets).
- Copy of a contract.
- Signed waivers or lien statements.
- Receipts.
- Proof of payment.

- Typically consists of a copy of the canceled check along with output from the grantee's official accounting system showing the transaction(s).

The grantee is responsible for identifying expenses for reimbursement and for excluding ineligible expenses. Lack of clear information and supporting documentation may delay payment processing or cause the payment request to be returned to the grantee for further clarification.

### **Reimbursement Claim Submission Process**

- Grantee prepares claim requests using the payment request form provided by the Council.
- Grantee submits the completed payment request form, along with supporting documentation through WebGrants, the Council's online grant management system.
- Council Grant Administrators review payment requests for completeness and accuracy.
- Council Grant Administrators work with the grantee to identify any ineligible expenses and/or gather additional information needed for payment approval.

### **Payment Timelines**

The Council will make payments within 35 days of a complete submission, as required by [Minnesota Statutes, section 471.425](#). The Council will notify grantees within 10 business days if it finds substantive errors in the payment request that prevent Council approval. After notification of any errors, the 35-day period resets the day the claim is resubmitted. The Council will not make final payments until the grantee meets all reporting requirements.

### **Grant Amendments**

To request an amendment for any grant program, Agencies submit a written request detailing what project changes require an amendment, the purpose and rationale for the amendment, and provide any supporting documentation. The proposed amendment must be consistent with both the scope and the budget of a project approved by the Agency's Board or authorized designee.

### **Types of Amendments**

- Extension for additional time.
- Change in project scope.
- Change in awarded amount.
- Significant change in project budget (Considered on a case-by-case basis. Consult with Council Grant Administrators for further information.)

### **Grant Amendment Process**

- Grantee submits a signed request for the amendment on organization letterhead, including:
  - Title and Council grant number.
  - Reason for request.
  - Type of amendment requested.
- Council Parks Planner and Council Grant Administrator review request for alignment with master plan, compliance with program terms\*, and compliance with all relevant statutes or appropriation law,
  - Additional Council finance processes may be required if amendment involves changes to awarded amount.
- Council Grant Administrators route for internal approval of proposed amendment
  - Additional Council approval may be required if:

- the grant award is being amended from less than \$500,000 to more than \$500,000,
  - the grant award is greater than \$500,000 and increasing by more than 10%.
- Amendment document sent to grantee for review and signature.
- Grantee returns signed amendment document to the Council.
- Council executes amendment.

\*See program descriptions for amendment options.

## **Grant Closeout**

A grant is ready to close out when all project activities are complete, the grant award has been fully expended, or the balance is no longer needed to complete grant activities, and/or the grant term has ended. The closeout of a grant will render the grant inactive and unavailable for reimbursement of additional incurred project expenditures.

### **Grant Closeout Process**

- Grantees submit a final progress report and all necessary documentation, along with their final reimbursement claim. Final payments will not be made until all reporting requirements are complete.
- Grantees complete the final progress report by verifying the following:
  - Status of the project.
  - Remaining balance of funds.
  - Final project budget expenditures.
  - At least one photo demonstrating the completion of the grant project.
  - Any additional grant program required documentation (see additional required reporting at closeout, below).
- Grantee submits the final progress-report form and supporting documentation (with the final pay request) through WebGrants.
- Council Grant Administrator reviews final progress reports for completeness and accuracy. They review project documentation for completion and follow up with grantees if additional necessary documentation is needed.
- Once final progress reports are approved, final payment is released, and unspent funds can be reallocated according to grant program guidelines.

### **Additional Required Closeout Reporting**

The following reports are required for individual grant programs:

- PTLF grants: Measurable Outcomes Report.
- PTLF and state bonding agreements: Small Disadvantaged Business Report
- State bonding grants: Minnesota Management and Budget jobs report

### **Unspent Funds**

The availability and use of unspent funds by an Implementing Agency depends on the conditions established by the program governing the grant. These can be found in the detailed program descriptions of this manual.

## Records Retention

Grantees generally must retain financial and programmatic records, supporting documents, statistical records, and all other records that are required by the terms of the grant, or may reasonably be considered pertinent to a grant, for a period of six years from the date the final report is submitted. Grantees can refer to the applicable grant agreement for additional information about records retention requirements.

## Grant Program Specifications

### *Regional Parks Bonding Grant Program*

The Regional Parks Bonding Program is intended for Regional Parks System acquisition, development, and redevelopment projects.

### Statutory Authority and History

Bond funds have been used to support the Regional Park System since its inception. The Minnesota Constitution, Article XI, Section 5, paragraph (a) authorizes the state to issue bonds to “acquire and to better public land and buildings and other public improvements of a capital nature. . .” [Minnesota Statutes, section 473.325](#) authorizes the Council to issue bonds for the acquisition and betterment of regional recreation open space.

### Fund Source

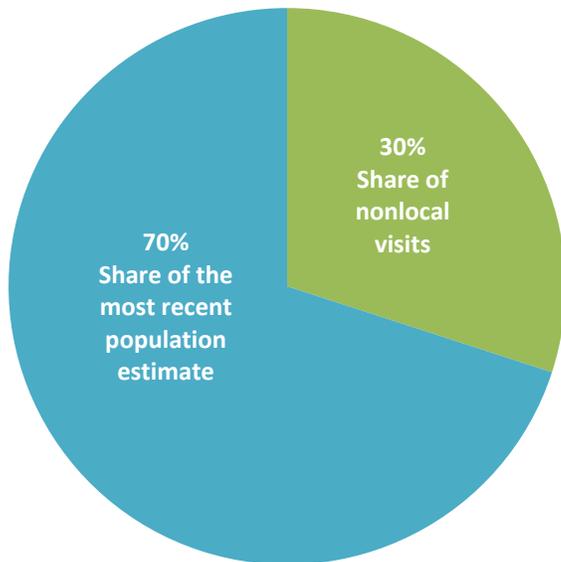
Two primary funding sources make up the Regional Parks Bonding Program:

- State of Minnesota General Obligation bonds authorized in statute and appropriated in session law.
- Council issued Regional Parks bonds under authority of [Minnesota Statutes, section 473.325](#).

Based on the [2040 Regional Parks Policy Plan](#) and Council’s Capital Financing Policy, the Council matches every \$3 of state bonds with \$2 of Council regional park bonds.

### Agency Shares and Allocation of Funding

The Council distributes Regional Parks Bonding Program funds to the Agencies according to a formula defined in the 2040 Regional Parks Policy Plan:



- 70% based on the population within the jurisdiction of each Agency, compared to the region’s total population

- 30% based on the number of visits an Agency hosted from individuals who live outside the Agency’s jurisdiction (non-local visits).

