

Minutes of the

MEETING OF THE METROPOLITAN PARKS AND OPEN SPACE COMMISSION

Tuesday, October 6, 2015

Committee Members Present:

Rick Theisen, Robert Moeller, Dean Johnston, Sarah Hietpas, Bill Weber, Rachel Gillespie, and Wendy Wulff, Council Liaison

Committee Members Absent: Todd Kemery, Michael Kopp, and Anthony Taylor

CALL TO ORDER

Following a tour of White Tail Woods Regional Park, Chair Johnston called the meeting of the Council's Metropolitan Parks and Open Space Commission to order at 4:37 p.m. on Tuesday, October 6, 2015.

APPROVAL OF AGENDA AND MINUTES

Chair Johnston asked for a motion to approve the Agenda of the October 6, 2015 meeting of the Metropolitan Parks and Open Space Commission. Weber motioned and it was seconded by Gillespie. **Agenda was approved.**

Chair Johnston asked for a motion to approve the minutes of the September 8, 2015 meeting of the Metropolitan Parks and Open Space Commission. Hietpas motioned and it was seconded by Theisen. **Minutes were approved.**

BUSINESS

Park Acquisition Opportunity Fund Grant for Rice Creek North Regional Trail – TCAAP Property, Ramsey County – Jan Youngquist, Planning Analyst

Youngquist gave a presentation on the request from Ramsey County for a Park Acquisition Opportunity Fund Grant for Rice Creek North Regional Trail as outlined in the materials provided.

Jonathan Vlaming, Three Rivers Park District asked what the fund balance is. Youngquist stated that upon approval of this grant, there will be \$118,803.00 in the acquisition opportunity account. She noted that Dupre will be discussing alternatives used should the funds run out.

It was motioned by Gillespie, seconded by Hietpas to recommend that the Metropolitan Council:

1. Authorize a grant of up to \$1,700,000 to Ramsey County to acquire a 93 acre property for the Rice Creek North Regional Trail. The grant will be financed as follows:
 - \$729,158 from the Fiscal Year 2016 Parks and Trails Legacy Fund appropriation, and
 - \$970,842 from Metropolitan Council bonds
2. Authorize the Community Development Director to sign the grant agreement and the restrictive covenant.

Theisen asked how it is determined how much pollution there is and what it is. Jon Oyanagi, Ramsey County discussed the environmental study done and also the recreation standards that have to be met. He stated that there is approximately four feet of contaminated soil that needs to be removed. The areas of contamination are mostly concentrated around the buildings and where ammunition was manufactured.

Chair Johnston called for a vote. **The motion carried** with one abstention.

Release of Restrictive Covenant, Sale of Land, Consent to Easement, and Reimbursement Consideration, Lake Waconia Regional Park, Carver County – Jan Youngquist, Planning Analyst

Youngquist gave a presentation on a request from Carver County for Lake Waconia Regional Park to release a restrictive covenant, sale of land, consent to easement, and reimbursement consideration as outlined in the materials provided.

Wulff asked why the LCCMR money (refund) doesn't come back into 'the pot' to be available for another acquisition. Mullin responded that in State Statute the by-laws state that any refunds go into their corpus but eventually is then used for Environmental and Natural Resources Trust Fund Projects, it just doesn't happen immediately.

Wulff stated she doesn't like this because the Met Council is not guaranteed to receive those funds.

Youngquist stated that the DNR didn't have the funds to contribute towards the acquisition and it was such a key piece of property for this regional park that the County did not want to lose out on the opportunity to acquire the property.

Moeller asked if the end result is contingent on the number of recommendations all taking place. Youngquist stated that yes, in order for this transaction to work, the LCCMR needs to approve the sale of the land.

Weber asked how much money is being transferred out to the LCCMR. Youngquist responded \$347,620.00. She discussed the efficiencies to be achieved by this transaction.

Marty Walsh, Carver County noted that this was a learning process and discussed the benefits of this process.

It was motioned by Moeller and seconded by Weber to recommend that the Metropolitan Council:

1. Direct staff to work with Carver County to request approval from the LCCMR for the sale of 5.05 acres and for the 1.64-acre access easement to the DNR on land acquired using Environment and Natural Resources Trust Fund dollars.
2. Contingent upon approval by the Legislative-Citizen Commission on Minnesota Resources (LCCMR):
 - a. Consent to the sale of 5.17 acres of land by Carver County to the Minnesota Department of Natural Resources (DNR) for development of a boat access site at Lake Waconia Regional Park, as described in Attachment A and shown in Attachment B.
 - b. Release the restrictive covenants on the 5.17 acres of land to be sold to the DNR.
 - c. Consent to the 1.64 acre access easement to be granted by Carver County to the DNR as described in Attachment C and shown in Attachment D.
 - d. Require Carver County to reimburse \$13,276 to the Metropolitan Council's Park Acquisition Opportunity Fund to account for the sale of 0.12 acres of land acquired with Minnesota Parks and Trails Fund dollars.
 - e. Revise the amount the Council will consider reimbursing Carver County from its share of future Regional Parks Capital Improvement Programs for acquisition of 19.29 acres at Lake Waconia Regional Park to be up to \$1,190,136 in order to account for the sale of 5.17 acres to the DNR.
3. Inform Carver County that the Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

Chair Johnston called for a vote. **The motion carried** with one abstention.

