

Community Development Committee

Meeting date: July 21, 2014

For the Metropolitan Council meeting of August 13, 2014

Subject: Park Acquisition Opportunity Fund Grant Request for Intercity Regional Trail, One Easement, Three Rivers Park District

District(s), Member(s): Council District 5, Steve Elkins; and District 8, Adam Duinick

Policy/Legal Reference: MN Statute Section 473.315

Staff Prepared/Presented: Tori Dupre, Senior Planner-Regional Parks and Natural Resources (651-602-1621)

Division/Department: Community Development, Regional Parks and Natural Resources

Proposed Action

That the Metropolitan Council:

1. Authorize a grant of up to \$18,911 from the Parks and Trails Legacy Fund Acquisition Account to Three Rivers Park District to finance up to 75% of the costs to acquire a permanent public trailway easement for the Intercity Regional Trail (Attachment 2), financed as follows:
 - \$11,347 from the FY2014 Parks and Trails Legacy Fund appropriation, and
 - \$7,564 from Metropolitan Council bondsThree Rivers Park District will match the grant with up to \$6,303, its 25% share of the total acquisition cost.
2. Authorize the Community Development Director to sign the grant agreement and accompanying documents including the restrictive covenant.
3. Inform Three Rivers Park District that this action does not set a precedent allowing other land acquisition grant requests to be considered after a regional park agency has acquired land.

Background

On May 12, 2014 Three Rivers Park District (the Park District) requested Park Acquisition Opportunity fund grant of up to \$18,911 to acquire a permanent public trail easement on the ELP/Annex Properties for the Intercity Regional Trail in the City of Bloomington (Attachment 1). The ELP/Annex Properties easement is located at 8040 Old Cedar Avenue South in Bloomington and is 1,162 square feet (Attachment 4).

This represents the fourth grant request from the Park District as it works to acquire an anticipated 17 total easements for the regional trail. To date, the Park District has requested three grants to acquire 13 trail easements totaling \$151,747. This grant request brings the total amount requested to \$170,658 for 14 easements.

On June 3, the Metropolitan Parks and Open Space Commission reviewed and recommended approval of the grant. On June 12, further review of this grant was suspended on the advice of the OGC to allow time to address an issue regarding a different, earlier acquisition grant, awarded to the Park District in 2012.

A resolution of that issue is now moving forward and the Council's review of this grant request should proceed.

On June 30, the trail easement proposed for grant funding was purchased because the Park District had to acquire the easement at that time to meet a condition of a Federal grant to construct the trail. Had the grant review not been put on hold, the Metropolitan Council would have considered this grant request on June 16 at the Community Development Committee meeting and on June 25 at the Metro Council meeting based on the recommendation of the Metropolitan Parks and Open Space Commission. Consequently this is a unique situation.

If the Council awards a grant in this case, it is important to inform the Park District that this action does not set a precedent allowing other land acquisition grant requests to be considered after a regional park agency has acquired the land. The Park District was following the Council's rules for Park Acquisition Opportunity Fund Grants and the Metropolitan Parks and Open Space Commission had recommended awarding the grant based on compliance with those rules. The Council's administrative action to delay review of the grant request led to this situation where the Council is now considering and may award the grant after the trail easement had been purchased.

Rationale

The Park District's grant request is consistent with the Park Acquisition Opportunity Fund Rules for the acquisition grant program that assists regional park agencies in acquiring land for the Metropolitan Regional Park System, within approved master plan boundaries. As of Metropolitan Council action on May 28, 2014, the cumulative total of Park Acquisition Opportunity Fund grants is \$35,537,115 which acquired 2,818 acres.

Funding

The Park Acquisition Opportunity Fund has two accounts: the Environment and Natural Resources Trust Fund and the Parks and Trails Legacy Fund. The Parks and Trails Legacy Fund account balance as of May 28 is \$1,984,997 which includes \$122,716 from the fiscal year 2014 Parks and Trails Legacy Fund appropriation, and \$1,862,281 of Metropolitan Council bonds.

Three Rivers Park District estimates the total grant-eligible acquisition costs at \$25,214 which includes the purchase price, appraisal, title insurance, taxes and closing costs as shown in Table 1.

Table 1: Intercity Regional Trail Easement Estimated Acquisition Costs

Cost Items	Amount
Purchase Price	\$17,600
Associated Fees (closing costs, title insurance, etc.)	\$7,614
Total Acquisition (Estimated)	\$25,214

The Park Acquisition Opportunity Fund grant will be financed with the revenue sources shown in Table 2. The Park District will fund the required 25% match and does not request future reimbursement from a regional parks capital improvement program.

