

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

DATE: December 22, 2010

TO: Metropolitan Parks and Open Space Commission

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

SUBJECT: **(2011-xxx) 2011 Unified Capital Program Amendment for 2 Regional Park Grants in Anoka County, 1 Regional Park Grant in City of Bloomington and 5 Regional Park and Trail Grants, Dakota County**

INTRODUCTION

Anoka County, the City of Bloomington and Dakota County have submitted requests to amend eight park grants to help finance costs for other projects. The premise for the requests is to maximize the benefits of the grant funds by:

1. Reallocating grant balances for two projects to finance additional work on three other previously approved Metro Council grant projects. (Anoka County and City of Bloomington)
2. Doing less work on two projects and using the unneeded funds to finance two additional projects. (Dakota County)
3. Changing the scope of three projects to provide funds to complete three other projects that the Metro Council has already approved that need additional funding (Dakota County).

This memorandum contains a review of the requests under applicable terms of the appropriation legislation that financed the grants and the affected grant agreements. Staff recommends approving the requests as part of an amendment to the 2011 Unified Capital Budget.

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

Anoka County Request

On June 23, 2010 the Metropolitan Council approved a \$225,000 grant to Anoka County to redevelop the public boat access to Martin Lake in Martin-Island-Linwood Lake Regional Park (Grant SG-2010-073). The project is nearing completion and has \$42,000 remaining in the grant. Anoka County requests that this balance be reallocated as follows:

- a) Add \$20,000 to grant SG-2010-074 to cover cost increases for reconstruction and restoration of 1,300 lineal feet of Riverview Creek using native vegetation and bioengineering at Coon Rapids Dam Regional Park. The new grant total would be \$145,000.
- b) Add \$22,000 to grant SG-2010-075 to cover cost increases for replacing two trail bridges in Rice Creek Chain of Lakes Park Reserve. The new grant total would be \$622,000.

(See **Attachment 1**, Anoka County's request letter for more details)

All of these grants are financed with the Fiscal Year 2011 appropriation from the constitutionally dedicated Parks and Trails Fund (Land and Legacy Amendment). The appropriation was disbursed to the regional park agencies based on a formula in Minn. Statute Section 85.53, Subd. 3.

Section 18.5 of the grant agreements states:

"Minn. Sta. Section 16B.98. Grants funded by the parks and trails fund must be implemented according to section 16B.98 and must account for all expenditures. Proposals must specify a process for any regranting envisioned in which the amount available to the Grantee under the formula in Minn. Stat. Section 85.53, subd 3 is maintained."

Anoka County's request does not change the amount it received from that appropriation and is therefore consistent with Section 18.5 of the grant agreement.

Both projects needed additional funding as of October 1, 2010 but Anoka County did not submit its request until December 21. The expenditures on these projects occurred before the Metropolitan Council considered providing the additional funds. Normally, grant funds cannot be spent to reimburse a park agency on work that has been completed without prior approval by the Metropolitan Council. In this case, Anoka County is using funds it was granted for another project to finance cost increases to two other projects that the Council did approve at a lower grant amount. Consequently, it is reasonable to allow the reallocation of funds for these projects.

City of Bloomington request

The City of Bloomington has requested that the \$3,205.35 balance from Grant SG-2010-030, which expires on December 31, 2010, be added to Grant SG-2010-031 for a new total of \$399,205.35 via an amendment to the grant agreement. Grant SG-2010-030 was used to reimburse the City its costs to remove a structure on land acquired for Hyland-Bush-Anderson Lakes Park Reserve. Total grant eligible expenses for the project were \$33,794.65 which left a balance of \$3,205.35. The balance is proposed to be used to supplement an existing grant (Grant SG-2010-031) which is financing construction/reconstruction of bituminous trails in the same park. (See **Attachment 2**, City of Bloomington's request letter for more details)

Both grants to the City of Bloomington comprise the City's share of the 2010-11 Regional Parks Capital Improvement Program that was funded with \$10.5 million of State bonds in the 2010 bonding bill and \$7 million of Metro Council bonds.

