

**Minutes of the
MEETING OF THE
METROPOLITAN PARKS AND OPEN SPACE COMMISSION**

Tuesday, January 7, 2014

Committee Members Present: Dean Johnston, Carrie Wasley, Tony Yarusso, Barbara Schmidt, Bob Moeller, Rick Theisen, Bill Weber, Anthony Taylor, Sarah Hietpas, Wendy Wulff, Council Liaison

Committee Members Absent: None.

SWEARING IN MPOSC MEMBERS AND CHAIR

Recording Secretary Dingle swore in all members of the Metropolitan Parks and Open Space Commission.

CALL TO ORDER

Chair Johnston called the meeting of the Council's Metropolitan Parks and Open Space Commission to order at 4:01 p.m. on Tuesday, January 7, 2014.

APPROVAL OF AGENDA AND MINUTES

It was moved by Moeller, seconded by Theisen to approve the agenda. **Motion carried.**

It was moved by Schmidt, seconded by Yarusso to approve the minutes of the December 3, 2013 meeting of the Metropolitan Parks and Open Space Commission. **Motion carried.**

PUBLIC INVITATION: Invitation to interested person to address the Commission on matters not on the agenda.

None.

BUSINESS

Orientation on metropolitan Regional Park System and Metropolitan Parks & Open Space Commission
– Arne Stefferud, Manager Regional Parks and Natural Resources and Jan Youngquist, Planning Analyst

Youngquist gave an orientation to the Regional Parks System (System). She discussed natural resources, acreage, and the regional draw found in the System. She also went over policies and strategies contained in the 2030 Regional Parks Policy Plan (RPPP).

Youngquist reviewed the history of the System, current and future numbers of parks, trails and special recreation features. She discussed the role of the Commission and the update of the 2040 Regional Parks Policy Plan, which will begin at the next meeting.

Stefferdud gave an introduction to the Regional Parks capital improvement and operations funding as outlined in the materials provided.

Moeller asked about the source of the Metropolitan Council's income. Stefferud explained that property tax revenue finances Metropolitan Council Bonds. Moeller asked about interest earnings. Stefferud explained that this comes from interest earned on Metro Council park bonds and Parks and Trails Legacy funds that have not been disbursed.

Weber asked what the relationship / difference is between North Mississippi River Regional Park and the Above the Falls Regional Park. Stefferud described the park boundaries and noted that Above the Falls is on both sides of the river and is downstream from North Mississippi River Regional Park.

Theisen asked what the interest was used for before it was mandated by the state to be used for North Mississippi. Stefferud stated it was used for land acquisition and emergency grants for development projects.

Theisen asked about additional acquisition funds for North Mississippi. Stefferud stated that the land for the park has been acquired. He noted that most of the grant money has been used for park improvements.

Johnston asked about updating the 2040 Regional Parks Policy Plan. Youngquist briefly outlined the process going forward and its relation to Thrive MSP 2040.

Appointment of Robert Moeller as Vice-Chair to the Metropolitan Parks and Open Space Commission for 2014 – Dean Johnston, Chair

Johnston noted that in accordance with the terms of the MPOSC bylaws, he is recommending appointing Robert Moeller as Vice-Chair.

Wasley motioned and it was seconded by Schmidt to approve Chair Johnston's recommendation that the Metropolitan Parks and Open Space Commission approve the appointment of Robert Moeller as the Commission's Vice-Chair for 2014. **The motion carried.**

Park Acquisition Opportunity Fund Grant for Above the Falls Regional Park (2128 Marshall Street NE), Minneapolis Park and Recreation Board – Tori Dupre, Senior Planner

Dupre gave a PowerPoint presentation outlining an acquisition opportunity fund grant request from MPRB to acquire a parcel for the Above the Falls Regional Park as outlined in the materials provided.

Dupre stated that this item was brought before the MPOSC on December 3 and discussed why this item was given back to staff as it was a request presented after the land was already closed on. She noted that grants are intended to provide funding for acquisition, not reimbursement. After further review it was noted that the park acquisition grant rules do not specifically state that grants must be awarded prior to closing.

Dupre then reviewed staffs' recommendation to award an acquisition grant and direct Metro Council staff to publish the acquisition grant decision making process.

Wasley stated that she is glad that she is not the only one confused by the process. Stefferud pointed out Attachment 6 contains the acquisition grant decisionmaking process, included in the packet, which was provided to help clear up any confusion.

Moeller complimented staff and MPRB on working together to resolve this.

Yarusso asked if Amendment 6 is change in policy. Stefferud clarified that it is not a change in policy, but a 'process' to be followed to implement the policy. .

