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# MEMORANDUM

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**DATE:** September 16, 2010

**SUBJECT:** Riverview Open Space Lands Project – proposed acquisition of properties located at approximately 1465, 1515 and 1545 West Riverview Avenue (1700 North)

**AFFECTED COUNCIL DISTRICTS:** If the resolution is adopted, the Open Space Lands project will affect Council District 1

**STAFF REPORT BY:** Janice Jardine, Land Use Policy Analyst

**ADMINISTRATIVE DEPT:  
AND CONTACT PERSON:** Public Services Department, Parks and Public Lands Division  
Emy Maloutas, Open Space Land Program Manager  
Rick Graham, Public Services Director

**BUDGET IMPACT:** Potential City Open Space Bond Funds for property acquisition

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- A. A resolution has been prepared for Council consideration that would:
1. Support the use of City open space bond funds to acquire 10.21 acres located in the area of 1700 North adjacent to the Jordan River, contingent upon obtaining additional open space and private funds from other sources.
  2. Encourage the Administration to continue to pursue a funding request through the State LeRay McAllister Critical Land Conservation Fund.
  3. Support the Administration's efforts to raise additional private funds to leverage City open space bond funding to purchase the property.
- B. The Administration has submitted a grant application for State LeRay McAllister Critical Land Conservation Funds in the amount of \$167,000 to assist in purchasing a majority of the property, approximately 9.78 acres. (Please see the attached map for property locations.) Adoption of the proposed resolution would fulfill the requirement for local government support of the proposed project. Because property acquisition negotiations are in progress, some information relating to final funding costs need to remain confidential. A confidential document has been provided. An additional document would likely be transmitted with the proposed funding structure should Council pass this resolution.
- C. The Administration's paperwork provides information regarding the proposed project. Key items are summarized below.
1. In June, the Open Space Lands Advisory Board provided a favorable recommendation to the Council in support of the proposed grant funding request.
  2. The Riverview Open Space Land Project is comprised of three parcels totaling 10.21 acres located along the east side of the Jordan River owned by two separate property owners. The properties are among the last remaining privately-owned land along the Jordan River currently for sale in Salt Lake City.
  3. The proposed project could include:
    - a. Preservation of the properties as natural, open and undeveloped wildlife habitat.
    - b. Restoration of the riparian vegetation along the river bank and could allow for off-channel wetlands.
    - c. Providing public access, possibly agricultural and/or nature education.

- D. The proposed property acquisitions are consistent with the 1992 Open Space Master Plan goals and applicable policy statements. The Plan supports development of the Jordan River Parkway concept and preservation of open space corridors. It is also consistent with the Blueprint Jordan River Plan.

**Process for land acquisitions and bonding**

**A. Council Approval Process:**

1. City Code, Open Space Lands Program, Section 2.90.040 notes, “No expenditures shall be made from the fund without prior approval of the City Council.”
2. In keeping with City Code, transactions will be discussed by the Council to provide the Administration with feedback and direction on potential acquisitions. A closed session may be necessary, due to the nature of property negotiations, however, an open work session briefing will also be held.
3. With a straw-poll indication of support in the open briefing, the Administration can move forward with the purchases and spend money from the CIP cost center to finalize the transactions.

**B. Budget / Purchase Process:**

1. When the bonds were approved in 2003, the Council appropriated the full \$5.4 million budget in a CIP cost center to allow for quick access to the funds – rather than needing to follow a full bond issuance process each time purchases were approved.
2. The CIP cost center allows the Administration to quickly move to finalize transactions once approval has been granted by the Mayor and Council.
3. Bonds will then be issued periodically to fund the purchases. (See items 3, 4, and 5 below for more information.)
4. Even if bonds are not issued within the same fiscal year to cover the purchase(s), the remaining budget and encumbrances can carry over to following years. Expenses can be bonded in a subsequent year. The cash flow in the CIP accounts allows for this to happen, and enables the Administration to group issuing the bonds to reduce issuance costs.