## Program Parameters

Development in Regional Parks System units should be based on the principle of providing and maintaining high-quality public park areas and facilities, primarily for residents of the metropolitan area.

Consistent with the authorizing state statutes and the [2040 Regional Parks Policy Plan](#), all grants from the Regional Parks Bonding Program are limited to funding projects that:

- Are within the boundaries of the Regional Park System.
- Are consistent with the 2040 Regional Parks Policy Plan.
- Are consistent with a Council-approved master plan before the Council executes a grant agreement.
- Do not allow private use of the acquired property, considering that any private use can jeopardize the tax-exempt status of the bonds.
- Have been approved by their local elected boards either individually or as part of local capital improvement plans,
- Have been reviewed by the Agency using the equity toolkit.
- Have been prioritized by the Agency in response to local capital needs.
- Have been included on a list of proposed projects, reviewed by Metropolitan Parks and Open Space Commission, and included as part of the governor’s state bonding request.

## Eligible and Ineligible Expenses

The Bonding Program allows for the Grant Activity Period to begin before the grant agreement is executed. The grant agreement defines the Grant Activity Period, which indicates the start date for eligible expenses.

### **Eligible Expenses**

Eligible expenses include, but are not limited to:

- Construction and other improvements or acquisitions of fixed, capital assets.
- Predesign, design.
- Land acquisition.

The eligibility criteria for development, rehabilitation, and restoration of regional parks, park reserves, trails, and special recreation features are:

- Projects that provide new facilities, rehabilitate facilities, or increase capacity where there is documented existing or projected high use.
- Projects continuing a phased high-priority project or one having relatively high priority that is timed with other public improvement projects to achieve significant economies in cost of construction.
- A project providing a specific facility that meets a documented need, is currently not available, or is significantly under-represented in the system.
- Regional trails that connect to other trails or regional facilities or extend existing trails.
- Natural resource restoration, including transforming degraded land into land with more representative native species and historic vegetation patterns.
- Acquisition of parkland parcels.
- Reimbursement for parkland parcels, as described in the section “Future Reimbursement Consideration,” page 23.

### ***Ineligible Expenses***

Ineligible expenses include, but are not limited to:

- General operating expenses, general administration, or similar expenses
- Master planning.
- Individual software licenses or property for individual use, such as computers.
- Construction of ball fields, rinks, or soccer fields.
- Concession-only buildings.
- Purely decorative installations.
- Facilities not available for public use.
- Dredging, water impoundments, or dams
- Golf courses,
- Indoor recreational facilities.
- Acquisition of land already in public recreational use.
- Legal fees.
- Memberships.
- Grantee insurance premiums
- Fund-raising,
- Paying off bad debt, paying interest on loans, or providing contingency funds.
- Paying lobbyists or political contributions.
- Entertainment or gifts.
- Maintenance equipment.
- Nonpermanent infrastructure.
- Any expenditure that occurs outside of the activity period as outlined in the Grant Agreement.

## Match

No local dollar match is required for this program.

## Procedures

- Agencies submit project proposals using an estimated funding amount based on forecasted Agency shares. Typical components of a proposal include project scope, budget, and measurable outcomes. Additionally, Agencies answer a set of questions about if/how their proposed projects advance equitable use of the Regional Park System. These questions are used to promote understanding about Agency efforts to advance equitable usage and do not impact funding decisions. Council Parks Planner will review the proposals for completeness and compliance with eligibility requirements.
- Council Parks Planner and agencies present proposed project list to MPOSC.
- Council staff submits projects to the state as requested.
- Once the legislature passes the appropriations bill and the Governor signs it, Council Finance staff uses final funding amounts to update Agency shares.
- Council Parks Planner and Council Grant Administrator will work with Agencies to update their projects and dollar amounts to reflect their final funding allocation.

### ***Additional requirements of Minnesota Management and Budget for grants funded with state bonds:***

- Capital projects funded in whole or in part by state bonds must demonstrate to MMB a full-funding commitment to the project(s). Agencies must provide the following:
  - Board (governing body) approval of the project, demonstrating its commitment to complete it.
  - A line item in the Agency's capital budget showing the exact dollar amount committed to complete the project
  - In the grant agreement:
    - Attachment III – Source and Use of Funds
    - Attachment IV – Project Completion Schedule
- Council Grant Administrators provide these Agency documents to MMB for its approval. Occasionally, additional information may be requested.
- The Agency must post a Recorded Funding Declaration on grant project property benefitting from the grant. This is required before the Agency is eligible for reimbursement.
- The Agency must complete the Section 6.04 Compliance Checklist certifying that it complies with the applicable section of the grant agreement. This is required before the Agency is eligible for reimbursement.

The project then moves into the post-award phase, which begins after the Council has approved funding for the project by including it in the Council's Annual Capital Program and Council Grant Administrator routes the grant agreement for execution

## Amendments

Amendments to the terms of grants funded by Regional Park bonds are possible when not otherwise prohibited by law, statute, or funding allocation. The types of amendments available for this program include:

- Shift in budget line items.

- Extension of grant term.
- Changes in grant-funded activities consistent with project scope
  - May require additional approval by MMB if the change to project scope is significant. (Consult with Council Grant Administrator for further information.)

## Closeout Reports

To close out a Regional Parks bonding grant, grantees must submit a final progress report and all necessary documentation, along with their final reimbursement claim. The Council must receive:

- Complete and certified Council Closeout Form.
- Recorded Declaration.
- Photo demonstrating grant-funded activities.
- State of Minnesota Jobs Report (for all grants awarded prior to State Fiscal Year 2021).
- Small Disadvantaged Business Report (for all grants awarded prior to State Fiscal Year 2021).

## Unspent Funds

When an Agency completes and closes a Regional Parks bonding grant project and there are funds remaining, those funds may be relinquished to other Council-reviewed and eligible Regional Park bonding projects. Relinquished funds can be added to the next funding round before new grant projects are executed. Relinquished funds must be utilized in the next funding round or they are returned to the fund source.

## Future Reimbursement Consideration

**NOTE:** Council staff have recently received legal direction from Bond Counsel that impacts our Parks Future Reimbursement Consideration Program. We are pausing the Parks Future Reimbursement Consideration program while we explore options for moving forward.