Section 6.06 of both grants SG-2010-030 and SG-2010-031 states:

"6.06 Changes in the Development Project. If the Grantee [City of Bloomington], for any reason, determines that the Development Project or any portion of it should not be undertaken, or that there should be a change in the scope or costs of the Development Project or any portion of it, the Grantee shall submit to the Council's Regional Administrator a statement describing the situation and giving the reasons for the Grantee's determination. The Grantee may,

simultaneously with the submission of the statement or within a reasonable time thereafter, recommend alternative projects, activities, uses, expenditures, or allocations of grant funds. ...

If the Regional Administrator determines that the Grantee's recommendations may not be immediately approved according to criteria established by the Council, the Grantee and the Council may execute a written amendment to this agreement only as provided in paragraph 6.07 of this article, following appropriate authorization by the Council and the Grantee.

... In determining whether to approve the Grantee's recommendations, the Council shall give full regard to legislative determinations concerning development funding and to the general position that the total grant award herein should ultimately be made available to the Grantee for development.

The reallocation of the balance from Grant SG-2010-30 to Grant SG-2010-031 is consistent with this section of the grant agreements because:

1. The City of Bloomington has notified the Council why a change should be made in **Attachment 2**.
2. The use of the balance of Grant SG-2010-03 to supplement Grant SG-210-031 does not change the City's share of the Metropolitan Council's 2010-11 Regional Parks CIP. Therefore the change in scope, "gives full regard to legislative determinations" of the Metropolitan Council, "and to the general position that the total grant award ... should ultimately be made available to the Grantee [City Bloomington]".

Dakota County request

Dakota County has requested revisions to project scope or reallocation of funds for five existing grants as follows:

1. Change the scope of grant SG-2008-044 (\$400,000) from improving a trailhead at Big Rivers Regional Trail to funding general design, construction and construction administration for miscellaneous Mississippi River Regional Trail improvements. Also extend the grant's duration from December 31, 2011 to December 31, 2012.
2. Change the scope of grant SG-2010-032 (\$250,000) from constructing a Cannon River access site at Miesville Ravine Park Reserve to providing match to a \$1 million Federal grant for design, construction and construction administration for the Rosemount section of the Mississippi River Regional Trail.
3. Change the scope of grant SG-2010-022 (\$152,000) from constructing sustainable trails in Lebanon Hills Regional Park to design, construction and construction administration of a parking area, restroom building and miscellaneous site improvements at the mountain bike facility in Lebanon Hills Regional Park. This augments a \$429,000 grant for this project (SG-2008-045). (See **Attachment 3**, Dakota County request letter for more details)
4. Reduce grant SG-2010-25 by \$550,000 for a reduced grant amount of \$300,000. Reduce the scope of the grant by deleting final design and construction of Echo Point picnic shelter and related water utilities, plus ecological restoration efforts. The reduced grant would finance final design and construction of Echo Point improvements including public pier, picnic area, lakeshore trail, access drive and parking lot. Approve a new grant of \$550,000 to provide match to a \$1 million federal grant to design, construct and provide construction administration

for the Rosemount section of the Mississippi River Regional Trail (same project shown in request 2).

5. Reduce grant SG-2010-064 by \$150,000 for a reduced grant amount of \$153,000 for signs at Lebanon Hills Regional Park and Spring Lake Park Reserve. Approve a new grant of \$150,000 for design, construction and construction administration for parking, event area and miscellaneous site improvements at the Lebanon Hills Regional Park visitor center. (See **Attachment 4**, Dakota County request letter for more details)

Section 6.06 described above for Grants SG-2010-030 and SG-2010-031 also apply to the Dakota County grants SG-2008-044, SG-2010-032, SG-2010-022 and SG-2010-025. Dakota County's request to change the scope of grants and reallocate funds as described is consistent with this section of the grant agreements because:

1. Dakota County has notified the Council why a change should be made in those grants in **Attachment 3 and 4**.
2. The change in scope and grant reallocations from these grants does not change Dakota County's share of the Metropolitan Council's 2008-09 and 2010-11 Regional Parks CIPs. Therefore the change in scope, "gives full regard to legislative determinations" of the Metropolitan Council, "and to the general position that the total grant award ... should ultimately be made available to the Grantee [Dakota County]".