Park Acquisition Opportunity Fund Grant for Lake Elmo Park Reserve, 1446 Lake Elmo Avenue North, Washington County – Tori Dupre, Senior Planner

Dupre gave a presentation on a request from Washington County for an acquisition at Lake Elmo Park Reserve as outlined in the materials provided. She cited the *2040 Regional Parks Policy Plan* that provides guidance in special circumstances where there is a lack of available acquisition opportunity funds. She noted that reimbursement for this grant request will not be possible until funding becomes available on July 1, 2016.

Wulff asked why this parcel is so important. John Elholm, Washington County stated that there are encroachment issues and recreational plans/cleanup for the parcel.

It was motioned by Hietpas seconded by Moeller to recommend that the Metropolitan Council:

1. Authorize a grant of up to \$194,479 to reimburse Washington County for acquisition of a 1.1-acre property for Lake Elmo Park Reserve when funds are available in the Parks and Trails Legacy fund account of the Park Acquisition Opportunity Fund.
 - The Metropolitan Council’s grant finances up to 75 percent of the total acquisition costs from the Park Acquisition Opportunity Fund (PAOF) using the Fiscal Year 2017 Parks and Trails Legacy Fund account (60 percent) and Metropolitan Council Bonds (40 percent).
 - Washington County will finance at least 25 percent of the total acquisition costs. If the total acquisition costs are higher than estimated, Washington County is responsible for the difference.
2. Authorize the Community Development Director to sign the grant agreement including the restrictive covenant.

Johnston stated that he was a resident of Lake Elmo for 33 years and he supports the proposal as it protects the integrity of the park for park use.

Moeller stated he is bothered by tearing these houses down when property is acquired by a park and discussed the possibility of providing an opportunity to house the homeless. Johnston stated that he did not feel that providing housing for the homeless is part of the parks plan. Elholm discussed renting houses back to original land-owners is sometimes done however beyond that it can get expensive to bring homes up to a rentable condition and maintain them.

Jonathan Vlaming, Three Rivers Park District discussed a partnership they have with Scott County where land is provided and they are able to use homes and keep them to meet their affordable housing needs.

Theisen discussed the amount of funds available and prioritization of approving projects. He stated that it seems this commission sees things a piece at a time and not the big picture. He would like to have a more strategic view of priorities.

Salk discussed an analysis done by the Met Council looking at possible acquisition requests. She also looked at account balances and future acquisition needs. The result of this analysis was developing a 60/40 split of future and current year needs.

Steve Sullivan, Dakota County discussed homes that are a part of acquisitions. He discussed the possibility of moving houses, however there are costs involved. Another option is to ‘deconstruct’ houses recycling many materials. Regarding renting, Sullivan felt that park agencies are not good

landlords. Master Plans have been approved by the MPOSC. He feels it is important to recognize the importance of perimeter properties as roads make good boundaries.

Weber noted that we have acquired similar in-holdings in the past but he is not in favor of this one.

Moeller agreed with Theisen's comment and stated it would be nice to see a bigger picture of what is coming. Secondly, he feels the Met Council should look at the possibility of offering housing for the homeless.

Johnston noted that we have participated in a comprehensive *2040 Regional Parks Policy Plan* (Plan). He stated that this property acquisition is not glamorous but this Commission's role is to assess this request and he feels they have met the criteria outlined in our Plan therefore it's not our call to say 'yes' or 'no'.

Weber asked why then is it even being discussed. Johnston stated to ensure that the request meets all of the criteria.

Wulff stated she feels it would be helpful to know what is coming and how it will balance over time.

Mullin stated that he can have staff look into this.

Hietpas noted that this proposed boundary of the park was brought before this Commission before – when the Master Plan was approved. If the Commission didn't feel that this in-holding should have been considered, it should have been omitted at that time. She understands the concern of knowing what the big picture is – she used to feel the same way – but she puts trust in staff to do the analysis and she supports this proposal.

VanderSchaaf noted that for the first time, since 1985, the Council has a Housing Policy Plan that could be incorporated into a future information item to discuss/address the housing issues in the Region.

