



PIERCE COUNTY

Conservation Futures & Open Space Citizens' Advisory Board

June 9, 2022
CAB Meeting Minutes

The meeting was called to order by Thomas Ginsburg, Vice Chair, at 6:01 p.m. virtually via Zoom webinar. A quorum was present.

ROLL CALL:

CAB Members Present: Marcello Mancini, Thomas Ginsburg, Sarah Chun, Ryan Hebert, Ethan Newton, Carol Paschal, Jerome O'Leary, Heather Shadko, Patricia Villa, Tony Paulson, Brett Larabee

Staff Present: Kimberly Freeman, Katherine Brooks, Cheryl Saltzman, Rachel DeCordoba

Maul Foster Alongi: Kate Elliott, ZZ Lundburg

CAB Members Absent: Kadie Anderson (excused), Lyndsay Gordon (excused), Susan Paganelli (excused), Susan Potter, Terry Reid

MEETING MINUTES:

Motion: To adopt the March 24, 2022 meeting notes as written. The motion was moved (Pashcal), seconded (Newton) and passed unanimously.

PUBLIC COMMENTS: No public comments.

DISCUSSIONS:

A. 2019/21 Conservation Futures Project Status Update

Kimberly shared a spreadsheet and provided updates on all 2019-2021 CF projects. Sound View Camp, which is the number 1 ranked property, has reached out for an extension to the end of the year due to title encumbrances that need amendments through the planning department to clear from title. Narrows West was withdrawn.

Board Questions:

Q-Tony – Why was Narrows West withdrawn?

A-Kimberly – I don't really know, we just received a call from PenMet Parks saying that it was being withdrawn.

B. Code Update

Kate Elliott (MFA) provided actions taken and progress so far on the code update including legal review, sponsor focus groups, other county programs, and CAB feedback.

Kimberly shared that we are behind the timeline we hoped to be on due to the closing of 2019 projects by June 30. We are working to keep it on track, but we may need to go to Council for an extension.

2.96.040 – Establishment of the Conservation Futures and Open Space Citizens' Advisory Board

2.96.040.B add "and one representative from the local and historic Tribes of the region."

Board Questions:

Jerome stated he didn't recall discussing this, and questioned the verbiage "of the region" – is that the right verbiage, or should it be "of the County?" Tony added that the Tribes are doing a lot of conservation

work that could enhance and compliment the projects we're working on by providing insight and synergy between projects.

Kimberly added that given Tribal history, cultural and historic knowledge of the entirety of Pierce County, it we previously discussed having a Tribal representative on the Board. Kimberly added that we had discussed this at the March 10 meeting for reference.

Tony asked to have the administrative guidelines or code updated to state that if a board member moves out of their representative city, they must resign.

2.96.050 – Duties of the Conservation Futures and Open Space Citizens' Advisory Board

2.96.050.C After brief discussion, Kimberly clarified that this language change is incorrect, and we will correct it to meld the two sections (TAC and CAB) and bring it back to CAB.

2.96.060 – Establishment of the Conservation Futures and Open Space Technical Advisory Committee

Under A, adding "comprised of subject matter experts in Conservation Futures' values" for clarification.

Under B, subsection 3, changing Metropolitan Parks District of Tacoma to "A metropolitan park district in the County," to be more inclusive of metro parks districts outside of Tacoma.

Under B, subsection 4, inserting "Planning" between Public Works and/or Parks Departments, adjusted to include Planning, and accommodate small cities and town staff and making language consistent with the rest of the code.

Board Questions:

Ethan questioned the change from Metropolitan Parks District of Tacoma and didn't remember discussing it. Kimberly said that some of these changes weren't discussed with CAB prior to today as some proposed changes are based on clean-ups noted by staff Kimberly stated that the reason for this change is that there are four Metro parks districts, Tacoma, Key Pen, Pen Met and Anderson Island. Metro Parks Tacoma hasn't participated in a decade although they have been invited nearly every year they haven't participated. This is a matter of trying to get that representation from a metro parks district. There is other representation from the City of Tacoma on the CAB. Tony added that there might be more opportunities for participation with the other parks districts.