The fifth request from Dakota County regarding grant SG-2010-064 is a grant that was financed with Fiscal Year 2011 appropriation from the constitutionally dedicated Parks and Trails Fund (Land and Legacy Amendment). The appropriation was disbursed to the regional park agencies based on a formula in Minn. Statute Section 85.53, Subd. 3.

Section 18.5 of the grant agreements states:

"Minn. Sta. Section 16B.98. Grants funded by the parks and trails fund must be implemented according to section 16B.98 and must account for all expenditures. Proposals must specify a process for any regranteeing envisioned in which the amount available to the Grantee under the formula in Minn. Stat. Section 85.53, subd 3 is maintained."

Dakota County's request does not change the amount it received from that appropriation and is therefore consistent with Section 18.5 of the grant agreement.

All projects proposed to be funded with the grant reallocations or changes in scope of the grant agreements are consistent with master plans that the Metropolitan Council has approved in the past.

CONCLUSIONS

1. The grant scope and/or grant reallocation requests described in this memorandum are consistent with applicable State law that finance the grants and applicable terms of the grant agreements.
2. Reallocating funds from grants which results in reducing the grant amounts of some grants and authorizing new grants financed with the grant reductions requires Metropolitan Council approval through an amendment to the 2011 Unified Capital Program.

RECOMMENDATION

That the Metropolitan Council approve the following grant amendments:

1. Change in scope of grant SG-2008-044 (\$400,000) from improving a trailhead at Big Rivers Regional Trail to funding general design, construction and construction administration for miscellaneous Mississippi River Regional Trail improvements and extend the grant's duration to December 31, 2012.
2. Change in scope of grant SG-2010-032 (\$250,000) from constructing a Cannon River access site at Miesville Ravine Park Reserve to providing match to a \$1 million Federal grant for design, construction and construction administration for the Rosemount section of the Mississippi River Regional Trail.
3. Change in scope of grant SG-2010-022 (\$152,000) from constructing sustainable trails in Lebanon Hills Regional Park to design, construction and construction administration of a parking area, restroom building and miscellaneous site improvements at the mountain bike facility in Lebanon Hills Regional Park. This augments a \$429,000 grant for this project (SG-2008-045).
4. Approve a 2011 Unified Capital Program Amendment and applicable grant amendments or new grant agreements which:
 - a) Decreases grant SG-2010-073 by \$42,000 for a new total of \$183,000 effective October 1, 2010.
 - b) Adds \$20,000 to grant SG-2010-074 for a new total of \$145,000 effective October 1, 2010.
 - c) Adds \$22,000 to grant SG-2010-075 for a new total of \$622,000 effective October 1, 2010.
 - d) Decreases grant SG-2010-25 by \$550,000 for a new total of \$300,000. The reduced grant would finance final design and construction of Echo Point improvements including public pier, picnic area, lakeshore trail, access drive and parking lot.
 - e) Approve a new grant of \$550,000 to Dakota County to provide match to a \$1 million federal grant to design, construct and provide construction administration for the Rosemount section of the Mississippi River Regional Trail.
 - f) Decreases grant SG-2010-064 by \$150,000 for a new total of \$153,000.
 - g) Approve a new grant to Dakota County of \$150,000 for design, construction and construction administration for parking, event area and miscellaneous site improvements at the Lebanon Hills Regional Park visitor center.

