



Board Summary Report

File #: 24-383

Agenda Date: 7/30/2024

Agenda #:

To: Board of County Commissioners

Through: Gini Pingnot, Director, Open Spaces

Prepared By:

Michele Frishman, Grants & Acquisitions Manager, Open Spaces

Presenter: Michele Frishman, Grants & Acquisitions Manager, Open Spaces

Subject:

2:30 PM *Transition of Open Space-Funded Property in Aurora for Colorado Freedom Memorial

Purpose and Request:

The City of Aurora will present a proposal to make Arapahoe County whole for its previous investments in the acquisition and development of Springhill Park, a portion of which is planned to be used for the expansion of the Colorado Freedom Memorial.

Background and Discussion: In 2012, the City of Aurora used \$465,000 in Open Spaces shareback funds to acquire land for Springhill Park. The property includes the Colorado Freedom Memorial, which honors Coloradans killed or missing in action. The non-profit Colorado Freedom Memorial Foundation has planned an expansion to include a two-story visitors' center and a larger parking lot. The City of Aurora has approved these new uses of the park property and therefore divided it into two parks: Springhill Park and the new 5.5-acre Memorial Park, both of which remain under the City's ownership.

Properties acquired with Arapahoe County Open Spaces funds must be used for the purposes provided under the County's Open Space Resolution (#21-263). The construction of the Colorado Freedom Memorial visitors' center on the Memorial Park property is not an eligible use, because it does not serve an open space purpose.

Additionally, the construction of the visitors' center and expanded parking lot would require the removal or modification of Springhill Park improvements funded by a \$250,000 open space grant in 2014. The grant

funded a restroom, a large picnic pavilion, sidewalks, site furnishings, and landscaping, and it required the City to be responsible for continuous, long-term maintenance of those amenities.

Pursuant to the Open Space Resolution, the shareback agreement between the County and the City states: “The City understands and agrees that no land or interests acquired with Shareback Funds may be sold, leased, traded, or otherwise conveyed, nor may an exclusive license or permit on the land or interests be given, without prior approval of the City’s governing body after conducting a public hearing and without the prior written approval of the Board of County Commissioners or designee. The City further agrees, if such sale, lease, trade, or conveyance is made or an exclusive license or interest has been given, the proceeds shall be deposited in a City open space fund to be used for purposes consistent with the Resolution and this Agreement. In addition, any revenue earned by the City through appreciation of land or interests acquired with Shareback Funds also shall be deposited in a City open space fund to be used for purposes consistent with the Resolution and this Agreement.” In this case, the City would grant the exclusive use of Memorial Park to the Colorado Freedom Memorial Foundation; therefore, it must follow the approval process outlined in the shareback agreement.

The footprint of the visitors’ center and expanded parking lot equals approximately 19% of the site the City purchased with shareback funds. Therefore, pursuant to the 2022 shareback agreement, the City proposes that 19% of the original purchase price, or \$88,350, would make the County whole for its previous investment into the acquisition. The City proposes transferring that amount from its Capital Improvement Program (CIP) budget to its open space fund to be used for future activities consistent with the County’s Open Space Resolution. Open Spaces staff have determined that this amount is reasonable in light of the current estimated value of the park property.

Furthermore, approximately 70% of the grant-funded park improvements would be demolished for the construction of the visitors’ center. The City expects to spend \$250,000 from its CIP budget to replace the pavilion and relocate other site furnishings, most likely within Springhill Park. Open Spaces staff are satisfied that this work at the City’s expense would make the County whole for its 2014 grant.

City staff presented this proposed reallocation of Arapahoe County shareback and grant funds to the City’s Parks, Foundations & Quality of Life Committee and the City Council. Both entities approved the staff recommendation. Final authorization, however, rests with the Board of County Commissioners.

Fiscal Impact: The City of Aurora would replenish its open space fund with \$88,350 to be used for future activities consistent with the County’s Open Space Resolution; Open Spaces staff would confirm this transfer through review of the City’s annual shareback report. Additionally, the City would spend \$250,000 to replace park improvements funded by an open space grant; Open Spaces would require documentation from the City to confirm the completion of this work.

Alternatives: The BOCC could require the City to replenish its open space fund by a different amount, or it could prohibit the expansion of the Colorado Freedom Memorial on open space-funded property.

Alignment with Strategic Plan:

- Be fiscally sustainable
- Provide essential and mandated service
- Be community focused

Staff Recommendation: Staff recommends that the BOCC accept the City of Aurora's commitments to replenish its open space fund by \$88,350 and to spend \$250,000 on park improvements to make Arapahoe County whole for its previous investments in the acquisition and development of Springhill Park.

Concurrence: None.