

ORGANIZATIONAL MODELS WORK GROUP
REPORT & RECOMMENDATIONS
Final - May 12, 2015

*As accepted by Grand River Restoration Steering Committee on May 28, 2015,
For forwarding to the Grand Rapids City Commission*

Based on the process described below and on the lessons learned from the models examined, the Organizational Work Group* makes the following recommendations to the Grand River Restoration Steering Committee to be included, if the Committee concurs, in the Steering Committee's final recommendations to the Grand Rapids City Commission.

I Recommendations

1. The City Commission should authorize a transitional role for a successor to the Steering Committee ("Steering Committee 2.0" or "SC2.0") to identify an existing or create a new NGO capable of coordinating construction, management and operations for river/corridor restoration-related projects and activities and capable of coordinating long-term leadership, public engagement, fundraising, programming, stewardship, operations and maintenance services.
2. The NGO identified or created by SC2.0 should conform to the best practices discussed in section III.2. below, especially concerning governance, fundraising, coordination, accountability, public outreach and engagement, and accessing local expertise and experience.
3. On a parallel track, SC2.0, supported by Trust for Public Land, should explore formation of a complementary "recreational authority"-like organization under Michigan law (with inclusion of key government jurisdictions upstream and downstream from Grand Rapids) and/or of potential "improvement districts" and similar funding mechanisms, carefully coordinating with the City in view of the existing system-wide parks millage.
4. SC2.0 should proceed quickly, but with due diligence, to work with key partners including the City of Grand Rapids and with Grand Rapids Whitewater to develop a Memorandum of Understanding with Trust for Public Land by which (with private philanthropic funding) TPL would support SC2.0 in its transitional role and would coordinate vital near-term tasks, likely to include:

* The participants in the Work Group's deliberations included: Eric DeLong, City of Grand Rapids; Steve Faber, Friends of Grand Rapids Parks; Rachel Hood/Elaine Isely, WMEAC; Kris Larson, DGRI; David Marquardt, City of Grand Rapids; Chris Muller, Grand Rapids Whitewater; Barbara Nelson Jameson, National Park Service; Kalie Nye, Grand Rapids Whitewater; Wendy Ogilvie, Grand Valley Metro Council; Suzanne Schulz, City of Grand Rapids; Jay Steffen, City of Grand Rapids; and Mark Van Putten, representing the Wege Foundation. While this report and recommendations reflects the collective thinking of the group, it does not necessarily reflect in every detail the views of each individual or of the organizations she or he represented.

- a. Assessing capacities of local NGOs and organizations and, then, developing a strategy and timetable for identifying or creating an NGO as described in Recommendation 1 above;
- b. Serving as fiscal agent and fiduciary for funds contributed to or designated for specific projects, such as restoring the namesake rapids to downtown Grand Rapids;
- c. Developing and coordinating execution of a fundraising strategy for early projects and activities catalyzed by the prospect of River/rapids restoration; and,
- d. Coordinating with the City and key partners in applying for permits, identifying funding sources and beginning implementation of river/corridor projects, especially the catalytic project of restoring the namesake rapids to downtown.

II. Work Group Methodology

The Grand River Restoration Steering Committee was appointed by the Grand Rapids City Commission in June 2014 to:

1. Report to the City Commission on a quarterly or semi-annual basis to provide updates;
2. Monitor the progress, coordination and alignment between the Restoration Plan, Downtown Plan and River Corridor Plan;
3. Develop guiding principles by which to consider and evaluate recommendations; The principles shall take into account the environment, the economy and social equity;
4. Cultivate and inspire widespread participation and support of the project;
5. Advocate for resources on the Federal, State and regional levels;
6. Explore potential organizational models and processes for the long-term operation, management and programming of river improvements;
7. Ensure annual reporting on progress/outcomes is available to citizens.

