

# PLAN Jeffco

Working to conserve Jefferson County's Open Spaces since 1972

22598 Westview Av.  
Golden, CO. 80401

July 21 , 2013

Mr. Tom Hoby  
Director of Parks and Open Space Program  
700 Jefferson County Parkway  
Golden, CO. 80401



Dear Tom:

On behalf of PLAN Jeffco and its supporters, I am writing to express our growing concern over certain recent trends related to the Open Space Program, including a diminishment of the “open space brand” and of the recognition of the uniqueness of this county program. In the paragraphs below, we discuss these concerns in more detail, and provide recommendations along with background information on the Program that we hope will assist you and your staff in your current management and planning efforts.

Our first concern relates to the current master planning process, which until recently would have combined the Open Space master plan with that of the Jeffco Fairgrounds, Boettcher Mansion, and Colorado State University Extension Services. Last week we were heartened to learn that you decided that the Open Space Program will continue to have its own Master Plan. We believe that a separate Open Space Master Plan is appropriate, not only because the Open Space Program is considerably larger than the other three divisions, but also because its mission and goals are unique in that Jeffco citizens earmarked its revenues so that they may only be spent for purposes set forth in the voter-approved 1972 and 1980 ballot initiatives. Its primary purposes and scope are very different from commercial ventures such as the Boettcher Mansion and the Fairgrounds, or the Colorado State University Extension Service. We thank you for acting to address our and others’

concerns and deciding to continue to have a separate Master Plan for the Open Space Program.

Our second concern is that the Open Space brand does not seem nearly as prominent as it used to be – for instance, the website hardly uses the term “Open Space” and does not communicate important information about our open space park lands and this distinct county Program, including (1) its history; (2) its founding by the county’s citizens and its ballot directives; (3) its mission and goals; (4) maps of the whole system which include all the trails and connections to other entities’ parks and trails; (5) the important role of the Open Space Advisory Committee, and a list of its members and their contact information; (6) links to the Open Space Foundation, Denver Mt. Parks, MALT, COL, GOCO, PLAN Jeffco and other similar entities in the Metro area; (7) information on selling/donating/bequeathing land; (8) names, titles and contact information for the open space director and staff and (9) information on the budget, open space revenues, the county and cities’ shares, and what the Open Space tax dollars fund each year. In other words, the website does not convey a strong sense of the Open Space Program and its special identity. It seems to be marginalized, mixed up with the other park divisions, and does not clearly set forth the remarkable benefits the open space program provides to the citizenry, and how citizens can engage in its administration. The Open Space Program needs its own home page and the web site should be strengthened to remedy these problems.

Jefferson County citizens voted for Open Space conservation and widely support the Open Space Program. If the Open Space name and identity fades, voters will be less likely to support the Program in the future. Moreover, as discussed above, the Open Space Program, unlike many other county programs, was created by a vote of the people, and is governed by the requirements of their ballot resolution. Because of this, it is important that the citizens and county officials entrusted with the Program’s administration ensure that the management of the program stays true to its purposes and maintains its unique identity. We the citizens created the Program and consider it our special program.

Therefore, we request that you revisit how information about the Open Space Program is communicated and marketed to ensure that important information about the Open Space Program is easily available, including the specific items listed above. In addition, we recommend that the current

organizational structure, including staff titles and web site, be reevaluated and revised so that they support and strengthen the open space brand of this award winning Open Space Program.

In thinking about these issues, we revisited some of the Jeffco Open Space historical documents in our files. They are not only interesting and informative, they also provide an important foundation for the current Master Plan revision process and more generally the administration of the Program. In furtherance of this, we are attaching a summary of certain important events and actions in the history of the Program along with copies of supporting documents. We respectfully request that you consider this historical context of the Program when revising the Open Space Master Plan and in administering the Program.

We thank you for considering these comments and recommendations. PLAN Jeffco looks forward to reviewing and commenting on the revised Master Plan and our regular meetings which we both find valuable. If you have any questions, please contact me at 720 256 1688.

Sincerely yours,

A handwritten signature in cursive script that reads "Margot Zallen".

Margot Zallen, Chairwoman  
Plan Jeffco

cc. Ralph Schell, County Administrator  
Open Space Advisory Committee

## HISTORICAL REVIEW

In order to understand the Jefferson County Open Space Program we need first look at the authorizing legislation. This is set forth in the Open Space Resolution which was revised by the voters in 1980. (See, Attachment 1.) It states that open space funds may be used only for planning, developing access, acquiring, maintaining, administering and preserving land in its natural state, parks and recreation lands, park and **recreation capital improvements**, greenbelt and agricultural buffer zones, scenic easements, floodplains, paths and trails, historic monuments, wild rivers, wilderness areas, wildlife habitats, community open lands, etc.

The “recreation capital improvement” language was added to the original 1972 resolution language by the voters in 1980 after a multi-year effort by the Jeffco cities to revise the purposes set forth in the 1972 resolution. Since the cities had only a limited amount of land to acquire and they needed revenue to meet their citizens’ needs for recreational facilities, the cities wanted to be able to spend their share of the open space revenues for purposes other than conserving land. Lakewood and Wheat Ridge were relatively new municipalities at this time and did not have much infrastructure and limited tax funds available for recreational facilities.

