

**SNOHOMISH COUNTY  
CONSERVATION FUTURES PROGRAM ADVISORY BOARD**

**REGULAR MEETING MINUTES  
JANUARY 30, 2014**

**JACKSON BOARD ROOM  
8<sup>TH</sup> FLOOR, COUNTY ADMINISTRATION BUILDING  
MEETING MINUTES**

Members Present: Mayor Carla Nichols (Small City Representative), County Councilmember Dave Somers, County Councilmember Terry Ryan, Ann Boyce (Community Representative), Peter Camp (County Executive Representative), and Dan Bartelheimer (Community Representative)

Members Excused/Absent: City Councilmember Randy Lord (Large City Representative)

Staff: Dianne Bailey (Park Property Administrator, Snohomish County Department of Parks and Recreation); Sharon Swan (Principal Park Planner, Snohomish County Department of Parks and Recreation); David McConnell (Associate Park Planner, Snohomish County Department of Parks and Recreation); Geoffrey Thomas (Legislative Analyst – Operations, Snohomish County Council); Tom Teigen (Director, Snohomish County Department of Parks and Recreation)

1. CALL TO ORDER Chairperson

Chairman Dave Somers called the January 30<sup>th</sup> 2014 regular meeting of the Conservation Futures Program Advisory Board (CFPAB) to order at 3:07 p.m.

2. INTRODUCTION OF BOARD MEMBERS Board

- Board Members and Staff introduced themselves.
- Chairman Dave Somers introduced County Councilmember Terry Ryan, Council District No. 4.

3. ELECTION OF CHAIRPERSON Board

- Chair Dave Somers opened nominations for the next Chair of the board.

- Board Member Terry Ryan nominated Dave Somers as the next chair of the board for 2014. Board Member Ann Boyce seconded the nomination, the vote was 6/0 and the motion carried.
- Chair Dave Somers asked Staff if the Board had ever had a Vice Chair. Staff member Dianne Bailey indicated that the Board had not had a Vice Chair in the past but that it may be a good idea for the Board to choose a Vice Chair to serve in times when the Chair was absent. The Board agreed with the idea and Chair Somers opened nominations for a Vice Chair.
- Board Member Ann Boyce nominated Terry Ryan as Vice Chair. Board Member Carla Nichols seconded the nomination. The vote was 6/0 and the motion carried.

#### 4. REVIEW AND APPROVAL OF MINUTES

The Board considered the draft minutes from the May 1, 2013 regular meeting and the August 20, 21, and 23, 2013 special meetings as a group. Chair Dave Somers asked for corrections or additions to the minutes. The following changes were requested:

- a. Board Members Ann Boyce and Carla Nichols asked for clarification and a change in the May 1, 2013 minutes to further explain stipulations related to bond-funded projects. On page 3, on the first bullet the following language was added to the minutes to clarify the requirements "...this limitation is structured to meet the standards set forth in **IRS Private Letter Ruling 200502012.**"
- b. Board Member Terry Ryan noted that on the August 21, 2013 meeting minutes, the title on the minutes referred to the meeting as a "regular meeting" while the minutes for the August 20<sup>th</sup> and August 23<sup>rd</sup> meetings were titled as "special meetings". Since all three meetings were special meetings for the purpose of hearing grant application presentations, the title of the August 21<sup>st</sup> meeting was corrected.

Chair Dave Somers asked the Board for a motion to approve the minutes. Board Member Terry Ryan moved to approve the minutes with the indicated changes. Second by Board Member Carla Nichols and the motion carried 6/0.

#### 5. BOARD FEEDBACK ON 2013 GRANT APPLICATION PROCESS Sharon Swan

Staff Member Sharon Swan gave a brief summary of the grant process and asked the Board for feedback on the last grant round.