With respect to Task #6, above, the Steering Committee appointed an Organizational Models Work Group, the participants in which included:

- Eric DeLong, City of Grand Rapids
- Steve Faber, Friends of Grand Rapids Parks
- Rachel Hood/Elaine Isely, WMEAC
- Kris Larson, DGRI
- David Marquardt, City of Grand Rapids
- Chris Muller, Grand Rapids Whitewater
- Barbara Nelson Jameson, National Park Service
- Kalie Nye, Grand Rapids Whitewater
- Wendy Ogilvie, Grand Valley Metro Council
- Suzanne Schulz, City of Grand Rapids
- Jay Steffen, City of Grand Rapids
- Mark Van Putten, representing the Wege Foundation

This report and the recommendations it includes reflect the collective thinking of the group; it does not necessarily reflect in every detail the views of each individual or of the organizations she or he represented.

The Work Group developed a Work Plan, approved by the Steering Committee in August 2014, which is attached and included: (1) identify likely future organizational functions and tasks; (2) identify and review relevant examples; (3) identify and assess existing local capacities; and (4) identify options and prepare recommendations. It is important to note that the Work Group was not able to complete the third task as originally contemplated due to a lack of capacity. Instead, as included in the recommendations above, the Work Group has identified this as an essential early task to be undertaken by Trust for Public Land (or an equivalent partner).

The master list of potential functions and tasks were grouped into four categories and included:

Visioning, Strategic Planning & Branding

- refining and updating vision
- develop management plan
- fostering transparency and public engagement
- assuring accountability and reporting
- identifying and influencing relevant policy changes
- ensuring ongoing partnership development

Capital Planning, Operations & Maintenance

- enhancing public access and assuring public safety
- negotiating easements and land acquisition
- holding title to and securing appropriate insurance
- project management of capital construction for river/corridor projects
- manage prop/facilities under contract with gov't
- developing and implementing operating protocols
- issuing event permits and approvals of various uses
- maintaining structures and facilities, incl. capital asset plan
- assuring compliance with regulatory requirements
- undertake/manage site-specific projects

Programming

- responsibility for special events organizing
- responsibility for special events approvals
- develops program partnerships & revenue models
- identifying and assisting with educational opportunities
- instilling a stewardship ethic

Sustainable Financing

- developing resources, fundraising and fiscal stewardship
- special events revenue/expenses
- generates/retains revenue from sites/facilities

- assure sustainable financing
- typical annual budget
- loan funds
- grant funds

Based on this list of potential functions and tasks, the Work Group identified examples from elsewhere around the United States, reviewing organizations' web sites and tax filings to determine their relevance to the Grand River situation. (This analysis is summarized on the attached matrix.) The Work group scheduled a series of interviews/webinars with leaders from several of these examples and from statewide and national organizations experience with similar projects, including:

- Detroit Riverfront Conservancy
- Atlanta – Proctor Creek (Urban Waters Federal Partnership Project)
- Pittsburgh – River of Steel (National Heritage Area)
- Cleveland -- Ohio & Erie Canalway Coalition (National Heritage Area)
- Memphis Riverfront Development Corporation
- LIAA (webinar on recreational authorities under Michigan Law)
 - Ottawa County Parks & Recreation Commission
 - Traverse City/Garfield Township Recreational Authority
- National Not-for-profit Land/Park Conservancies
 - Trust for Public Land
 - Conservation Fund

Summaries of these interviews, along with other key Work Group documents, were posted to the “BaseCamp” public web site created by GRForward. Based on these interviews, the Work Group organized two site visits by national NGOs involved with many of the exemplary models identified above: Conservation Fund – Erik Meyers, Vice President (DC), and Mike Kelly, Great Lakes Office Director, of Conservation Fund visited on February 19-20, 2015 (itinerary attached); and Trust for Public Land – Ray Christman, Senior Vice President and Division Director (Atlanta); Kyle Barnhart, Senior Intern, Center for City Park Excellence (DC); Scott Dvorak, Director, Parks for People- Newark (NJ); Shaun Hamilton, Senior Project Manager, Northwoods Initiative (MN); and Sally Sand, Division Director of Philanthropy (MN) visited on January 14-16, 2015 (itinerary attached).

