

METROPOLITAN COUNCIL
390 North Robert Street, St. Paul, MN 55101
Phone (651) 602-1000 TDD (651) 291-0904

DATE: September 18, 2007

TO: Metropolitan Parks and Open Space Commission

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

SUBJECT: (2007-320) Request for Acquisition Opportunity Grant to partially finance the acquisition of Katarik parcel in Grey Cloud Island Regional Park and request for reimbursement consideration in future regional parks CIP for local match, Washington County

INTRODUCTION:

Washington County has negotiated the purchase of an 8.19-acre parcel within the boundary of Grey Cloud Island Regional Park, hereafter referred to as the Katarik property. The cost to purchase the property and to finance related costs for the appraisal and other items is estimated to be up to \$455,235. The County has requested that up to \$182,094 be granted from the Metropolitan Council's Park Acquisition Opportunity Fund to finance 40% of the cost to acquire the Katarik parcel. The County also requested that up to \$273,141 financed with County funds be eligible for reimbursement consideration in a future regional park CIP. (See **Attachment 1**, letter from John Elholm, Washington County Parks Director)

This memorandum analyzes the request against the criteria for granting acquisition opportunity funds and recommends approving a grant of up to \$182,094. It also analyzes the request for reimbursement consideration and recommends that up to \$273,141 be eligible for reimbursement consideration in a future regional park CIP.

If \$182,094 of acquisition opportunity funds were granted for the Katarik parcel, there would be \$4,366,066 remaining in the Fund for future land acquisitions.

This is the first grant awarded to Washington County under the \$1 million per agency limit for acquisition opportunity funds granted from July 1, 2007 to whenever the rules on distributing grants from the Fund are changed. If \$182,094 is granted to Washington County, it could request an additional \$817,906 until rules on distributing grants from the Fund are changed.

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, county or Park District 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:

The Katarik property consists of 8.19 acres. This parcel is within the approved master plan boundary of Grey Cloud Island Regional Park. (See **Attachment 2** for the location of the Katarik parcel in relation to the remainder of the park). This parcel is adjacent to 96 acres of land previously acquired for the park.

A detailed aerial photo map of the parcel is shown on **Attachment 3**. The property is primarily wooded and has no structures on it. Because the parcel has no residential structures on it, it can be acquired in part with the 2007 Environmental Trust Fund appropriation of \$2.5 million, which is part of the Acquisition Opportunity Fund.

Washington County negotiated a purchase price of \$450,450 for the Katarik parcel. The County also anticipates additional grant eligible costs related to the purchase of the property excluding the property tax equivalent payment of \$4,785. Therefore, the total estimated cost to purchase the property is \$455,235 as shown below.

Purchase Price:	\$450,450
Appraisal:	\$1,500
Phase 1 Environmental Study:	\$1,800
State Deed Tax:	\$1,485
TOTAL:	\$455,235

The property tax equivalency payment will be paid by Washington County as required by State law. (180% of township or city taxes due on the parcel at the time of closing as required by MN Statute 473.341). The amount is not known at this time because the parcel lies partly within the City of Cottage Grove and partly in Grey Cloud Township, and is split off from other land owned by Ms. Katarik. The amount owed to both entities will be calculated by the County and paid with County funds.

The County proposes to finance the Katarik parcel acquisition costs of \$455,235 with the following revenue sources:

Metropolitan Council Acquisition Opportunity Fund (40%)	\$ 182,094
Washington County funds requested to be eligible for reimbursement (60%)	\$ <u>273,141</u>
Total	\$ 455,235

Background on Acquisition Opportunity Fund:

In May 2007 the Legislature appropriated \$2.5 million of Environmental Trust Funds that must be used to acquire land for the regional park system. The Council requested this appropriation in 2006 with the intent to use it to partially finance the Acquisition Opportunity Fund. This appropriation was limited to only acquiring parcels that didn't have homes on them and it required the Metropolitan Council to provide a \$1.66 million match.

