SNOHOMISH COUNTY
CONSERVATION FUTURES PROGRAM ADVISORY BOARD

REGULAR MEETING MINUTES
JANUARY 30, 2014

JACKSON BOARD ROOM
8TH 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

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

2. INTRODUCTION OF BOARD MEMBERS

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

3. ELECTION OF CHAIRPERSON

• 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 20th and August 23rd 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 21st 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 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

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 2nd 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  Dianne Bailey
PRESENTATION)

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 29th 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.
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<th>SPONSOR</th>
<th>PROJECT</th>
<th>FUNDING</th>
<th>FUND MOTION</th>
<th>ILA/CONTRACT STATUS</th>
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<td>Sultan River Nature Trail</td>
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<td>Draft ILA to City 10/29 pending legal description</td>
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<th>FUND MOTION</th>
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<th>Purchase and Sale Agreement</th>
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<td>Lake Stickney</td>
<td>$ 734,950.00</td>
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<td>Received, owner not responsive</td>
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<td>O'Reilly Acres</td>
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<td>13-353 9/11/13</td>
<td>Received</td>
<td>Appraisal complete, offer accepted Shirlann LLC, offer pending Scott</td>
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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 20th, 21st, and 23rd 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 11th day of September, 2013.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

Council Chair

ATTEST:

Asst. Clerk of the Council

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