

**C** Community Development Committee  
Meeting date: October 18, 2010

**ADVISORY INFORMATION**

<b>Date:</b>	September 24, 2010
<b>Subject:</b>	2010 Unified Capital Program Amendment
<b>District(s), Member(s):</b>	All
<b>Policy/Legal Reference:</b>	MS 473.315 and Laws of MN 2009, Chap. 172
<b>Staff Prepared/Presented:</b>	Alan Morris, Principal Financial Analyst (651-602-1446) Arne Stefferud, Planning Analyst-Parks (651-602-1360)
<b>Division/Department:</b>	Community Development Division, Regional System Planning and Growth Strategy

**Proposed Action**

That the Metropolitan Council:

Amend the 2010 Capital Budget (annual appropriation) by decreasing it \$510,000 for Parks and Open Space; and

Approve the projects and applicable transfers between capital projects as detailed in Attachment 1.

**Background**

The proposed capital program and budget amendment includes two changes to the adopted Parks and Open Space capital program including:

The recognition of one land acquisition opportunity grant previously approved by the Council on August 25 (Grant SG-2010-098) and adjustment to the land acquisition opportunity grant account balance that finances that grant; and

The reallocation of \$680,000 from grant SG-2009-029 which does not need the funds due to a favorable bidding climate and design changes, and proposal to award an additional grant of \$680,000 to construct a bridge crossing on the Luce Line Regional Trail. Grant SG-2009-029 is financed from the State Fiscal Year 2010 Parks and Trails Fund appropriation.

Reducing Funding Commitments:

State (\$169,470) and regional (\$112,980) funding commitments are transferred from the Parks and Trails Fund Acquisition Account to one land acquisition opportunity grant approved by the Council on August 25 (Grant SG-2010-098), reducing the balance in this account.

A reduction of \$680,000 from grant SG-2009-029 is proposed, which does not need the funds due to a favorable bidding climate and design changes. The total reduction is \$962,450.

**Increasing Funding Commitments:**

The total increase is \$962,450. The amendment provides State (\$169,470) and regional (\$112,980) funding commitments to the park acquisition opportunity grant authorized on August 25 (SG-2010-098). It also provides \$680,000 from the State FY 2010 Parks and Trails Fund appropriation (Land and Legacy Amendment) reallocated from grant SG-2009-029 for the Luce Line Regional Trail bridge.

Details of projects financed with the appropriation are shown in Attachment 1.

**Change in Current Year Expenditures:**

Based on projected expenditures for the proposed amendments, the 2010 Capital Budget is proposed to be decreased by \$510,000 because the new grant for the Luce Line Regional Trail bridge will be expended over a longer time frame. This grant is matching a federal transportation enhancement grant which does not expire until December 31, 2016. The Parks and Trails Fund grant is allowed to align with the expiration of the federal grant.

The Multi-Year Authorization is unchanged since this amendment just transfers funds previously approved.

**Rationale**

This amendment to the 2010 Authorized Capital Program implements a portion of the State FY 2010 Parks and Trails Fund (Land and Legacy Amendment) appropriations bill in accordance with provisions in that law. It allows subgrants for projects financed with the State funds and any matching Metropolitan Council bonds to be executed.

**Funding**

This amendment is financed with State appropriations described above and the Council bonds transferred from the land acquisition opportunity grant account.

**Known Support / Opposition**

The regional park implementing agencies which receive these subgrants support this amendment. On October 5, the Metropolitan Parks and Open Space Commission approved a recommendation for the \$680,000 grant reallocated from grant SG-2009-029 for the Luce Line Regional Trail bridge.