On September 12, the Metropolitan Council created two accounts for the Acquisition Opportunity Fund and recognized grants financed from those accounts as follows:

State Acquisition Grant Account

State Env. Trust Fund appropriation from 2007	Metro Council bond match to State Env. Trust Fund	Grant financed with State Env. Trust Fund	Grant financed with Metro Council bond match	Balance State Env. Trust Fund	Balance Metro Council bond match
\$2,500,000	\$1,666,000	\$600,000	\$400,000	\$1,900,000	\$1,266,000
Can only be used to acquire parcels without homes on them	Required match to State appropriation	Cedar Lake Farms RP, Scott Co. approved 5-23-07	Cedar Lake Farms RP, Scott Co. approved 5-23-07		

Land Acquisition Opportunity Account

Metro Council bonds	Grant financed with this account	Balance in this account
\$1,783,001	\$400,841	\$1,382,160
Available for other parcel acquisition that doesn't qualify for State Env. Trust Fund	Lake Waconia RP, Carver Co. approved 8-8-07	

The combined balance of both accounts in the Fund is \$4,548,160.

The Metropolitan Council has granted \$7,064,536 to date from the Park Acquisition Opportunity Fund as shown in Table 1.

Table 1: Park Acquisition Opportunity Fund Grants approved as of September 18, 2007

Amount Granted	Park Agency	Project Description
\$99,966	Dakota County	Acquire Wasserman and Klink parcels at Spring Lake Park Reserve. Dakota County eligible for reimbursement consideration up to \$180,882 in a future regional parks CIP. Approved November 15, 2001.
\$521,000	Mpls. Park & Rec. Board	Acquire 3.3 acres (Parcel B of Riverview Supper Club site) as part of "Above the Falls—Master Plan for the Upper River in Minneapolis". Other matching funds were from federal grant and watershed district. Approved April 24, 2002.
\$731,200	Three Rivers Park District	Fund a portion of the costs to acquire Silver Lake SRF, which was acquired in September 2001 after 2002-03 CIP was adopted. Remaining costs eligible for reimbursement consideration in future regional parks CIP. Approved April 24, 2002.
\$140,000	Ramsey County	Acquire permanent trail easement on Burlington Northern/Santa Fe railroad right of way for the Bruce Vento Regional Trail. Ramsey County eligible for reimbursement consideration up to \$35,000 in a future regional parks CIP. That reimbursement is part of the funded 2004-05 CIP. Approved August 14, 2002.
\$500,000	Washington County	Acquire three parcels totaling 27.4 acres at an estimated cost of \$1.87 million in Big Marine PR. Grant is 40% of the projected \$1.25 million gap after other Council acquisition grants were spent. Washington County eligible for reimbursement consideration of up to \$750,000 in a future regional parks CIP. Approved December 12, 2002.
\$126,638	Dakota County	Acquire 1.1-acre Medin parcel in Lebanon Hills RP. Dakota County eligible for reimbursement consideration of up to \$189,957 in a future regional parks CIP. Approved January 29, 2003.
\$135,200	Anoka County	Acquire 579 acres from St. Paul Water Utility for addition to Rice Creek Chain of Lakes Park Reserve. Grant financed 40% of market value (not sale price) of land. Water Utility discounted the sale price, which was counted as part of the 60% match to this grant. Approved April 23, 2003.
\$153,703	Three Rivers Park District	Acquire 5 acre Rask parcel in Lake Rebecca Park Reserve. Park District eligible for reimbursement consideration of up to \$235,200 in a future regional park CIP. Approved Dec. 17, 2003.
\$26,479	Anoka County	Acquire 80-acre Birkeland parcel in Rice Creek Chain of Lakes Park Reserve. Balance of costs financed with watershed district grant and partial donation. Approved February 2004.

