

## PIERCE COUNTY CONSERVATION FUTURES

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### **The Conservation Futures Process:**

Property nomination forms are available on the Pierce County Parks and Recreation Services Website at: [www.piercecountywa.org/parks](http://www.piercecountywa.org/parks).

Completed property nomination application packets, together with all the attachments, must be submitted to Pierce County Parks and Recreation located in the Lakewood Community Center, 9112 Lakewood Drive Southwest, Suite 114, Lakewood Washington 98499. **Property nomination application packets must be filed not later than May 28, 2010.** Nomination applications that are not complete or do not include all the necessary attachments cannot be processed and will be returned.

### **Advisory Board Review:**

All property nominations are forwarded to the Conservation Futures Program Staff for distribution to the advisory bodies. Each project proposal is reviewed by the following bodies:

*TECHNICAL ADVISORY COMMITTEE.* The Technical Advisory Board (TAC) is a 7 member body from county and/or municipal background and experience that reviews the nominations for completeness and content. After review, the nominations are forward, together with a brief report, to the Citizens Advisory Board.

*CITIZENS' ADVISORY BOARD.* The Citizens Advisory Board (CAB) is a 16 member body representing broad-based interests in Pierce County. The Sponsor of the nomination makes a presentation to the CAB in an open public meeting and describes the attributes of the nominated property. Upon completion of the presentations, each nomination is rated and ranked to produce a prioritized list of the nominations. This list, together with a brief report summarizing the findings of the CAB, is sent to the Pierce County Council along with a proposed resolution for the Council to consider. The Council may change the rankings on the list and ultimately approve all, some, or even none of the nominated properties for potential acquisition.

### **Pierce County Council Review:**

*PIERCE COUNTY COUNCIL.* The Council reviews the proposed resolution, all the nominations and the recommendations of the CAB in an open public meeting. The Council identifies in the final resolution which of the nominated properties the Pierce County Executive should attempt to purchase. In addition, as part of the budgetary process for the upcoming year, the Council allocates funds from the Conservation Futures fund for use in purchasing the properties on the list.

### **Pierce County Executive:**

After the list and funding are approved by the Council, the Executive or the Executive's designee prepares for and initiates negotiations with the owners of nominated properties. Due diligence activities such as visiting the nominated property, acquiring title reports and appraisals for the proposed purchase and preliminary discussions with the nominated property owner are completed before a written offer is made. Additionally, the County Executive may stop negotiations of a purchase if, in the opinion of the Executive, pursuit of the nominated property is no longer in the public interest. The Council's priority list is followed to the extent possible. However, if the owner of a nominated property lower on the priority list is more willing to sell than the owner of a nominated property higher on the priority list, an agreement may be reached before the top property on the list is ready to sell. This is done so that nominated properties higher on the priority list cannot hold up the process or hold out for more money than the County is will to pay.

What happens if the owner of a nominated property wants more than the county is will to pay? The county will contact both the sponsor and the receiving agency and see if they are will to makeup the difference. If neither can bring the needed money to the table in a timely way, the county will move on to the next property on the priority list. All legal documents are drafted and reviewed by the Prosecuting Attorney to assure that public tax dollars are being correctly spent as required by the Conservation Futures Program.

### **Deeding to Another Party:**

Although the county is seen as the purchaser of conservation futures properties, the county may deed the property to any organization that can legally hold and manage it in perpetuity on behalf of the general public. These are called receiving agencies. A receiving agency will bear the cost of reports relating to the nominated property including, but not limited, to land surveys, hazardous materials assessments and cleanup, structural inspections and repairs.

### **Property Covenants:**

As a condition of purchase, at the time the sale is of the nominated property is closed, covenants are recorded against the title. These covenants, which run in the county's favor, run with the land in perpetuity and restrict the use of thereof to those uses identified in the nomination materials.