Table 2: Acquisition Grant Revenue Sources

Revenue Sources	Amount
Estimated Total Acquisition Costs	\$25,214
Grant Total (up to 75% acquisition total)	\$18,911
FY2014 Parks and Trails Legacy Fund (60% of grant total)	\$11,347
Metropolitan Council bonds (40% of grant total)	\$7,564
Local Match (25% of acquisition total)	\$6,303

The Metropolitan Council’s approval of this grant to Three Rivers Park District would leave an unobligated balance of \$1,966,086 in the Parks and Trails Legacy Fund acquisition account.

Known Support / Opposition

The Metropolitan Parks and Open Space Commission unanimously recommended approval of the proposed action at its meeting on June 3, 2014. The Three Rivers Park District Board authorized purchase of the trail easements on March 6, 2014. There is no known opposition to the Park District’s easement acquisition for the Intercity Regional Trail, or to the Park District’s grant request.

Metropolitan Parks and Open Space Commission

Meeting date: June 3, 2014

For the Community Development Committee meeting of ~~June 16, 2014~~ July 21, 2014

For the Metropolitan Council meeting of ~~June 25, 2014~~ August 13, 2014

Subject: Park Acquisition Opportunity Fund Grant Request for Intercity Regional Trail, One Easement, Three Rivers Park District

District(s), Member(s): MPOSC District C, William Weber

Policy/Legal Reference: MN Statute Section 473.315

Staff Prepared/Presented: Tori Dupre, Senior Planner-Regional Parks and Natural Resources (651-602-1621)

Division/Department: Community Development, Regional Parks and Natural Resources

Proposed Action

That the Metropolitan Council:

1. Authorize a grant of up to \$18,911 from the Parks and Trails Legacy Fund Acquisition Account to Three Rivers Park District to finance up to 75% of the costs to acquire a permanent public trailway easement for the Intercity Regional Trail (Attachment 2), financed as follows:
 - \$11,347 from the FY2014 Parks and Trails Legacy Fund appropriation, and
 - \$7,564 from Metropolitan Council bondsThree Rivers Park District will match the grant with up to \$6,303, its 25% share of the total acquisition cost.
2. Authorize the Community Development Director to sign the grant agreement and accompanying documents including the restrictive covenant.

Background

On May 12, 2014, Three Rivers Park District requested a park acquisition opportunity fund grant of up to \$18,911 to acquire a permanent public trail easement for the Intercity Regional Trail in the City of Bloomington (Attachment 1). This represents the fourth grant request from the Park District as it works to acquire an anticipated 17 total easements for the regional trail. To date, the Park District has requested three grants to acquire 13 trail easements totaling \$151,747. This grant request brings the total amount requested to \$170,658 for 14 easements.

The ELP/Annex Properties easement is located at 8040 Old Cedar Avenue South in Bloomington and is .0266 acres, or 1,162 square feet (Attachment 4). The Park District summarizes the easement and estimated acquisition costs in Attachment 2.

The Park District's acquisition of this easement is consistent with the Intercity Regional Trail master plan, which the Metropolitan Council approved on October 31, 2012. The master plan indicates that trail easements may be required to develop the 5 mile regional trail, and shows the location of the easements along the planned trail corridor as



it extends through the cities of Minneapolis, Richfield and Bloomington. Because the trail is located within three park implementing agencies' jurisdictions, it will be managed jointly by the Minneapolis Park and Recreation Board, the City of Bloomington and the Park District.

The regional trail is planned to connect Nokomis-Hiawatha Regional Park to the 86th Street Bikeway in Bloomington, and connect to the Nine Mile Creek Regional Trail. The Park District has set the purchase closing for the easements contingent upon the Metropolitan Council's action on the Park District's grant request.

Rationale

In 2001, the Metropolitan Council established a Park Acquisition Opportunity Fund grant program to assist regional park agencies in acquiring land for the Metropolitan Regional Park System. Land that is acquired must be within Metropolitan Council approved master plan boundaries for that particular park or trail unit. As of Metropolitan Council action on May 28, 2014, the cumulative total of all Park Acquisition Opportunity Fund grants is \$35,537,115 which acquired 2,818 acres.

All park acquisition opportunity grant agreements include an "agreement and restrictive covenant" that park agencies record to ensure that the property remains in regional recreation use. The Metropolitan Council's action authorizes the Community Development Director to sign the grant agreement and accompanying documents including the restrictive covenant.