Amount Granted	Park Agency	Project Description
\$370,000	Three Rivers Park District	Acquire 17-acre Brakemeier parcel in Lake Minnetonka Regional Park. Balance of funds (\$810,000) provided by MN Dept. of Transportation. Approved May 12, 2004.
\$83,060	Carver County	Acquire 39.04 acres related to Lake Waconia Regional Park. Grant finances 40% of the \$207,649 funding gap remaining to buy the land. Rest of the costs financed with a previously authorized Metro Council grant (\$456,130) and County funds (\$124,589). County amount eligible for reimbursement consideration in a future regional park CIP. Approved August 11, 2004.
\$184,109	City of Bloomington	Acquire .5 acre residential lot 9625 E. Bush Lake Road for Hyland-Bush-Anderson Lakes Park Reserve. Bloomington and Three Rivers Park District eligible for reimbursement consideration of up to \$138,081 each in a future regional park CIP. Approved September 22, 2004
\$49,435	Washington County	Acquire 0.81 acre parcel within the boundary of Big Marine Park Reserve. Washington County would be eligible for reimbursement consideration of up to \$74,152 in a future regional park CIP. Approved September 22, 2004.
\$433,333	Scott County	Acquire 80 acres within the Doyle-Kennefick Regional Park as a match to a DNR Metro Greenways grant of \$650,000. Approved Nov. 10, 2004.
\$950,000	Anoka County	Acquire 115 acres within Rice Creek Chain of Lakes Park Reserve from St. Paul Water Utility. Land cost discounted 79% from market value and thus grant finances remaining 21%. Approved April 13, 2005.
\$41,080	Ramsey County	Acquire 3.5 acre Duell parcel in Battle Creek Regional Park. Ramsey County would be eligible for reimbursement consideration of up to \$61,620 in a future regional park CIP. Approved May 25, 2005
\$279,431	Dakota County	Acquire 2.5 acre Pryor parcel in Lebanon Hills Regional Park. Dakota County would be eligible for reimbursement consideration of up to \$419,146 in a future regional park CIP. Approved June 29, 2005.
\$154,124	Washington County	Acquire 5 acre Goossen parcel in Big Marine Park Reserve. Washington County would be eligible for reimbursement consideration of up to \$231,185 in a future regional park CIP. Approved July 27, 2005
\$151,093	Dakota County	Acquire 0.68 acre Skoglund parcel in Lebanon Hills Regional Park. Dakota County would be eligible for reimbursement consideration of up to \$226,639 in a future regional park CIP. Approved September 28, 2005
\$149,069	Washington County	Acquire 5-acre Melbostad parcel in Big Marine Park Reserve. Washington County would be eligible for reimbursement consideration of up to \$223,603 in a future regional park CIP. Approved October 26, 2005.
\$20,953	Washington County	Acquire .45-acre Taylor parcel in Big Marine Park Reserve. Washington County would be eligible for reimbursement consideration of up to \$31,430 in a future regional park CIP. Approved August 23, 2006.
\$354,799	Three Rivers Park District	Acquire 20-acre Weinkauff parcel in Lake Rebecca Park Reserve. Three Rivers Park District would be eligible for reimbursement consideration of up to \$532,199 in a future regional park CIP. Approved May 23, 2007.
\$9,023	Washington County	Acquire 1.5 acre Hohlt parcel in Big Marine Park Reserve. Washington County would be eligible for reimbursement consideration of up to \$13,534 in a future regional park CIP. Approved April 25, 2007.
\$1,000,000	Scott County	Acquire 61-acre Cedar Lake Farm Resort parcel in Cedar Lake Farm Regional Park. Scott County would be eligible for reimbursement consideration of up to \$3,526,192 in a future regional park CIP. Approved May 23, 2007.

Amount Granted	Park Agency	Project Description
\$400,841	Carver County	Partially finance acquisition of 43.94 acres for Lake Waconia Regional Park. Carver county would be eligible for reimbursement consideration of up to \$601,263 in a future regional park CIP. Approved August 8, 2007
\$7,064,536	**Total funds granted as of September 18, 2007	

Based on the grants approved to-date, the updated balance of the fund is \$4,548,160 as shown in Table 2 below.

Table 2: Updated Balance to Park Acquisition Opportunity Fund prior to grant for Katarik parcel in Grey Cloud Island Regional Park

\$2,400,000	Original amount in park acquisition opportunity fund
\$3,357,000	Additional Council bonds added to fund in June 2003
\$340,334	Additional Council bonds added that were not needed to match State funds for natural resource restoration grants added in December 2003
\$15,362	Additional funds added from closed grants as part of amendment to 2005 Unified Capital Budget on May 11, 2005
\$3,000,000	Additional Council bonds added to fund in July 2006
\$2,500,000	Environmental Trust Fund appropriation added in July 2007
\$11,612,696	Total funds available
-\$7,064,536	Granted as of September 18, 2007 (For details see Table 1 above)
\$4,548,160	Balance of Acquisition Opportunity Fund (Before granting any funds for the Katarik parcel in Grey Cloud Island Regional Park)

On June 27, 2007 the Metropolitan Council adopted five rules that govern the distribution of the Park Acquisition Opportunity Fund. Those rules are indicated below in bold font. The following findings indicate that these rules have been met for Washington County's request to acquire the Katarik parcel in Grey Cloud Island Regional Park.