In order to further explore the potential role of a national NGO partner, the Work Group prepared a “Statement of Work” (copy attached), which invited Letters of Inquiry from NGOs interested in:

- Helping evaluate and, if appropriate, leading the creation of a new conservancy-like organization and, if appropriate, a complementary “recreational authority” pursuant to Michigan law;
- Providing interim fundraising, fiscal stewardship and fiscal agency roles;

- Providing project management, especially with respect to the rapids restoration project; and,
- As appropriate, providing transitional support and leadership over 2-5 years to develop a new conservancy-like organization's and recreational authority's capabilities.

The Work Group received three Letters of Inquiry in response from Trust for Public Land, Conservation Fund and LIAA/Parallel Solutions LLC (copies attached and posted to BaseCamp). Based on its review and of these Letters of Inquiry, the Work Group conducted a follow-up interview with representatives of Trust for Public Land. Based on this information, the Work Group recommends pursuing development of a Memorandum of Understanding with TPL with several key issues to be addressed early in discussion of a potential MOU, including:

1. The reporting/accountability structure for TPL (e.g., to whom would TPL report?);
2. The integration and sequencing of “wet” and “dry” projects, including initially the restoration of the namesake rapids, and TPL’s implementation role;
3. Identification of short- and long-term tasks concerning which TPL would likely add significant value through its experience and expertise and development of an initial budget for TPL’s role (including identification of potential philanthropic funding sources);
4. The time and cost associated with “onboarding” TPL to assure it does not delay implementation of projects or unduly increase expenses;
5. TPL’s proposed staffing of its role, including the process through which TPL would consult with local partners on personnel decisions; and,
6. A process for assessing local not-for-profit and professional capacities and developing a timetable for determining the need for and, if appropriate, launching a new not-for-profit private-public partnership organization and, if appropriate, a “recreation authority”- like entity (or similar financing mechanism).

.III. Lessons Learned

Based on the research and methodology described above, the Work Group has identified the following key lessons to be learned from examples from elsewhere, based on which the Work Group developed its recommendations.

1. *Continuous (Visioning) Outreach and Ongoing Public Engagement is Essential.*

The vision of restoring the namesake rapids to the Grand River in downtown Grand Rapids is rooted in the 2012 *Green Grand Rapids* process, which updated the City’s Master Plan and provided:

We will succeed in making our most important natural feature – the Grand River increasingly visible and usable by converting older riverfront industrial sites to parks and new development that welcome people to the river’s edge. We will recreate the rapids in the river as a reminder of our heritage.

This vision of a river restored and the variety of potential benefits has captured the community’s imagination. Even more exciting, this vision is being translated into a variety of plans and projects in and along the river with an ever increasing number of interested citizens, neighborhoods and stakeholders – including upstream and downstream of Grand Rapids.

The development and implementation of these plans will last for years, if not decades. Necessarily, the vision of a Grand River restored will be dynamic, organic and constantly changing, which means that continuous outreach and public engagement is essential and is a role played by most of the organizational models studied.¹ These examples also demonstrate several critical features of the ongoing outreach and engagement, including:

- a. It is critical that this outreach be proactive and inclusive with a special focus on engaging communities of color and historically disadvantaged neighborhoods. Frequently, the point has been made at River Restoration Steering Committee meetings that “the Grand River belongs to everyone” and must be restored in a way from which all benefit. Several of the examples reviewed include proactive models for such outreach, most notably Atlanta’s Proctor Creek project (also an Urban Waters Federal Partnership Project and a project with which TPL has been involved).²
- b. Ongoing outreach to businesses and near-by private property owners has also been identified as critical.³ They may own land or have business interests affected by and, perhaps, also benefitting from river restoration. In some instances, their willingness to allow public access, grant easements and cooperate on management will be essential to fully realizing project goals. And, they may be important sources of philanthropic and investment funds. The Detroit Riverfront Conservancy and Memphis Riverfront Corporation are illustrative of aggressive engagement of businesses and private property owners.
- c. Continuous engagement with upstream and downstream stakeholders will be critical. As recognized in the Steering Committee’s “Guiding Principles,” the Grand River in downtown Grand Rapids is a small – but important – part of a larger watershed that transcends jurisdictional boundaries. For example, encouraging cross-jurisdictional cooperation and projects is a primary role of both the Rivers of Steel Heritage Corporation and the Ohio & Lake Erie Canalway Coalition (both organized as not-for-profit organizations). Of special relevance here is the “Grand River Greenway” work downstream led by the Ottawa County Parks & Recreation Commission and the water quality consequences of land management practices and pollution control activities upstream.