Attachment 1: Request Letter and Map from Anoka County



Anoka County Parks and Recreation

550 Bunker Lake Boulevard NW, Andover, MN 55304

December 21, 2010

Arne Stefferud, Planning Analyst - Parks
Metropolitan Council
390 N. Robert St.
St. Paul, MN 55101

Re: SG 2010-073 Martin Lake Boat Access
SG 2010-074 Coon Rapids Dam Regional Park Reconstruction of Riverview Creek
SG 2010-075 Rice Creek Chain of Lakes Park Reserve Pedestrian Bridges

Dear Arne:

As you are aware, the Anoka County Parks and Recreation Department has fully executed 2011 Parks and Trails grant agreements for the above mentioned projects. The total 2011 appropriation to Anoka County was \$1,326,000 split between the following projects:

\$196,000	SG 2010-070	Rice Creek Campground Upgrades
\$ 80,000	SG 2010-071	Minnesota Conservation Corps
\$100,000	SG 2010-072	Bunker Hills Campground
\$225,000	SG 2010-073	Martin Lake Boat Access
\$125,000	SG 2010-074	Coon Rapids Dam Regional Park Reconstruction of Riverview Creek
\$600,000	SG 2010-075	Rice Creek Chain of Lakes Park Reserve Pedestrian Bridges
<hr/>		
\$1,326,000	Total Appropriation FY 2011 Parks and Trails	

Anoka County had recently requested reimbursement for construction expenses through September 30, 2010 on grant agreement 2010-073 for the redevelopment of the public boat access at Martin Lake within the Martin Island Linwood Lakes Regional Park. The grant agreement is in the amount of \$225,000. With the majority of the construction completed, it appears there will be appropriation dollars remaining in this grant.

As you are also aware, the Anoka County Parks and Recreation Department recently replaced two pedestrian bridges at the Rice Creek Chain of Lakes Park Reserve. Due to construction issues out of the County's control, there was a \$22,000 increase in costs for construction of this project. To keep construction moving and to avoid service interruptions, it was decided to proceed and construction was finished as quickly as possible.

A similar issue occurred on the Coon Rapids Dam Regional Park Riverview Creek reconstruction. Due to unforeseen issues, the cost of construction on this project was \$20,000 more than expected. Because this project was weather sensitive, construction and restoration was finished as quickly as possible.

OPEN SPACES IN NEARBY PLACES

Phone: 763.757.3920

www.anokacountyparks.com

Fax: 763.755.0230

To help offset the additional costs related to grants SG 2010-074 and SG 2010-075, the Anoka County Parks and Recreation Department is requesting that \$42,000 of the remaining balance for Grant Agreement SG 2010-073 be re-appropriated to add \$20,000 to grant agreement SG 2010-074 and \$22,000 to grant agreement SG 2010-075. Thus, changing the grant agreement appropriations to:

\$196,000	SG 2010-070	Rice Creek Campground upgrades (no change)
\$ 80,000	SG 2010-071	Minnesota Conservation Corps (no change)
\$100,000	SG 2010-072	Bunker Hills Campground (no change)
\$183,000	SG 2010-073	<i>Martin Lake Boat Access (reduced \$42,000)</i>
\$145,000	SG 2010-074	<i>Coon Rapids Dam Regional Park reconstruction of Riverview Creek (increased \$20,000)</i>
\$622,000	SG 2010-075	<i>Rice Creek Chain of Lakes Park Reserve Pedestrian Bridges (increased \$22,000)</i>
<hr/>		
\$1,326,000	Total Appropriation FY 2011 Parks and Trails	

The total 2011 Parks and Trails appropriation amount of \$1,326,000 to Anoka County will remain the same and the project deliverables will remain the same. Only the amounts to the three referenced projects will change.

I am enclosing a map that shows the location of the grant projects in relation to one another for your reference.

