



Board Summary Report

File #: 24-393

Agenda Date: 7/30/2024

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To: Board of County Commissioners

Through: Gini Pingnot, Director, Open Spaces

Prepared By:

Michele Frishman, Grants & Acquisitions Manager, Open Spaces

Presenter: Gini Pingnot, Director, Open Spaces, and Michele Frishman, Grants & Acquisitions Manager, Open Spaces

Subject:

3:00 PM *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.

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; two current draft templates are attached. 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.

Fiscal Impact: None.

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.

Alignment with Strategic Plan:

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

Staff Recommendation: Staff recommends the BOCC issue the attached amendment to its signature authority resolution 24-077 in order to authorize the Open Spaces Director to sign license agreements, letters of authorization, recreation leases, and stormwater agreements permitting the use of Open Spaces properties.

Concurrence: None.