

Parks and Public Landscaping Advisory Board

Agenda

Thursday, January 10, 2019

Louisville City Services

739 S. 104th St.

7:00 PM

- I. Roll Call
- II. Approval of Agenda
- III. Approval of Minutes
- IV. Staff Updates
- V. Board Updates
- VI. Public Comments on Items Not on the Agenda
- VII. Election of Officers
- VIII. Approval of Posting Locations and Distribution of Open Government Pamphlet
- IX. Open Space Zoning Update, Presented by Ember Brignull, Open Space Manager
- X. Park Naming Contest Update and Discussion
- XI. Introduction to the Subdivision Entry Landscape Improvements Capital Improvement Project
- XII. Agenda Items for Next Meeting
- XIII. Adjourn

City of Louisville

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303.335.4735 (phone) 303.335.4738 (fax) www.louisvilleco.gov*

Parks and Public Landscaping Advisory Board

Meeting Minutes

Thursday, December 6, 2018

Louisville City Services

739 S. 104th St.

7:00 PM

- I. Roll Call: PPLAB members present: Dave Clabots, Diana Gutowski, Laurie Harford, Mark Newland, Ellen Toon. Staff Liaison: Dean Johnson. City Council Liaison: Susan Loo. Parks Project Manager: Allan Gill.
- II. Approval of Agenda: Unanimously approved.
- III. Approval of Minutes: Unanimously approved.
- IV. Staff Updates: A new Parks & Recreation Director has been announced and will start on December 31. Dean suggested the board consider January 10th instead of January 3 for the monthly PPLAB meeting. All members unanimously approved.
- V. Board Updates: A sub-committee decided on Boards & Commissions – in terms of who to reappoint. Ellen Toon and Dave Clabots to be appointed without an interview. The grand opening for the new recreation center will be January 26, 2019.
- VI. Public Comments on Items Not on the Agenda: None.
- VII. Cottonwood Trees Replacement Landscape Plan at the Recreation Center Campus, Presented by Allan Gill, Parks Project Manager: Allan reviewed the history of the cottonwood tree removals near the rec. center. He then presented the plans for the tree replacements. The goal is to be cohesive with other rec. center landscaping and mimic the less-formal landscaping style. The goal of these new replacement trees is to, upon maturity, soften the mass of the building on the hill. There will be a drip line to the shrubs and trees and a temporary irrigation to establish the native grasses. The board highlighted the need for more evergreens to buffer the mass of the building year-round. The board also voiced objections to hackberry and maple trees being planted in proximity to one another due to their very different water needs (maples need more water and hackberry trees are drought tolerant). The board suggested a revision to the layout of the plans from arrangement of rows of 3 plant types in a repeating pattern to something with more creativity and interest. Lastly, the board voiced concerns over maintenance aspect of shrub selection.
- VIII. Update on Approved Capital Improvement Projects for 2019 and 2020: There will be many upcoming capital improvement projects in 2019 and 2020! Dean led discussion on upcoming projects that have been granted 2019 and 2020 funding. The board voiced disagreement over need for freeze-resistant drinking fountains.

- IX. Continued Discussion on Park Naming and Signage Project: The Board divided all parks among members at a previous meeting. In determining how to prioritize new park sign needs, all members assessed their given parks for current signage needs. Ellen, Mark and Laurie shared their suggestions for new park sign location(s). All other members will share at a future meeting. The board discussed how to address a few ambiguous park names and how to modify these. Dean suggested we solicit input from the public. Dean is to report back and get the marketing team involved, if possible. A suggestion was given to rename Wildflower to Owl Park.
- X. Planning Discussion on Goals and Objectives for 2019: Multi-use fields, tennis courts and dog parks will be considered as part of the goals and objectives for 2019.
- XI. Agenda Items for Next Meeting: Open Space Zoning Update, Park Naming Continued Discussion, and Introduction to the Subdivision Entry Landscape Improvements Capital Improvement Project.
- XII. Adjourn: 9:30 p.m.

To: Parks and Public Landscaping Advisory Board (PPLAB)
From: Dean Johnson, Parks Superintendent
Date: 01/03/2019
Subject: Election of Officers, Approval of Posting Locations, and Distribution of Open Government Pamphlet

Purpose:

At the first meeting of each year, PPLAB elects officers, passes a motion for approving agenda posting locations, and the City distributes the, "City of Louisville Open Government and Ethics Pamphlet".