**C. Bonding Required: The issuance of bonds is triggered by acquisition sites opening to the public. The bonds must be sold for reimbursement within 18-months of that land being placed into service. The Administration’s paperwork notes that providing public access is part of this project.**

- Note: in addition to the requirements below, the City must bond within 10 years of the Bond being created, making November 2013 the hard deadline.
- Bonds must be issued within 18 months after the later of:
  - date of payment for expenditures being financed ,or
  - date financed property is placed in serviceBUT within 3 years after payment of expenditure being financed.

**D. Bond Process: To issue bonds, the City is required to hold a public hearing following a minimum of 14-day advertising notice.**

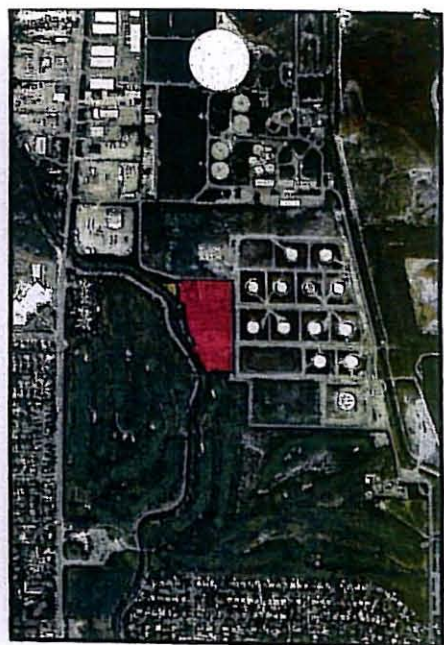
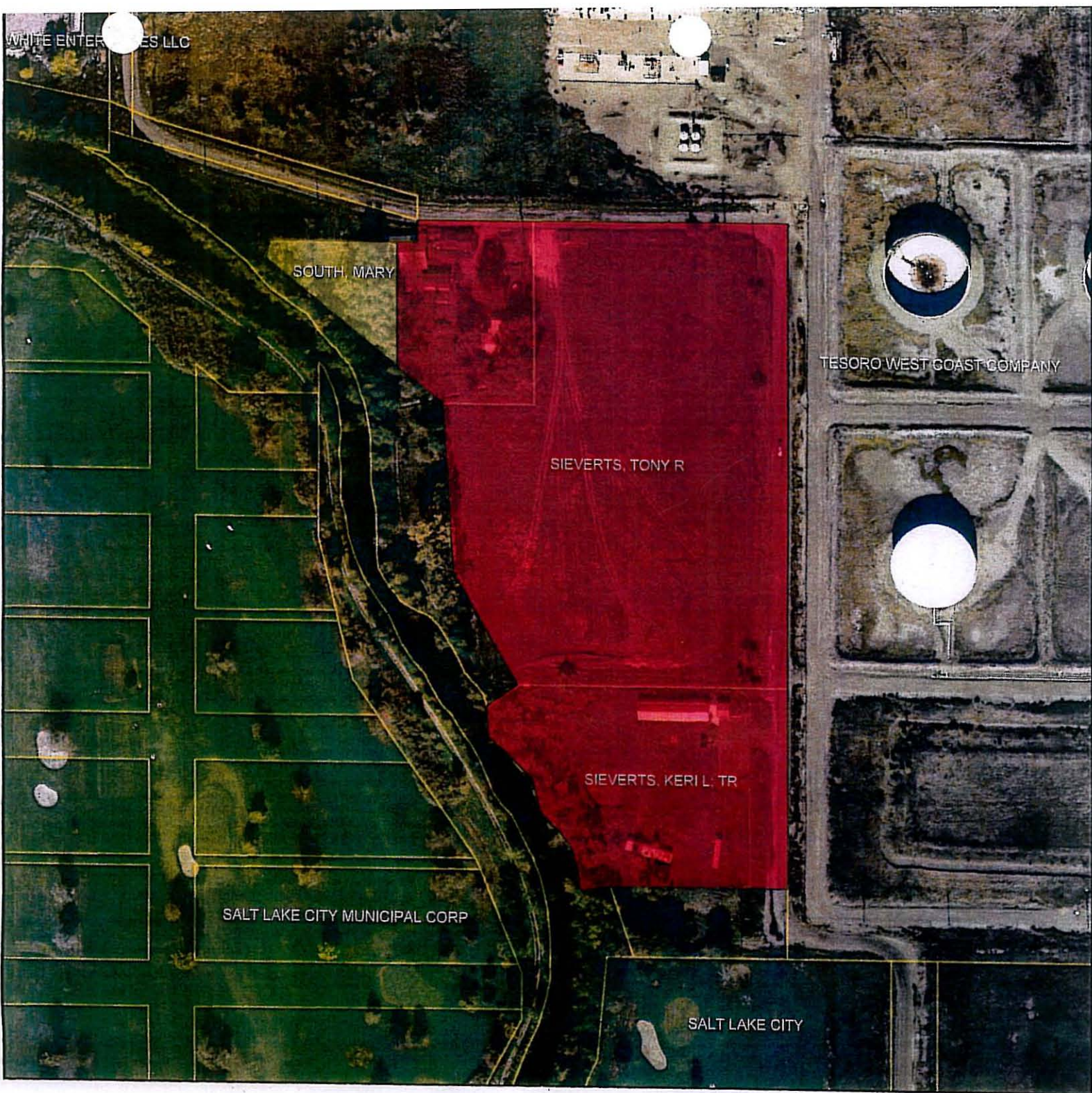
**E. Issuance Costs: Each time bonds are sold there are issuance costs associated with the process. These costs are charged against the total amount and therefore reduce the amount of the \$5.4 million that is ultimately available for land and/or easement purchases.**

