



OPEN SPACE CONSERVANCY TRUST BOARD REGULAR MEETING MINUTES MAY 17, 2018

Call To Order:

Chair Westberg called the meeting to order at 7:08 pm in the Council Chambers at City Hall, 9611 SE 36th Street, Mercer Island, WA 98040.

Roll Call:

Chair Rory Westberg, Council Liaison Bruce Bassett, Trustee Geraldine Poor, Trustee Marie Bender, Trustee Craig Olson and Vice Chair Robin Christy. Secretary Thomas Hildebrandt was absent.

Staff present were Paul West, Park Operations Superintendent, Alaine Sommargren, Natural Resources Manager, and Kim Frappier, Natural Resources Specialist.

Minutes:

Minutes for the March 2018 meeting will be reviewed and adopted at the next board meeting scheduled for July 19, 2018.

Public Appearances:

Ira Appelman, 9039 East Shorewood Drive

Mr. Appelman served on the Open Space Conservancy Trust (OSCT) Board in the past. He presented minutes from the April 4, 2002 meeting which references a proposal to add other properties into the Trust. He spoke in favor of adding other parks and open space properties to the OSCT and stated that the Trust Ordinance makes it clear that the intent of the Council in creating the ordinance was to add more properties to the Trust and would like to see the Board follow the intent of the Ordinance.

Patrick Daugherty, 4135 Boulevard Place

Mr. Daugherty read a statement provided by Peter Struck which provides feedback on the City staff report and speaks in favor of adding other parks to the Trust. He stated that the current Comprehensive and Parks plans do not do an adequate job of protecting open spaces and asks the Trust Board to reject the "no action" recommendation outlined by City staff. The statement is included with these minutes.

Jackie Dunbar, 7116 82nd Avenue SE

Ms. Dunbar spoke in support of adding other park properties to the OSCT, noted that Mercerdale Park is under assault from development, and stands in opposition to the proposed art center. She noted that adults and children need parks and open spaces for their physical and mental health and to have places to play. She would like to see Mercerdale Park protected for future generations.

Gail Parrish, 3774 77th Avenue SE

Mrs. Parrish referenced the Olmstead writings about park development in Seattle, 1903. She spoke in favor of adding Mercerdale Park to the OSCT and requested that the Board recommend to City Council that other park properties be added to the Trust as well.

Mark Coen, 77th Avenue SE

Mr. Coen spoke about the mental health benefits of access to green space including a reduction of anxiety, depression, and ADD symptoms. He stated that city government locally and regionally has not been adequately protecting the natural environment or making good choices to address problems such as development, tree preservation, and transportation. He spoke in favor of protecting parks and open spaces through the Trust.

Daniel Thompson, 7265 North Mercer Way

Mr. Thompson has been a resident since 1970 and used to work at Luther Burbank Park when he was in high school. He spoke in support of the proposal to add parks to the Trust and asked the Board to make this recommendation to City Council.

Roberta Lewandowski, 4748 86th Ave SE

Mr. Lewandowski has been a Mercer Island resident for 40 years and wants to see stronger protections for our public lands. She provided her statement in writing to the Board and spoke in support of the OSCT Board expanding its property holdings and mission.

Tess Ritcey, 7073 93rd Avenue SE

Ms. Ritcey is a senior at Mercer Island High School. She shared her reflections on outdoor activities she did as a child and the importance of access to nature. She spoke in favor of having the OSCT Board protect and maintain all parks and open space.

Gary Robinson, 6026 E. Mercer Way

Mr. Robinson spoke in favor of putting city parks into the Trust to protect them from future development. He is concerned that parks have become a political issue and would like to see all Mercer Island parks and open spaces put into the Trust so that City Council and the community no longer has to worry about them.

Executive Session:

Chair Westberg called the executive session at 7:33 PM. The executive session was held to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i). The executive session concluded at 7:54 PM

In attendance: City Attorney Kari Sand, Chair Rory Westberg, Council Liaison Bruce Bassett, Trustee Geraldine Poor, Trustee Marie Bender, Trustee Craig Olson, Vice Chair Robin Christy as well as staff members Paul West, Alaine Sommargren, and Kim Frappier.

Regular Business:

(I) Concerned Citizens of Mercer Island Parks (CCMIP) Request to Add Properties to Trust

Superintendent Paul West provided a summary of the request made by Concerned Citizens for Mercer Island Parks (CCMIP) that the Open Space Conservancy Trust Board recommend to City Council that Mercerdale Park and other parks and open spaces be placed in the Trust. Superintendent West stated that staff recommends that the Board take no action on this request. He explained that developed parks (as defined in the Parks and Recreation Plan) such as Mercerdale Park are not "open space" and therefore ineligible to be Trust properties.

Superintendent West provided examples of the other forested open spaces that would qualify under the OSCT mission (SE 53rd Open Space, Gallagher Hill Open Space etc.). It is the City's opinion that these properties are already heavily invested in to maintain their ecological function and protected by existing documents including the City's Comprehensive Plan, the Parks and Recreation Plan and the budget. Each of these planning and policy documents aim to preserve open space. In addition, other park properties have deed restrictions that protect them from development. He added that if the City council wanted to explore putting additional protections on other properties, there are other mechanisms to do so including conservation easements.

