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**JEFFERSON COUNTY OPEN SPACE
AD HOC COMMITTEE REPORT**

Presented to:

**Jefferson County
Board of County Commissioners
and Open Space Advisory Committee**

May 12, 1987

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The Jefferson County Open Space Program is developing and growing from a beginning that was modest but held great promise. The Open Space Ad Hoc Committee, representing many diverse interests, reached unanimous agreement that the County's Open Space Program in general is an excellent program which is striving to meet the County's Open Space needs. Although the program has weaknesses and growing pains, the Committee believes that the overall strengths of the program outweigh its weaknesses, and that our recommendations, if adopted and implemented, will provide solutions to the present problems and guidance for a future continuing program within the constraints of the present Open Space Resolution. Since the voters have shown overwhelming support for the program in three elections, the Committee has concluded that resolutions should be formulated without requiring another election. We believe we have been successful in doing so.

Many staff and OSAC members have been extremely helpful in supplying information to the Committee. We appreciate their assistance and thank them for their cooperation.

In developing its recommendations, the Committee reached agreement on a number of basic factors that are the underlying rationale for our recommendations. First, the Committee agreed that it was only charged to deal with the County's Open Space responsibilities and not with those of the cities or recreation and park districts. The recommendations, therefore, are directed at the County Commissioners, OSAC, and the County Open Space Department. However, since the program is county-wide in scope and necessarily involves other entities, they are recognized in the recommendations where appropriate.

Jefferson County Open Space Ad Hoc Committee

RECOMMENDATIONS

I.

Basic Rationale for Recommendations

The Jefferson County Open Space Program is developing and growing from a beginning that was modest but held great promise. The Open Space Ad Hoc Committee, representing many diverse interests, reached unanimous agreement that the County's Open Space Program in general is an excellent program which is striving to meet the County's Open Space needs. Although the program has weaknesses and growing pains, the Committee believes that the overall strengths of the program outweigh its weaknesses, and that our recommendations, if adopted and implemented, will provide solutions to the present problems and guidance for a mature continuing program within the constraints of the present Open Space Resolution. Since the voters have shown overwhelming support for the program in three elections, the Committee has concluded that resolutions should be formulated without requiring another election. We believe we have been successful in doing so.

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The Committee agreed that the present decline in growth is a needed respite which will give some breathing space to plan for a future which inevitably will include a fully developed Jefferson County. Since the County will be fully developed sometime in the foreseeable future, we all agreed at the very beginning of our deliberations, that continued acquisition of Open Space land must be the most important priority of the program. There are still many parcels of land available where there will be population growth or a need to preserve the unique physical characteristics of our County. These parcels must be acquired before it is too late, as it would have been for New York City if Central Park had not been acquired over 100 years ago.

However, the County has limited discretionary funds available for land acquisition. The 1987 revenues received to-date are lower than those received in 1986 and it is anticipated that the total Open Space revenues for 1987 will even be less than 1984 revenues when \$12.6 million was collected for the entire program. The County's share of these revenues would be \$8.8 million and its ending balance for 1987 is projected to be only \$2.6 million. Total revenues in 1988 are projected to rise 6% with the County's share increasing to \$9.4 million, leaving a total of \$12 million of available funds for 1988. With \$4 million needed for County operation and management costs, \$4 million to meet existing acquisition obligations, \$500,000 for existing joint venture obligations, and \$2 million needed for a carryover balance and for a safety factor in case the 6% increase does not materialize, there only will be \$1.5 million of discretionary acquisition and development funds remaining.

Additionally, existing commitments for long-term purchases total \$29.6 - \$34 million over the next ten years. The computer models the Committee worked with confirmed that maintenance and operation costs will consume a large and larger part of future Open Space budgets.

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We recognize that the Open Space Program provides economic benefits to Jefferson County. Businesses and people are attracted to the County and less likely to move away because of the amenities provided by Open Space. Property values and the long-term strength and stability of neighborhoods are enhanced by Open Space.

Although the Committee agreed that the Open Space Program funded by the unincorporated share of the open space revenues benefits all County residents, we believed it was necessary to deal with the fact that some believe that the current distribution of revenues is not fair because the County receives approximately two thirds of the Open Space revenues while one third is available for distribution to the eleven cities. PLAN JEFFCO, which wrote the original Open Space Resolution, proposed the present distribution formula because it believed that the program should have a county-wide focus; the larger parcels were in the unincorporated areas; and the county was best able to share funding with the various County entities when needed. (The voters have endorsed the formula which results in a 2/3-1/3 split in three elections.) The shared funding has developed into a successful joint venture/grant program where \$14 million have been expended for 2,840 acres of Open Space land and many recreational developments have been made possible with the County sharing a portion of its revenues. The county has also recently committed \$3,250,000 to the City of Lakewood for purchase of additional acres at Belmar and completed the purchase of a golf course for Arvada for \$917,000.

