



MINUTES OF THE CITY COUNCIL WORK SESSION
Held Monday, August 2, 1999
For the purpose of meeting with the Trust for Public Land (TPL).

The meeting began at 8:25 p.m. It was held in the Council Room of the Municipal Building.

PRESENT WERE: Council members Rodney M. Roberts, Alan Turnbull, Edward V.J. Putens, and Mayor Judith F. Davis.

STAFF PRESENT WERE: Michael P. McLaughlin, City Manager and David E. Moran, City Clerk

ALSO PRESENT WERE: Debi Osborne, Trust for Public Land; Sheldon Goldberg; Barbara Young, News Review and Karl Hille, The Gazette

Ms. Osborne described TPL. She stated that TPL secures property temporarily until the appropriate steward, usually a public agency, can purchase the property. TPL typically deals with properties that have problems. She noted that TPL often purchases an option on land.

She stated that Maryland was an easy State to work in, although noted there was never enough money. Ms. Osborne also noted that TPL often tries to package money from various funding sources. She summarized two options for acquiring properties.

The first was a lease-purchase program using a Certificate of Participation (COPS) program. This is a slightly more risky mechanism than General Obligation bonds. The second was an effort to create new sources of funding for land acquisition.

Ms. Osborne stated that foundation giving in Maryland was very low. There was some discussion about the lack of corporate donations. She noted that Program Open Space was a model program, but not able to keep up with rising prices.

In response to a question from Mayor Davis, Ms. Osborne noted that TPL funds itself in part through donations/foundations and in part through the fees it charges during purchase arrangements.

Mr. Roberts asked if TPL requires a public agency to commit to certain property restrictions. Ms. Osborne responded that TPL does not, but very often the sources of money have strings attached.

Mr. Turnbull asked Ms. Osborne to describe the basic mechanics of a bargain sale. Ms. Osborne noted that Federal and State agencies must offer fair market value. She noted that TPL will ask private landowners to sell a property at 20% below market value. The landowner then receives tax benefits. The 20% reduction is then a donation to TPL for their research and due diligence

efforts and in some cases where there was a significant bargain sale, then some of the savings might be passed along to the public agency.

Ms. Osborne noted that TPL had made some mistakes and indicated that sometimes the public agency walks away. She noted that TPL does not like to buy land outright, but rather buy options. She stressed that TPL does not sell land to developers.

Mr. Turnbull asked about TPL's criteria. Ms. Osborne noted there needed to be: resource value, a willing seller, a doable transaction, community and public support, and TPL staff time and resources available.

In response to a question from Mayor Davis, Ms. Osborne noted that projects with different sources of funding are often complicated .

Mr. Roberts asked if TPL had been involved in condemnation procedures. Ms. Osborne noted that sometimes, but they tried not to get involved in a condemnation.

Mayor Davis asked about TPL's relationship with environmental groups. She noted the relationship was positive but stressed that TPL was not an advocacy organization. She stated that TPL does lobby for more funding for land acquisition programs.

Mr. Putens asked about TPL's role in preserving a particular site. Ms. Osborne noted that each deal was structured differently and it depends on the specific circumstances.

Mr. Roberts asked if TPL had been approached by Citizens to Conserve and Restore Indian Creek (CCRIC). Ms. Osborne noted that she had been contacted by some residents, but no discussions were underway. She also noted that the Chesapeake office works throughout the Maryland/Virginia area.

Mayor Davis asked if TPL had ever been approached by the State. Ms. Osborne responded that yes sometimes. She noted they maintained regular contact with the Maryland Department of National Resources (DNR).

Mr. Turnbull asked about State approval mechanisms for the City using Program Open Space funds. Mr. McLaughlin noted that POS projects required approval from the POS office and then the Board of Public Works.

Mr. McLaughlin asked Ms. Osborne if there were other groups similar to TPL. Ms. Osborne responded the Nature Conservancy and the Conservation Fund were other national organizations.

Mayor Davis thanked Ms. Osborne for providing the information.

The meeting ended at 9:35 p.m.

Respectfully Submitted,

David E. Moran, CMC

City Clerk