Defined in the [2040 Regional Parks Policy Plan](#), Future Reimbursement Consideration (FRC) allows Agencies to request Council approval to incur expenses, pay those expenses from Agency funds, and be eligible for later reimbursement with Council bonds. Future reimbursements of local match are made from the Agency's share of a future regional bonding allocation.

MPOSC and the Council must individually consider and approve all requests for FRC before expenses are incurred. The Council's approval of FRC does not represent or guarantee that the future reimbursement will be paid; rather, the approval only allows the Council to *consider* reimbursement of the expenses at a later date. The Council is not obligated to provide such reimbursement. The Council must balance the availability of these reimbursements against the overall need for Council bonds in each Regional Park Bond funding cycle. If the aggregate requests for Future Reimbursement Consideration exceed the Council's ability to match at the prescribed level, the Council may decline any Future Reimbursement Consideration request.

Agencies can request Future Reimbursement Consideration for their expenses for:

- All or portions of an Agency's local match to a PAOF grant, if the Agency specifically requests that the Council consider future reimbursement of the local match amount as part of its PAOF grant application.
- Reimbursement for acquisition of land not designated in the [2040 Regional Parks Policy Plan](#) at the time of purchase but subsequently added to the system through a plan amendment,

- Requests for FRC for land acquisition, in addition to meeting all requirements for the PAOF grant program, must be submitted in writing to the Council and receive Council approval *before* the Agency acquires the property in fee simple or acquires an option to purchase.
- Reimbursement of design, engineering, or construction expenses for recreation facilities in Regional Parks.
  - Requests for FRC for construction or development projects must be approved by the Council *before* the project begins.

### ***Future Reimbursement Consideration Process***

- Agencies must submit a formal request letter for Future Reimbursement Consideration to Council Parks Planner.
- Council Parks Planner reviews the request against project requirements and eligibility.
- FRC requests are considered individually and must be approved by the Council before expenses are incurred.
  - Council approval begins with a Council Parks Planner presentation to the Metropolitan Parks and Open Space Commission. Agency staff will be asked to attend this meeting and be available to answer questions.
  - After MPOSC recommendation, FRC requests move on to the Council for approval.
- The Agency may begin work on the project once Council approval is obtained.
- Agencies may request reimbursement as part of a future regional parks bonding appropriation.
  - The Council may ask the Agency to restructure their reimbursement request if the reimbursement exceeds the Council’s ability to pay in a given bonding cycle.

## ***Parks and Trails Legacy Fund Grant Program***

### **Statutory Authority and History**

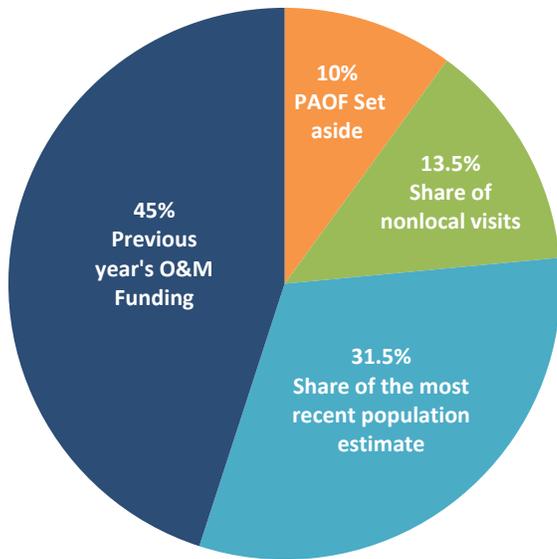
The Parks and Trails Legacy Fund (PTLF), one of four Clean Water, Land and Legacy Amendment Funds, supports parks and trails of statewide or regional significance ([Minnesota Statutes, section 85.53](#)).

### **Fund Source**

Along with the Department of Natural Resources and Greater Minnesota Regional Parks and Trails Commission, the Council receives a portion of the PTLF appropriations for the metropolitan area’s Regional Parks System.

### **Agency Shares and Allocation of Funding**

The Council distributes PTLF money to the Agencies according to a formula defined in [Minnesota Statutes, section 85.53](#).



- 45% based on each implementing Agency's share of O&M funding according to the allocation formula in [Minnesota Statutes, section 473.351, subdivision 3](#).
- 31.5% based on each implementing Agency's relative share of the most recent estimate of the population of the metropolitan area.
- 13.5% based on each implementing Agency's relative share of nonlocal visits based on the most recent user visitation survey conducted by the Council.
- 10% set aside for Park Acquisition Opportunity Fund.

## Program Parameters

Consistent with the [Minnesota Constitution, Article XI, section 15](#), authorizing state statutes (including [Minnesota Statutes, section 3.303](#)), and the [2040 Regional Parks Policy Plan](#), all projects submitted for funding from PTLF must:

- Be located within parks and trails of regional or statewide significance.
- Be consistent with the [Parks and Trails Legacy Plan](#), the foundational document for the use of PTLF in the state, which specifies four strategic directions for use of all PTLF funds:
  - Connect People and the Outdoors: Develop stewards of tomorrow through efforts to increase lifelong participation in parks and trails.
  - Acquire Land, Create Opportunities: Create new and expanded opportunities to serve current and future users.
  - Take Care of What We Have: Provide safe, high-quality experiences through regular reinvestment in infrastructure and natural resource management.
  - Coordinate Among Partners: Enhance coordination among the network of public, private, and nonprofit park and trail partners.
- Be located within the boundaries of the Regional Park System (for capital projects only; for example, acquisitions, \* development, and conservation).
  - Outreach activities outside the boundaries of the Regional Parks System are allowable if the Agency can demonstrate a direct connection between the outreach activities and use of the Regional Park System.
- Be consistent with the [2040 Regional Parks Policy Plan](#).
- Be consistent with a Council approved master plan prior to the Council executing a grant agreement.
  - Outreach activities outside a Council approved master plan are allowable if the Agency can demonstrate a direct connection between the outreach activities and use of the Regional Park System.
- Supplement, but not substitute for, traditional sources of funding. To ensure compliance with the requirements, projects funded with PTLF funds must:
  - Start new projects or programs, or

- Continue projects or programs without substituting PTLF funds for other funds, or
- Expand or accelerate projects through the addition of PTLF funds.
- Be substantially consistent with the project descriptions and dollar amounts approved by each Agency’s elected body.
- Have been reviewed by the Agency using the Council’s Equity Toolkit.
- Have been prioritized by the Agency in response to local capital and programmatic needs.

\*Agencies may use their PTLF allocation for land acquisition; however, the Council does not match these funds.