1. The land in question is consistent with a Council approved park/trail master plan.

The Katarik parcel is within the Council approved boundary for Grey Cloud Island Regional Park

2. The land is under threat of loss for park uses because it is for sale. Action is needed now to acquire it versus waiting for future State appropriations/matching Council funds to acquire it later.

The Katarik parcel would be under threat of loss for park uses if Washington County did not acquire it. The land could be sold to other parties and likely be used for residential development. Action to acquire the land now is needed instead of waiting for additional funds to be appropriated to the County.

3. The park agency that wants to buy the land has no other park CIP grants available to buy it.

There are no other funds in the regional parks CIP available to Washington County to acquire the property. Other regional parks CIP grants to the County are obligated for non-acquisition projects.

4. **The grant from the Park Acquisition Opportunity Fund may finance up to 40% of the fair market value of the parcel and related acquisition costs (appraisals, tax equivalency payments, relocation, and stewardship costs—well capping, demolition/removal of hazardous structures, etc.) The remaining 60% match can be either provided by the park agency in cash, or other matching funds such as a watershed district grant, or the land seller can reduce the sale price of the parcel by 60%. A combination of park agency cash, matching funds and a reduced sale price can be used to finance the remaining 60%. The park agency can request to be considered for reimbursement of its cash contribution in a future regional parks CIP.**

Washington County has requested \$182,094 for the Katarik parcel, which is 40% of the total acquisition costs. The County is financing the remaining 60% with County funds and has requested consideration of reimbursement of these funds in a future regional parks CIP.

5. **No more than \$1 million may be granted from the Fund to a regional park agency from July 1, 2007 to whenever any change to the amount and the timeline of the revised rules are adopted by the Metropolitan Council. (This rule was adopted on June 27, 2007)**

This is the first grant awarded to Washington County under the \$1 million per agency limit for acquisition opportunity funds granted from this rule. If \$182,094 is granted to Washington County, it could request an additional \$817,906 until rules on distributing grants from the Fund are changed.

Status of remaining acquisition opportunity funds.

If \$182,094 was granted, there would be \$4,366,066 remaining for future acquisition opportunities as shown in Table 3.

Table 3: Updated Balance to Park Acquisition Opportunity Fund if a grant is awarded for Katarik parcel in Grey Cloud Island Regional Park

\$4,548,160	Balance of acquisition opportunity fund before granting any funds for the Katarik parcel in Grey Cloud Island Regional Park (For details see Table 2 above.)
-\$ 182,094	Proposed funding for 8.19-acre Katarik parcel in Grey Cloud Island Regional Park
\$4,366,066	Updated balance of Park Acquisition Opportunity Fund if funds are granted to acquire the 8.19-acre Katarik parcel in Grey Cloud Island Regional Park

As noted previously, the parcel could be acquired in part with Environmental Trust Funds since there is no residential structure on it. Consequently, the \$182,094 grant is proposed to be financed as follows:

\$109,256 Environmental Trust Fund appropriation from 2007 in the State Acquisition Grant Account
\$ 72,838 Metropolitan Council bond match
 \$182,094 Total Grant

Reimbursement eligibility for Washington County funding of the acquisition.

As noted above, Washington County has requested eligibility for reimbursement consideration of up to \$273,141 in a future regional park CIP to acquire this parcel. The request must comply with the terms of Strategy 2(f) of the *2030 Regional Parks Policy Plan* regarding reimbursement eligibility to acquire land. The applicable excerpts from that policy states:

Strategy 2(f): Reimbursement

Reimbursement will be considered for early acquisition of land currently designated as regional recreation open space by the Metropolitan Council in the *2030 Regional Parks Policy Plan* if the acquisition is in full agreement with a Council-approved master plan as required under MN Statutes 473.313 and the regional park implementing agency received Council approval prior to undertaking the acquisition.

...