The Committee strongly supports the continued sharing of the County's portion of the Open Space revenues and, in recommendation No. 8, the Committee recommends that this program be given greater emphasis and additional financial support. The additional financial support will result in an increase in the actual percent of Open Space revenues actually distributed to the cities.

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- II. Finally, since the Open Space Program is very important to the well-being of the entire county and is important to many political entities and individual citizens, we believe there should be more communication between the County and the concerned public. Frequent, regular communication can eliminate many potential problems before they become extremely difficult to resolve. The Committee itself is an excellent example of representatives of various interest groups communicating effectively to resolve differences. Therefore, we have many recommendations for more community involvement in the Open Space Program.

The commissioners resolved that the committee would consist of 17 members whom they would appoint. The appointments were made to assure input from representatives of the County, Municipalities, recreation and park districts and also include citizens at large.

Memberships:

John P. Bradley, Jr. -	Footbilla Recreation and Park District
Don Dickerson-Lowell -	Former Information Specialist State Capital
Ken Fobisko -	Jefferson County Open Space Division
Jenna F. Fisher -	North Jefferson Metropolitan Recreation and Park District
Karen Glickman -	Deputy, Jefferson County
Lynn Goedert -	Taxpaying Citizen of Jefferson County
Tara Jamison -	Concerned Citizen of Jefferson County
Joseph Mackay -	Assistant U.S. Attorney, Department of Justice and Former OSAC Member and Chairman (1976-81)
Gary R. McDannell -	City of Lakewood

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II.

Background of Ad Hoc Committee

COUNTY COMMISSIONERS CHARGE

By resolution No. CC86-111, dated February 5, 1986, the Board of County Commissioners of Jefferson County established an Ad Hoc Committee to review the Open Space program and make recommendations to them and the Open Space Advisory Committee.

The commissioners resolved that the committee would consist of 17 members whom they would appoint. The appointments were made to assure input from representatives of the County, municipalities, recreation and park districts, and also include citizens at large.

Membership:

John P. Bradley, Jr. -	Foothills Recreation and Park District
Dee Dickerson-Lowell -	Former Information Specialist State Capitol
Ken Foelske -	Jefferson County Open Space Division
James F. Fisher -	North Jeffco Metropolitan Recreation and Park District
Karen Glickman -	Realtor, Jefferson County
Lynn Goedert -	Taxpaying Citizen of Jefferson County
Tara Jamison -	Concerned Citizen of Jefferson County
Joseph Mackey -	Assistant U.S. Attorney, Department of Justice and Former OSAC Member and Chairman (1976-81)
Gary R. McDonnell -	City of Lakewood

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Len Mogno -	Jefferson County Planning Department
Hon. Linda T. Palmieri -	County Court Judge, First Judicial District Citizen
Tony Sabatini -	Chairman, Open Space Advisory Committee
Bette Seeland -	League of Women Voters
Norma Stout -	Open Space Advisory Committee
Dr. Frank Traylor -	Former State Official
Maryanna Ware -	Citizen of Evergreen
Margot Zallen -	PLAN JEFFCO

DECISIONMAKING PROCESS UTILIZED

The Ad Hoc Committee utilized a consensus decision-making process in its deliberations. The process was designed and the meetings facilitated by John Ehrmann and John Huyler of The Keystone Center. No votes were taken. Recommendations were developed collaboratively through group discussion and in open, frank exchange of views and ideas. It is significant that all the recommendations in this report represent the consensus of the group and that no minority statements were desired.

WORKING STRUCTURE

After an initial discussion which defined key issues of concern to the Ad Hoc Committee, the group divided the issues into three categories: mandate, management and money. The Committee then agreed to divide itself into three working groups to address each set of issues. The working groups were composed of a representative subset of the Ad Hoc Committee and carried out their discussions following a consensus decisionmaking process.

The plenary group met 12 times between August 26, 1986 and April 21, 1987. The committee members also spent considerable time in individual study and small group discussions in support of the work group and plenary sessions.