After the voters approved the use of open space revenues for recreational capital improvements, it was not only the cities that wanted to use open space funds for these purposes. The Jeffco Open Space Program staff planned extensive recreational capital improvements and recreational programs at the newly created Clement Park and was moving toward becoming a traditional parks department. The Clement Park development led to a very heated controversy because the cities and the park and recreational districts saw the county as a new and well-financed competitor. Additionally, some Evergreen residents launched a campaign for the county to fund the construction of a new theater on Open Space lands in Elk Meadow, where the dog park is now located. PLAN Jeffco vigorously objected to using county open space funds to build a theater for the local theater group on one of the county-owned open space parks.

In early 1986, PLAN Jeffco met with the County Commissioners and recommended that it appoint an Ad Hoc Committee comprised of county-wide representatives to resolve this contentious issue. The Commissioners

agreed and passed a resolution in February 1986 which appointed 17 members representing various interest groups. (See, Attachment 2, pp 5-6 from the Committee Report dated 5/12/1987.) The Commissioners hired the Keystone Institute to facilitate the Committee's discussions which lasted until the spring of 1987.

The Committee report is not only very instructive; it continues to be the basis and foundation for the Open Space Program's and OSAC's current policies and procedures. (It is interesting to note that in 1987, the Committee stated that open space revenues had been and were declining. Despite that situation, it stated that open space land acquisition "must" be the most important Open Space priority. (See Attachment 3, page 2 of the Committee Report.)

After much debate the Committee agreed that the county Open Space Program should focus on acquiring and preserving land. Any development should only be for passive uses, and that active capital recreational development and related activities should be the responsibility of the municipalities and the park and recreation districts, **not** the county. The Committee also stated that the county's share of the limited open space revenues should only be used for purposes related to conservation activities as stated in the original 1972 resolution. In other words, the county's share of the open space revenues should not be used for construction, management or operation of recreational capital improvements even though it legally could do so after the voters changed the resolution in 1980. (See Attachment 4, p. 13 of the Committee Report.)

To effectuate the above-stated Ad Hoc conclusions, the Committee recommended that there should be only three priorities for the Jeffco Open Space Program, namely: (1) the acquisition, (2) operation and maintenance and (3) development of open space lands. (See Attachment 5, p. 7 of the Committee Report.) The Report also lists the types of appropriate and inappropriate use and/or development by the Jeffco program and includes an explanation. (See Attachment 6, pp. 12-13 of the Committee Report.)

The Commissioners were very pleased with the Committee Report and at a meeting they had with those of us on the Ad Hoc Committee, one of them told us that our recommendations had saved the program. Although the recreational activities that the county planned for Clement Park were at the

park named in honor of her late husband, Commissioner Bonnie Clement moved for adoption of Resolution NO. CC87-882 which adopted the Ad Hoc Committee's recommendations. This included adoption of the three priorities for the Jeffco Open Space Program which are listed in the previous paragraph. These priorities are also incorporated in the Open Space Policy (see Attachment 10, p.2.) and are currently included in the Open Space Program's Policies and Procedures. (See Attachments 7, 8, 9, and 10, Resolution NO. CC87-882, p 1 of its Exhibit A, p. 1 of its Appendix A and its Appendix B.)

Consistent with the Commissioners adoption of these priorities and the other recommendations of the Ad Hoc Committee contained in the Appendix and Appendices to its May 1987 resolution, the management and operation of the Boettcher Mansion was removed from the Open Space Program responsibilities. This was done because Boettcher had morphed from a previously empty historic structure to a commercial venture which had been managed and operated by Open Space staff and supervised by the Director of the Jeffco Open Space Program. After the Ad Hoc recommendations were accepted and adopted by the Commissioners, such a commercial venture was no longer considered consistent with the Open Space priorities and responsibilities.

On February 3, 1986, just before it appointed the Ad Hoc Committee, the Commissioners also acted to expand the responsibilities of the Open Space Advisory Committee (OSAC). In Resolution CC86-110, the Commissioners authorized OSAC to act as advisors to the Commissioners in all areas related to Open Space expenditures. OSAC had been reluctant to advise the commissioners on the controversy relating to the use of the county's share of the open space revenues for construction and operation of recreational capital improvements on county and non-county lands. To clarify that OSAC's responsibilities and authorities relate to all aspects of the Open Space Program, the Commissioners stated that OSAC is to advise it on all activities on which the open space revenues are expended. (See Attachment 11, Resolution CC86-110.) This County Commissioner directive is reflected in the current OSAC policy where OSAC responsibilities range from working on the budget and acquisitions to working with staff on development and revisions to Open Space Master Plans. (See Attachment 12, OSAC Policy.)

Additionally, the Ad Hoc Committee also made extensive recommendations relating to sharing the county's open space tax revenues with the cities and park and recreation districts. (See, Attachment 13, pp. 15-18 of the Committee Report.) Lakewood and Wheat Ridge had unsuccessfully attempted in 1978 and 1980 to change the distribution of open space revenues so that they received more than 1/3 of the tax revenues that they receive due to the formula in the 1972 resolution. However, the voters rejected this effort both times and this had continued to be a major unresolved issue. The joint venture recommendations were also addressed in the May 1987 Commissioner resolution in which the Commissioners accepted the recommendations of the Ad Hoc Committee. (See, Attachment 14, pp 4-5.)

In conclusion, the Jefferson County Open Space Program, from its inception, has had its own very special history and is a unique program in the county. This has led to its success in becoming an invaluable asset to the county and to its importance to its citizens and the citizens of the Metro area. It is why many people live here and why many businesses locate here. Therefore, we believe that it is important for the county to continue to protect and strengthen its distinct values, identity and Open Space brand name.