The Park District's grant request is consistent with the Park Acquisition Opportunity Fund Rules.

Funding

The Park Acquisition Opportunity Fund has two accounts: the Environment and Natural Resources Trust Fund and the Parks and Trails Legacy Fund. On May 28, 2014 the Metropolitan Council will act on two pending acquisition grants and following that action, the Parks and Trails Legacy Fund account balance will be \$1,984,997 which includes \$122,716 from the fiscal year 2014 Parks and Trails Legacy Fund appropriation, and \$1,862,281 of Metropolitan Council bonds.

Three Rivers Park District estimates the total grant-eligible acquisition costs at \$25,214 which includes the purchase price, appraisal, title insurance, taxes and closing costs as shown in Table 1.

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Cost Items	Amount
Purchase Price	\$17,600
Associated Fees (closing costs, title insurance, etc.)	\$7,614
Total Acquisition (Estimated)	\$25,214

The Park Acquisition Opportunity Fund grant will be financed with the revenue sources shown in Table 2, including fiscal year 2014 Parks and Trails Legacy funds and Metropolitan Council bonds. The Park District will fund the required 25% match and does not request future reimbursement from a regional parks capital improvement program.

Table 2: Acquisition Grant Revenue Sources

Revenue Sources	Amount
Estimated Total Acquisition Costs	\$25,214
Grant Total (up to 75% acquisition total)	\$18,911
FY2014 Parks and Trails Legacy Fund (60% of grant total)	\$11,347
Metropolitan Council bonds (40% of grant total)	\$7,564
Local Match (25% of acquisition total)	\$6,303

The Metropolitan Council’s approval of this grant to Three Rivers Park District leaves an unobligated balance of \$1,966,086 in the Parks and Trails Legacy Fund acquisition account.

Known Support / Opposition

There is no known opposition to the Park District’s acquisition of the easement for the Intercity Regional Trail, or to the grant request.



Penny Steele
District 1

May 12, 2014

Jennifer DeJournett
District 2

Arne Stefferud
Manager, Regional Parks and Natural Resources Unit
Community Development Division
390 North Robert Street
St. Paul, MN 55101

Daniel Freeman,
Vice Chair
District 3

RE: Park Acquisition Opportunity Fund Grant Request for Intercity Regional Trail

Dear Arne,

John Gunyou,
Chair
District 4

Three Rivers Park District is respectfully submitting a Park Acquisition Opportunity Grant Request for acquisition of 1 easement from ELP (formerly Annex) in the amount of \$18,911 for the Intercity Regional Trail in Bloomington.

John Gibbs
District 5

This is the fourth Park Acquisition Opportunity Grant Request for the Intercity Regional Trail.

A brief summary of each easement included in this reimbursement request is on the following pages. Per your request the additional required documentation and background is enclosed and includes the following items:

Larry Blackstad
Appointed
At Large

- Metropolitan Council Documents and Cost Data Tracking Sheet
- Excerpts of the Intercity Regional Trail Master Plan
- Appraisal for each easement
- Purchase price/agreement or similar
- Easement document and required maps


Kelly Grissman
Appointed
At Large

Please process this request and forward to the Metropolitan Parks Open Space Commission, Community Development Committee, and Metropolitan Council at your earliest convenience.

You may contact me at 763-695-7635 or kgrissman@threeriversparkdistrict.org with any questions or concerns.

Cris Gears
Superintendent

Thank you for your continued assistance through this process.