Background:Officers

According to PPLAB's bylaws, PPLAB's officers shall be a Chair, Vice-Chair, and a Secretary. Officers are elected to serve a term of one calendar year and need to be selected during the January meeting.

Approval of Posting Locations

During the January meeting, PPLAB will need to pass a motion approving the agenda posting at the following locations:

- City Hall
- Recreation and Senior Center
- Library
- Police Department/Municipal Court
- Website: LouisvilleCO.gov

City of Louisville Open Government and Ethics Pamphlet

A copy of the pamphlet is distributed to all board members during the first meeting of the year.

Next Steps:

Annually, during the January meetings, PPLAB will need to pass a motion appointing the officers and a motion approving the agenda posting locations.



City of Louisville Open Government & Ethics Pamphlet 2019

City Clerk's Office
749 Main Street
Louisville CO 80027

www.LouisvilleCO.gov
303.335.4536



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Participation in Government

The City of Louisville encourages citizen involvement and participation in its public policy process. There are many opportunities for citizens to be informed about and participate in City activities and decisions. All meetings of City Council, as well as meetings of appointed Boards and Commissions, are open to the public and include an opportunity for public comments on items not on the agenda. No action or substantive discussion on an item may take place unless that item has been specifically listed as an agenda item for a regular or special meeting. Some opportunities for you to participate include:

Reading and inquiring about City Council activities and agenda items, and attending and speaking on topics of interest at public meetings

City Council Meetings:

- Regular meetings are generally held on the first and third Tuesdays of each month at 7:00 PM in the City Council Chambers, located on the second floor of City Hall, 749 Main Street;
- Study sessions are generally held on the second and fourth Tuesdays of each month at 7:00 PM in the Library Meeting Room, located on the first floor of the Library, 951 Spruce Street;
- Regular meetings are broadcast live on Comcast Cable Channel 8 and copies of the meeting broadcasts are available on DVD in the City Manager's Office beginning the morning following the meeting;
- Regular meetings are broadcast live and archived for viewing on the City's website at www.LouisvilleCO.gov.
- Special meetings may be held occasionally on specific topics. Agendas are posted a minimum of 48 hours prior to the meeting.

Meeting agendas for all City Council meetings, other than special meetings, are posted a minimum of 72 hours prior to the meeting at the following locations:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- City website at www.LouisvilleCO.gov

Meeting packets with all agenda-related materials are available 72 hours prior to each meeting and may be found at these locations:

- Louisville Public Library Reference Area, 951 Spruce Street,
- City Clerk's Office, City Hall, 749 Main Street,
- City website at www.LouisvilleCO.gov

You may receive eNotifications of City Council news as well as meeting agendas and summaries of City Council actions. Visit the City's website (www.LouisvilleCO.gov) and look for the eNotification link to register.

After they are approved by the City Council, meeting minutes of all regular and special meetings are available in the City Clerk's office and on the City's website (www.LouisvilleCO.gov).

Information about City activities and projects, as well as City Council decisions, is included in the *Community Update* newsletter, mailed to all City residents and businesses. Information is also often included in the monthly utility bills mailed to City residents.

Communicating Directly with the Mayor and City Council Members

Contact information for the Mayor and City Council members is available at www.LouisvilleCO.gov, as well as at City Hall, the Louisville Public Library, and the Recreation/Senior Center. You may email the Mayor and City Council as a group at CityCouncil@LouisvilleCO.gov.

Mayor's Town Meetings and City Council Ward Meetings are scheduled periodically. These are informal meetings at which all residents, points of view, and issues are welcome. These meetings are advertised at City facilities and on the City's website (www.LouisvilleCO.gov).

Mayor or City Council Elections

City Council members are elected from three Wards within the City and serve staggered four-year terms. There are two Council representatives from each ward. The mayor is elected at-large and serves a four-year term. City Council elections are held in November of odd-numbered years. For information about City elections, including running for City Council, please contact the City Clerk's Office, first floor City Hall, 749 Main Street, or call 303.335.4571.

