



Board Summary Report

File #: 24-413

Agenda Date: 8/6/2024

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To: Board of County Commissioners

Through: Gini Pingnot, Director, Open Spaces

Prepared By:

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Subject:

Authorization for Open Spaces Director to Sign Agreements Permitting Use of Properties

Purpose and Request:

Open Spaces requests an amendment to the Board of County Commissioners' (BOCC's) signature authority resolution 24-077 in order to authorize the Director to sign certain types of agreements permitting the use of Open Spaces properties. Staff presented this request to the BOCC in study session on July 30, 2024.

Background and Discussion: Open Spaces owns and manages more than 5,000 acres of land throughout Arapahoe County, and it occasionally receives requests from other parties for use of or access to those properties.

The County added to this land portfolio with the acquisition of 45 miles of the High Line Canal corridor in June 2024. Based on Denver Water's experience as the former owner, the County expects to receive frequent requests for new and modified uses of the property. These uses will include but not be limited to utility installations, roadways and bridges, recreational amenities, stormwater improvements, events, and work by contractors.

In consultation with the County Attorney's Office and the Public Works & Development and Community Resources departments, Open Spaces staff are developing various forms of agreements the department could issue to allow such uses of primarily the High Line Canal, as well as other properties. These include license agreements, letters of authorization for temporary uses, recreation leases, and stormwater agreements. None of these agreements would grant a property interest to the requesting party, and they would be terminable by the

County. Staff recommends that the BOCC authorize the Open Spaces Director to sign such agreements.

On the rare occasion that Open Spaces determines that it would be appropriate to grant an easement on an Open Spaces property, staff would request specific BOCC approval to grant the easement.

Alternatives: If the BOCC does not authorize the Open Spaces Director to sign license agreements, letters of authorization, recreation leases, and stormwater agreements for Open Spaces properties, staff will be required to bring each individual request to the BOCC for approval, which will impede our ability to respond to frequent requests in a timely manner.

Fiscal Impact: None.

Alignment with Strategic Plan:

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

Concurrence: None.

Resolution: Attached is a copy of the draft resolution.