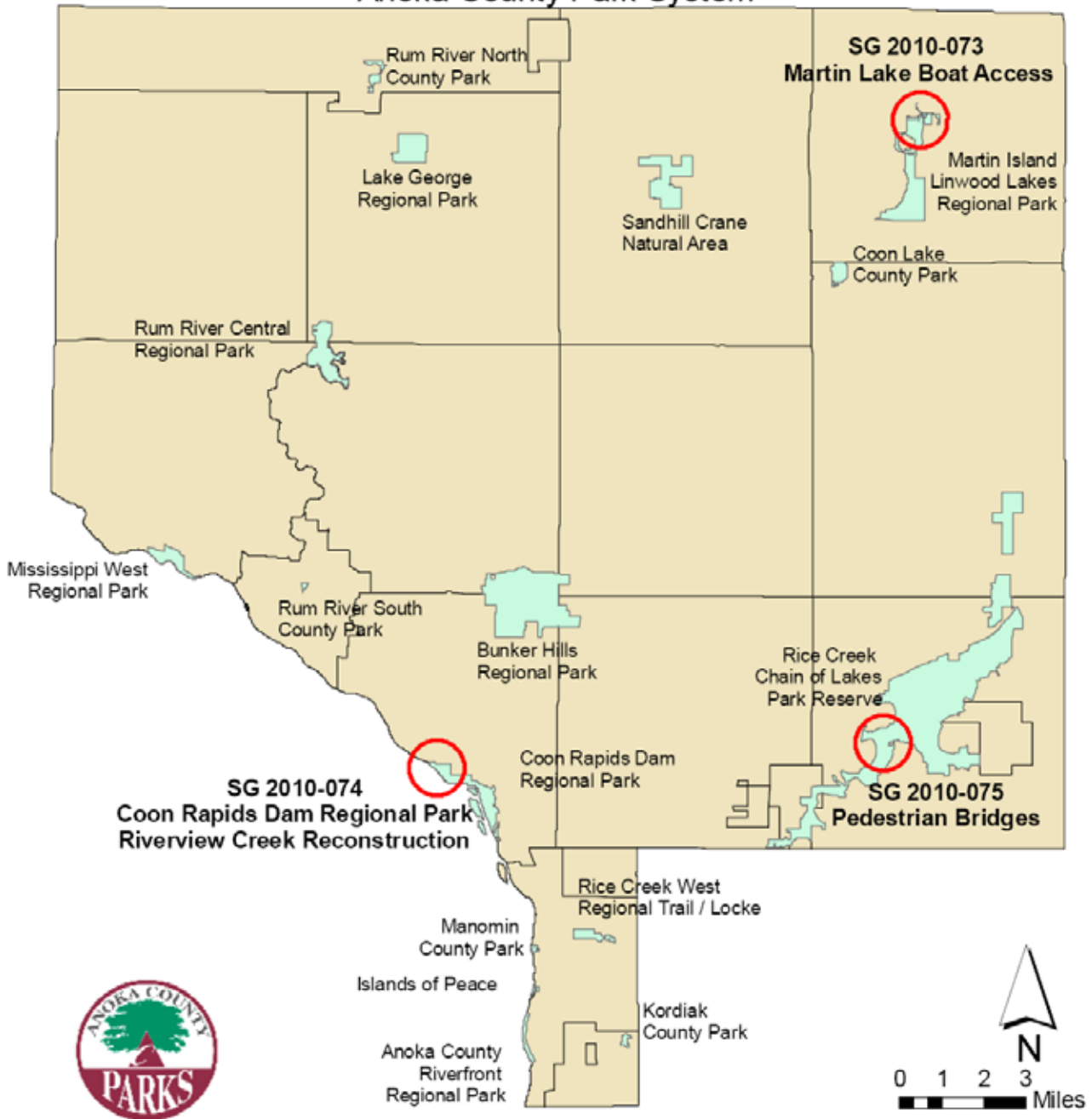
If you have any questions, please contact me at your earliest convenience at 763-767-2865 or karen.blaska@co.anoka.mn.us.