Serving as an Appointed Member on a City Board or Commission

The City Council makes Board and Commission appointments annually. Some of the City's Boards and Commissions are advisory, others have some decision-making powers. The City Council refers questions and issues to these appointed officials for input and advice. (Please note the Youth Advisory Board has a separate appointment process.) The City's Boards and Commissions are:

- Board of Adjustment
- Building Code Board of Appeals
- Cultural Council
- Historic Preservation Commission
- Historical Commission
- Housing Authority
- Library Board of Trustees
- Local Licensing Authority

- Open Space Advisory Board
- Parks & Public Landscaping Advisory Board
- Planning Commission
- Recreation Advisory Board
- Revitalization Commission
- Sustainability Advisory Board
- Youth Advisory Board

Information about boards, as well as meeting agendas and schedules for each board, is available on the City’s web-site (www.LouisvilleCO.gov).

Agendas for all Board and Commission meetings are posted a minimum of 72 hours prior to each meeting and are posted at these locations:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- City web site at www.LouisvilleCO.gov

Copies of complete meeting packets containing all agenda-related materials are available at least 72 hours prior to each meeting and may be found at the following locations:

- Louisville Public Library Reference Area, 951 Spruce Street,
- City Clerk’s Office, City Hall, 749 Main Street
- City web site at www.LouisvilleCO.gov

Planning Commission

The Planning Commission evaluates land use proposals against zoning laws and holds public hearings as outlined in City codes. Following a public hearing, the Commission recommends, through a resolution, that the City Council accept or reject a proposal.

- Regular Planning Commission meetings are held at 6:30 PM on the second Thursday of each month. Overflow meetings are scheduled for 6:30 PM on the 4th Thursday of the month as needed, and occasionally Study Sessions are held.
- Regular meetings are broadcast live on Comcast Channel 8 and archived for viewing on the City’s web-site (www.LouisvilleCO.gov).

Open Government Training

All City Council members and members of a permanent Board or Commission are required to participate in at least one City-sponsored open government-related seminar, workshop, or other training program at least once every two years.

Open Meetings

The City follows the Colorado Open Meetings Law (“Sunshine Law”) as well as additional open meet-

ings requirements found in the City’s Home Rule Charter. These rules and practices apply to the City Council and appointed Boards and Commissions (referred to as a “public body” for ease of reference). Important open meetings rules and practices include the following:

Regular Meetings

All meetings of three or more members of a public body (or a quorum, whichever is fewer) are open to the public.

All meetings of public bodies must be held in public buildings and public facilities accessible to all members of the public.

All meetings must be preceded by proper notice. Agendas and agenda-related materials are posted at least 72 hours in advance of the meeting at the following locations:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- On the City web site at www.LouisvilleCO.gov

Study Sessions

Study sessions are also open to the public. However, study sessions have a limited purpose:

- Study sessions are to obtain information and discuss matters in a less formal atmosphere;
- No preliminary or final decision or action may be made or taken at any study session; further, full debate and deliberation of a matter is to be reserved for formal meetings; If a person believes in good faith that a study session is proceeding contrary to these limitations, he or she may submit a written objection. The presiding officer will then review the objection and determine how the study session should proceed.
- Like formal meetings, a written summary of each study session is prepared and is available on the City’s website.

Executive Sessions

The City Charter also sets out specific procedures and limitations on the use of executive sessions. These rules, found in Article 5 of the Charter, are intended to further the City policy that the activities of City government be conducted in public to the greatest extent feasible, in order to assure public participation and enhance public accountability. The City’s rules regarding executive sessions include the following:

Timing and Procedures

The City Council and City Boards and Commissions may hold an executive session only at a regular or special meeting.

No formal action of any type, and no informal or “straw” vote, may occur at any executive session. Rather, formal

actions, such as the adoption of a proposed policy, position, rule or other action, may only occur in open session.

Prior to holding an executive session, there must be a public announcement of the request and the legal authority for convening in closed session. There must be a detailed and specific statement as to the topics to be discussed and the reasons for requesting the session.

The request must be approved by a supermajority (two-thirds of the full Council, Board, or Commission). Prior to voting on the request, the clerk reads a statement of the rules pertaining to executive sessions. Once in executive session, the limitations on the session must be discussed and the propriety of the session confirmed. If there are objections and/or concerns over the propriety of the session, those are to be resolved in open session.