### **Examples of Eligible Parks and Trails Legacy Fund Projects**

Projects include, but are not limited to:

- Acquisition of land for future development of recreation facilities, protection, or preservation of high-value land for public use or critical park inholdings.
- Rehabilitation and development of existing facilities.
- Development of approved outdoor recreation facilities.
- Master planning.
- Accessibility enhancement.
- “Connect People to the Outdoors” programming

### **Eligible and Ineligible Expenses**

The Parks and Trails Legacy Fund program allows the Grant Activity Period to begin before the grant agreement is executed. The Grant Activity Period, which indicates the start date for eligible expenses, is defined in the grant agreement.

#### **Eligible Expenses**

Eligible expenses include, but are not limited to:

- Materials and supplies.
- Design, engineering, and construction expenses.
- Land acquisition, including permanent easements and long-term lease agreements.
- Contracted program services and instructors.
- Equipment rentals.
- Equipment for programming use.
- Program materials and supplies.
- Advertising and promotion of program offerings.
- User transportation to and from recreation facilities.
- Agency staff time directly related to and necessary to support the work of the grant.

#### **Ineligible Expenses**

Ineligible expenses include, but are not limited to:

- General operating expenses and general administration or similar expenses.
- Software and agency property such as computers.
- Construction of ball fields, rinks, or soccer fields.
- Concession-only buildings.
- Installations of a purely decorative nature.

- Facilities not available for public use.
- Dredging, water impoundments, and dams.
- Golf courses.
- Indoor recreational facilities.
- Acquisition of land already in public recreational use.
- Legal fees not related to acquisition.
- Memberships.
- Grantee insurance premiums.
- Fund-raising.
- Paying off bad debt, paying interest on principal, or reserving for contingency funds.
- Payment to lobbyists or political contributions.
- Food and/or refreshments not directly related to and necessary for outreach/public engagement and not in excess of expenditure threshold allowed in state guidance.
- Entertainment not directly related to and necessary for outreach/public engagement.
- Gifts of any kind.
- Any expenditure that occurs outside of the activity period as outlined in the grant agreement.

## Match

No local match is required for this program.

## Procedures

### ***Pre-Appropriation***

- Council Parks Planner initiates a new solicitation and communicates detailed timelines and requirements to the Agency.
- Agency submits project proposals based on forecasted Agency shares provided by Council staff. Typical components of a proposal include high-level project scope, budget, and measurable outcomes. Additionally, the Agency answers a set of questions about if/how their proposed projects advance equitable use of the Regional Parks System. These questions are used to promote understanding about Agency efforts to advance equitable usage and do not impact funding decisions.
- Council Parks Planner reviews the proposals for completeness and compliance with eligibility requirements.
- Council Parks Planner and agencies present proposed project list to MPOSC

### ***Post-Appropriation***

- Council Finance Analyst finalizes Agency shares based upon appropriation approved by legislature and signed by Governor.
- Agency submits final project applications into WebGrants with updated project descriptions and budgets.
- Council Parks Planner verifies eligibility of final projects
- The project then moves into the post-award phase. The post-award phase begins when a project has been approved for a grant and continues until grant closeout.

## Amendments

Types of amendments allowed:

- Shift of dollars between budget line items.
- Extension of grant term (maximum of five years, as allowed by Minnesota Statutes, section 16B.98).
- Changes in grant-funded activities consistent with project scope.
- Addition of funds relinquished from other Agency PTLF projects.

## Closeout Reports

To close out a PTLF grant, grantees submit all necessary documentation, along with their final reimbursement claim. The Council must receive:

- Complete and certified Council Closeout Form.
- Small Disadvantaged Business Report (for all grants awarded prior to State Fiscal Year 2022).
- Measurable outcomes.
- Photo demonstrating grant-funded activities.

## Unspent Funds

When an Agency closes out a PTLF grant and there are funds remaining in the account, those funds can be reprogrammed to other Council reviewed and eligible PTLF projects. This can be done through an amendment to an existing PTLF grant or through the addition of relinquished funds prior to the execution of a new grant project.

## *Parks Acquisition Opportunity Fund (PAOF)*

### Statutory Authority and History

Established in 2001, the Park Acquisition Opportunity Fund (PAOF) provides grants to assist Agencies in acquiring land for the Regional Park System.

### Fund Source

The PAOF program has three funding sources:

- State Funding Sources
  - Parks and Trails Legacy Fund (PTLF): 10% of PTLF appropriations are set aside for land acquisition through the PAOF.
  - Environment and Natural Resources Trust Fund (ENRTF): The ENRTF acquisition opportunity grant fund is composed of direct appropriations received by the Legislative-Citizen Commission on Minnesota Resources (LCCMR) for land acquisition. The LCCMR establishes the requirements for ENRTF funding, including funding used as part of the PAOF program.
- Council Funding Source
  - Council Bonds: For every \$3 in state funding, the Council matches with \$2 in funds from Council regional park bonds, as directed by the *2040 Regional Parks Policy Plan* and the Council's Capital Financing Policy. For PTLF funds this is also a statutory requirement ([Minnesota Statutes, section 85.53](#)).

## Allocation of Funding

The Council's PAOF program is noncompetitive, and grants are awarded based on funding availability. Grants are awarded on a first-come, first-served basis. An agency establishes their place in line once Council Parks Planner determines their application is eligible and complete.

Each Agency is eligible for up to \$1.7 million for acquisitions from the PTLF and corresponding Council match funds, and up to \$1.7 million from the ENRTF and corresponding Council match funds per fiscal year, for a total of \$3.4 million in PAOF funding per fiscal year. Agencies can use both PTLF and ENRTF funds in a single acquisition to access the full amount of PAOF dollars allowable.

## Program Parameters

Consistent with the authorizing state statutes and the [2040 Regional Parks Policy Plan](#), all PAOF funded acquisitions must be:

- Located within the boundaries of the Regional Parks System.
- Consistent with the [2040 Regional Parks Policy Plan](#) or subject to an amendment to 2040 Regional Parks Policy Plan to designate the land as regional recreation open space.
- Consistent with a Council approved master plan or a Council approved acquisition master plan.
- Located fully within Council approved master plan boundaries before the Council will execute a grant agreement.
- Reserved for public use in perpetuity for the Regional Parks System.

Consistent with the [authorizing state statutes](#) and the [2040 Regional Parks Policy Plan](#), all ENRTF funded acquisitions must additionally follow LCCMR requirements.