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III.

Recommendations and Explanations Regarding
Jefferson County Open Space Program

1.) THE OBJECTIVE OF THE COUNTY OPEN SPACE PROGRAM

Recommendation - The Jefferson County Open Space Program must look at long-term needs. This will by necessity reflect a Jefferson County at 90% build-out.

Explanation - We must take the opportunity now to preserve Open Space lands or be prepared to give up much of what we treasure in Jefferson County. Although the aggregate acreage of Open Space lands in Jefferson County may be considered ample at full buildout by generally accepted Open Space/park standards, those standards should not be used to determine the amount of land needed to be preserved to protect the character of the County. Acquiring those Open Space lands in the "right" places while they are still available is extremely important and will require imaginative planning and implementation by the County.

2.) PRIORITIES OF THE OVERALL PROGRAM

Recommendation - There should be three major priorities of the County Open Space Program. They are:

Priority 1 - Acquisition of Open Space Lands

Priority 2 - Operation and Maintenance of existing and future Open Space lands

Priority 3 - Development of existing and/or future Open Space lands.

All three priorities include administration and planning.

Explanation - Simply put, land is a limited resource. In the Jefferson County area, which is one of the fastest developing counties in the state, we continue to lose this natural resource at an alarming rate. The acquisition process should be comprehensive and address long range needs. It is essential that the Jefferson County Open Space Program plan now to acquire the lands that should be preserved at full build out. It is prudent to assume that all privately owned lands will eventually be developed. Operation and maintenance of

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3.) TYPE AND PRIORITY OF LANDS APPROPRIATE FOR ACQUISITION BY THE COUNTY FOR ITS OPEN SPACE PROGRAM

Recommendation - The following acquisition priorities by land types should be followed in the future.

TABLE 1

PRIORITY 1: TOP PRIORITY LANDS ARE LANDS DESCRIBED IN PRIORITY 2 OR 4 WHICH ARE ALSO

- a) located in areas with current or projected high population growth; and,
 - b) available in large parcels where the size of the parcel enhances the essential values or resources of the site.
- e.g. Fehringner Ranch or other large parcel in South Jeffco area; lands surrounding Standley Lake

PRIORITY 2: LANDS THAT WOULD PRESERVE THE UNIQUE NATURAL CHARACTERISTICS OF THE COUNTY

- Unusual land forms or those with significant scenic values
e.g. Table Mountains
 - Scenic backdrop from plains
e.g. hogback
front face of mountains
 - Scenic corridors
e.g. Clear Creek
Deer Creek
Bear Creek
Mt. Vernon Canyon
Land between hogbacks & mountains
 - Prominent sites providing scenic views or vistas
- Less-Than-Fee
Land Acquisition
Techniques Should
Be Considered

PRIORITY 3: LANDS SUITABLE FOR TRAIL TYPE RECREATION AND PARK LINKAGE

- Trail Corridors
e.g. stream corridors
Ralston
Clear Creek
Van Bibber
- Linkage corridors
e.g. Croke Canal
C-470
- Access to water areas

PRIORITY 4: OTHER LANDS WITH POTENTIAL TO BE USED FOR PASSIVE OR NATURAL DEVELOPMENT PURPOSES¹ IN THE PLAINS OR MOUNTAINS

- e.g. water bodies
Standley Lake
greenbelts/buffer zones
between existing or projected
development areas
wildlife habitats
Ralston Buttes
small or large natural land areas
(Harriman Lake school site)

PRIORITY 5: NOT APPROPRIATE IN FORESEEABLE FUTURE (10 YEARS)

Lands to be used for capital intensive development purposes

- e.g. Standley Lake with intensive development
Fehringner Ranch

¹ - See Recommendation 5 for examples of passive or natural development

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Explanation - The administrators of the County Open Space Program will be forced, during the next decade, to make very difficult decisions concerning types of land to acquire and which lands to acquire, as property becomes less available for Open Space use. The Committee recommends that, within the next ten years, the Fehringer Ranch as a natural or passive park or other large parcels, because of their close proximity to existing or projected developed areas should be first priority.

Priority 2 lands are essential to preserve the unique character of the County, however, they are frequently not acquired because they are considered unbuildable. Since this has not proved to be true, they should be acquired before rezoning requests forestall Open Space acquisition. Trail corridors, Priority 3, continue to be important as valuable recreational resources and connecting links.