##### Board Feedback:

- Board Member Carla Nichols indicated that question number 6 which asked about how a proposed project fits into adopted plans seemed to be too broad of a question. She went on to say that the information, while important, also took much time for grant writers to write and the Board to read. She asked if this question could be rewritten to narrow its focus, combined with another question, or eliminated. Staff Member Dianne Bailey answered that Snohomish County Code (**SCC 4.14.100 Prioritization of projects**) discusses how the Board shall prioritize projects. Board Member Ann Boyce believes this is an important element to keep in the application package. However, the length of the answer can also be limited to ensure that the

time to evaluate this question is more reasonable. Board Member Peter Camp prefers a more targeted approach to answering this question that is specific and concise. Chair Dave Somers suggested that staff reword the question so that only plan(s) that specifically reference a project are cited rather than listing every plan that a project is generally consistent with.

- Board Member Ann Boyce offered general feedback on the last grant round and said that she was disappointed with some of the Board choices of projects. She felt that some of the projects did not fit the matrix and the scoring criterion that the Board had previously agreed upon and that the past history of some of the projects, including past funding awards, had not been properly considered. She offered several examples. Board Member Terry Ryan asked about the Board recommendation for funding and County Council Amended Motion No. 13-353. Discussion followed. Chair Dave Somers reflected on projects and the process and noted that there were many projects and a fairly tight timeline to hear presentations and score applications but he felt the Board did a good job overall. Board Member Carla Nichols requested that on the next grant round, the Board do a final review after project ranking and before making its final recommendation to the County Council and look specifically for potential challenges such as access that could make a big difference to the success of some projects.
- Board Member Dan Bartelheimer asked about what the County was buying when it used conservation futures funds to purchase conservation easements on agricultural lands. Board Member Peter Camp and Staff Member Dianne Bailey both addressed this question. When the County purchases a conservation easement on a piece of property, it is purchasing a portion of the development rights for the property. The easement limits the rights of the current or future land owners to develop the piece of property upon which the easement is placed.

## 6. CITY OF LYNNWOOD QUESTION CONCERNING ALLOWABLE REIMBURSABLE COSTS

Staff

### Staff Summary:

Staff Member Dianne Bailey discussed the City of Lynnwood's request to hire a negotiator to help with negotiating the Seabrook Heights property acquisition. The City would like to find out from the Board if the contract costs of \$10,000 to hire a consultant from Forterra will be considered a reimbursable cost from their grant award? The pro is that the City will have a better chance of success in securing the property. The con is that if the project fails, the program is out \$10,000 in consultant fees. So, is this an allowable acquisition cost?

### Board Discussion:

- Board Member Carla Nichols – the Board had previously agreed that it would only fund the acquisition related costs that were in the grant request at the time of submission. This is not a fair request because the City did not make the request in the beginning. If they can make this request now, then other applicants should be able to make similar requests.
- Board Member Terry Ryan – agrees, and asks if the City is investing some of its own money to pay for pre-acquisition costs?

- The Board decided to not allow the request from the City of Lynnwood to make the \$10,000 consultant cost a reimbursable acquisition cost for the Seabrook Heights project.

## 7. PROJECTS UPDATE

Dianne Bailey

### Staff Summary:

- Staff Member Dianne Bailey summarized the process of project approval – the Board makes a recommendation through the County Executive to the County Council which then allocates funding for projects. Dianne then summarized the award recommendations made by the Board and the changes made by the County Council in Amended Motion No. 13-353 (See Administrative Status Report of 1/30/2014 – ATTACHMENT A and Amended Motion No. 13-353 ATTACHMENT B).

### Board Discussion:

- Chair Dave Somers – did not support the changes made by the County Council to the Board recommendations through the County Executive for funding and voted against the amended motion.
- Board Members Ann Boyce and Carla Nichols – both were disappointed with the result and wanted the County Council to know that they did not approve. In addition, they wanted the opportunity for the Board to provide recommendations to the County Council on project funding if the budget needed to be shifted.
- Board Member Terry Ryan – asked for clarification of the process of project approval. Staff Member Dianne Bailey reviewed the approval process. Dianne also recommended that the Board consider having a prioritized list for projects that are not initially funded that could later receive funds from other projects that are not successful. This would avoid the need for another grant round during the life of the bond.