Sincerely,

Karen Blaska
Park Planner

cc: John VonDeLinde, Director

Anoka County Park System



Attachment 2: Request Letter and Map from City of Bloomington



December 10, 2010

Mr. Arne Stefferud
Planning Analyst - Parks
Metropolitan Council
390 Robert Street North
St. Paul, MN 55101-1805

RE: SG-2010-030 Balance Reallocation

Dear Arne:

Per grant agreement SG-2010-030 the City of Bloomington is to be reimbursed up to \$37,000 for expenses related to the removal of a structure and site restoration for the in-holding property located at 6101 West 84th Street in the Hyland-Bush-Anderson Lakes Regional Park Reserve. However, there was only \$33,794.65 of grant eligible expenses, leaving a balance of \$3,205.35. While the City incurred a total of \$40,252.79 in expenses for this project, \$6,458.14 of these expenses was incurred prior to the August 14, 2008 Metropolitan Council project approval date, and are therefore ineligible for reimbursement.

The City of Bloomington requests that the \$3,205.35 balance of SG-2010-030 be added to SG-2010-031, which is a grant for construction/reconstruction of bituminous trails in the Hyland-Bush-Anderson Lakes Regional Park Reserve. SG-2010-031 would then be increased by \$3,205.35 for a new total of \$399,205.35 via an amendment to the grant agreement. The amended SG-2010-031 funds would be used in combination with other Metropolitan Council and State Parks and Trails Legacy grants previously awarded to the City to undertake construction/reconstruction of approximately 12,545 linear feet of bituminous trails. Attached is map detailing the trails to be constructed/reconstructed.

If you have any questions concerning our reimbursement request you can contact me at rquale@ci.bloomington.mn.us or at 952-563-8876.

Sincerely,
CITY OF BLOOMINGTON

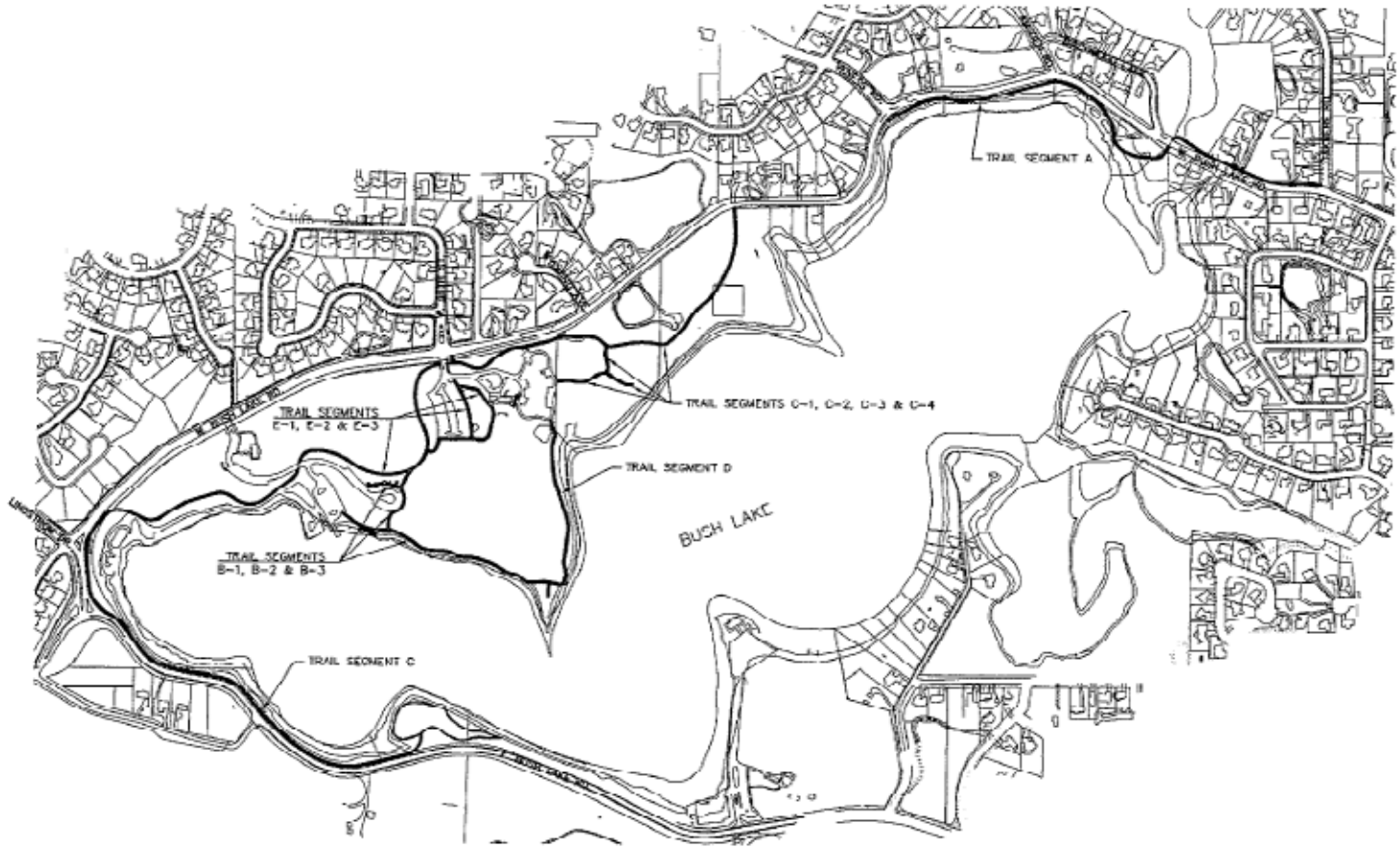
Randy Quale
Parks and Recreation Manager