Theisen asked if this process is now binding so that in the future an agency could not receive a grant for 'reimbursement'. Stefferud explained that it is intended to specify the process.

Hietpas asked if this is a rule or will exceptions be made. Stefferud stated that the objective is to work with agencies to come up with a process where decisions to award grants come before closings. He noted that this is often language that is put into a purchase agreement.

Dupre added that typically agencies work very closely with staff and what happened here is very rare.

Hietpas asked what happens if there is a hot property and the agency needs to move on it. Stefferud stated that if there's been communication between the agency and the Metro Council, it may be possible to obtain a grant, however the agency would be taking a risk since the Metro Council is not obligated to award a grant after the land has been purchased.

Weber asked why the Mississippi River Watershed District is providing the local match to the Park Acquisition Opportunity Fund grant instead of Minneapolis Parks. Jennifer Ringold, Minneapolis Parks noted that commonly along the river, the Watershed is a part of the acquisition as they have a common interest in the preservation of the land.

Webber asked if parcels north and south are also targeted for acquisition. Ringold stated that there are several parcels that have been identified for future acquisition for Above the Falls Regional Park.

Webber asked how the MPRB was able to close prior to the grant being awarded. Ringold stated that Capital Levy was used as temporary funding.

Wulff clarified that we are basically declaring 'a mulligan' and providing a published process to ensure that it does not happen again.

Moeller motioned and it was seconded by Yarusso to recommend that the Metropolitan Council:

1. Reimburse up to \$85,370 from Park Acquisition Opportunity Fund's Parks and Trails Legacy Fund Acquisition Account to the Minneapolis Park and Recreation Board (MPRB) to partially finance the acquisition of 2128 Marshall St. NE for Above the Falls Regional Park. The grant is financed with \$51,222 of Fiscal Year 2014 Parks and Trails Legacy Fund money and \$34,148 of Metro Council bonds. The grant must be matched with at least \$61,790 from the Mississippi Watershed Management Organization. The grant start date is November 12, 2013.
2. Authorize the Community Development Director to sign the grant agreement and accompanying documents including the restrictive covenant.
3. Direct the Metro Council staff to publish the "Decision Making Process for Awarding Park Acquisition Opportunity Fund Grants" to inform regional park agencies about this process and insure that the Metro Council can consider Park Acquisition Opportunity Fund grant requests and award funds before land is acquired. (See Attachment 6).

Chair Johnston called for a vote. **The motion carried.**

Bruce Vento Regional Trail Master Plan Amendment, City of St. Paul – Jan Youngquist, Planning Analyst

Youngquist gave a presentation outlining the amendment of the Bruce Vento Regional Trail Master Plan as outlined in the materials provided.

Webber asked what the trail would be paved with. Youngquist responded that it would be paved with bituminous materials. Weber felt that a map indicating this is part of the Bruce Vento Regional Trail would be nice. Youngquist noted that the City of St. Paul staff are here today and will take that under advisement.

Wasley motioned and it was seconded by Hietpas to recommend that the Metropolitan Council:

1. Approve the Bruce Vento Regional Trail Master Plan Amendment.
2. Notify the City of St. Paul that if the Metropolitan Council deems that signage along the regional trail realignment is needed for safety and security of the Green Line Operations and Maintenance Facility, the City of St. Paul will be required to provide and post the signage at its own cost.

Yarusso shared his concern that we are funding a second alignment. Youngquist noted that the Council did not fund the original alignment.

Wulff commented that this would be reimbursed with funds that St. Paul has been allotted as their share of the CIP and therefore competing funds would not be used.

Chair Johnston called for a vote. **The motion carried.**

INFORMATION

None.

REPORTS

Staff: Stefferud discussed the meeting bylaws and regular meeting dates/times and felt it would be of value to lay out when meetings are scheduled. Johnston asked if staff is intending to pre-schedule special meetings. Stefferud noted that staff will bring any requests for special meetings in advance to the Commission.

Wulff noted that the next meeting in February is a caucus night and asked how long the MPOSC meeting is expected to last. She requested that staff look into the start time of the caucus so that members are able to travel if they want to participate. Another option may be to start the meeting earlier. Johnston asked for consensus. The group felt that a 4:00 p.m. start time would work.

Chair: Johnston thanked all members for their willingness to serve on the Commission.

Commissioners: Weber thanked everyone for this opportunity. He also congratulated Three Rivers Park District on their new cross-country ski trails at Hyland Lake Park Reserve complete with lighting and snow making machines.

ADJOURNMENT

Business completed, the meeting adjourned at 5:43 p.m.