## METROPOLITAN COUNCIL

390 North Robert Street, St. Paul, MN 55101

Phone (651) 602-1000 TDD (651) 291-0904

**DATE:** September 24, 2010

**TO:** Metropolitan Parks and Open Space Commission

**FROM:** Arne Stefferud, Planning Analyst-Parks (651) 602-1360

**SUBJECT:** (2010-334) 2010 Unified Capital Program Amendment to authorize additional FY 2010 Parks and Trails Fund financed grant to Three Rivers Park District

### INTRODUCTION

On July 8, 2009 the Metropolitan Council approved a \$1.1 million grant financed from the Fiscal Year 2010 Parks and Trails Fund appropriation to Three Rivers Park District to replace a retaining wall along the eastern shore of Lake Independence at Baker Park Reserve. Replacement will protect over 800 feet of shoreline and beach area along the lake (Grant SG-2009-029).

Due to a very favorable bidding climate and changes in the project's design, there is \$680,000 that is not needed for the project. The Park District has submitted a request that these funds be used for a new grant that would match a \$1 million Federal transportation grant to construct a bridge crossing on the Luce Line Regional Trail. The expiration date of the \$680,000 is proposed to be December 31, 2016 to align with the expiration date of the Federal grant (See **Attachment 1**, letter from Boe Carlson, Three Rivers Park District).

This memorandum contains a review of this request under applicable terms of the appropriation legislation and grant agreement and recommends reducing grant SG-2009-029 by \$680,000 and approving a new grant of \$680,000 for the Luce Line Regional Trail bridge with an expiration date of December 31, 2016.

### AUTHORITY TO REVIEW

Minnesota Statute Section 473.315 authorizes the "Metropolitan Council with the advice of the Metropolitan Parks and Open Space Commission to make grants from

any funds available to it for recreation open space purposes to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the [*Regional Recreation Open Space*] Policy Plan”.

## **ANALYSIS**

Grant SG-2009-029 was funded with a portion of the FY 2010 Parks and Trails Fund appropriation under Laws of MN 2009, Chapter 172. The 2008 Constitutional amendment that created the Parks and Trails Fund and subsequent 2009 appropriation legislation requires grant funds to support parks and trails of regional or statewide significance, and when the Parks and Trails Fund grant is matching a federal grant the expiration date of the Parks and Trails Fund grant may align with the expiration date of the Federal grant.

In this case, using the \$680,000 remaining in Grant SG-2009-029 to match a Federal grant for the construction of a bridge on the Luce Line Regional Trail is consistent with Constitutional amendment requirement. Allowing the grant’s expiration date to align with the December 31, 2016 expiration of the Federal grant is consistent with the 2009 appropriation legislation.

Since the proposed use of the \$680,000 is for a distinctly separate project from what was proposed in Grant SG-2009-029, two actions should occur:

1. Approve an amendment to Grant SG-2009-029 which reduces the grant amount by \$680,000 for a new total of \$420,000.
2. Approve a grant of \$680,000 to Three Rivers Park District for a match to a \$1 million Federal transportation enhancement grant to construct a bridge on the Luce Line Regional Trail with an expiration date of December 31, 2016.

## **CONCLUSIONS**

1. \$680,000 is not needed to replace a retaining wall along eastern shore of Lake Independence at Baker Park Reserve due to a favorable bidding climate and changes in the project’s design.
2. Reallocating the \$680,000 to match a \$1 million Federal transportation enhancement grant to construct a bridge on the Luce Line Regional Trail

with an expiration date of December 31, 2016 is consistent with the **2010 Unified Capital Program Amendment**.

## **RECOMMENDATION**

That the Metropolitan Council approve a 2010 Unified Capital Program Amendment which:

1. Amends Grant SG-2009-029 to Three Rivers Park District by reducing the grant amount \$680,000 for a new total of \$420,000.
2. Approves a grant of \$680,000 to Three Rivers Park District financed from the reduction in grant SG-2009-029 to be used as a match to a \$1 million Federal transportation enhancement grant for constructing a bridge on the Luce Line Regional Trail with an expiration date of December 31, 2016.

Attachment 1: Letter from Boe Carlson, Three Rivers Park District



September 20, 2010

Three Rivers  
Park District  
Board of  
Commissioners

Mr. Arne Stefferud  
Metropolitan Council  
390 North Robert Street  
Saint Paul, Minnesota 55101

Sara Wyatt  
District 1

Dear Mr. Stefferud,

Marilynn Corcoran,  
District 2

Three Rivers Park District is close to completion of a number of 2009 Metropolitan Council Legacy Grants. Due to a very favorable bidding climate as well as some project design changes, the Park District has a remaining balance of \$680,000.