2. Role of a Dedicated Public-Private Partnership Organization

All of the models examined involved creation of an overarching organization. Most important, it provides a coherent “face” for and “go to” group for these large scale restoration initiatives. Typically, it takes the form of a public-private partnership through a new non-governmental, not-for-profit organization created for this purpose (referred to generically as the “NGO”).⁴ Importantly, many related projects, programs and tasks continue to be performed by existing organizations, professionals and contractors/vendors, but the new organization provides overall coordinating, fundraising, fiscal and project management roles. There are a number of important common features shared by many of the models examined.

- a. Conservancy-like Role: While the models examined provide a wide variety of management, funding, programming and operational functions, typically they share a core role of providing for coordinated management across fragmented property ownership parcels and types. Usually, this is through a combination of fee simple ownership of parcels, easements, property management agreements and other types of contractual agreements. In addition, many of the organizations fundraise for and oversee construction of significant capital projects, with the Memphis Riverfront Development Corporation being a notable example.⁵
- b. Governance: Governance of any new NGO is key – identified as “one of the most important predictors of success.”⁶ Board composition should be carefully considered. While government representation is essential, to the extent possible “politics should be kept out of it” or minimized through balanced representation.⁷ The board should have significant representation from “C”-level leaders in the private sector who are able and willing to help significantly with fundraising, balanced with community representation. While many existing organizations are often involved in implementing projects and programs, generally, the board of the new NGO does not include representatives of organizations that may receive funding from or benefit directly from the new NGO’s activities.⁸
- c. Coordination and Accountability: As noted above, large scale waterfront/river corridor restoration projects involve many governmental and nongovernmental actors playing important roles. For example, Grand Rapids has responsibility for parks and public amenities outside of the river corridor as well as along the River. Recent passage of the Grand Rapids parks millage provides for system-wide improvements and management. River-related “signature” public spaces must be carefully coordinated with the City’s system-wide efforts, while maintaining clear lines of accountability. The new NGO would presumably provide overall coordination/management for specific locations along the River corridor and be accountable to its board, the City and the community for results.
- d. Regional perspective: Obviously, plans to restore the Grand River and enhance its corridor has implications upstream and downstream. Both of the National Heritage Areas examined (Pittsburgh & Cleveland) offer useful examples of regional, cross-jurisdictional

coordination. The Work Group also was briefed on Ottawa County’s “Grand River Greenway” initiative, which clearly offers opportunities for regional-scale coordination – as do proposals for water trails and other River-based proposals upstream and downstream. As with the Steering Committee, the new NGO should reflect a regional perspective and seek to maximize the coordination of projects and programming upstream and downstream. And, as noted by the Steering Committee’s Water Quality Work Group, upstream management decisions affect water quality in ways that might impede full realization of the benefits of River restoration in Grand Rapids.