PAOF grants can pay for up to 75% of eligible expenses for acquisitions that meet the above requirements. Consistent with LCCMR rules, the Council will not approve any PAOF/ENRTF grant application showing an agreed purchase amount that exceeds 110% of the certified appraised value. Purchase amounts over 100% and up to 110% of the appraised value must be approved by LCCMR and may require Agency testimony.

## Eligible and Ineligible Expenses

The Grant Activity Period allows expenditures incurred before the execution date to be eligible for reimbursement. The Grant Activity Period, including the start date for eligible expenses, is defined in the grant agreement.

### **Eligible Expenses**

Eligible PAOF expenses are costs directly related to the land acquisition, consistent with the Council-approved master plan, including:

- Cost of real estate.
- Relocation assistance.
- Special assessments existing at the time land was designated for the regional system.
- Legal fees and appraisals.
- Payment in lieu of local property taxes.
- Land stewardship costs, including:
  - Boundary fencing or marking.
  - Natural resources restoration.

- Measures to prevent the deterioration of existing structures.
- Removal of unneeded structures, landforms, or nuisances.
- Maintenance or closing of existing roads.
- Development measures to support minimal recreational use of the unit, including access roads, parking lots, and signage.
- Remediation of pre-existing environmental contamination to the degree necessary to allow the land to be used for park and recreation purposes.

### ***Ineligible Expenses***

- Acquisitions funded through ENRTF may not be used to purchase structures.

### **Match**

Agencies must fund at least 25% of the total estimated acquisition expenses as local match. The local match may be reimbursable through a future reimbursement consideration.

The local match may be one or more of the following:

- Non-state funds and non-Council funds provided by the Agency.
- The value of a land donation by the seller. The value of the donation is the difference between the agreed-upon purchase price based on a certified appraised value of the property and the lower amount the seller agrees to accept as payment for the land.

### **Procedures**

#### ***Project Development***

- Agencies are encouraged to communicate upcoming acquisition opportunities with Council Parks Planner as early as possible to determine whether funding is available.
  - Agencies may submit acquisition proposals at any time.
  - Third-party acquisition may not be allowable when funding is not available. (See “Third Party Acquisition” section below for details.)
- Agency staff submits project proposals in WebGrants.
- Council Parks Planner will review the proposals for completeness and compliance with eligibility requirements.
- Once a project is deemed eligible and complete, it is placed “in line” for funding. Council Parks Planner will notify the Agency of anticipated timelines for Council action.
- The Council must approve projects before moving to the post-award process.
- Council Grant Administrators will issue grant agreements for all Council-approved acquisition grants.
- Agencies may close on the property immediately following Council approval, unless otherwise stipulated by Council action. However, the Agency assumes the risk of doing so before executing the grant agreement.
- If acquisition funding is not currently available, Council Parks Planner will continue to review applications for the next available funding opportunity.

#### ***Application Elements***

In addition to the requirements outlined above, the application must include the following elements:

- A copy of the fully executed acquisition instrument – a purchase agreement, easement offer, or court settlement.
- A certified appraisal that supports the purchase price (see appraisal requirements below).
- A letter from the authorized Agency representative requesting the grant, on organizational letterhead.
- A copy of the Agency’s formal board action/recorded resolution of support authorizing the purchase.
- Land stewardship plan.
- The legal description of the property.
- Aerial photos or images showing the park or trail boundary with a parcel boundary overlay.
- A close-up image of the parcel.
- A Phase I Environmental Site Assessment report, if the property may be contaminated or may have abandoned wells.
  - A Phase II ESA may be required if the results of the Phase I ESA identify a need for further investigation.
- A complete budget, which includes all costs associated with the acquisition.

### ***Appraisal Elements***

Agencies must submit an appraisal with each PAOF request that meets the following requirements:

- The appraisal was completed by a Minnesota Certified General Licensed appraiser and has included his/her license number in report. The report:
  - is dated and states the effective date of the appraisal, which is within one year of the submission of the grant request.
  - describes the real estate being appraised in detail, including physical, economic property characteristics, and the use of the real estate as of the date of value.
  - describes the scope of work used to develop the appraisal. This includes stating all assumptions, hypothetical conditions, and limiting conditions that affected the analyses, opinions, and conclusions.
  - describes the information analyzed, the appraisal procedures followed, and the reasoning that supports the analyses, opinions, and conclusions.
  - names the Council as an intended user.
  - includes the appraiser-provided written appraisal instructions received by the appraiser from the client/grantor/partner, as an addendum to the appraisal report.
- Appraiser certifies:
  - that appraisal conforms to the Uniform Standards of Professional Appraisal Practice (USPAP).
  - to having physically inspected the property.
  - to having given the landowner an opportunity to accompany them on the inspection.
  - they were provided a copy of the landowner disclosure form.
- The legal description of the appraised property matches the appraisal request.
- The property size matches the grant request.
- The interests in the appraised property match the appraisal request.
- The highest-and-best-use analysis determines an economic highest and best use, which is in accordance with current legal restrictions on the land.
- The appraiser has not reported any environmental concerns or nuisances.
- The Sales Comparison Approach relies upon comparable properties that are both superior and inferior to the subject property.

The Council may require additional appraisals or appraisal reviews. Council Parks Planner will use discretion if any of these appraisal requirements are not met.

## Amendments

Type of amendments allowed:

- Extension of grant term (up to 1 additional year).

## Closeout Reports

To close out a PAOF grant, grantees must submit to the Council all necessary documentation along with their final reimbursement claim. The Council must receive:

- Complete and certified Council Closeout Form.
- Photo demonstrating grant-funded activities.

To be reimbursed for acquisition expenses, grantees must submit to the Council:

- Recorded Agreement and Restrictive Covenant.
- Recorded Deed.

For acquisitions funded with ENRTF funds, a recorded Declaration is also required.

## Unspent Funds

Any grant funds remaining upon completion of grant deliverables will be relinquished to the fund source to be made available for future acquisition requests from Agencies.

## Additional Information

### ***Eminent Domain***

An Agency may need to acquire land by exercising its power of eminent domain by initiating a condemnation proceeding. When land is acquired through the condemnation process, a PAOF grant may be awarded; however, a grant is awarded at the conclusion of a condemnation proceeding. The grant is based on 75% of the final settlement/award and associated grant-eligible expenses under applicable provisions of Minn. Stat. Ch. 117 to acquire the land and within the Agency maximum for the fiscal year when the grant is awarded.