Once the session is over, an announcement is made of any procedures that will follow from the session.

Executive sessions are recorded, with access to those tapes limited as provided by state law. Those state laws allow a judge to review the propriety of a session if in a court filing it is shown that there is a reasonable belief that the executive session went beyond its permitted scope. Executive session records are not available outside of a court proceeding.

Authorized Topics

For City Council, an executive session may be held only for discussion of the following topics:

- Matters where the information being discussed is required to be kept confidential by federal or state law;
- Certain personnel matters relating to employees directly appointed by the Council, and other personnel matters only upon request of the City Manager or Mayor for informational purposes only;
- Consideration of water rights and real property acquisitions and dispositions, but only as to appraisals and other value estimates and strategy for the acquisition or disposition; and
- Consultation with an attorney representing the City with respect to pending litigation. This includes cases that are actually filed as well as situations where the person requesting the executive session believes in good faith that a lawsuit may result, and allows for discussion of settlement strategies.

The City's Boards and Commissions may only hold an executive session for consultation with its attorney regarding pending litigation.

Ethics

Ethics are the foundation of good government. Louisville has adopted its own Code of Ethics, which is found in the City Charter and which applies to elected officials, public body members, and employees. The Louisville Code of Ethics applies in addition to any higher standards

in state law. Louisville's position on ethics is perhaps best summarized in the following statement taken from the City Charter:

Those entrusted with positions in the City government must commit to adhering to the letter and spirit of the Code of Ethics. Only when the people are confident that those in positions of public responsibility are committed to high levels of ethical and moral conduct, will they have faith that their government is acting for the good of the public. This faith in the motives of officers, public body members, and employees is critical for a harmonious and trusting relationship between the City government and the people it serves.

The City's Code of Ethics (Sections 5-6 through 5-17 of the Charter) is summarized in the following paragraphs. While the focus is to provide a general overview of the rules, it is important to note that all persons subject to the Code of Ethics must strive to follow both the letter and the spirit of the Code, so as to avoid not only actual violations, but public perceptions of violations. Indeed, perceptions of violations can have the same negative impact on public trust as actual violations.

Conflicts of Interest

One of the most common ethical rules visited in the local government arena is the "conflict of interest rule." While some technical aspects of the rule are discussed below, the general rule under the Code of Ethics is that if a Council, Board, or Commission member has an "interest" that will be affected by his or her "official action," then there is a conflict of interest and the member must:

- Disclose the conflict, on the record and with particularity;
- Not participate in the discussion;
- Leave the room; and
- Not attempt to influence others.

An "interest" is a pecuniary, property, or commercial benefit, or any other benefit the primary significance of which is economic gain or the avoidance of economic loss. However, an "interest" does not include any matter conferring similar benefits on all property or persons similarly situated. (Therefore, a City Council member is not prohibited from voting on a sales tax increase or decrease if the member's only interest is that he or she, like other residents, will be subject to the higher or lower tax.) Additionally, an "interest" does not include a stock interest of less than one percent of the company's outstanding shares.

The Code of Ethics extends the concept of prohibited interest to persons or entities with whom the member is associated. In particular, an interest of the following persons and entities is also an interest of the member: relatives (including persons related by blood or marriage to certain

degrees, and others); a business in which the member is an officer, director, employee, partner, principal, member, or owner; and a business in which member owns more than one percent of outstanding shares.

The concept of an interest in a business applies to profit and nonprofit corporations, and applies in situations in which the official action would affect a business competitor. Additionally, an interest is deemed to continue for one year after the interest has ceased. Finally, “official action” for purposes of the conflict of interest rule, includes not only legislative actions, but also administrative actions and “quasi-judicial” proceedings where the entity is acting like a judge in applying rules to the specific rights of individuals (such as a variance request or liquor license). Thus, the conflict rules apply essentially to all types of actions a member may take.

Contracts

In addition to its purchasing policies and other rules intended to secure contracts that are in the best interest of the City, the Code of Ethics prohibits various actions regarding contracts. For example, no public body member who has decision-making authority or influence over a City contract can have an interest in the contract, unless the member has complied with the disclosure and recusal rules. Further, members are not to appear before the City on behalf of other entities that hold a City contract, nor are they to solicit or accept employment from a contracting entity if it is related to the member’s action on a contract with that entity.