- PRE-BOND

- i. Port Susan Farms LLC, Snohomish County – is estimated to close 2<sup>nd</sup> quarter of 2014
- ii. Harborview Park Addition, City of Everett – project pending
- iii. Stillaguamish River Tidal Estuary Access, City of Stanwood – within contract 2015
- iv. Whitehorse Stilly, Forterra – within contract 2015
- v. Lower Wallace Conservation Area, Forterra – within contract 2015
- vi. Whitehorse Trail/Dashiell, Snohomish County – closed
- vii. Heybrook Ridge, Snohomish County – pending, 1 offer
- viii. Evans Land Acquisition, Town of Darrington - closed

- BOND – See ATTACHMENT A

- i. Brier Creek Nature Park – City of Brier
- ii. Edmonds Water Front – City of Edmonds
- iii. Seabrook Property – City of Lynnwood
- iv. Park Addition – City of Mountlake Terrace

- v. Japanese Gulch – City of Mukilteo
- vi. Stocker – City of Snohomish County
- vii. Overnell Port Susan Bay – City of Stanwood
- viii. Sultan River Nature Trail – City of Sultan
- ix. Anderson Farm – Forterra
- x. Bailey Farm – PCC Farmland Trust
- xi. Dashiell Land Purchase – Town of Darrington
- xii. Deer Creek Park – Town of Woodway
- xiii. Eastside Rail – Snohomish County
- xiv. Flowing Lake – Snohomish County
- xv. Esperance School – Snohomish County
- xvi. Lake Stickney – Snohomish County
- xvii. O'Reilly Acres – Snohomish County
- xviii. Steelhead Park – Snohomish County

8. CONSERVATION FUTURES STATUS FUND BALANCE (OVERHEAD PRESENTATION) Dianne Bailey

Staff Summary:

Staff Member Dianne Bailey summarized the bond based project budget sheet and the status of the fund.

- Current Fund Balance \$28,570,492.00
- Projected Additional Revenue through year end \$3,500,000 (Full year 2014)
- Projected Full Year Available Funding \$32,070,492.00
- Project Commitments \$27,833,844.50
- Other Expenses \$3,383,985.00
- Projected Year End Fund Balance (IMPORTANT: Year Ending 2014) \$852,662.50

Board Discussion:

- Board Member Terry Ryan asked if the Conservation Futures Program was on a cash basis prior to each of the bond rounds. Staff Member Dianne Bailey answered yes, funds are collected each year and projects are approved when sufficient funding is available in the fund.
- Board Member Carla Nichols asked if the county Conservation Futures map be updated or has it been already? Staff Member Dianne Bailey explained that the map would be updated again when the acquisitions were complete.

9. INCREASE TO FUND COLLECTION RATE 2014 Sharon Swan

Staff Summary:

Staff Member Sharon Swan summarized the recent increase to the fund collection rate and indicated that there would be a 1% increase to the fund collection rate for the coming year. In theory could go up to 3.7 million, caveat is that not all of the taxes that can be collected will necessarily be collected so the amount of 3.5 million is a safe estimate for projecting collections.

10. EMAIL ACCOUNTS

Sharon Swan

Staff Member Sharon Swan explained the need for members of the Board to comply with the Washington State Public Records Act and indicated that the County would provide County email accounts for board members who were not already County employees or County elected officials per member request.

Board Member Peter Camp explained further why it is important to have email accounts with the County because it allows the County to comply with the act.

Staff Member Dianne Bailey asked that the Board members who were outside the County system currently please let her know who would like to have the County email accounts.

11. UPCOMING MEETING TIME – SET DATE

Board

- Next Regular Meeting – The next meeting of the Conservation Futures Program Advisory Board is tentatively set for April 29<sup>th</sup> 2014 in the Jackson Board Room from 3:00 p.m. to 5:00 p.m.

12. COMMENTS FROM THE BOARD

Board

- Parks Director Tom Teigen announced that on February 15, 2014 at 9:00 a.m. there will be a purchase and sale agreement signing ceremony for the Eastside Rail corridor acquisition in the City of Snohomish at the Snohomish Boys and Girls Club located at 402 2nd St in the City of Snohomish.