Priority 4 lands in the plains or mountain areas of the county are considered of somewhat lesser importance than Priority 1, 2, or 3 lands by the Committee. Lands to be intensively developed are not considered appropriate for acquisition in the next 10 years because of high initial acquisition and development costs and ongoing operation/maintenance costs. In addition, the Committee recommends that the Open Space Program utilize cost effective less-than-fee land acquisition techniques when appropriate, particularly where actual costs of this procedure do not exceed 60% of the expected fee simple price and where visual values rather than public use are a consideration.

4.) APPROPRIATE OPERATIONS, MAINTENANCE AND REPLACEMENT ACTIVITIES

Recommendation - The operation, maintenance and replacement activities appropriate for the County Open Space Program are as follows:

- A. Security which includes protection of the Open Space lands and users of such lands.
- B. Maintenance and management, which includes protection of natural, historic, "one of a kind" facilities and developed facilities.

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- C. Interpretative and educational programs relating to open space properties which identify, preserve and educate the public to their natural surroundings.
- D. Outdoor recreational activities that make use of natural areas of Open Space lands, including boating, sailing and rafting.
- E. Replacement of developed facilities.

Explanation - The county has a responsibility to maintain and operate Open Space lands and facilities which are purchased or developed for public use so that they can be enjoyed by Jefferson County residents. Maintaining and operating existing Open Space lands and facilities are more important than developing new Open Space lands. The above list is compatible with our belief that the county should not operate or maintain facilities which have intensive capital development.

Category	Facilities	Notes
Open Space Development	Trails	
	Swim Pools	
	Restrooms	
	Restroom Signs	
	Benches	
	Picnic Tables	
	Apron Areas	
	Shelters	
	Seating	
	Playgrounds	
	Ballfields	
	Interpretive Signs	
	Interpretive Displays	
	Interpretive Exhibits	
	Interpretive Programs	
Facilities	Visitor Centers	
	Libraries	
	Public Buildings	
	Restrooms	
	Seating	
	Shelters	
	Swim Pools	
	Apron Areas	
	Playgrounds	
	Ballfields	
	Interpretive Signs	
	Interpretive Displays	
	Interpretive Exhibits	
	Interpretive Programs	
	Notes	Not appropriate to purchase
Facilities		
Should not be developed		
by the unincorporated		
County Open Space Program		
because of the high		
capital cost of capital		
intensive development in a		
limited area with the high		
space available. Development		
and maintenance of this		
type of facility is appropriate		
only for other public entities		
and not by Jefferson County		
Open Space Program		

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5.) TYPES OF APPROPRIATE AND INAPPROPRIATE DEVELOPMENT

TABLE 2

Appropriate for Development by County Open Space Program			
A. NATURAL DEVELOPMENT	B. PASSIVE DEVELOPMENT	C. CAPITAL INTENSIVE DEVELOPMENT	D. INAPPROPRIATE UNDER OPEN SPACE RESOLUTION
<p>No Development</p>	<p>e.g.</p> <ul style="list-style-type: none"> - Trails - Basic Picnic Facilities - Parking areas - Primitive Campgrounds - Pick up sports areas - Restrooms - Native plantings - Ballfields - Natural amphitheater (original Fiddler's Green) - Basic horse facilities (Crown Hill) - Boat ramp - Simple playgrounds 	<ul style="list-style-type: none"> - Lighted Ballfields - Tennis Courts - R.V. Campsites - Playgrounds - Swim Pools - Blue Grass Irrigated Areas - Golf Courses - Marinas - Structured Amphitheater (Red Rocks) - Bathhouses - Senior Citizen and Teen Centers - Indoor Athletic Centers and Facilities <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Not appropriate in foreseeable future (10 years) for development by the unincorporated County Open Space Program. However, cities may use their attributable shares for capital intensive development in a manner consistent with the Open Space Resolution. Development and operation/management of this type of facility is acceptable only by other public entities and not by Jefferson County Open Space Program.</p> </div>	<p>e.g.</p> <ul style="list-style-type: none"> - Cultural Centers - Libraries - Movie Theaters - Resorts - Convention Centers - Waste Storage Areas including hazardous waste - Restaurants - Trade Show Facilities - Public Building Sites - Fairgrounds

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Explanation - The unincorporated Jefferson County Open Space Program should not be in the traditional recreation and park business. The natural and passive types of development as noted in the chart are appropriate for operation, management and development by the County. Capital intensive development should be the responsibility of recreation and park districts, municipalities or other entities from their own resources. Although the 1980 amendment to the Open Space resolution may permit the County Open Space Program to expand into other recreational activities including traditional recreation and park activities, the County should leave those activities to other entities. Citizens in unincorporated areas who are not in a recreation district should be encouraged to form their own recreation and park district if they feel the need for such activities. There continues to be a strong need for the type of County-wide program envisioned in the 1972 Open Space resolution. The finite resources and funds of the County Open Space Program should not be drained by unlimited expansion of the focus of the County program beyond what was authorized in 1972.