Gifts and Nepotism

The Code of Ethics, as well as state law, regulates the receipt of gifts. City officials and employees may not solicit or accept a present or future gift, favor, discount, service or other thing of value from a party to a City contract, or from a person seeking to influence an official action. There is an exception for the “occasional nonpecuniary gift” of \$15 or less, but this exception does not apply if the gift, no matter how small, may be associated with the official’s or employee’s official action, whether concerning a contract or some other matter. The gift ban also extends to independent contractors who may exercise official actions on behalf of the City.

The Code of Ethics also prohibits common forms of nepotism. For example, no officer, public body member, or employee shall be responsible for employment matters concerning a relative. Nor can he or she influence compensation paid to a relative, and a relative of a current officer, public body member or employee cannot be hired unless certain personnel rules are followed.

Other Ethics Rules of Interest

Like state law, Louisville’s Code of Ethics prohibits the use of non-public information for personal or private gain. It also prohibits acts of advantage or favoritism and, in that regard, prohibits special considerations, use of employee time for personal or private reasons, and use of City vehicles or equipment, except in same manner as available to any other person (or in manner that will substantially benefit City). The City also has a “revolving door” rule that prohibits elected officials from becoming City employees either during their time in office or for two years after leaving office. These and other rules of conduct are found in Section 5-9 of the Code of Ethics.

Disclosure, Enforcement, and Advisory Opinions

The Code of Ethics requires that those holding or running for City Council file a financial disclosure statement with the City Clerk. The statement must include, among other information, the person’s employer and occupation, sources of income, and a list of business and property holdings.

The Code of Ethics provides fair and certain procedures for its enforcement. Complaints of violations may be filed with the City prosecutor; the complaint must be a detailed written and verified statement. If the complaint is against an elected or appointed official, it is forwarded to an independent judge who appoints a special, independent prosecutor for purposes of investigation and appropriate action. If against an employee, the City prosecutor will investigate the complaint and take appropriate action. In all cases, the person who is subject to the complaint is given the opportunity to provide information concerning the complaint.

Finally, the Code allows persons who are subject to the Code to request an advisory opinion if they are uncertain as to applicability of the Code to a particular situation, or as to the definition of terms used in the Code. Such requests are handled by an advisory judge, selected from a panel of independent, disinterested judges who have agreed to provide their services. This device allows persons who are subject to the Code to resolve uncertainty before acting, so that a proper course of conduct may be identified. Any person who requests and acts in accordance with an advisory opinion issued by an advisory judge is not subject to City penalty, unless material facts were omitted or misstated in the request. Advisory opinions are posted for public inspection; the advisory judge may order a delay in posting if the judge determines the delay is in the City’s best interest.

Citizens are encouraged to contact the City Manager’s Office with any questions about the City’s Code of Ethics. A copy of the Code is available at the City’s website (www.LouisvilleCO.gov) and also from the Offices of the City Manager and City Clerk.

Other Laws on Citizen Participation in Government

Preceding sections of this pamphlet describe Louisville's own practices intended to further citizen participation in government. Those practices are generally intended to further dissemination of information and participation in the governing process. Some other laws of interest regarding citizen participation include:

Initiative and Referendum

The right to petition for municipal legislation is reserved to the citizens by the Colorado Constitution and the City Charter. An initiative is a petition for legislation brought directly by the citizens; a referendum is a petition brought by the citizens to refer to the voters a piece of legislation that has been approved by the City Council. In addition to these two petitioning procedures, the City Council may refer matters directly to the voters in the absence of any petition. Initiative and referendum petitions must concern municipal legislation—as opposed to administrative or other non-legislative matters. By law the City Clerk is the official responsible for many of the activities related to a petition process, such as approval of the petition forms, review of the signed petitions, and consideration of protests and other matters. There are minimum signature requirements for petitions to be moved to the ballot; in Louisville, an initiative petition must be signed by at least five percent of the total number of registered electors. A referendum petition must be signed by at least two and one-half percent of the registered electors.