2.96.070 Duties of the Conservation Futures and Open Space Technical Advisory Committee

2.96.070.C Kimberly stated that this section still needs to reflect the 2.96.070 and this revision is not correct. We will write it up and bring it back to CAB.

2.97.110 Conservation Futures Opportunity Account

Under A, amended language to adjust for biennial cycles rather than annual cycles; CAB and sponsor requested change of allocation from "not more than \$250,000" to "10% of"; "budget year" to "budget cycle"; and "fund balance not to exceed \$2,000,000 to "fund balance not to exceed \$4,000,000." Kimberly added that the change in funding allocation was also a reflection of today's real estate market.

Board Questions:

Jerome asked for clarification of 10% - is that of the annual allocation or 10% of the fund because the fund fluctuates. Kimberly stated that although it fluctuates, the budget is based on forecasted revenues, so the 10% would be based on the forecasted revenues, and Jerome requested that the change in code language reflect that. Carol asked about "subordinate to all debts" and Kimberly responded that refers to Conservation Futures being bonded against, which means debts have to be paid first.

Under B, subsection 1, changing "three weeks of notification" to "four weeks of notification" to allow for meeting publication requirements. Kimberly added that previously the CAB had suggested using other forums

to advertise instead of newspapers, but newspaper advertising is a legislative requirement.

Under B subsection 4, the addition of "Opportunity Accounts shall close within one year of award" to ensure projects are cycling and closing on time. Sponsors agreed with that addition.

Board Questions:

Ryan asked if this would be case by case, if there was flexibility, or if we would just drop them after a year. Kimberly replied that OA applications come in as emergencies, and they should be able to get it closed within a year. If something happened and they couldn't close within a year, they could bring it back for another opportunity account or go to Council and get an extension. We discussed this with the sponsors and they supported a year.

Under B, subsection 5. The Executive may withhold an Opportunity Account application to allow other agencies who have not received Opportunity Account funding to participate or if staff resources or funding are insufficient to process the requests.

Marcello asked if we could limit how often one group can apply for the Opportunity Account, based on Gig Harbor wiping out the whole Opportunity Account. If someone were to come in and apply now, there wouldn't be enough in there for them. Kimberly said we can look at that.

Ethan added that for urgent projects, having a mechanism in place makes sense, and suggested:

- Either having Executive or CAB have authority for recommendation
- Limiting entities to applying only once in a period of years

Jerome favors some kind of limitation be put in place, perhaps if an entity wouldn't be eligible if they are already in an application process. Limitations would help to spread this money around throughout the county.

Heather agreed, adding that having one city or region tap out the whole fund and then if something else comes up for a smaller community that we don't see very often, we have nothing to give them. I'm not sure it should be the Executive, it's what CAB does. If it's under the Executive, it can become more of a political issue than it needs to be. I think it should stay in CAB boundaries. Four years may be too much, you don't want a situation where there's an amazing piece of property that ends up becoming a housing development because there was no money to get it, but at the same time you want some balance so that the other parts of the county are seeing their fair share of the money.

Carol agreed with recommending this be a CAB decision, and shares feeling about politicization. Carol said NCSHS was an unusual situation with contiguous properties and the chance to make a bigger area that had a lot more habitat value. She added that she'd hate to make it so that we couldn't do that in the future and is in favor of the one-year limit on getting it through which would provide some control.

Ethan suggested considering replacing Opportunity Account with a lookback period for eligible projects. Different grant programs do it differently, but some might say if you purchased a property, then it is eligible for submittal for a grant application for the next two years so they might have to upfront the costs but then can submit an application and be scored, evaluated with other projects. There could be a great project that comes in after we've exhausted our Opportunity Account, but we wouldn't have the funds.