6.) WATER RIGHTS

Recommendation - Acquisition of water rights and water bodies is an appropriate use of Open Space funds. Acquisition of water should have the same priority as the land acquisition or development on which the water will be used.

Explanation - Acquisition of water rights may become important to the Open Space Program so that open space lands can fulfill the purpose for which the land was acquired. The priority of the acquisition or development of water rights or water bodies should be consistent with the priorities of Open Space land acquisition and development described in Recommendation 3 and 5. Water provides additional recreational experiences to the user of the Open Space lands.

² The term "recreation and park districts" includes park districts when used in these recommendations.

7.) CONSIDERATIONS PRIOR TO ACQUISITIONS

A.) Recommendation - Each resolution by the Open Space Advisory Committee (OSAC) recommending acquisition and authorization by the County Commissioners should contain a clear explanation of the intended purposes and uses of the lands to be acquired over the following time periods:

- 1) short-term/immediate
- 2) mid-term/5-10 year
- 3) long-term/future needs anticipation

Explanation - Including the above information in each resolution will be a clear indication of the intent of OSAC and the County Commissioners. This will aid in defining the County's trust responsibility for the Open Space lands. For example, if land is purchased to be preserved in its natural state, the original resolution will assist in protecting the land from proposed future changes in use or assist in determining if the original purpose can still be carried out when there is a proposal to dispose of Open Space lands. For lands that are to be developed, the intended purpose language in the resolution will be of assistance in planning its development.

B.) Recommendation - Before OSAC and/or the County Commissioners vote on a proposed acquisition, each body should consider the associated costs of the proposal including, but not limited to, the estimated costs of:

- 1) acquisition
- 2) operation/maintenance/replacement
- 3) development

Explanation - The Committee is deeply concerned that the costs of operation, maintenance, and replacement of facilities costs (OM&R) and development costs will consume much of the funds available for acquisition, therefore we recommend that OSAC and the County Commissioners add consideration of associated costs to the purchasing criteria. Associated costs include the estimates of the initial costs of purchase, development and/or repair, and future OM&R costs.

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It is important that OSAC and the Commissioners consider estimated potential financial obligations and that the entity responsible for operation/management be identified before purchase recommendations and decisions are made. The entity responsible for associated costs for lands which are to be developed should be known before acquisition decisions are made. If the land is to be developed intensively, the county should have a separate entity assume development, operation and management responsibilities. If no other entity will assume these responsibilities, the land can be naturally or passively developed with county funds. OSAC and the County Commissioners then should determine if the proposed purchase would fulfill its intended purpose if only minimally developed. OSAC and the County Commissioners should also consider if the associated costs of the proposed purchase can be met along with existing Open Space financial obligations.

- C.) Recommendation - The Committee recommends the encouragement of public involvement prior to acquisition; cities' and special districts' comments and concerns should be sought prior to potential acquisitions within their boundaries or area of influence, and given full consideration. There should be more public involvement in the acquisition and development recommendations made by OSAC. Public input by involved entities and the general public should be solicited on a case-by-case basis before OSAC makes the recommendation, particularly in situations where the action would involve extensive development on proposed or existing Open Space land. The information and action items should be referred out to a standardized list of interested entities for a reasonable period prior to any OSAC meeting.

8.) JOINT VENTURE PROGRAM

Definition - A joint venture project is a cooperative agreement in which monies are utilized from the County's share in conjunction with municipalities or recreation and park districts for

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acquisition or development of Open Space lands. For definition purposes "joint venture" includes "grants" to special districts and does not include projects initiated by the County. County initiated proposals should be subject to the same priorities as expenditures of other County Open Space funds.

- A. Recommendation - Joint Venture funds are appropriate when used for planning, acquisition, and development. Joint venture projects should complement the mandate of the program, generally following the priorities stated herein. Priority I, acquisition; Priority II, planning; Priority III, natural/passive development; Priority IV, capital intensive development.