12. ADJOURNMENT

Chairperson

The meeting was adjourned at 4:29 p.m.

CONSERVATION FUTURES ADMINISTRATIVE STATUS 1-29-14

SPONSOR	PROJECT	FUNDING	FUND MOTION	ILA/CONTRACT STATUS	ILA MOTION	COMPLETED
City of Brier	Brier Nature Park	\$ 713,320.00	13-353 9/11/13	ILA to Exec/Council 11/22/13	Motion No. 13-486 12/18/13	
City of Edmonds	Edmonds Water Front	\$ 500,000.00	13-353 9/11/13	ILA to City w/rev 11/01/13		
City of Lynnwood	Seabrook Property	\$5,000,000.00	13-353 9/11/13	Signed ILA to Exec/Council 12/30/13	Motion No. 14-007 01/22/14	
City of Mountlake Terrace	Park Addition	\$ 300,000.00	13-353 9/11/13	DPA approved form ILA to City rev 11/01/13		
City of Mukilteo	Japanese Gulch	\$2,497,500.00	13-353 9/11/13	Signed ILA to Executive/Council 10/29/13	Motion No. 13-440 12/09/13	
City of Snohomish	Stocker	\$ 500,000.00	13-353 9/11/13	Draft w/City update 12/23/13		
City of Stanwood	Overnell Port Susan Bay	\$2,295,000.00	13-353 9/11/13	Draft w/City 01/21/14		
City of Sultan	Sultan River Nature Trail	\$ 324,600.00	13-353 9/11/13	Draft ILA to City 10/29 pending legal description		
Forterra	Anderson Farm	\$1,100,000.00	13-353 9/11/13	Contract draft to Forterra 11/05/13		
PCC Farmland	Bailey Farm	\$ 582,000.00	13-353 9/11/13	Mtg. 11/6/13		
Town of Darrington	Dashiell Land Purchase	\$ 150,000.00	13-353 9/11/13	Signed ILA to Executive/Council 10/11/13	Motion No. 13-426 11/06/13	Completed
Town of Woodway	Deer Creek Park	\$1,656,826.00	13-353 9/11/13	Signed ILA to Exec/Council 12/30/13	Motion No. 14-008 01/22/14	SB done 1/31/14

COUNTY PROJECTS	FUNDING	FUND MOTION	TITLE REPORT	Appraisal/Review	Purchase and Sale Agreement	MOTION	COMPLETED
Eastside Rail	\$5,000,000.00	13-353 9/11/13	Pending	Negotiated Offer	ECAF/Motion to Exec/Council 12/2/13	Motion No. 13-488 12/02/13	Close by May 2014 or sooner
Flowing Lake	\$1,829,950.00	13-353 9/11/13	Received	Appraisal complete offer accepted	ECAF/Motion to Exec/Council 1/22/14		Close by end of February '14
Esperance School	\$ 823,950.00	13-353 9/11/13	Received	Appraisal complete, offer pending			
Lake Stickney	\$ 734,950.00	13-353 9/11/13	Received, owner not responsive				
O'Reilly Acres	\$ 612,400.00	13-353 9/11/13	Received	Appraisal complete, offer accepted Shirlann LLC, offer pending Scott			
Steelhead Park	\$ 190,000.00	13-353 9/11/13	Received	Negotiated Offer accepted	Seller signed, ECAF/Motion to Exec. 10/17/13	Motion No. 13-439 12/18/13	Completed



SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington



AMENDED MOTION NO. 13-353

IDENTIFYING AND APPROVING CONSERVATION FUTURES PROJECTS TO BE  
FINANCED WITH THE PROCEEDS OF BONDS AUTHORIZED PURSUANT TO  
ORDINANCE NO. 13-018

WHEREAS, on March 20, 2013, the Snohomish County Council approved Ordinance No. 13-018 (Bond Ordinance) authorizing the issuance and sale of limited tax general obligation bonds (Bonds) to provide long-term financing for certain projects, including Conservation Futures Projects, within Snohomish County; and