Kimberly said that's an interesting idea and asked for clarification..."are you suggesting that it operates a little differently, so that maybe there's not an OA, it's just the one CF account and everything comes to the CAB but that we allow for reimbursements? That way, if the city of Gig Harbor wanted to go purchase all of this property, that they could then bring it in as one or two or three projects in asking for reimbursement?"

Ethan replied "Yes, the Recreation and Conservation Office grants for the state has a waiver of retroactivity

program and that's kind of how that functions and King County Conservation Futures program is a little different but has a two-year lookback period. There's no way to guarantee that money in those urgent situations, but then you can submit a grant application at the next grant cycle, and they tend to be pretty good at grant proposals because if agencies are purchasing them with the risk of being out the money all themselves, it's probably a priority project with a sense of urgency to those projects. I am also intrigued with this OA from an equity lens, because some agencies might not have the funding just to possibly purchase land without the grant funding and risk of not being reimbursed."

2.97.020 Definitions

Staff suggestion to change "Exceptional Opportunity" requirement from 60 to 65 percent of the available evaluation points on Table 2.97.110-1. All OA have been over the 65-point threshold.

Jerome asked if the intent of this change is to change percent to points? Kate asked which it should be, and Kimberly clarified that "percent" is in the code, but as it's based out of 100 points, percent and points are interchangeable.

Recap and Questions - Kimberly

Kimberly requested we hold off voting on this now because we have changes to bring back.

Recap:

We need to come back to you with the following:

- Corrected language about CAB and TAC meeting -
- Alternative proposal for Opportunity Account in terms of
 1. who determines recipient of OA funds – exec.
 2. Parameters around application limitations such as once every few years or reimbursement program –
- Changing "region" to "County" for tribal representation –
- Marcello added that the idea of equity, if we as a CAB are going to make decision on who should be receiving OA, the word equity should be word-smithed in there so we can understand and show that we are focusing on equity .

Consensus around changing metro parks verbiage.

This came up three times tonight – what we want to do is spread the money around the county, and you all said it differently, but Jerome said spread it around the county...want to make sure every jurisdiction and community has the opportunity for the money. Kimberly suggested adding a section D under the Findings and Declaration of Purpose section of code that speaks to a goal being to get as much money out into the communities and spread it across all of the communities in the county as possible. Thoughts?

Carol shared concern of tying the code down too much and winding up conserving empty fields and suggests including points in scoring for communities that haven't received funding in the past, and subtracting points if communities have had multiple entries

Heather likes the idea of subtracting points for multiple entries, as well as including a category D under the Findings and Declaration that speaks to equity and spreading the money around the region. The CAB has discussed not seeing as many applications from smaller communities, and part of the "heartburn" with Gig Harbor is that it's a wealthy community and has sucked up a lot of money. If a smaller community was to apply now, there wouldn't be funds available.

Thomas also agrees that with a section D that codifies the spirit of equity and the equitable distribution of funds throughout the County, which recognizes that there is a need in the smaller communities for access to

these funds. Once we have the language codified, we can work on mechanisms as mentioned by Carol, but we need to have the language in our Declaration relating to equity.

Marcello asked if we should also add carbon sequestration in there as well, and Kimberly shared that we have that on our next meeting agenda. She also added that the sponsors were not crazy about scoring on carbon sequestration, because our whole program is about carbon sequestration.

There was more Board discussion on the “region” versus “county” language, and the definition of “resident.” Kimberly suggested taking these questions to legal for input.

OTHER BUSINESS:

No other business.

Thomas calls for motion to adjourn today’s meeting to be continued on June 23rd at 6pm.

Motion: To adjourn today’s meeting to a time and date certain, Thursday, June 23, 2022. Motion was moved (Newton), seconded (Pashcal) and passed unanimously.

MEETING CONTINUED: The meeting was closed at 7:19 p.m. to be continued on June 23rd at 6 p.m.