- e. Staffing: There are a variety of staffing models for the new NGO, but typically there are dedicated core staff (including an executive director) supplemented by contractual services for functions such as landscaping, maintenance, etc. Coordination with the City is of paramount importance, to the extent that in at two of the examples reviewed by the Work Group NGO staff were co-located in government offices.⁹ In a number of examples examined, core staff functions are provided by a national not-for-profit organization partner such as Trust for Public Land.¹⁰
- f. Programming: Most of the NGOs examined play an active role in creating, encouraging and authorizing a wide variety of programming, including runs, bike-a-thons, arts festivals, musical concerts, and environmental/nature-related education and stewardship events. This programming can be very ambitious and may produce significant earned revenue, such as the Memphis Riverfront Corporation’s amphitheater and Detroit Riverfront Conservancy’s management of Hart Plaza. More often, the river/park NGO partners with other not-for-profit organizations to provide appropriate programming. For example, the Traverse City/Garfield Township Recreation Authority has Memoranda of Understanding with local not-for-profit organizations to provide programming on properties the Authority manages.
- g. Timing: With a likely transition in the role of the City Commission-appointed Steering Committee, interim support needs to be provided to the Committee’s successor in determining whether or not to launch a new NGO and, if so, to begin this process. The timing for launching the new NGO varies, but often occurs after an initial stage of activity organically led by a variety of local individuals, organizations and government entities.¹¹ In a number of instances, the NGO has been launched as an outgrowth of an informal group coalescing around existing organizations or encouraged by governments.
- h. Funding: Sustainable financing is discussed below, but it is important to note that all of the organizations examined rely on a mix of funding sources – public and private. All of them have ongoing fundraising programs for capital projects, for operations and maintenance of lands and facilities, and for the organizations’ operating budgets. As Trust for Public Land highlights in *Public Spaces/Private Money*, “Robust Fundraising is Mandatory” and, often, difficult for conservancies because “while almost everyone loves parks, the public assumes that they have already been paid for.”¹²

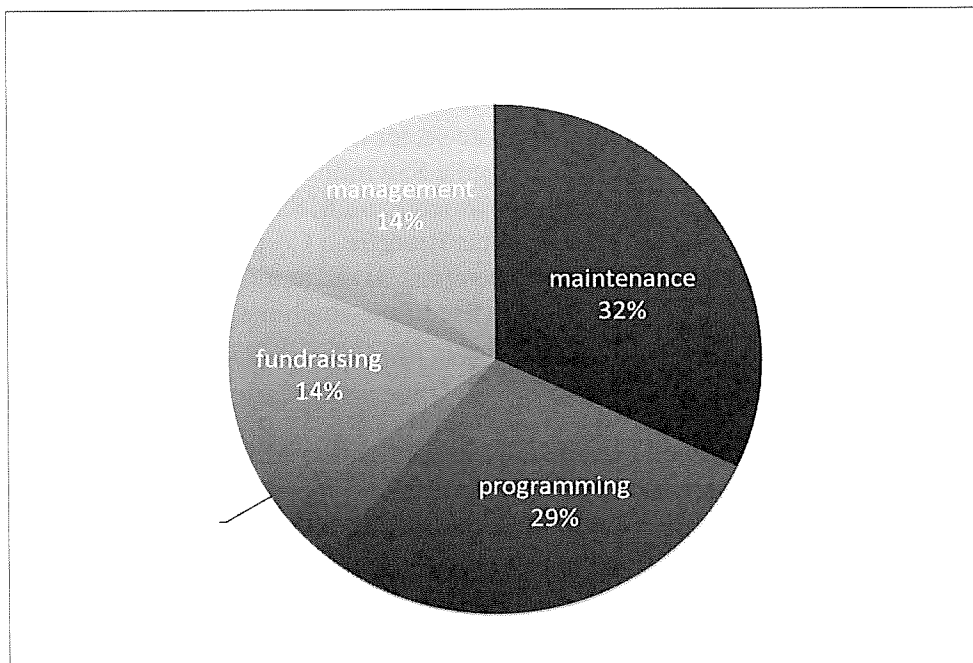
3. Existing national/state non-profit partners can bring credibility, experience and resources.

Several of the examples involved partnerships with either the Trust for Public Land or Conservation Fund to provide a variety of services and undertake a variety of tasks. These services and tasks range from assisting with fundraising, coordinating (or managing) component projects, helping launch a new NGO, designing and conducting public outreach and assisting with operations and maintenance. Typically, compensation for these services is either included in the overall budget for which fundraising occurs or on a fee-for-service basis. Usually, these relationships are defined contractually, often in a Memorandum of Understanding (or its equivalent), with local government(s) and key state holders.

