

C Community Development Committee
For the Metropolitan Council meeting of June 27, 2012

Item: 2012-197

June 18, 2012

Date Prepared:

Subject: Change Scope of Grant SG-2011-123, Scott County

Proposed Action:

That the Metropolitan Council approve a change to the scope of grant SG-2011-123 to Scott County so that the \$291,000 grant can be used for work related to phase 1 development of Spring Lake Regional Park (removal of Co. Rd. 81 from the park, construct 3 miles of trail, a parking lot, restroom building and an off-leash dog park, plus natural resource restoration).

Summary of Committee Discussion / Questions:

The Community Development Committee had no questions. The Committee unanimously approved the recommendation.

C Community Development Committee
Meeting date: June 18, 2012
For the Council Meeting of June 27, 2012

ADVISORY INFORMATION

Date: June 11, 2012
Subject: Change Scope of Grant SG-2011-123, Scott County
District(s), Member(s): Metropolitan Council District 4, Gary Van Eyll
Policy/Legal Reference: MN Statute 473.315
Staff Prepared/Presented: Arne Stefferud; Planning Analyst—Parks (651-602-1360)
Division/Department: Community Development Division, Parks

Proposed Action

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Background

Scott County has submitted a request to change the scope of grant SG-2011-123 so that the \$291,000 grant can be used for work related to phase 1 development of Spring Lake Regional Park (removal of Co. Rd. 81 from the park, construct 3 miles of trail, a parking lot, restroom building and an off-leash dog park, plus natural resource restoration).

Rationale

The premise for the change is that this grant would complete the financing needed for this phase instead of spending it on the beginning of Phase 1 development for Cedar Lake Farm Regional Park. Three other grants are also financing Phase 1 development at Spring Lake Regional Park, which with this grant totals \$1,626,000.

Funding

This grant is financed with the Fiscal Year 2012 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.

Known Support / Opposition

The Metropolitan Parks and Open Space Commission considered this request at its meeting on June 5, 2012 and unanimously recommended that it be approved.

METROPOLITAN COUNCIL

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

DATE: May 25, 2012
TO: Metropolitan Parks and Open Space Commission
FROM: Arne Stefferud, Planning Analyst—Parks (651) 602-1360
SUBJECT: (2012-197) Change Scope of Grant SG-2011-123, Scott County
Metropolitan Parks & Open Space Commission District B: Robert Moeller

INTRODUCTION

Scott County has submitted a request to change the scope of grant SG-2011-123 so that the \$291,000 grant can be used for work related to phase 1 development of Spring Lake Regional Park (removal of Co. Rd. 81 from the park, construct 3 miles of trail, a parking lot, restroom building and an off-leash dog park, plus natural resource restoration). The premise for the change is that this grant would complete the financing needed for this phase instead of spending it on the beginning of Phase 1 development for Cedar Lake Farm Regional Park. Three other grants are also financing Phase 1 development at Spring Lake Regional Park, which with this grant totals \$1,626,000. (See Attachment 1: Letter from Mark Themig, Scott County).

The Metropolitan Council must consider and approve this amendment because it is a substantive change to the original grant agreement. This staff report contains a review of this request under applicable terms of the grant agreement and recommends approving the proposed amendment.

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

This grant is financed with the Fiscal Year 2012 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. Stat. 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.”

Scott 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.

In order to consider this request for amending these grants, Section 9.2 of the grant agreements states:

“9.2 Amendments. Any amendment to this grant agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original grant contract, or their successors in office.”

CONCLUSION

Metropolitan Council staff find that the amendments should be approved because:

1. Scott County has submitted a written statement to the Council describing the situation and giving reasons for the proposed amendments, as shown in Attachment 1.
2. The amendment is consistent with sections 9.2 and 18.5 of the grant agreements.

RECOMMENDATION

That the Metropolitan Council approve a change to the scope of grant SG-2011-123 to Scott County so that the \$291,000 grant can be used for work related to phase 1 development of Spring Lake Regional Park (removal of Co. Rd. 81 from the park, construct 3 miles of trail, a parking lot, restroom building and an off-leash dog park, plus natural resource restoration).

Attachment 1: Letter from Mark Themig, Scott County



SCOTT COUNTY PARKS AND TRAILS PROGRAM
A Partnership between Scott County and Three Rivers Park District

GOVERNMENT CENTER 114 · 200 FOURTH AVENUE WEST · SHAKOPEE, MN 55379-12
(952) 496-8475 · Fax (952) 496-8496 · Web www.co.scott.mn.us

May 8, 2012

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

Subject: Grant SG2011-123 Change in Project Scope

Dear Mr. Stefferud:

On behalf of the Scott County Board of Commissioners, I am writing to request a project scope change for grant SG2011-123, a Regional Park CIP grant in the amount of \$291,000.

Grant SG2011-123 was proposed to fund Phase 1 development work at Cedar Lake Farm Regional Park. However, with design complete for Spring Lake Regional Park Phase 1 Development, we feel that investing Grant SG2011-123 in the Spring Lake Regional Park project will deliver a better, more comprehensive project.

Grant SG2011-123 would be combined with other funding that we have secured for the project to construct approximately 3 miles of bituminous trails, develop the off-leash dog area, create parking and restroom support facilities, and restore and improve the park's natural resources. Specifically, SG2011-123 would fund the following:

- Site restoration of former County Road 81 road bed and ditches
- Final site restoration and seeding
- Installation of automatic gates for controlling park access

Thank you for the consideration of this request. If you have any questions, please let me know. I can be reached at 952-496-8783.

Sincerely,

Mark Themig
Parks & Trails Program Manager

