

Minutes of the

MEETING OF THE METROPOLITAN PARKS AND OPEN SPACE COMMISSION

Tuesday, December 1, 2015

Committee Members Present:

Rick Theisen, Dean Johnston, Bill Weber, Anthony Taylor, Todd Kemery, Robert Moeller, Rachel Gillespie and Wendy Wulff, Council Liaison

Committee Members Absent: Sarah Hietpas, and Michael Kopp

CALL TO ORDER

Chair Johnston called the meeting of the Council's Special Metropolitan Parks and Open Space Commission to order at 4:00 p.m. on Tuesday, December 1, 2015.

APPROVAL OF AGENDA AND MINUTES

Chair Johnston asked for a motion to approve the Agenda of the December 1, 2015 meeting of the Metropolitan Parks and Open Space Commission. Weber motioned and it was seconded by Theisen. **Agenda was approved.**

Chair Johnston asked for a motion to approve the minutes of the November 10, 2015 meeting of the Metropolitan Parks and Open Space Commission. Council Member Wulff asked that there be a small amendment to a comment she made. Moeller motioned and it was seconded by Taylor to approve the amended minutes. **Minutes were approved.**

PUBLIC INVITATION

None.

BUSINESS

Request for Park Acquisition Opportunity Fund Grant for Lake Waconia Regional Park (Coney Island), from Carver County – Deb Jensen, Senior Parks Finance Planner

Jensen gave a presentation on the request from Carver County for a Park Acquisition Opportunity Fund Grant for Lake Waconia Regional Park as described in the materials provided.

Weber asked for an explanation on why the island wasn't just donated. Marty Walsh, Carver County Parks stated that without public dollars, there would be no money to forward the effort to develop the island to a usable point. Weber noted that this is a very generous offer.

Kemery asked if the \$900,000 donation will go back into the 2017 Legacy total. Walsh stated it will go directly to Carver County.

Kemery asked if the \$267,000 cleanup cost could come out of the donation or will it come from other sources. Walsh stated both and noted they are not sure what the total costs of the cleanup will be.

Kemery asked what the timeline for cleaning up the island will be. Walsh stated they are developing a Master Plan that they hope to have done in March. He stated that Phase I development program after that will include clean up and noted that a fair amount of environmental review is needed and could take up to a year to complete.

Kemery asked if the Master Plan has been revealed to the public yet. Walsh replied that it has not. He stated they are still collecting public input and hope to share back concepts to the public in January.

Moeller asked if the \$900,000 donation will only be used for the development of the island. Walsh stated it is largely for the island and noted that some may be used for a dock on the mainland for access purposes.

Theisen asked what the return for the land owner is. Walsh stated that he is very philanthropic but also shared that he is a property owner on Lake Waconia and has a view of the island.

Wulff stated she is disappointed that the ENRTF wasn't more open to doing something creative because that fund actually has money but is not being utilized.

Steve Sullivan, Dakota County Parks expressed his confusion. He stated that this is a tremendous acquisition however he has an issue with the funding sources and the LCCMR's interpretation. He reiterated his confusion and asked are there new rules now? He stated that it seems the LCCMR and staff are doing things differently and there is a need for greater clarity.

Jensen shared the first concern of the LCCMR was regarding the appraisal. At the same time, LCCMR staff became aware of the proposed transaction being facilitated by the Trust for Public Land. They expressed concern about using ENRTF dollars with this transaction.

Kemery asked if this a done deal and whether there are new policies? Is there something we should be second guessing?

Mullin stated that LCCMR staff is representing the LCCMR concerns. There was a need to recognize that these concerns ultimately meant that ENRTF dollars were not a good path forward for this proposed acquisition. At this point staff explored other options for funding.

Wulff asked if the seller had not offered a donation until after the sale was complete, would this have been a different outcome (okay with the LCCMR). Jensen stated that we can only speculate that it would have gone easier.

Weber asked if it would be appropriate to amend the motion to add that the staff should investigate with the LCCMR whether or not there has been a change in their philosophy. Mullin stated that the business model that the Trust for Public Land (TPL) has used for years (and been successful with for the benefit of Minnesotans) is something that the LCCMR is not comfortable with. He believes that the LCCMR is suggesting that the model be changed and noted that TPL is open to looking at that. This change would be very significant for them in terms of how they fund their organization and they need some time in order to figure out what their business model will be going forward if it isn't going to rely on donations of land owners.

Weber suggested staff look into this and try to sort it out for the sake of all the parties concerned.

Wulff gently suggested this not be a part of the motion as there is a certain amount of diplomacy needed. She suggested it be left to Mullin's discretion going forward.

Theisen clarified if the landowner donation wasn't made to the implementing agency, then they would need to come back to the Metropolitan Council for funding to develop the island. Walsh confirmed and noted that smaller agencies, such as Carver County, have a difficult time coming up with this level of funding.