Sincerely,

Kelly Grissman
Director of Planning

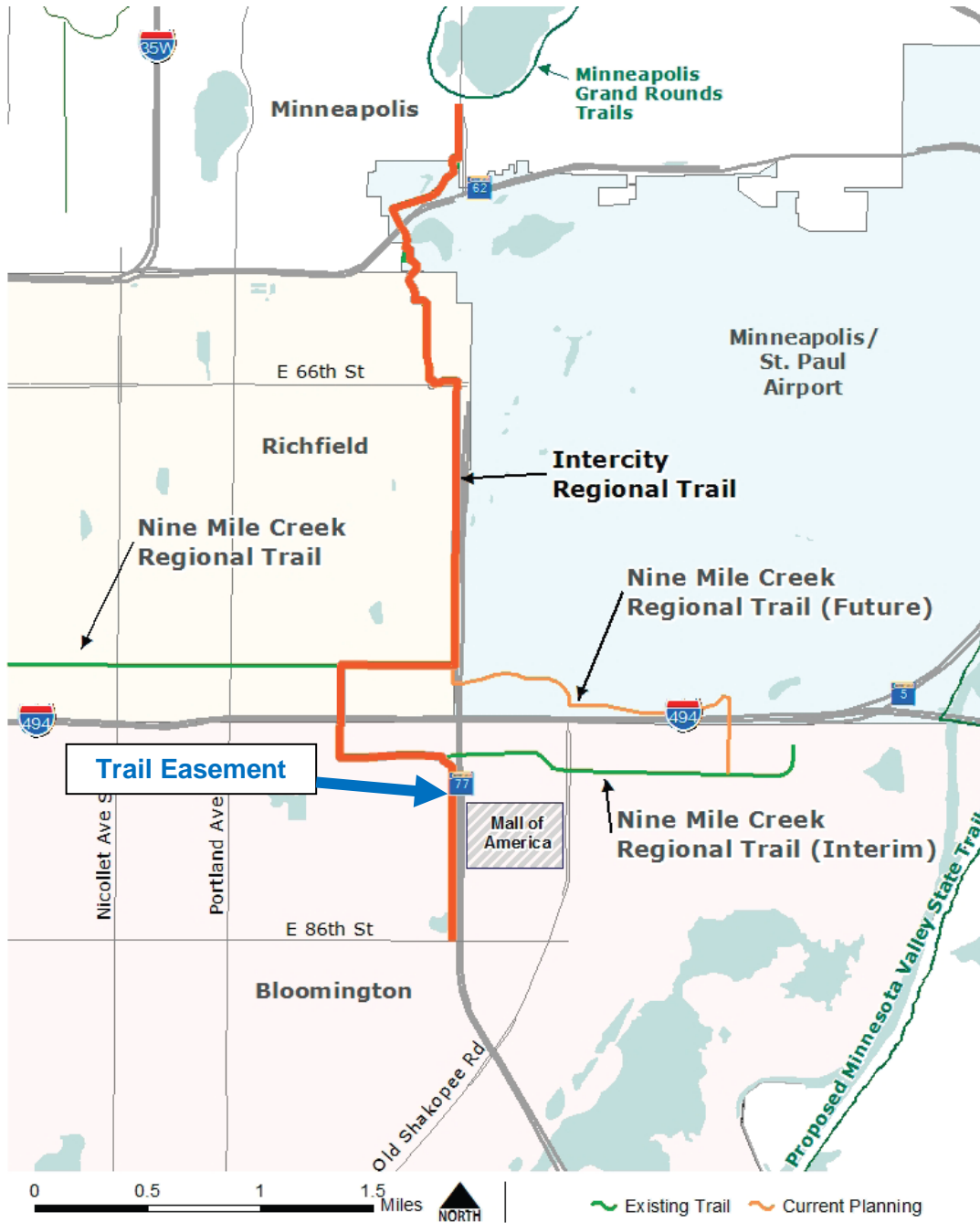
Enclosures

C: Jonathan Vlaming, Associate Superintendent
Stephen Shurson, Landscape Architect

Attachment 2: Summary of Intercity Regional Trail Easement and Estimated Costs

Park/Trail	Intercity Regional Trail
Property Owner/Seller	Annex Properties
Address	8040 Old Cedar Avenue South, Bloomington, MN 55425
PID	02-027-24-14-0005
Size	1162 Square Feet (.0266 acre)
County	Hennepin
Legal Description	Parcel ID No. 0202724140005
House District	District 50A
Senate District	District 50
Met Council District	District 5
MPOSC District	District C
Master Plan Support	master plan excerpt (attachment 3)
Aerial Photo, Proposed Acquisition	Attachment 4
Source of Local Match	Three Rivers Park District General Obligation Bond Funds and/or Land Acquisition and Betterment Funds
Easement Purchase Price	\$17,600
Associated Fees	\$7,614
Total Easement Cost	\$25,214
Est. Local Match Amount	\$6,303
Est. Grant Request	\$18,911

Attachment 3: Intercity Regional Trail Master Plan Map showing easement location





This map is a compilation of data from various sources and is provided "as is" without warranty of any representation of accuracy, timeliness, or completeness. The user acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and in a constant state of maintenance, correction, and update.

Intercity Regional Trail Annex property easement

8040 Old Cedar Ave
Created by: N Straka, Sr. Engineering Technician
Map Created: 2/14/2014
Revised Date: 3/11/2014