Mark Haggerty  
District 3

The Park District would like consideration of adding an additional project. The Park District would like to direct those remaining dollars to the development of a bridge crossing on the Luce Line Regional Trail. This project has been awarded Federal Transportation Enhancement Funds in the amount of \$1,000,000. Use of legacy funds will assist the Park District in completion of the project design and meet our match requirements.

Dale Woodbeck,  
Vice Chair  
District 4

The Federal Grant expires December 31, 2016. It is my understanding that legacy funds used to match federal dollars would mirror the expiration of the federal grant.

Rosemary Franzese  
District 5

Thank you for your consideration of this request and we look forward to presenting this information to the Parks and Open Space Commission.

Larry Blackstad, Chair  
Appointed

Sincerely,

A handwritten signature in blue ink that reads "Boe R. Carlson".

Boe Carlson  
Associate Superintendent  
Division of Administration

Barbara Kinsey  
Appointed

C: Cris Gears, Superintendent  
Don DeVeau, Director of Planning & Development  
Howard Koolick, Chief Financial Officer

Cris Gears  
Superintendent

BRC/jjs

**2010 Capital Program and Budget Amendment**  
 Community Development Committee - October 18, 2010  
 Management Committee - October 27, 2010  
 Metropolitan Council - November 10, 2010

**Attachment 1**  
 Item 2010-334

Agency	Park/Trail	Description	CURRENTLY AUTHORIZED			PROPOSED CHANGES			AMENDED			2010 Budget	Multi-Year Authorization
			State	Other	Regional	Total	State	Other	Regional	Total	State		
<b>PARKS AND OPEN SPACE</b>													
<b>Reducing Funding Commitments</b>													
		FY 2011 Appropriation	\$ 977,980	\$ 1,759,610	\$ 2,737,590	\$ (169,470)	\$ (112,980)	\$ (282,450)	\$ 808,510	\$ 1,646,630	\$ 2,455,140	\$ (282,450)	\$ (282,450)
		Replace retaining wall adjacent to lake (SG-2009-029)	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000	\$ (680,000)	\$ (680,000)	\$ (680,000)	\$ 420,000	\$ -	\$ 420,000	\$ (680,000)	\$ (680,000)
		<b>Subtotal - Reducing Funding Commitments</b>	\$ 2,077,980	\$ 1,759,610	\$ 3,837,590	\$ (849,470)	\$ (112,980)	\$ (962,450)	\$ 1,228,510	\$ 1,646,630	\$ 2,875,140	\$ (962,450)	\$ (962,450)
<b>Increasing Funding Commitments</b>													
		Above the Falls Reg. Park	\$ -	\$ -	\$ -	\$ 169,470	\$ 112,980	\$ 282,450	\$ 169,470	\$ 112,980	\$ 282,450	\$ 282,450	\$ 282,450
		Trail bridge crossing (new grant)	\$ -	\$ -	\$ -	\$ 680,000	\$ 680,000	\$ 680,000	\$ 680,000	\$ -	\$ 680,000	\$ 170,000	\$ 680,000
		<b>Section Subtotal</b>	\$ -	\$ -	\$ -	\$ 849,470	\$ 112,980	\$ 962,450	\$ 849,470	\$ 112,980	\$ 962,450	\$ 452,450	\$ 962,450
		<b>PARKS AND OPEN SPACE TOTAL</b>	\$ 2,077,980	\$ 1,759,610	\$ 3,837,590	\$ -	\$ -	\$ -	\$ 2,077,980	\$ 1,759,610	\$ 3,837,590	\$ (510,000)	\$ -

Original Adopted	\$ 31,261,988	\$ 85,982,813
After Prior Amendments	\$ 39,213,126	\$ 105,291,201
After This Amendment	\$ 38,703,126	\$ 105,291,201