Sandi Dingle
Recording Secretary

Attachment 6: Decision Making Process for Awarding Park Acquisition Opportunity Fund Grants

Introduction

Park Acquisition Opportunity Fund grants are intended to help regional park agencies acquire land within Metropolitan Council-approved regional park and trail master plan boundaries. These grants finance up to 75% of acquisition costs within a limit per park agency and require matching funds to finance 25% of the costs. A set of rules has been adopted to guide the disbursement of these grants. [*link to currently adopted version of Park Acquisition Opportunity Fund Grant Rules would be inserted here*]

It is imperative that regional park agencies be aware that their grant request be considered and approved by the Metropolitan Council before the land is acquired because the Council may not award the grant. This memorandum outlines the Metropolitan Council's decision making process for awarding Park Acquisition Opportunity Fund grants.

Step 1: The regional park agency should contact the Metropolitan Council staff prior to proposing a purchase agreement to the seller to verify:

- A. The land in question qualifies for a grant from the Park Acquisition Opportunity Fund.
- B. All costs associated with the acquisition are calculated and an initial determination is made by Metro Council staff on the amount of the grant that would be in compliance with the grant rules. Staff will also consider what other approvals will be required by funding entities. This includes the park agency's policy board, any other policy board that is providing matching funds to the Park Acquisition Opportunity Fund grant, and possibly the Legislative Citizens Commission on Minnesota Resources (LCCMR) if the land in question has already had interests acquired on it with past State funding.

Once both conditions are met, the regional park agency may wish to include in the purchase agreement a contingency that states the closing would occur if a Park Acquisition Opportunity Fund grant is approved by the Metropolitan Council.

The proposed closing date should be based on the amount of time it takes to receive approval from the proposed funding policy boards in the proper sequence. For example, approvals by the regional park agency policy board, a watershed management organization that is providing the local match, and the LCCMR may be required before the Metropolitan Council could approve the grant. The formal review/approval process by the Metropolitan Council will take between 41 and 70 days. The timing is dependent on when the formal request is submitted—before or after the 15th of the month plus meeting schedules of the Metropolitan Council and its Community Development Committee. Other entities such as the Legislative Citizens Commission on Minnesota Resources will have their own approval process/schedule.

Step 2: The terms of the purchase agreement is agreed to by the seller and the park agency through official action by the park agency policy board.

Step 3: If other policy boards beyond the park agency's policy board must approve funding of the acquisition, their approvals should be requested and received.

Step 4: Once the park agency policy board and any other policy boards have approved the acquisition and any funding for it under Steps 2 and 3, the regional park agency should submit a formal request for a Park Acquisition Opportunity Fund grant to the Metropolitan Council.

If the formal grant request is submitted to the Metropolitan Council by the 15th of the month, it would be considered under the following schedule:

Last Tuesday of the month in which the grant request is submitted: Posting of the Metro Council staff analysis of the grant request and recommendations to approve it along with any other appropriate conditions.

First Tuesday of the next month: Consideration by the Metropolitan Parks and Open Space Commission.

Third Monday or Third Tuesday of that month: Consideration by the Community Development Committee (CDC) of the Metropolitan Council.

Fourth Wednesday of that month, or second Wednesday of the following month if the CDC meeting and Metro Council meetings fall on the same week: Consideration by the Metropolitan Council

Example of Step 4 under premise the formal grant request is submitted no later than the 15th of the month:

December 15, 2013: Regional park agency submits formal request for Park Acquisition Opportunity Fund grant.

December 31, 2013: Posting of the Metro Council staff analysis of the grant request and recommendations to approve it along with any other appropriate conditions.

January 7, 2014: Consideration by the Metropolitan Parks and Open Space Commission.

January 21, 2014: Consideration by the Community Development Committee (CDC) of the Metropolitan Council.

February 12, 2014: Consideration by the Metropolitan Council.

February 13, 2014: Assuming the grant is approved, the start date for the grant agreement would occur the day after the Metropolitan Council meeting. The acquisition of the land (closing) could occur on or after February 13 in this example. Total number of days to complete Step 4 in this example: 59.

Example of Step 4 under premise the formal grant request is submitted after the 15th of the month:

December 20, 2013: Regional park agency submits formal request for Park Acquisition Opportunity Fund grant.

January 28, 2014: Posting of the Metro Council staff analysis of the grant request and recommendations to approve it along with any other appropriate conditions.

February 4, 2014: Consideration by the Metropolitan Parks and Open Space Commission.

February 18, 2014: Consideration by the Community Development Committee (CDC) of the Metropolitan Council.

February 26, 2014: Consideration by the Metropolitan Council.

February 27, 2014: Assuming the grant is approved, the start date for the grant agreement would occur the day after the Metropolitan Council meeting. The acquisition of the land (closing) could occur on or after February 27 in this example. Total number of days to complete Step 4 in this example: 70.