If these conditions are met as required by MN Statutes 473.147, and 473.313 the Council will consider reimbursing the park agency via a grant as permitted under MN Statutes 473.315 for the following costs:

- a) Appraisal costs incurred by the acquiring park agency or entity under contract with the agency**
- b) Surveying costs incurred by the acquiring park agency or entity under contract with the agency**
- c) Legal fees incurred by the acquiring park agency or entity under contract with the agency**
- d) Fees for service provided by an entity under contract by the park agency to negotiate and purchase the land or obtain an option to purchase**
- e) Principal payments made towards the purchase price including principal payments on a contract for deed or bond, or payments made on an option to purchase**
- f) 180% of township or city taxes due on the parcel at the time of closing as required by MN Statute 473.341**

...

The Metropolitan Council will use best efforts to implement this reimbursement policy as described above. However, 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.

This acquisition is consistent with the terms of Strategy 2(f) because the parcel is consistent with a Council-approved master plan and is consistent with the rules for an Acquisition Opportunity Fund grant.

As noted in Strategy 2(f), approval of this project at this time does not commit the Council to finance the requested reimbursement in the regional parks CIP.

CONCLUSIONS:

1. Washington County's request of \$182,094 in Park Acquisition Opportunity Funds to acquire the Katarik parcel in Grey Cloud Island Regional Park is consistent with the conditions for receiving a grant from the Park Acquisition Opportunity Fund.

2. Since the parcel does not contain a residential structure the grant can be partially financed with the 2007 Environmental Trust Fund appropriation. Therefore the grant can be financed as follows:

\$109,256 Environmental Trust Fund appropriation from 2007 in the State Acquisition Grant Account
\$ 72,838 Metropolitan Council bond match
\$182,094 Total Grant

3. Washington County's request to be eligible for reimbursement consideration of up to \$273,141 in a future regional park CIP is consistent with the conditions of Strategy 2(f) Reimbursement, in the *2030 Regional Parks Policy Plan*.

RECOMMENDATIONS:

That the Metropolitan Council:

1. Authorize a grant of up to \$182,094 from the Park Acquisition Opportunity Fund to Washington County to partially fund the acquisition of the Katarik parcel in Grey Cloud Island Regional Park as shown on Attachment 3. The grant is financed as follows:

\$109,256 Environmental Trust Fund appropriation from 2007 in the State Acquisition Grant Account
\$ 72,838 Metropolitan Council bond match
\$182,094 Total Grant

2. Allow up to \$273,141 of the acquisition costs of the Katarik parcel to be eligible for reimbursement consideration in a future regional park CIP. However, 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.



Public Works Department
Parks Division

Donald J. Theisen, P.E.
Director/County Engineer

John D. Elholm, CPRP
Parks Director

September 18, 2007

Arne Stefferud
Planning Analyst – Parks
Metropolitan Council
390 North Robert Street
St. Paul, MN 55101

**REQUEST FOR EMERGENCY ACQUISITION FUNDS AND REIMBURSEMENT OF
PROPERTY ACQUISITION COSTS – KARTARIK PROPERTY**

Dear Arne:

Washington County requests that the Metropolitan Council consider providing acquisition opportunity grant funds for the purchase of the Betty Kartarik property. We also request that the costs associated with this proposed acquisition be considered for future reimbursement. The property is located in Grey Cloud Township and the City of Cottage Grove (a portion in each) within the boundary of the Grey Cloud Island Regional Park.

The landowner is interested in selling the property, and has signed a purchase agreement for the sale. This parcel, approximately 8.19 acres, is adjacent to the 96 acres already purchased for the park. The parcel also has 100 linear feet of shoreline on Moore's Lake.

The purchase agreement for the property is \$450,450. Additional costs associated with the purchase of the property are as follows:

Appraisal	\$ 1,500
Phase 1 Environmental Study	\$ 1,800
State Deed Tax	<u>\$ 1,485</u>
Total additional costs	\$ 4,785

The total acquisition cost is \$455,235. Washington County requests the Metropolitan Council provide up to \$182,094 in acquisition opportunity grant funds for the acquisition of this parcel.