RQ/rq
Attachment
METCOUNCIL/SG-2010-030 REALLOCATION REQ 12-10-10

PARKS AND RECREATION DIVISION
1800 W. OLD SHAKOPEE ROAD, BLOOMINGTON MN 55431-3027
PH 952-563-8877 FAX 952-563-8715 TTY 952-563-8740

AN AFFIRMATIVE ACTION/EQUAL
OPPORTUNITIES EMPLOYER

PRELIMINARY PLAN
LOCATION MAP



PRELIMINARY PLAN
LOCATION MAP

CITY OF BLOOMINGTON
ENGINEERING DIVISION
PUBLIC WORKS DEPARTMENT
2010-401 PARK TRAIL IMPROVEMENT PROJECT

DATE	REVISIONS	BY
	DESCRIPTION	

I HEREBY CERTIFY THAT THIS PLAN AND SPECIFICATIONS AND SHALL BE A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
JAKE N. LONG
52847 J.02626X
CC 7 DATE

DRAWN: SWB
CHECKED: JML
APPROVED: JML
SHEET: 1 OF 1

Attachment 3: Request Letter from Dakota County to Change Grant Scope



December 14, 2010

Physical Development Division
Lynn Thompson, Acting Division Director
Dakota County
Western Service Center
14955 Galaxie Avenue
Apple Valley, MN 55124

952-891-7000
Fax 952-891-7031
www.dakotacounty.us

Environmental Mgmt Dept
Farmland & Natural Areas Program
Office of GIS
Parks Department
Office of Planning
Surveyor's Office
Transit Office
Transportation Department
Water Resources Office

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

Dear Arne:

Dakota County requests Metropolitan Council consideration to change the scope of three approved Metropolitan Council Grants. The request further requests changing the term within one of the referenced grants. The request is primarily a result of the State reducing program aid to Dakota County. These State funds had been previously targeted to support the Dakota County Parks and Open Space Capital Improvement Program.

The requested change in scope and term includes the following approved grants:

- Grant: SG-2008-44
Big Rivers Regional Trail/ Trailhead Improvement
Metropolitan Council Grant Amount: \$400,000
Term: December 31, 2011
Revised Term: December 31, 2012
Revised Grant Scope: Delete/ trailhead improvement at Big Rivers Regional Trail. Add/ design, construction and construction administration for miscellaneous Mississippi River Regional Trail improvements.