In this instance, based on the site visits, interviews and Letters of Inquiry submitted in response to the Work Group's Statement of Work, Trust for Public Land appears best positioned to serve as a national NGO partner, at least early on to undertake the tasks described in Recommendation 4, above. The Work Group anticipates that the funding for TPL's role would be provided by private philanthropic sources.

4. Sustainable funding is an ongoing challenge for all of the examples examined, especially for operations and maintenance.

Sustainable funding is a challenge for all of the organizations examined. The figure below illustrates a typical allocation of expenses as estimated by the City Park Alliance.¹³



As noted above, all of the models examined rely on a diverse array of funding sources – for capital projects and for annual operating budgets. Typically, the NGO organizations depend on a combination of public and private funding – and require ongoing fundraising both for capital projects and, especially, for operations and maintenance. For example, even with an impressive

endowment of \$40 million (predicted to reach \$60 million), the Detroit Riverfront Conservancy raises approximately \$1 million/year, which is 20% of its annual budget of \$5 million. The Memphis Riverfront Development Corporation raises the bulk of its annual budget of \$7 million from earned revenue, philanthropic support and from \$2.6 million/year contributed by the City of Memphis – the amount of Memphis’ former parks budget. Frequent funding sources for the organizations examined include:

- a. Government Funding Options: A variety of ways for generating government support are exemplified by the models examined. For example, congressional appropriations support the Cleveland and Pittsburgh “National Heritage Areas,” with a time-consuming and laborious process involved. In Michigan, a variety of millage-based tools are available under state law including the “Recreational Authorities Act”¹⁴ and the “County and Regional Parks Act.”¹⁵ The Traverse City/Garfield Township Authority is an example under the former Act operating with a 20-year millage passed by voters in both jurisdictions. The Ottawa County Parks & Recreation Commission provides an example under the second Act with a 1/3 mill dedicated park millage approved for 10 years in 1996 and renewed for another 10 years in 2006 (by a 67% vote). Investigation of the creation of an entity under either of these (or other) existing laws to complement a new NGO could lead to critically important long-term funding opportunities. Recent passage by Grand Rapids voters of a parks millage demonstrates local support for parks and it will be critical to assure that any government funding of River/corridor restoration complements the City’s park-related activities in ways clearly apparent to the public and in ways that maintain clear lines of accountability.
- b. Grants and Earned Revenue: Notwithstanding the variety of ways in which government funding has been used, in all of the examples reviewed additional funding/grants from state and federal governments and from the private sector have been essential. For example, Detroit Riverfront Conservation received a \$50 million grant from the Kresge Foundation (\$40 million of which is for an endowment) and \$18 million from the Michigan Natural Resources Trust Fund; Memphis Riverfront Corporation raised \$43 million for the Beal Street Landing Park. The Memphis Riverfront Corporation also raises substantial earned revenue, especially from use of the amphitheater it manages.¹⁶ The Ottawa County Parks & Recreation Commission has raised \$20 million in state and federal grants over approximately 20 years.
- c. Corporate Funding: Businesses and corporations have provided critically important funding for several of the models examined. For example, General Motors spent \$30 million on its portion of the Detroit riverfront, including construction of a public plaza. Similarly, both the Rivers of Steel Heritage Corporation and Ohio & Lake Erie Canalway have benefitted from corporate partnerships, including with Jones & Laughlin Steel Corporation, Goodyear Tire Corp, PPG Corp, and Summa Health Care. The Dow Chemical Company Foundation provides the operational support to the Conservation Fund for the Saginaw Bay Watershed Initiative Network.
- d. Improvement districts: With increasing attention around the U.S. to urban parks and greenways, various approaches have been developed to creating “improvement districts”

by which nearby property owners help fund park-related improvements likely to increase property values. For example, the Detroit Riverfront Conservancy has initiated discussions with nearby businesses about creating such a district. The suitability of such an approach to the Grand River is beyond the scope of this analysis, but is something worth exploring with DGRI and other experts in the field.