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

1. Contingent upon receipt of a second appraisal review acceptable to the Council, authorize a grant of up to \$1,050,000.00 to reimburse Carver County for acquisition of the 33.7-acre Coney Island for Lake Waconia Regional Park, financed from:
 - \$630,000 from the 2017 state fiscal year Minnesota Parks and Trails Fund appropriation, and
 - \$420,000 from Metropolitan Council bonds; and

2. Authorize the Community Development Director to sign the grant agreement and the restrictive covenant.

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

Request for Future Reimbursement Consideration for Lake Waconia Regional Park (Coney Island), from Carver County – Deb Jensen, Senior Parks Finance Planner

Jensen gave a presentation regarding future reimbursement consideration request from Carver County for Lake Waconia Regional Park – Coney Island as outlined in the materials provided.

A few clarifications were made on the presentation and funding sources.

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

1. Consider reimbursing Carver County up to \$169,878 from its share of future Regional Parks Capital Improvement Programs financed with Council bonds for demolition and debris removal costs on Coney Island in the Lake Waconia Regional Park; and
2. Remind the County that the Council does not, under any circumstances, represent or guarantee that reimbursement will be granted and that expenditure of local funds never entitles a park agency to reimbursement.

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

Park Acquisition Opportunity Fund Grant Request for Nokomis-Minnesota River Regional Trail from Three Rivers Park District – Emmett Mullin, Manager Regional Parks and Natural Resources

Mullin gave a presentation on a request from Three Rivers Park District for a Park Acquisition Opportunity Fund Grant for Nokomis-Minnesota River Regional Trail as outlined in the materials provided.

Kemery noted that the property has been sold and asked if we know what is being proposed for the future of this lot and how will it affect the easement. Jonathan Vlaming, Three Rivers Park District stated that there will be a mixed use development of apartments/retail.

Kemery asked what the distance between the proposed easement and the property line of the development will be. Vlaming stated he does not have the exact distance but on average, from the right of way, there will be 8 feet of permanent easement to the property with greenspace and parking prior to the buildings themselves.

Kemery asked if there will be a fence or barrier. Vlaming noted they haven't negotiated (on their end) to put up a barrier. The trail would be a significant benefit to the property.

Weber questioned how wide the path will actually be. Vlaming stated it would be 10 feet with a three foot buffer on each side.

Moeller stated that it looks like a sidewalk there now and asked what would happen to it. Vlaming stated that the 6 foot sidewalk would go away and the trail would be realigned to accommodate pedestrian/bicycle use.

Wulff noted that the Community Development Committee (CDC) does value the work of this Commission and this is why the CDC Chair and the MPOSC Chair feel comfortable moving this forward to the full Council without CDC review.

Vlaming thanked staff for moving this forward in a timely manner due to the expedited closing date. He discussed the future expansion and noted that this is a 'big deal'.

It was motioned by Weber, seconded by Taylor to recommend that the Metropolitan Council:

1. Authorize a grant of up to \$101,583 to Three Rivers Park District to acquire an easement for the Nokomis-Minnesota River Regional Trail (formerly Intercity Regional Trail).
 - The Metropolitan Council will finance the grant through the Park Acquisition Opportunity Fund, with Metropolitan Council bonds funding up to 75 percent of the estimated total acquisition costs.
 - Three Rivers Park District will match the grant with \$33,861, or 25 percent of the total estimated acquisition costs. If the total acquisition costs are higher than estimated, the Park District 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.

REPORTS

Chair: Johnston attended a Regional Parks Partnership meeting and noted their work was impressive. The goal of these meetings surrounds collaboration and communication. This will be an ongoing regular meeting.

Chair Johnston noted that it is time to nominate a Vice Chair and he proposes it be Anthony Taylor. This needs to be approved by the Commission and noted it will be voted on at the January Meeting.

Chair Johnston thanked Commissioner Theisen for his role as Vice Chair over the past year.

Commissioners: Moeller stated he went to a wayfinding meeting in Chaska regarding trail wayfinding. He encouraged members to be aware that this is going on and that we continue to support these types of efforts.

Wulff noted that she's been hiking at White Tail Woods and stated that the signage there is really great.

Taylor attended the Three Rivers Park District Hyland Grand Opening. He stated that if you get a chance to see it – it's wonderful.

Taylor discussed what is happening in District 4 (North Minneapolis) and he feels what we are doing with Regional Parks and Trails in this area, and our commitment to equity goes a long ways.

Kemery discussed meeting notices being sent regarding the meeting in Chaska and asked how he can get on that mailing lists. Moeller stated he wasn't quite sure and stated that it was a Chaska planning session and he is hooked into that sort of thing.

Kemery also inquired about the Regional Parks Partnership meetings – he would like notices. Mullin stated staff can add Commissioners to this meeting notification list.

Staff: None.

ADJOURNMENT

5:07 p.m.

Respectfully submitted,

Sandi Dingle
Recording Secretary