WHEREAS, the Bond Ordinance included Twenty-Five Million Dollars (\$25,000,000) of Bond proceeds for Conservation Futures Projects, as defined by the Bond Ordinance and as identified by a motion of the Snohomish County Council; and

WHEREAS, the Bond Ordinance provides that a portion of future Snohomish County Conservation Futures Property Tax collections will be encumbered for repayment of the long-term financing of the Conservation Futures Projects funded by Bond proceeds; and

WHEREAS, the Snohomish County Code Chapter 4.14 establishes the Snohomish County Conservation Futures Property Tax Fund and the Conservation Futures Program Advisory Board, which duties include the review and recommendation of applications for projects to be funded with Conservation Futures Property Tax Funds; and

WHEREAS, Snohomish County advertised the opportunity for project sponsors to submit applications for Conservation Futures Property Tax Funds and received 30 (thirty) applications from cities, towns, non-profits, and Snohomish County itself by the application due date of July 19, 2013; and

WHEREAS, on August 20<sup>th</sup>, 21<sup>st</sup>, and 23<sup>rd</sup> of 2013, the Conservation Futures Program Advisory Board reviewed and voted to recommend projects for funding through the Conservation Futures Property Tax Fund; and

WHEREAS, the Snohomish County Council is responsible for making the final decision to allocate Conservation Futures Property Tax Funds and to identify projects eligible for Bond Funds supporting projects that qualify as Conservation Futures Projects;

NOW, THEREFORE, ON MOTION, the Snohomish County Council:

Section 1. Identifies the projects in Attachment A as eligible for funding as Conservation Futures Projects as defined by the Bond Ordinance, Ordinance 13-018; and

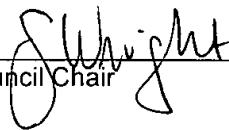
Section 2. Allocates proceeds generated from the Bond Ordinance for those projects in Attachment A; and

Section 3. Requires that property acquisitions, future uses, and associated documentation shall comply with all the requirements and provisions of RCW 84.34.230 and Snohomish County Code Chapter 4.14;

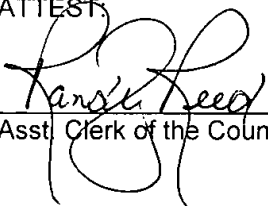
Section 4. Enacts that this motion shall take effect immediately from and after its adoption.

PASSED this 11<sup>th</sup> day of September, 2013.

SNOHOMISH COUNTY COUNCIL  
Snohomish County, Washington

  
\_\_\_\_\_  
Council Chair

ATTEST:

  
\_\_\_\_\_  
Asst. Clerk of the Council

D-6

## Attachment A

SPONSOR	PROJECT	FUNDING
City of Brier	Brier Nature Park	\$ 713,320.00
City of Edmonds	Edmonds Waterfront	\$ 500,000.00
City of Lynnwood	Seabrook Property	\$ 5,000,000.00
City of Mountlake Terrace	Park Addition	\$ 300,000.00
City of Mukilteo	Japanese Gulch	\$ 2,497,500.00
City of Snohomish	Stocker Farm	\$ 500,000.00
City of Stanwood	Overnell Port Susan Bay Estuary	\$ 2,295,000.00
City of Sultan	Sultan River Nature Trail	\$ 324,600.00
Forterra	Anderson Farm	\$ 1,100,000.00
PCC Farmland	Bailey Farm	\$ 582,000.00
Snohomish County	Eastside Rail Corridor	\$ 5,000,000.00
Snohomish County	Flowing Lake – West Pacific Timber	\$ 1,829,950.00
Snohomish County	Esperance School	\$ 823,950.00
Snohomish County	Lake Stickney	\$ 734,950.00
Snohomish County	O'Reilly Acres	\$ 612,400.00
Snohomish County	Steelhead County Park	\$ 190,000.00
Town of Darrington	Dashiell Land Purchase	\$ 150,000.00
Town of Woodway	Deer Creek Park	\$ 1,656,826.00
	TOTAL	\$24,810,496.00