- Grant: SG-2010-32
Miesville Ravine Park Reserve / River Access
Metropolitan Council Grant Amount: \$250,000
Term: December 31, 2015
Revised Grant Scope: Delete/ river access at Miesville Ravine Park Reserve. Add/ design construct and construction administration of the Rosemount segment of the Mississippi River Regional Trail.
Federal Transportation Grant Amount: \$1,000,000
Project Completion/ December 31, 2013

- Grant: SG-2010-022
Lebanon Hills Regional Park /Sustainable Trail Development
Metropolitan Council Grant Amount: \$152,000
Term: December 31, 2015
Revised Grant Scope: Delete/ sustainable trail development at Lebanon Hills Regional Park. Add/ design, construction and construction administration of a parking area, restroom building and miscellaneous site improvements at the mountain bike facility within Lebanon Hills Regional Park. (Augments funding of \$429,000 from approved Metropolitan Council Grant SG-2008-45)

Thank you for the consideration to this request.

Sincerely,



Steve Sullivan, Director
Dakota County Parks and Open Space

Cc: Bruce Blair, Manager of Natural Resources and Development
Stacy Reilly, Financial Analyst
Michelle Beeman, Director of Environment Natural Resource Section

Attachment 4: Request Letter from Dakota County to Reduce Grants and Finance New Grants



December 14, 2010

Physical Development Division
Lynn Thompson, Acting Division Director
Dakota County
Western Service Center
14955 Galaxie Avenue
Apple Valley, MN 55124

952-891-7000
Fax 952-891-7031
www.dakotacounty.us

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

Environmental Mgmt Dept
Farmland & Natural Areas Program
Office of GIS
Parks Department
Office of Planning
Surveyor's Office
Transit Office
Transportation Department
Water Resources Office

Dear Arne:

Dakota County requests Metropolitan Council consideration to decrease funding level within two approved Metropolitan Grants resulting in a lessened scope and reallocate the grant balances to two new grants amending the Metropolitan Council Unified Capital Improvement Program.

The request is a result is the State reducing program aid to Dakota County. These State funds had been previously targeted to support the Dakota County Parks and Open Space Capital Improvement Program.

The reallocation of the two existing grants is as follows:

- Grant: SG-2010-25
Lake Byllesby Regional Park/ Echo Point Development
Term: December 31, 2015
Metropolitan Council Grant Amount: \$850,000
Revised Grant Amount: \$300,000
Revised Grant Scope: Delete picnic shelter and associated improvements. Provide lakeside trail, lake access improvements and picnic grounds.
- Grant: SG-2010-64
Lebanon Hills Regional Park and Spring Lake Park Reserve / Signage
Term: June 30, 2012
Metropolitan Council Grant Amount: \$303,000
Revised Grant Amount: \$153,000
Revised Grant Scope: System-wide signage improvements.

The two new grants are proposed as follows:

- Grant : #1
Mississippi River Regional Trail/ Rosemount Segment
Project Completion/ December 31, 2013
Proposed Grant Amount: \$550,000
Federal Transportation Grant Amount: \$1,000,000
Funding Source: Grant SG-2010-25
Grant Scope: Design, construct and provide construction administration for the Rosemount segment of the Mississippi River Regional Trail.

- Grant : #2
Lebanon Hills Regional Park/ Visitor Center Phase II
Term: June 30, 2012
Proposed Grant Amount: \$150,000
Funding Source: Grant SG-2010-64
Grant Scope: Design, construct and provide construction administration for parking, event area and miscellaneous site improvements at the visitor center within Lebanon Hills Regional Park.

Thank you for the consideration to this request.

Sincerely,



Steve Sullivan, Director
Dakota County Parks and Open Space

Cc: Bruce Blair, Manager of Natural Resources and Development
Stacy Reilly, Financial Analyst
Michelle Beeman, Director of Environment Natural Resource Section