Theisen stated he supports this proposal and pointed out that his issue is about funds falling short and not having a big picture.

Elholm stated Washington County is happy to share what they know is coming for acquisitions but pointed out that they do not condemn property so they need to wait for willing sellers.

Mike Kimble, St. Paul Parks discussed the Jackson Auto acquisition that was contentiously expensive and stated it is beautiful now.

Chair Johnston called for a vote. **The motion carried** with one member voting against.

Park Acquisition Opportunity Fund Grant for Above the Falls Regional Park, 1822 Marshall Street NE, Minneapolis Park and Recreation Board – Tori Dupre, Senior Planner

Dupre gave a presentation on the request from the Minneapolis Park and Recreation Board (MPRB) for an acquisition grant for the Above the Falls Regional Park as outlined in the materials provided.

Weber feels this site is essential to completing the Master Plan.

Moeller referred to the house on this property and discussed Hennepin County Land Trust that accepts houses and asked if this house could be moved. Renee Leone, MPRB stated that they've considered it, however it is not suitable for reuse due to contamination such as asbestos.

Youngquist noted that the type of contamination that Ramsey County was dealing with on the TCCAP property was soil contamination, which is different.

Hietpas asked about the appraised amount versus the negotiated price. Leone stated that MPRB's appraiser came back at \$310,000 whereas the seller's appraiser came back at \$740,000. She noted that an agreed upon price was then negotiated.

It was motioned by Moeller seconded by Gillespie to recommend that the Metropolitan Council:

1. Authorize a grant of up to \$394,680 to reimburse the Minneapolis Park and Recreation Board for acquisition of a 0.28- acre property for Above the Falls Regional Park when funds are available in the Parks and Trails Legacy fund account of the Park Acquisition Opportunity Fund.
 - The Metropolitan Council's grant finances up to 75 percent of the total acquisition costs from the Park Acquisition Opportunity Fund (PAOF) using the Fiscal Year 2017 Parks and Trails Legacy Fund account (60 percent) and Metropolitan Council Bonds (40 percent).
 - Minneapolis Park and Recreation Board will finance at least 25 percent of the total acquisition costs. If the total acquisition costs are higher than estimated, the Park Board is responsible for the difference.
2. Authorize the Community Development Director to sign the grant agreement including the restrictive covenant.

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

Approval of Amendments Changing the Scope of Work for Two Three Rivers Park District Grants in Scott County, SC2013-054 and SG2013-055, for Cleary Lake Regional Park – Deb Jensen, Senior Planner Parks Finance

Jensen gave a presentation on a request from Scott County for the approval of amendments changing the scope of work for two Three Rivers Park District grants as outlined in the materials provided.

Vlaming stated that the District is working with Scott County to update the Cleary Lake Master Plan. He discussed significant savings with the parking lot that left them with money to use to update the Visitor Center, which is in desperate need of repair.

It was motioned by Moeller and seconded by Weber to recommend that the Metropolitan Council approve amendments to Three Rivers Park District/Scott County grants SG2013-054 and SG2013-055 to add improvements to the visitor center and beach area and create a dog off-leash area in Cleary Lake Regional Park.

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

INFORMATION

Regional Parks System Grant Programs, an Overview – Emmett Mullin and Deb Jensen, Senior Planner Parks Finance

Mullin discussed the matrix (included in the meeting materials) that was developed by staff in response to questions raised at the September MPOSC meeting.

Jensen gave a presentation on the Regional parks System Grant Programs contained in the one-page handout provided. She noted a laminated copy of the matrix will be provided at the next MPOSC meeting. She thanked Dr. Salk who developed this tool.

Wulff noted that the ENRTF can only be used for 'good' land. Land with structures, etc. need to use PTLF dollars.

Hietpas asked for the matrix electronically. Staff stated they could provide that.

Moeller stated that he appreciates this work. It brings to mind what the MPOSC role is.

Wulff discussed the Commission members' two roles. The first is to set policy and the second is to enforce it. She noted the importance, as the Commission verifies staff recommendations, to keep them in mind as they go forward to revise policy.

Mullin reinforced that we've heard the question – what is your role. He stated staff will continue to bring forward items that require your insight and consideration.

REPORTS

Chair: Johnston stated that he is hearing that the Commission would like to enjoy more park tours and asked the group if they would like to discuss a winter tour at the next MPOSC meeting. Wulff stated she thought a winter tour was a great idea. Johnston stated it will be added to the next MPOSC agenda.

Commissioners: None.

Staff: Jensen asked if it would be helpful to show the balance in a particular fund if a request is granted. Weber stated he would like that and added that any information is welcome.

ADJOURNMENT

6:45 p.m.

Respectfully submitted,

Sandi Dingle
Recording Secretary