After filing its condemnation petition with the district court, the Agency must notify the Council that it is acquiring land through condemnation and will be requesting a PAOF grant when the final award is determined. The notification to the Council must include the Agency's authorization to file its petition and the accompanying documents containing its appraisal of the land. In condemnation matters, the final settlement/award and final certification should be submitted to the Council in lieu of a signed purchase agreement.

### ***Third-party Acquisitions***

If there is no PAOF funding available, Agencies may work with a third-party entity to have them temporarily acquire and hold an eligible property until the Agency is able to obtain funding.

Reimbursement for third-party acquisitions will be considered only when program funding has run out for the fiscal year and Agencies can demonstrate an urgent need to acquire the property before additional acquisition funding is available. An example of an urgent need would be a situation where an acquisition opportunity would be lost because of a lack of available funds. This process should include

exploring whether a local agency has local funds on hand to assist with the acquisition. Third-party acquisitions should be conducted with a nonprofit or government entity when possible.

To qualify for reimbursement for a third-party acquisition, the Agency must submit a complete PAOF application along with a letter of intent notifying the Council of the third-party acquisition before the third party purchases the property. Council Parks Planner will have up to 30 days to review the request and provide direction to the Agency. Once the application and third-party request has been approved by Council Parks Planner, the acquisition will be considered “in line” for the next funding cycle. Once funding is available, Council Parks Planner will follow the normal PAOF process for Council approval. The Agency must purchase the property from the third party as soon as possible after Council approves a grant award.

## ***Competitive Equity Grant Program***

### **Statutory Authority and History**

The Regional Parks System Competitive Equity Grant Program, hereafter referred to as the Equity Grant Program, provides funding to regional parks implementing agencies for projects that will strengthen equitable usage of regional parks and trails by all our region's residents, across age, race, ethnicity, income, national origin, and ability. The program is also designed to enhance institutional capacity around equity work across the Regional Parks System and within individual agencies.

The Equity Grant Program was established in 2019 with a pilot program funded from Council bonds for capital projects. The 2021 Equity Grant Program supports both capital and non-capital projects funded by a mix of Council bonds and Parks Interest Earnings.

### **Fund Source**

- Council-issued Regional Parks bonds under authority of [\*Minnesota Statutes, section 473.325\*](#).
- Parks Interest Earnings

### **Allocation of Funding**

The Equity Grant Program is a competitive grant program with an application period following the release of a Council-approved Notice of Funding Availability. Grant applications are scored by a review team and recommended to the Council for funding. Only the projects selected by the review team and approved by the Council will be awarded grant funds.

### **Program Parameters**

- Statute 473.315 (authority to make grants) & 473.351 (defines park implementing agencies).
- Must submit a complete application within the defined application period.
- Agencies may submit multiple applications but are limited to a prescribed award maximum within each funding cycle.
- Grants are paid on a reimbursement basis.
- Grants must address one or more of the following equity focus areas:
  - Age, race, ethnicity, income, national origin, or ability
- Projects must be within the boundaries of the regional park system or clearly connect visitors to the regional park system.
- Projects must be consistent with the [\*2040 Regional Parks Policy Plan\*](#)
- Project must be broadly consistent with a Council-approved master plan.
- Projects must be compliant with the Americans with Disabilities Act.

- Projects must be approved by the agency's locally elected board, either individually or as part of a local capital improvement plan, prior to the Council executing a grant agreement.

## **Eligible and Ineligible Expenses**

Council Bond Funded Projects:

### **Eligible Expenses**

Include, but are not limited to:

- Construction
- Predesign, design, and engineering
- Purchase of tangible fixed assets of a capital nature
- Other improvements of tangible fixed assets of a capital nature

### **Ineligible Expenses**

Include, but are not limited to:

- General operating expenses and general administration or similar expenses.
- Master planning.
- Software and agency property such as computers.
- Construction of ballfields, rinks, or soccer fields.
- Concession-only buildings.
- Installations of a purely decorative nature (without prior Council approval).
- Facilities not available for public use.
- Dredging, water impoundments and dams.
- Golf courses.
- Legal fees.
- Memberships.
- Grantee Insurance premiums.
- Fund-raising.
- Paying off bad debt, paying interest on principal, or reserving for contingency funds.
- Payment to lobbyists or political contributions.
- Entertainment or gifts.
- Maintenance equipment.
- Infrastructure with a useful life of less than 2 years.
- Any expenditure that occurs outside of the activity period as outlined in the grant agreement.

Interest Earnings Funded Projects:

### **Eligible Expenses**

Include, but are not limited to:

- Contracted program services and instructors.
- Equipment rentals.
- Equipment for programming use.
- Program materials and supplies.

- Advertising and promotion of program offerings.
- User transportation to and from recreation facilities.
- Agency staff time directly related to and necessary to support the work of the grant.
- Special events directly related to and necessary to support the work of the grant.
- Child-care that is directly related to and necessary to support the work of the grant.
- Translation and interpretation services.
- Outreach and engagement community participation stipends directly related to and necessary to support the work of the grant.
  - Not exceeding limits approved by the Council and in amounts consistently and rationally applied
- Staff Training.
- Hiring Staff.
- Design, engineering, and construction expenses.

### **Ineligible Expenses**

Include, but are not limited to:

- Funding for programming efforts that have an established, dedicated, traditional funding source.
- General operating expenses and general administration or similar expenses.
- Software and agency property such as computers.
- Construction of ball fields, rinks, or soccer fields.
- Concession only buildings.
- Installations of a purely decorative nature (without prior Council approval).
- Facilities not available for public use.
- Dredging, water impoundments, and dams.
- Golf courses.
- Acquisition of land already in public recreational use.
- Legal fees.
- Memberships.
- Grantee insurance premiums.
- Fund-raising.
- Paying off bad debt, paying interest on principal, or reserving for contingency funds.
- Payment to lobbyists or political contributions.
- Food and/or refreshments not directly related to and necessary for outreach/public engagement and not in excess of amounts that are rationally allocated and consistently applied based on established agency policy or defaulting to Council Food and Refreshment Procedure.
- Entertainment not directly related to and necessary for outreach/public engagement.
- Gifts of any kind that are not directly related to and necessary to accomplish approved programmatic outcomes
- Any expenditure that occurs outside of the activity period as outlined in the grant agreement.

### **Match**

Local match is encouraged but not required for this program

## Procedures

- Council Parks Planner initiates a new Notice of Funding Availability and communicates detailed timelines and requirements to the Agencies.
- Agencies submit applications in WebGrants during the open application period.
- Council Staff review the applications for completeness and compliance with eligibility requirements.
- Equity Grant Program Review Committee review, score, and select applications to recommend for funding
- Council approves projects to be funded.

