



Legislation Text

File #: 18-0934, **Version:** 1

Resolution to Approve a Memorandum of Understanding with USDA Natural Resources Conservation Service; Approve a Memorandum of Understanding with Local Conservation Partners; and Accept a Grant of up to \$1,040,000.00 (and an Additional \$1,000,000.00 if available) Under a Regional Conservation Partnership Program for the Acquisition of Conservation Easements

This resolution approves a Memorandum of Understanding between the City of Ann Arbor and the United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS), a Memorandum of Understanding between the City of Ann Arbor and Washtenaw County Parks and Recreation Commission, Legacy Land Conservancy, Southeast Michigan Land Conservancy, Ann Arbor Township, Scio Township, Augusta Township, and The Conservation Fund, and acceptance of grant funds of up to \$1,040,000.00 over five years for the Ann Arbor Greenbelt: Saving Michigan Farms Regional Conservation Partnership Program (RCPP).

On April 17, 2017, City Council approved a pre-proposal application to the USDA-NRCS FY 2018 RCPP in partnership with Washtenaw County, Legacy Land Conservancy, Southeast Michigan Land Conservancy, Ann Arbor Township, Scio Township, Augusta Township, and The Conservation Fund, for funding for the acquisition of Agricultural Conservation Easement Program (ACEP) Agricultural Land Easements in Washtenaw County.

The pre-proposal application for these funds was successful, and on August 21, 2017 City Council approved a full proposal application to the USDA-NRCS FY 2018 RCPP. The application requested up to \$3,913,520.00, with the City proposing to contribute \$1,000,000.00 of matching funds, and \$70,000.00 in additional funds (\$40,000.00 in staff time and \$30,000.00 for due diligence over five years) toward the purchase of conservation easements; and.

In December 2017, the USDA-NRCS awarded \$1,040,000.00, which must be matched 1:1 by the local partners. Given that the amount awarded is less than the amount requested, the City is now proposing to contribute up to \$286,132.00 in matching funds, with the other partners contributing the remainder. In addition to the matching funds, the City is proposing to contribute \$20,000.00 for due diligence activities (appraisal, survey, title work, environmental assessments, closing costs, etc.), and \$20,000.00 for administration and staff time over the five-year RCPP period. The proposed partner contributions are based on the currently identified acquisition priorities and may be adjusted by the parties as the program progresses.

USDA-NRCS has indicated that there is a possibility that additional grant funds will become available if other RCPPs do not spend their allocated amount. Therefore this resolution authorizes amendments to the MOU to accept up to an additional \$1,000,000.00 in grant funds, provided that the City's proposed additional contribution does not exceed \$500,000.00.

Budget/Fiscal Impact:

The purpose of this grant is for Open Space Preservation and Agricultural Land Preservation through conservation easements, therefore funding for the City's contributions is anticipated to come entirely

from the Open Space and Parkland Preservation Millage.

The easements will go to City Council for approval on a project-by-project basis before City funds are appropriated. The grant terms do not require the City to spend the grant money and no City funds are being appropriated at this time.

Approval is recommended by staff.

Prepared by: Ruth Thornton, Greenbelt Program Manager, The Conservation Fund

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Howard S. Lazarus, City Administrator

Whereas, Chapter 42 of the Ann Arbor City Code establishes the Greenbelt District and enables the City to purchase development rights on properties within the district;

Whereas, The Greenbelt Advisory Commission's goal is to leverage the City's millage funds to protect as much land as possible throughout the 30-year life of the millage;

Whereas, The Greenbelt Advisory Commission strongly recommends a minimum of 25% matching funds on Greenbelt purchases, provided by either grant funds, other local matching funds, or landowner donations;

Whereas, On April 17, 2017, City Council approved a pre-proposal application to the United States Department of Agriculture Natural Resources Conservation Service (USDA-NRCS) FY 2018 Regional Conservation Partnership Program (RCPP) in partnership with Washtenaw County, Legacy Land Conservancy, Southeast Michigan Land Conservancy, Ann Arbor Township, Scio Township, Augusta Township, and The Conservation Fund, for funding for the acquisition of Agricultural Conservation Easement Program (ACEP) Agricultural Land Easements in Washtenaw County (Resolution No. R-17-110);

Whereas, On August 21, 2017 City Council approved a full proposal application to the USDA-NRCS FY 2018 RCPP with the City as lead partner (Resolution No. R-17-317); and

Whereas, USDA NRCS awarded \$1,040,00.00 in 1:1 matching funds over five years for the RCPP;

RESOLVED, That City Council accept grant funds of up to \$1,040,00.00 from USDA NRCS for the FY 2018 RCPP and, if additional grant funds become available under this RCPP, up to an additional \$1,000,000.00 in grant funds;

RESOLVED, That City Council approve a Memorandum of Understanding between the City and the USDA NRCS as required to receive the RCPP grant funds;

RESOLVED, That City Council approve a Memorandum of Understanding between the City, Washtenaw County Parks and Recreation Commission, Legacy Land Conservancy, Southeast Michigan Land Conservancy, Ann Arbor Township, Scio Township, Augusta Township, and The Conservation Fund outlining the partners' roles and responsibilities for the RCPP, under which the City proposes to contribute up to \$286,132.00 in matching funds for the grant, \$20,000.00 for due diligence activities, and \$20,000.00 for administration and staff time over the five-year RCPP period;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute these

Memorandums of Understanding after approval as to substance by the City Administrator and as to form by the City Attorney;

RESOLVED, That the Mayor and City Clerk be authorized to execute amendments to these Memorandums of Understanding to add partners, after approval as to substance by the City Administrator and as to form by the City Attorney;

RESOLVED, That, should additional grant funds become available under the RCPP, the Mayor and City Clerk are authorized to execute amendments these Memorandums of Understanding accepting up to an additional \$1,000,000.00 in grant funds, provided that the City's proposed additional contributions are no more than \$500,000.00, after approval as to substance by the City Administrator and as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized to take all appropriate actions to implement this resolution.