Public Hearings

In addition to the opportunity afforded at each regular City Council meeting to comment on items not on the agenda, most City Council actions provide opportunity for public comment through a public hearing process. For example, the City Charter provides that a public hearing shall be held on every ordinance before its adoption. This includes opportunities for public comment prior to initial City Council discussion of the ordinance, as well as after Council's initial discussion but before action. Many actions of the City are required to be taken by ordinance, and thus this device allows for citizen public hearing comments on matters ranging from zoning ordinances to ordinances establishing offenses that are subject to enforcement through the municipal court.

Additionally, federal, state, and/or local law requires a public hearing on a number of matters irrespective of whether an ordinance is involved. For example, a public hearing is held on the City budget, the City Comprehensive Plan and similar plans, and a variety of site-specific or person-specific activities, such as annexations of land into the city, rezonings, special use permits, variances, and new

liquor licenses. Anyone may provide comments during these hearings.

Public Records

Access to public records is an important aspect of citizen participation in government. Louisville follows the Colorado Open Records Act (CORA) and the additional public records provisions in the City Charter. In particular, the Charter promotes the liberal construction of public records law, so as to promote the prompt disclosure of City records to citizens at no cost or no greater cost than the actual costs to the City.

The City Clerk is the custodian of the City's public records, except for financial, personnel, and police records which are handled, respectively, by the Finance, Human Resources, and Police Departments. The City maintains a public policy on access to public records, which include a records request form, a statement of fees, and other guidelines. No fee is charged for the inspection of records. No fee is charged for locating or making records available for copying, except in cases of voluminous requests or dated records, or when the time spent in locating records exceeds two hours. No fees are charged for the first 25 copies requested or for electronic records.

Many records, particularly those related to agenda items for City Council and current Board and Commission meetings, are available directly on the City's website (www.LouisvilleCO.gov). In addition to posting agenda-related material, the City maintains communication files for the City Council and Planning Commission. These are available for public inspection at the City Clerk's Office, 749 Main Street.

CORA lists the categories of public records that are not generally open to public inspection. These include, for example, certain personnel records and information, financial and other information about users of city facilities, privileged information, medical records, letters of reference, and other items listed in detail in CORA. When public records are not made available, the custodian will specifically advise the requestor of the reason.

Citizens are encouraged to review the City's website (www.LouisvilleCo.gov) for information, and to contact the City with any questions regarding City records.

Public Involvement Policy

Public participation is an essential element of the City's representative form of government. To promote effective public participation City officials, advisory board members, staff and participants should all observe the following guiding principles, roles and responsibilities:

Guiding Principles for Public Involvement

Inclusive not Exclusive - Everyone's participation is

welcome. Anyone with a known interest in the issue will be identified, invited and encouraged to be involved early in the process.

Voluntary Participation - The process will seek the support of those participants willing to invest the time necessary to make it work.

Purpose Driven - The process will be clearly linked to when and how decisions are made. These links will be communicated to participants.

Time, Financial and Legal Constraints - The process will operate within an appropriate time frame and budget and observe existing legal and regulatory requirements.

Communication - The process and its progress will be communicated to participants and the community at-large using appropriate methods and technologies.

Adaptability - The process will be adaptable so that the level of public involvement is reflective of the magnitude of the issue and the needs of the participants.

Access to Information - The process will provide participants with timely access to all relevant information in an understandable and user-friendly way. Education and training requirements will be considered.

Access to Decision Making - The process will give participants the opportunity to influence decision making.

Respect for Diverse Interests - The process will foster respect for the diverse values, interests and knowledge of those involved.

Accountability - The process will reflect that participants are accountable to both their constituents and to the success of the process.

Evaluation - The success and results of the process will be measured and evaluated.

Roles and Responsibilities - City Council

City Council is ultimately responsible to all the citizens of Louisville and must weigh each of its decisions accordingly. Councilors are responsible to their local constituents under the ward system; however they must carefully consider the concerns expressed by all parties. Council must ultimately meet the needs of the entire community—including current and future generations—and act in the best interests of the City as a whole.

During its review and decision-making process, Council has an obligation to recognize the efforts and activities that have preceded its deliberations. Council should have regard for the public involvement processes that have been completed in support or opposition of projects.