Explanation - Joint venture requests should be considered on a case-by-case basis and, while preferable, need not necessarily reflect the County priorities. Other criteria given in Recommendation C, below, need to be considered.

- B. Recommendation - Joint venture money should be used for one-time projects, not for on-going projects. Phased acquisition or construction may occur over several years. It is inappropriate to use joint venture funds for operation, maintenance, programming, or salaries.
- C. Recommendation - Criteria for weighting joint ventures should be established and at a minimum should include the following:
1. Proposals should be consistent with overall program objectives and the priorities in Recommendation A.
 2. There should be a demonstration of need.
 3. There should be compatibility with appropriate Master Plans.
 4. Projects which have regional significance have priority. However, there should be no absolute minimum acreage requirements.
 5. Entities should demonstrate an ability to maintain and manage developed facilities and/or acquired lands.

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6. Joint venture funds are non-transferable to other projects without OSAC and the Board of County Commissioners approval.
 7. Cities or districts should list numerically their priority of projects submitted.
 8. Entities that have emphasized land acquisition (where possible) should be given consideration for development projects.
 9. A worthwhile development proposal may merit approval as compared with a marginal acquisition proposal.
- D. Recommendation - Expenditures for joint ventures should aim for 10% of the County's attributable share over the next five years.

Explanation - The Joint Venture Program should be considered an integral part of the total Open Space program. Cities and recreation and park districts may have budget restrictions which make some acquisition and development projects unattainable without financial assistance from the County's share. Joint venture funds can be used to facilitate Open Space opportunities within the population centers.

While the 10% is seen as a target for expenditures which needs to be balanced against the other Open Space priorities detailed in this report, the Committee feels strongly that the Joint Venture Program should be consistently and adequately supported by the Open Space Program.

- E. Recommendation - The County should contribute no more than 50% of a joint venture project with cities and attempt to expedite joint venture funds in emergency purchase situations. There should be no minimum dollar limits for requests.
- F. Recommendation - The County may contribute up to 100% for joint venture projects with recreation and park districts. Requests by districts for monies for planning, development and trails should be considered on a case-by-case basis and preference given to requests which contain financial participation by the district.

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Explanation - Presently the County contributes 100% for district land acquisition requests, retaining the deed and leasing the land to the district. The districts do not receive an attributable share.

- G. Recommendation - The County and the cities should be able to use their Open Space funds in joint venture projects with the R-1 School District.

Explanation - Cities have successfully cooperated with R-1 in the past and found that such joint ventures foster community support.

9.) COORDINATION WITH MASTER PLANS

Recommendation - The Open Space Master Plan of the County and the recreation and park plans of the cities and recreational districts should be considered before lands are acquired for the County Open Space Program. The County should involve the general public, the cities and recreation and park districts in the development of its Master Plan.

Explanation - Other entities should be encouraged to acquire Open Space lands pursuant to a master plan and all entities should coordinate their efforts. The other entities should be encouraged to view the county plan, especially the mountain areas, as a component of their plans because County Open Space directly benefits city and recreation and park district residents by providing additional recreational opportunities and other benefits.

10.) EFFECT OF ANNEXATION OR INCORPORATION OF COUNTY OPEN SPACE LANDS

Recommendation - Whenever County Open Space lands are in an area annexed by a city or are in a newly incorporated city, such Open Space lands should be deeded to the other entity, if mutually agreed to and if the city agrees in the deed to continue to use the lands for the original purpose of the Open Space acquisition. The agreement and the deed should specify that the lands cannot be disposed of unless the County Commissioners, by resolution, find that the original purpose of the Open Space acquisition can no longer be carried out. The

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proceeds from any sale of lands deeded to a city are to be returned to the County Open Space fund. However, if a city has shared in funding the original acquisition, that city should receive a share of the sale proceeds proportionate to its share of the original acquisition costs.

Whenever County Open Space lands are included within the boundaries of a recreation and park district, the above recommendation should be followed except that the lands should be leased, not deeded, to the district.

Explanation - A city or special district should be able to operate and maintain the Open Space lands within its jurisdiction more efficiently than the County. Therefore, the County should generally attempt to reach agreement with those entities to have them assume responsibility for Open Space land in their jurisdiction. Agreement by the entity is essential. Restricting the uses to the original purposes will ensure that the lands will not be used for other purposes and that the County fulfills its trust responsibilities. The use and disposition restrictions will also impose upon the entities the same restrictions that apply to the County.