5. Limits of Relevance of Models Examined

In light of the complexity and characteristics of the Grand River/Corridor restoration project, there is no one organizational model from those examined suitable to perform satisfactorily all of the tasks identified by the Work Group. While dam removal is becoming increasingly common to restore natural features and create recreational opportunities, the preliminary rapids restoration design includes an operable structure located in the river introducing a range of uncommon operational and maintenance needs. Also, Grand River/corridor restoration will occur over a long period of time with a variety of discrete projects and activities on and affecting public and private lands – each with their own funding and management needs. The Work Group’s recommendations seek to distill relevant lessons learned while not losing sight of unique local needs and capabilities.

On the other hand, there is much to be learned from elsewhere and the Work Group has identified a potential partnership with Trust for Public Land as a way in which to access relevant experience and expertise from around the United States on an ongoing basis. As described above, moving forward with TPL to explore specifically the roles it might play is a key recommendation.

ENDNOTES

¹ See, for example, the Rivers of Steel and Ohio & Erie Canalway Coalition, both of which are congressionally-designated National Heritage Areas.

² Both Conservation Fund and Trust for Public Land are involved with the Proctor Creek project and both have dedicated staff working on it.

³ See, for example, Rivers of Steel in Pittsburg and the Detroit Riverfront Conservancy.

⁴ Both of the National Heritage Areas examined have associated not-for-profit, 501c3 organizations. Typically, these NGO provide coordinated planning, management and operations across a variety of land ownership types – public (federal/state/local) and private – with the Detroit Riverfront Conservancy providing a good example.

⁵ For example, the Detroit Riverfront Conservancy manages 3.5 miles of riverfront, primarily through leases/easements with the City (including Hart Plaza – the “heart” of Detroit) and private land owners. DRC currently holds easements from seven property owners and owns one 20-acre parcel. The easements average 65’ wide throughout most of the 3.5 miles currently managed by DRC, and in some instances include elevated platforms over the River

⁶ Independent governance, independent budget and additional funding beyond general fund are the critical “predictors of success” according to Harry Burkholder, Executive Director of LIAA. Almost universally, interviewees highlighted the importance that boards include influential individuals and those with access to funding. For example, the Detroit Riverfront Conservancy’s goal is to have a strong, representative “C”-level board, with other stakeholders and organizations participating through a committee structure. (Committee members need not be DRC board members.) The Detroit Mayor’s Chief of Staff and the head of the Detroit Economic Corporation are ex officio members of the DRC Board.

⁷ Several interviewees noted the importance of including governmental representatives on NGO boards, but also of assuring government voices do not dominate: sectoral/citizen; balance is critical. For example, the board of the Memphis Riverfront Development Corporation includes the Mayor, the City’s Chief Administrative Officer and the Chairman of the City Council as permanent members, with the remaining ≈20 members appointed by the board for two-year terms with a two-term limit.

⁸ Both the Cleveland and Pittsburgh NGOs have boards comprised of business, government and community leaders and, in both instances, the boards do not include representatives of organizations that may receive funding from or benefit directly from the National Heritage Areas’ activities. See also, Ottawa County Parks & Recreation Commission, Traverse City/Garfield Township Recreational Authority, and Detroit Riverfront Conservancy. Trust for Public Land, *Public Spaces/Private Money: The Triumphs and Pitfalls of Urban Park Conservancies* at (available at <https://www.tpl.org/public-spacesprivate-money>) pp. 21-27.

⁹ For example, the Conservation Fund locates a staff member at the City of Ann Arbor to coordinate administration of the City’s “Greenbelt” program and has a staff member at the Milwaukee Metropolitan Sewerage District administering the “Greenseams” green infrastructure program. The importance of and challenges in assuring effective coordination with City partners is stressed in Trust For Public Lands’ recent report, *Public Spaces/Private Money*, *supra* note 8, at pp 36-40.