Financing for the purchase of this property would be from the following sources:

- 1) \$273,141 – Washington County Funds
- 2) \$182,094 – Metropolitan Council Parks Acquisition Opportunity Funds

11660 Myeron Road North, Stillwater, Minnesota 55082
Phone: 651-430-4300 • Fax: 651-430-4350 • TTY: 651-430-6246
www.co.washington.mn.us

Equal Employment Opportunity / Affirmative Action

Letter to Mr. Arne Stefferud
Page 2
September 18, 2007

It is my understanding that this request will require action by the MPOSC. Therefore, I am requesting this item be placed on the next MPOSC meeting agenda.

Enclosed is a map showing the location of the Katarik parcel.

If you have any questions or need further information, please call.

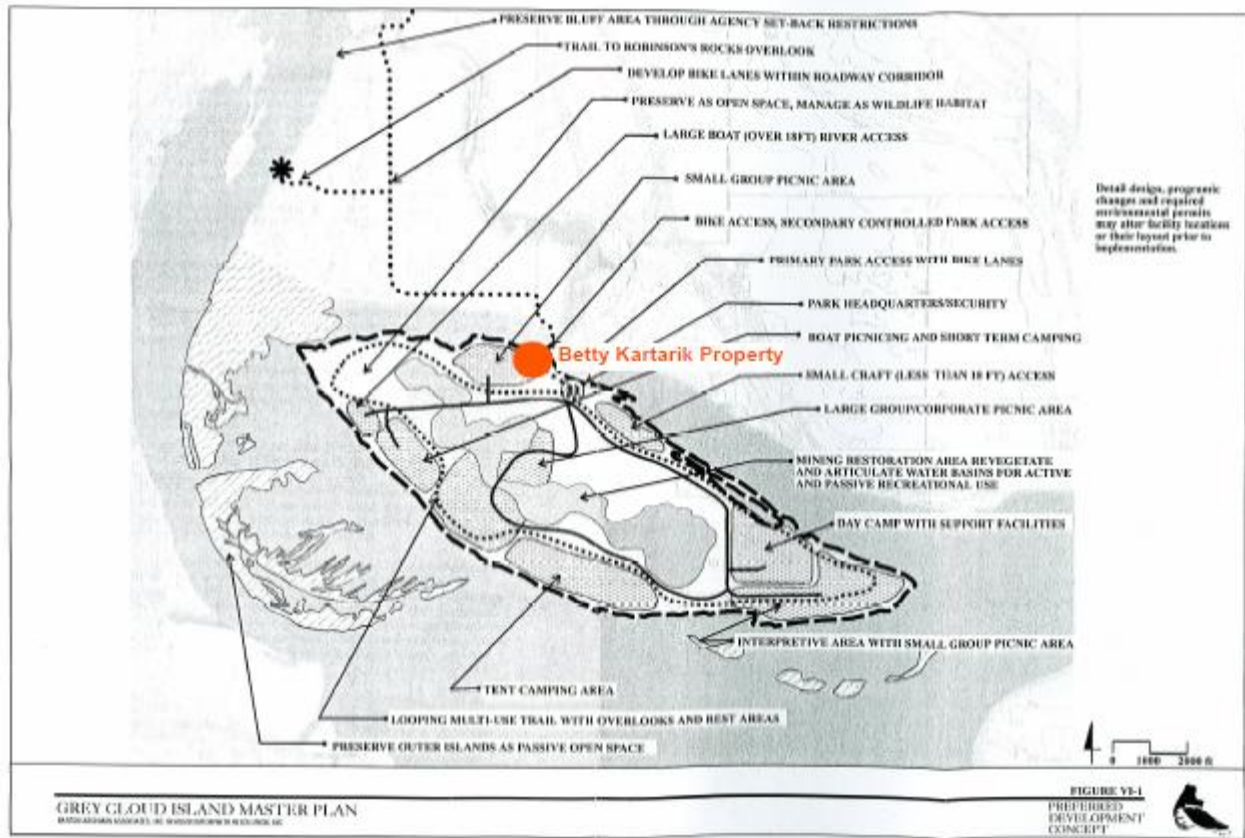
Respectfully,

A handwritten signature in blue ink, appearing to read "John D. Elholm".

John D. Elholm
Parks Director

C: Don Theisen, Director, Public Works Department
Sharon Price, Property Manager

Attachment 2: Location of Katarik parcel in relation to rest of Grey Cloud Island Regional Park



Attachment 3: Aerial photo map of Katarik parcel
Betty Kartarik Property

Grey Cloud Island Regional Park