11.) DISPOSAL OF OPEN SPACE LANDS

Recommendation - Open Space lands may be disposed of only when:

- a) a parcel is no longer meeting its original purpose or
- b) it is economically sound to purchase a large parcel in one piece and it is initially intended that a small portion of the parcel will be used for non-Open Space uses. In this situation, the non-Open Space portion may be subject to disposal.

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In both cases, the Open Space fund shall be reimbursed for all the area to be used for the non-Open Space use by whoever acquires the non-Open Space land.

Explanation - a) If an Open Space parcel is no longer serving its original purpose, the parcel may be disposed of and the proceeds returned to the Open Space fund. b) The intent to sell and the approximate size of the non-Open Space portion should be stated in the original acquisition resolution. The reimbursement should be based on the entire area impacted by the non-Open Space use including associated uses and facilities such as parking lots and landscaped areas for the non-Open Space use.

12.) SALES TAX

- A) Recommendation - Distribution of attributable share money should be streamlined and expedited. Expenditures by cities clearly falling within established, legitimate functions of Open Space should be transferred quickly, with minimal review by the County or OSAC.

Explanation - Complaints have been voiced about time delays in the reimbursement procedure. This has apparently improved recently.

- B) Recommendation - Maximum discretion should be preserved to deal with the accumulation of funds by entities with limited options for expenditures.
- C) Recommendation - The current level of funding (.5%) should not be changed now or in the foreseeable future. Every effort should be made to ensure its perpetual availability as a funding mechanism for the Open Space Program.

Explanation - Sales tax is a very important source of revenue for government since it generates large amounts of money relative to property tax. The revenue derived from .5% sales tax is equivalent to that generated by approximately 6 mills of property tax. The citizens of Jefferson County have repeatedly indicated that providing quality Open Space/park facilities and services are of top priority and an important element of the peoples' perception of the quality of life in the community.

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The operation and maintenance of currently owned or future proposed facilities will continue to increase as a total percentage of all expenditures. Therefore, every effort should be made to ensure continued use of the sales tax to fund Open Space/park facilities and services throughout the County for the foreseeable future.

13.) USERS FEES

Recommendation - The Committee recommends establishing a user fee policy for patrons of Jefferson County Open Space facilities. The policy shall include but not be limited to, the following:

- A) All Jefferson County residents should have the right to use facilities at no cost or for the same fee as residents of the managing entity.
- B) If a fee is charged by the managing entity for a program or instructional activity, a differential fee may be charged to non-residents of the managing entity.
- C) Non-residents of Jefferson County may be subject to additional fees.
- D) All fees, regardless of who collects them, should be fair and comparable with fees charged in other similar market areas.
- E) Fees may be charged for reserved use of facilities. A damage deposit should also be collected, when appropriate.
- F) Additional user fees, as approved by the Jefferson County Open Space Advisory Committee, may be charged as deemed appropriate.

The Jefferson County Open Space Division should operate in such a manner as to retrieve sufficient revenue from user fees to offset direct program expenditures to the greatest extent possible. This is particularly directed towards activities and programs offered by the Jefferson County Open Space Division, which may charge a fee to the public in order to participate.

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14.) RESERVE FUND

Recommendation - The establishment of a reserve or "trust" fund to provide funds for the perpetual operation and maintenance of County Open Space lands is not feasible at the present time; however, the issue is deserving of more attention in the future.

Explanation - The Committee spent considerable time on the concept of setting up a reserve fund or similar mechanism. We concluded that, because of the pressing need to continue acquisition in an aggressive manner while properties are still available at reasonable prices, creation of a reserve fund would be ill advised at this time. Furthermore, rough calculations of the amount of money that would be necessary to generate an adequate reserve fund reinforced our commitment to emphasize acquisition in the short term. The committee felt, however, that this matter should continue to be discussed and that innovative measures should be considered in the future.

15.) PROCEDURAL RULES

Recommendation - Procedures covering actions taken by the County Commissioners on OSAC resolutions and other Open Space related matters should be improved or codified.

Explanation - The Open Space Program was created by a referendum of the citizens and deserves special consideration when decisions regarding this program are made. Decisions regarding the Open Space Program deserve special treatment.

16.) RIGHT OF FIRST REFUSAL

Recommendation - When Open Space acquires land within the boundaries of a recreation district or city, the local entity should be offered the right of first refusal for the development, operation, and management of the land. If the acquisition is regional in scope, it may be appropriate for certain types of development to be funded by the county Open Space Program through joint venture requests by the managing entity.