¹⁰ Detroit Riverfront Conservancy has a core staff of 14 with a peak of 40 during the summer. Implementation of many tasks are through contractual services and partnerships with existing local NGOs. Similarly, the Traverse City/Garfield Township Recreational Authority develops management agreements with local not-for-profit organizations to deliver programming. Typically, the new NGO does not supplant existing groups or try “to do it all,” especially with respect to programming.

¹¹This point was emphasized by the Executive Director of Rivers of Steel. Ray Christman of TPL commented that forming the appropriate entity sooner rather than later typically makes sense. He suggested initiating the legal process of forming an appropriate entity for a project as soon as it appears reasonably likely that the project may happen.

¹² *Supra*, note 8, at 27.

¹³ *Signature Park Stewardship: A Survey of Dedicated Park Managers* (November 4, 2011), available at http://www.cityparksalliance.org/storage/documents/HRA_-_Signature_Park_Survey_Findings_11-4-11_2.pdf.

¹⁴ “Recreational Authorities Act: PA 321 of 2000 (MCL 123.1131-123.1157). The Recreational Authorities Act allows two or more townships, villages, cities, counties and/or districts to establish a recreation authority for the acquisition, construction, operation, maintenance or improvement of one or more of the following:

- Public swimming pool
- Public recreation center

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- Public auditorium
 - Public conference center
 - Public park
 - Public museum
 - Public historical farm

PA 321 also allows the recreational authority to acquire and hold real and personal property inside or outside the territory of the authority through purchase, lease, land contract, installment contracts, bequest and other means The Recreational Authorities Act provides a number of ways in which the authority can be funded, including grants, fees and revenue as appropriated by the Michigan Legislature or participating municipalities. The recreational authority may also borrow money and issue bonds to finance the acquisition, construction and improvement of recreation facilities. The recreational authority may also levy a tax of up to 1 mill for no more than 20 years. The authority may levy the tax only upon the approval of a majority of the electors in each participating municipality, voting during a statewide or primary election.”

The Act defines a “public park” as “An area of land or water dedicated to one or more of the following uses:

1. Recreational Purposes – Including, but not limited to landscaped tracts, picnic grounds, playgrounds, athletic fields, camps, campgrounds, zoological and botanical gardens, living historical farms, boating, hunting, fishing and birding areas, swimming areas and foot, bicycle and bridle paths.
2. Open or scenic space
3. Environmental, conservation, nature or wildlife areas.”

See Michigan Recreation and Parks Association, *Partnering for Parks*, pp. 10-11. Available at <http://www.mrpaonline.org/Portals/0/Partnering%20for%20Parks/Partnering%20for%20Parks.%20A%20Guidebook%20for%20Michigan%20Municipalities%20Web%20Version.pdf>.

¹⁵ The County and Regional Parks Act allows a county to establish a “Parks and Recreation Commission” “to plan, develop, preserve, administer, maintain and operate parks and recreation places and facilities. Under the Act, the Commission may:

- Acquire property
- Accept funding
- Levy a tax (subject to voter approval)
- Borrow money
- Issue bonds
- Charge and collect fees
- Hire staff

A Parks and Recreation Commission must be established by resolution, approved by 2/3 vote of the county board of commissioners. A formal agency of the county, the Commission must be made up of 10 members, including the chairperson or commissioner from the county road commission, the county drain commissioner (or an employee of the drain commissioner’s office), the county executive (if an elected official) or the chair of the county planning commission, and seven other members, one being a member of the county board. Under the Act, the county board of commissioners in two or more contiguous counties can also establish a regional Parks and Recreation Commission.”

Michigan Recreation and Parks Association, *supra* note 14 at p. 9.

¹⁶*Public Spaces/Private Money*, supra note 8, highlights the perils of earned revenue for conservancies and emphasizes the need for ongoing “robust” fundraising from foundations and businesses.