cc: David Everitt, Bianca Shreeve, Holly Hilton, Karen Hale, Lisa Harrison-Smith, Ed Rutan, Lynn Pace, Paul Nielson, Rick Graham, Kevin Bergstrom, Vicki Bennett, Emy Maloutas, Dan Mule, Gordon Hoskins, John Spencer, Jeff Niermeyer, Tom Ward, Frank Gray, Mary De Le Mare-Schaefer, Wilf Sommerkorn, Cheri Coffey, Lehua Weaver, Jennifer Bruno, Council Liaisons, Mayors Liaisons

File Location: Public Services Dept., Parks & Public Lands Division, Riverview Open Space Lands Project – proposed acquisition of properties located at approximately 1465, 1515 and 1545 West Riverview Avenue (1700 North)



WHITE ENTERPRISES LLC

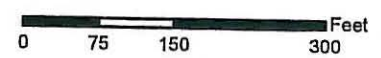


**Riverview B  
LeRay McAllister  
Fund Request**

Riverview A - 0.43 acres  
Riverview B - 9.78 acres

**Legend**

- Riverview A
- Riverview B
- Parcels







RICK GRAHAM  
PUBLIC SERVICES DIRECTOR

OPEN SPACE LANDS PROGRAM  
DIVISION OF PARKS AND PUBLIC LANDS

RECEIVED RALPH BECKER  
MAYOR

TRANSMITTAL

JUL 12 2010

David Everitt, Chief of Staff  
Salt Lake City Council  
JT Martin, Chair

Date Received: Salt Lake City Mayor  
Date sent to Council: 07/13/2010

**DATE:** July 9, 2010  
**TO:** JT Martin, City Council Chair  
**FROM:** Open Space Lands Program Manager  
**SUBJECT:** Open Space Lands Riverview Project

**SCANNED TO:** Mayor  
**SCANNED BY:** JT  
**DATE:** 7/12/10

**STAFF CONTACT:**  
Emy Storheim 535-7730  
Open Space Lands Program Manager  
  
Rick Graham 535-7774  
Public Services Director *ABennett*

**RECOMMENDATION:** Pass Resolution in Support of Riverview Project

**BUDGET IMPACT:** Potential City Open Space Bond Fund Acquisition

**DISCUSSION:** The Open Space Lands Advisory Board recommends the Riverview Project acquisition, as it is an important opportunity to secure lands along the Jordan River. The 10.21 acre project is situated on the east bank of the Jordan River at approximately 1900 North and Redwood Road.