## Amendments

Types of amendments allowed:

- Extension of grant term:
  - 1-year extensions allowed
  - Additional 1-year extensions may be allowed under rare circumstances

Administrative budget adjustments:

- Shifts between budget line items exceeding 10% will be reviewed for approval on a case-by-case basis and may require a formal amendment.
  - Shifting of budget lines between Council bonds and interest earnings will not be allowed
  - Shifts in budget lines that would result in a change to grant deliverables or project scope will not be allowed

## Closeout Reports

To close out an Equity Program grant, grantees must submit all necessary documentation, along with their final reimbursement claim. The Council must receive:

- Complete and certified Council Closeout Form
- Photo demonstrating grant-funded activities
- Equity Outcomes Report

## Unspent Funds

Any grant funds remaining upon completion of grant deliverables or at the end of the grant term will be relinquished to the fund source.

## *Operations and Maintenance (O&M) Program*

### Statutory Authority and History

Since 1985, the State of Minnesota has appropriated money under [Minnesota Statutes, section 473.351](#) that the Council disburses to the Agencies to pay for a portion of the cost of providing for the operation and maintenance of waters, lands, and facilities that are part of the Regional Parks System.

### Fund Source

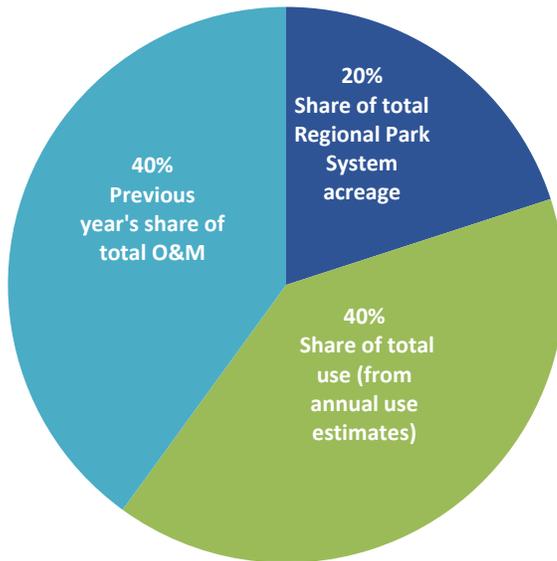
The funds for the Operation and Maintenance Program are appropriated from two sources:

- State appropriations from the General Fund, [Minnesota Statutes, section 473.351](#).

- “Lottery in lieu of sales tax,” [Minnesota Statutes, section 297A.94\(h\)\(3\)](#).

## Agency Shares and Allocation of Funding

The Council distributes all Operation and Maintenance funding to the Agencies according to the formula established in [Minnesota Statutes, section 473.351](#):



- 40% based on each Agency’s proportion of total regional system visits, as estimated in the Council’s annual use estimates.
- 40% based on each Agency’s proportion of total regional system operation and maintenance expenditures in the previous calendar year.
- 20% based on each Agency’s proportion of total regional system land acreage, with (a) park reserve resource management land divided by four and (b) excluding the acreage under any facilities the Council considers inconsistent with recreation activities and facilities, including enterprise facilities (Strategy 1 of the *2040 Regional Parks Policy Plan*).

### Program Parameters

Consistent with [Minnesota Statutes, section 473.351](#) and the [2040 Regional Parks Policy Plan](#), all grants from the Operation and Maintenance Program must be used for reimbursement of Implementing Agency expenditures that:

- Are consistent with the 2040 Regional Parks Policy Plan.
- Are within the boundaries of the Regional Park System
- Are for the operation and maintenance of waters, lands, and facilities that are a part of the metropolitan area Regional Park and Open Space System, including but not limited to the provision of fire, police, forestry, maintenance, rehabilitation expenses as part of routine care, and the allocation of the administrative overhead costs of the Regional Park and Open Space System.

## Eligible and Ineligible Expenses

Agencies must present all documentation of expenses in a digital format. Output from the Agency’s official accounting system is acceptable but additional information may be requested. Expenses cannot be associated with activities or programming that is inconsistent with Recreation Activities and Facilities—Strategy 1 of the *2040 Regional Parks Policy Plan*.

### Eligible Expenses

Expenses are eligible if they are:

- Booked as an operating expense in the Agency’s official accounting system and are not included on the list of ineligible expenses, below.
- Related to established units of the Regional Park System.

### Ineligible Expenses

Ineligible expenses include but are not limited to:

- Unsubstantiated or inadequately documented expenses.
  - The Council will not accept estimates.
  - The Council will not accept ad hoc files as primary documentation (although such files can be useful in conjunction with directly exported data to illustrate how the Agency has aggregated its expenses).
- Expenses for any project activities paid for by a Council grant except to the extent that the grant-eligible expenses can be adequately separated.
- Items with expenses that exceed the documented capital asset threshold,
- Expenses booked as capital at any point in the Agency’s accounting system. (For example, an Agency may not purchase a vehicle, book it as a capital expense, and then claim pro-rated usage costs as an expense.)
- Activities or programming inconsistent with the [2040 Regional Parks Policy Plan and specifically Chapter 7 on Recreation Activities and Facilities – Strategy 1.](#)
  - Expenses incurred for the benefit of Agency’s enterprise operations. Enterprise facilities are facilities that are expected to generate sufficient revenues to cover their own expenses.
  - Expenses associated with golf courses, except prorated expenses for cross-country skiing.
  - Expenses associated with organized athletic fields and associated equipment, administration, or staffing.
- Expenses associated with parks or trails not within the Regional Parks system or any areas outside the boundaries of a Council-approved master plan.
- The value of gift cards. (The cards themselves are eligible.)
- Transfers out of operating funds.
- Cost of goods sold.
- Depreciation.
- Expenses for settlements, judgments, or penalties.
- Lobbying expenses,
- Joint Powers Agreements. Although the Council encourages joint-powers agreements (JPA) among Agencies, expenses may be claimed only by one of the JPA parties. In other words, if one Agency claims an expense incurred in accordance with a JPA, any other Agency that is a party to the JPA may not claim that same expense.

## Match

There is no formal match required for this program, although the Council acknowledges that the available program funding covers only a portion of the Agencies’ total operation and maintenance expenses.