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Explanation - The elected officials of other entities responding to their constituents should have the flexibility to provide development and programming to meet their residents' needs. Operation and management by the district or city will avoid duplication of facilities, programs, and maintenance.

17.) REGULAR STAFF MEETINGS

Recommendation - Meetings between an appropriately-designated Open Space staff member(s) and representatives of the cities and recreation districts should be scheduled on a regular basis and at reasonable intervals to insure efficient information-sharing, maximum cooperation, and mutual understanding.

Explanation - Testimony indicated that communication needs to be improved between the County Open Space Department and cities and recreation districts.

18.) REGULAR MEETINGS WITH ELECTED OFFICIALS

Recommendation - Meetings between OSAC and elected officials of cities and recreation districts should be scheduled on a regular basis to insure efficient information-sharing, maximum cooperation and mutual understanding.

19.) JOB TITLES AND RESPONSIBILITIES

Recommendation - The Commissioners should review job titles, responsibilities, and staffing patterns within the Open Space Program so that they will be consistent with these recommendations.

20.) OSAC STAFF PERSON

Recommendation - A person should be hired to serve as staff to OSAC. This person will be answerable to and accountable to OSAC and supervised by the Chair. Hiring should be done through established County personnel procedures with the involvement and approval of OSAC.

Whoever is hired should demonstrate both managerial and communication skills and will be expected to:

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- a. Create the agenda for OSAC, working with the Chair;
- b. Be responsible for the accuracy and distribution of minutes of each meeting;
- c. Make certain that OSAC decisions are accurately communicated through the OSAC Chair to the Board of County Commissioners;
- d. Gather information at the request of the OSAC Chair and individual OSAC members;
- e. Ensure that all appropriate Open Space decisions are brought to OSAC;
- f. Attend City Council and Recreation Board meetings throughout the County;
- g. Serve as a public information resource for OSAC;
- h. Solicit suggestions and concerns about the Open Space Program from concerned citizens and communicate them to OSAC;
- i. Assist in the orientation of new OSAC members;
- j. Arrange public meetings for OSAC.

Explanation - The Committee learned that at times there has been a lack of clarity as to motions considered, action taken and information conveyed to the County Commissioners. It is apparent that, assistance will be needed as more is required of OSAC members with the expanded charge given to them by the Commissioners. Communication between OSAC and city council members and recreation district board members will also be improved by the attendance of the OSAC staff person at various meetings throughout the county.

21.) OSAC RESPONSIBILITIES

Recommendation - The Committee strongly supports the increased importance of OSAC's oversight role and the definition of these tasks through the adoption of a formal resolution by the County Commissioners. The involvement of OSAC members will increase public input into the Open Space Program decisionmaking process and, we believe, diminish the criticism which the program and its administrators have recently had to face. In view of this increased authority, however, the Committee recommends that OSAC make certain that management prerogatives are preserved.

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22.) FAIRGROUNDS

Recommendation - No Open Space funds should be used for the Fairgrounds.

Explanation - Our review of future Open Space budgets shows that only minimal funds will be available for new acquisitions to carry out these recommendations. Other funding sources are available for Fairground uses including Fairground revenues, sale of the existing Fairgrounds, lottery funds, and revenue bonds. Since these alternate sources exist, the Open Space revenues should not be drained for any Fairgrounds use.

23.) METROPOLITAN INTERGOVERNMENTAL COOPERATION

Recommendation - It may be appropriate for Open Space to assume responsibilities for operation and maintenance of some Denver Mountain Parks or other public lands as part of a metropolitan wide cooperative agreement. All additional costs incurred by Open Space as a result of such an agreement must be replaced from sources other than the Open Space fund.

Explanation - People use many governmental services without regard to political boundaries. In most cases, cooperation between governmental agencies will result in overall cost savings or a higher level of service. Because the Open Space Program is funded by a specific tax approved by the voters, Open Space revenues should not be used to pay for any additional responsibilities the County may agree to in an intergovernmental cooperative effort.

24.) OPERATIONAL EVALUATION

Recommendation - This Ad Hoc Committee should be reconvened in late 1988 to evaluate the implementation and effectiveness of its recommendations including an overview of the working relationships between involved County entities and between the County, cities, recreation and park districts and the general public. The reconvened Ad Hoc Committee should also consider the need for other periodic reviews and a management audit of the County program.