The Open Space Lands Advisory Board recommends that funding partnerships be developed for this project and that an application be made to the LeRay McAllister Fund. Therefore, a grant request has been made for Riverview B, a majority portion of the project which consists of 9.78 acres (See map). This property is among the last remaining privately owned land on the Jordan River that is for sale.

The LeRay McAllister Fund Request requires documentation that the local elected legislative body, within whose jurisdiction the subject property lies, has in a public meeting, subject to normal notice requirements, provided the opportunity for public input and has subsequently approved the acquisition. This can take the form of a resolution of support adopted by the local government.

This resolution seeks Council support for the Riverview Project; encourages an application to the Le Ray McAllister Fund; and supports the acquisition contingent upon obtaining grant funds and additional private funds to leverage open space bond funds.

**Parcel ID's:** 08-22-276-001-0000, 08-22-276-004-0000, 08-22-276-005-0000 and 08-22-426-001-0000

RESOLUTION NO. \_\_\_\_ 2010

(Expressing Support for A Request for Le Ray McAllister Open Space  
Grant Funds for the Riverview Project)

A resolution expressing the support of the Salt Lake City Council for a request for Le Ray McAllister open space grant funds to assist in the acquisition of property for the Jordan River Riverview Project.

WHEREAS, the Jordan River and the properties located adjacent to the river are of critical importance to Salt Lake City and the greater Salt Lake City metropolitan area; and

WHEREAS, the City has had a long standing interest in acquiring and preserving open space properties along the Jordan River, and that interest is memorialized in various City master plans; and

WHEREAS, the City has recently become aware of the possibility of acquiring approximately 10.21 acres of property located adjacent to the Jordan River; and

WHEREAS, it has been proposed that the City acquire that property for the proposed Riverview Project; and

WHEREAS, the Riverview project proposes to restore the property to a predominately natural, open and undeveloped condition for wildlife habitat, and would include public access and nature education, including the possibility of agriculture on the historically farmed portion of the property away from the River, and/or a nature center; and

WHEREAS, the in June 2010 City's Open Space Lands Advisory Board recommended that the City Council support the request for open space grant funding to help in the acquisition of this property; and

WHEREAS, the acquisition of this property is consistent with the guidelines of the 1992 Salt Lake City Open Space Master Plan and the more recent Blueprint Jordan River; and

WHEREAS, the City Council finds that this Resolution is in the best interest of the City;  
NOW, THEREFORE, be it resolved by the City Council of Salt Lake City, Utah, as

follows:

1. The City Council hereby expresses its support for the proposed Riverview Project.
2. The City Council hereby expresses its support for the acquisition, with open space bond funds, of the 10.21 acres located adjacent to the Jordan River from the current property owners, contingent upon obtaining open space grant funds and additional private funds from other open space partners.
3. The City Council encourages the administration to continue to pursue this project, and to pursue the availability of Le Ray McAllister open space grant funds to be used for this project.
4. The City Council also expresses its support and expectation that the administration will continue its current efforts to raise additional private funds for the project with other partners, so as to leverage the open space bond funds.

Passed by the City Council of Salt Lake City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_,  
2010.

SALT LAKE CITY COUNCIL

By \_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CITY RECORDER

HB\_ATT#13660-v1-Resolution\_Le Ray\_McAllister\_Open\_Space\_Grant\_Funds

APPROVED AS TO FORM  
Salt Lake City Attorney's Office  
Date 7-7-10  
By [Signature]