## Procedures

### **Pre-Appropriation**

Council staff supplies reporting forms, instructions, and due dates for acreage specifications, and records an Agency’s expenses in January of each year. The Agency returns the completed forms and documentation. Specific requirements include:

- Salaries and benefits: An Agency may submit subtotaled salary and benefits expenses. However, the Council may request a more detailed report directly run from the official accounting system to substantiate expenses.

- When directed, an Agency must clearly detail the full accounting string in the O&M form. The description on the O&M form must match the description found in the documentation.
- If an Agency prorates any expenses to exclude nonregional expenditures, it must provide the basis for allocation on the reporting form. If the allocation basis is complex, the Agency may need to submit an additional narrative.
- If an Agency prorates any expenses, it must consistently apply that rate to all similar categories.
- An Agency must aggregate expenses for the regional portion of the recreation and open space. The Agency may not present expenses on a park-by-park basis.

Council staff then review the acreage and expense forms and documentation. The Council reserves the right to request further documentation, as needed.

### ***Post-Appropriation***

- The Council finalizes Agency shares based on the appropriation approved by Legislature and signed by Governor.
- Council Parks Financial Analyst presents a business item to MPOSC, and then forward an action item to the Community Development Committee and the Council for approval by July 15 of each year, as required by Minnesota Statutes, section 473.351. Accompanying the action item is a report that presents actual operating expenditures made by the Agencies and the annual operations and maintenance funding distribution amounts by agency.
- Operation and maintenance funds are distributed to Agencies via automated monthly payments beginning on August 1 with the General Fund portion and the first monthly installment of the lottery in lieu funding, based on each Agency's calculated share. Subsequent payments issued after receipt of monthly lottery in lieu revenue.

### **Amendments**

There are no amendment options for this program.

### **Closeout Reports**

There are no closeout activities required for this program.

### **Unspent Funds**

This program funds reimbursement for only a portion of the total operation and maintenance expenses of each Agency; therefore, there are no unspent funds.

## ***Legislatively Directed Pass-Through Grants***

### **Statutory Authority and History**

The Legislature may require the Council to administer direct appropriations made to local government jurisdictions, including the Regional Parks Implementing Agencies, counties, cities, and townships. In these cases, the Council has the responsibility to abide by state statutes, session law, and regulatory requirements while serving as the fiscal agent and grantor. The Council distributes these funds to the grantees.

### **Fund Source**

In most cases, legislatively directed pass-through grants are funded from state General Obligation Bonds. There may be situations where grant funds are appropriated from an alternative fund source.

## Allocation of Funding

Agency shares do not apply to this program. The Legislature may direct funds to one of the implementing agencies or to another entity, such as a city or township, within the Council's geographic jurisdiction.

## Program Parameters

Legislatively directed pass-through grants must be consistent with the project description as outlined in the appropriation.

## Eligible and Ineligible Expenses

The Legislature specifically identifies the deliverables for each legislatively directed pass-through grant, and therefore the eligible expenses are defined by the appropriation language. When funded from state General Obligation Bonds, projects are required to observe all restrictions associated with that fund source, including those governing capital expenditures.

## Match

A match may or may not be required. If so, it will be defined in the specific appropriation language.

## Procedures

Grant recipients will be notified upon conclusion of the legislative session and appropriation of pass-through funds. The Council's Grant Administrator will draft and issue the grant agreement to the Agency. Additional requirements apply to legislatively directed pass-through grants that are funded with state General Obligation Bonds.

### ***Additional MMB requirements for State Bond funded grants:***

- Grantees that are awarded capital projects to be funded in whole or in part by state bonds must be able to demonstrate its full-funding commitment to MMB. Grantees must provide the following:
  - Grantee board (governing body) approval of the project and corresponding funding amount, confirming its commitment to complete it.
  - A capital budget line item in the capital improvement program showing the identical funding amount committed to complete the project.
  - Grant agreement:
    - Attachment III – Source and Use of Funds
    - Attachment IV – Project Completion Schedule
- Council Grant Administrators provide the documents listed above to MMB for its approval. MMB may request additional information that the grantee would need to provide.
- A recorded Funding Declaration on grant project property is required before the grantee is eligible for reimbursement.
- The grantee must complete the Section 6.04 Compliance Checklist certifying that it complies with relevant section of the grant agreement. This is required before being eligible for reimbursement.
- The project then moves into the post-award phase, which begins after the Council has approved funding for the project, included in the Annual Capital Program, and issued the grant agreement.

## **Amendments**

Legislatively directed pass-through grants can be amended only to extend the grant term.

## **Closeout Reports**

Legislatively directed pass-through grants that are funded from state general obligation bonds require:

- Small Disadvantaged Business Report (for all grants awarded prior to State Fiscal Year 2021).  
State of Minnesota Jobs Report (for all grants awarded prior to State Fiscal Year 2021).

For legislatively directed pass-through grants from other fund sources, see grant agreement for additional information on required closeout documentation.

## **Unspent Funds**

Any grant funds remaining upon completion of grant deliverables will be relinquished to the fund source.

## Equity Resources

### *Procurement Resources*

*CERT Certified Women Owned or Minority Owned Only – City of St. Paul*

*Disadvantaged Business Enterprise Program (DBE)*

*Metropolitan Council Underutilized Business Program (MCUB)*

*MCUB Directory*

*Minnesota Unified Certification Program*

*Targeted Group Business – MN Dept. of Admin*

*Veteran Owned Business – U.S. Dept. of Veteran Affairs*

### *Other Resources*

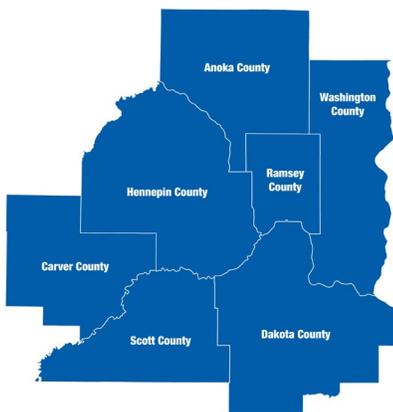
*State of Minnesota Office of Equity in Procurement*

# The Metropolitan Council’s mission is to foster efficient and economic growth for a prosperous metropolitan region

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Christopher Ferguson	District 3	Francisco J. Gonzalez	District 12
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The Metropolitan Council is the regional planning organization for the seven-county Twin Cities area. The Council operates the regional bus and rail system, collects and treats wastewater, coordinates regional water resources, plans and helps fund regional parks, and administers federal funds that provide housing opportunities for low- and moderate-income individuals and families. The 17-member Council board is appointed by and serves at the pleasure of the governor.

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