Discussion

Trustees agreed that adding developed parks, like Mercedale Park, to the Open Space Conservancy Trust does not fall within the mission of the Trust. All expressed support for protecting open space and their commitment to conservation and restoration of our natural areas. Trustees requested additional information on the cost and impacts to adding other open spaces to the Trust as it exists now.

Chair Westberg read a statement from Secretary Hildebrandt who was unable to attend the meeting. His statement is included in these minutes.

Chair Westberg summarized that all park properties cannot be added to the Trust in its current form. Chair Westberg asked if any Trustees would like to take further action on this. Trustees expressed interest in further discussion on how open space properties are managed collectively and understand how the work for Pioneer Park and Engstrom Open Space fit with the overall management strategy lead by the Parks and Recreation department.

Superintendent West explained that Parks and Recreation Natural Resources staff manage extensive restoration work in our open spaces. This work is governed by the Open Space Vegetation Plan, which was initially adopted in 2004 and updated in 2015. Pioneer Park's higher level of management, which is mandated by the Trust, is built into the 2015 Open Space Vegetation Plan 10-year Evaluation and Update. Natural Resources Manager Sommargren added that all City open space properties, including Pioneer Park, were included in the Open Space Vegetation Plan 10-year Evaluation and Update. Quantitative data analysis was used to develop the plan update.

Trustees agreed that additional Board education would benefit this discussion. Superintendent West requested that staff prepare a report that explains the level of service Pioneer Park receives compared to other open spaces and the overall management strategy of the open spaces collectively.

Board Direction: Trustees decided not to act on the proposal made by CCMIP to add all park properties to the Open Space Conservancy Trust. The Trust Board members would like more information about management of other open space properties and further discuss the question of adding other open space properties to the Trust.

(II) Next Meeting

The next meeting is scheduled for July 19, 2018.

Adjournment: 8:43 pm

Rory Westberg, Chair

Attest:

Kim Frappier, Scribe

Alaine Sommargren

From: Tom Hildebandt <osct.thh@gmail.com>
Sent: Wednesday, May 16, 2018 7:07 PM
To: Alaine Sommargren
Subject: Re: Agenda packet - May 17th Open Space Conservancy Trust meeting

Hello Alaine:

In reviewing the OPMA, it was recommended that you serve as a distribution locus for communications between board members, so that questions regarding the completeness and openness could be avoided. Pursuant to that recommendation, please forward my comments below to the members of the board via email. Also, given the short notice, I would like you to read them out to the board during tomorrow's meeting.

Fellow OSCT Board Members:

I regret that I am unable to attend and address personally the question of annexing additional Mercer Island open spaces to the properties managed by the Trust. While I cannot vote in absentia, I hope my comments may be helpful to you in your deliberations.

Primarily, the Board is a creature of the City Council. It derives its power from the Council and takes action through recommendations to the Council.

Although I have not researched the history of its creation in detail, it is my impression that the Trust was formed as an auxiliary governing body, to assist the Council in the management of Pioneer Park in particular. At the time, the Council had already observed considerable contention regarding how the Park should be used, and anticipated that continuing discussions would divert the Council's attention from other issues. The Trust, as a body concerned solely on open space issues, could evaluate community input, distill this with respect to its stated goals, and make focused recommendations to the Council, thus enabling the council to use its time more efficiently in that area.

With respect to the development of Mercerdale Park to host the Mercer Island Center for the Arts, the Council has chosen to deal with the issue directly. The Trust could recommend to the Council to reconsider the issue. However, such a recommendation is unlikely to result in any action; neither does it conform to the Trust's implicit purpose.

On the other hand, that implicit purpose as well as its explicit charter would be better served if the Trust had more comprehensive oversight of the open spaces on Mercer Island. At present, the Trust cannot make informed decisions regarding the distribution of uses, resources and conservation efforts across the city's open spaces.

With only 6 meetings per year, the Board's resources are underutilized. Consistent with their dedication in serving on its board, the Trustees already have a personal interest in the status and maintenance of open spaces outside their immediate purview. It seems natural that they should seek to expand that sphere, so best to execute their duties.

Continuing growth and development on Mercer Island will create increasing pressure to convert or divest the island's open spaces. Should they be placed in the Trust's control, such issues could be addressed by the Board rather than directly by City Council.

Although the Trust's acquisitions are few (2) and far between (18 years), this should not now inhibit it from further acquisitions. Tradition is the weakest argument in favor of a continued course of action; thus any positive reason to do otherwise should be given preference.

Recalling the Trust's subordinate status with respect to the City Council, it would be wise to ascertain their views on the matter before making a definitive recommendation. However, as my foregoing comments suggest, I would be in favor of placing all Mercer Island open spaces under control of the Trust.

Thomas H. Hildebrandt, Trustee

Thomas H. Hildebrandt

6880 W Mercer Way

425-891-0059