Roles and Responsibilities - City Staff and Advisory Boards

The City should be designed and run to meet the needs and priorities of its citizens. Staff and advisory boards must ensure that the Guiding Principles direct their work. In addition to the responsibilities established by the Guiding

Principles, staff and advisory boards are responsible for:

- ensuring that decisions and recommendations reflect the needs and desires of the community as a whole;
- pursuing public involvement with a positive spirit because it helps clarify those needs and desires and also adds value to projects;
- fostering long-term relationships based on respect and trust in all public involvement activities;
- encouraging positive working partnerships;
- ensuring that no participant or group is marginalized or ignored;
- drawing out the silent majority, the voiceless and the disempowered; and being familiar with a variety of public involvement techniques and the strengths and weaknesses of various approaches.

All Participants

The public is also accountable for the public involvement process and for the results it produces. All parties (including Council, advisory boards, staff, proponents, opponents and the public) are responsible for:

- working within the process in a cooperative and civil manner;
- focusing on real issues and not on furthering personal agendas;
- balancing personal concerns with the needs of the community as a whole;
- having realistic expectations;
- participating openly, honestly and constructively, offering ideas, suggestions and alternatives;
- listening carefully and actively considering everyone's perspectives;
- identifying their concerns and issues early in the process;
- providing their names and contact information if they want direct feedback;
- remembering that no single voice is more important than all others, and that there are diverse opinions to be considered;
- making every effort to work within the project schedule and if this is not possible, discussing this with the proponent without delay;
- recognizing that process schedules may be constrained by external factors such as limited funding, broader project schedules or legislative requirements;
- accepting some responsibility for keeping themselves aware of current issues, making others aware of project activities and soliciting their involvement and input; and
- considering that the quality of the outcome and how that outcome is achieved are both important.

Updated December 2015

This pamphlet is prepared pursuant to the Home Rule Charter of the City of Louisville.

This is a compilation of Articles 4 and 5 of the Charter of the City of Louisville and is available at all times in the City Clerk's Office, 749 Main Street, Louisville, Colorado, and on the City's web site at www.LouisvilleCO.gov.

This pamphlet is also provided to every member of a public body (board or commission) at that body's first meeting each year.

Memorandum

To: Parks & Public Landscaping Advisory Board (PPLAB)
From: Ember Brignull, Open Space Manager
Date: January 10, 2019
Re: Discussion Item IX., 2019 Open Space Zoning Update

Purpose:

Staff is currently working on Phase III of the Open Space Zoning project; this includes developing property line recommendations for areas where parcel lines do not exist. Open Space, Park, and Golf staff developed property line recommendations in areas where open space land is adjacent to park land or where there is potential for future park development.

Staff is seeking:

1. PPLAB review, recommendations, and approval of the property line recommendations for the following properties: Olson, Daughenbaugh/Warembourg, and Walnut. Recommendations are indicated in green hatching on attachment No. 3 maps.
2. PPLAB review and recommendation of preferred property line option A, B, C, or other for Dutch Creek Open Space.

Background:

Section 15-3 (b) of the Louisville Charter states: *“The City’s ordinances shall provide for an open space zone district into which shall be placed all land which is located wholly within the City and which has been designated as open space...”*

On August 2, 2011, the Planning and Parks & Recreation Departments, in collaboration with the Planning Commission and the OSAB, revised the Louisville Municipal Code, to be consistent with the Charter, establishing the Open Space Zone District which was subsequently approved by City Council per Ordinance No. 1597 and No. 1597, Series 2011.

Between 2011 and 2017 the following properties have been included into the Open Space Zone District:
Davidson Mesa, Damyranovich, Hillside, Avista, Gateway, Daughenbaugh/Warembourg, CTC, Bullhead Gulch, Hecla, Coal Creek Trail Corridor, North, Centennial Trail Corridor, Harper Lake, Coyote Run, and Aquarius Open Space properties per Ordinance No. 1597, Series 2011 and Ordinance No.1752, Series 2017.

On October 16, 2018, staff requested that City Council consider endorsing the scope of properties to be included for surveying, public hearings, and adjacent property owner notifications for Phase III. Properties discussed with City Council for proposed Phase III zoning, and City Council direction, are briefly described below. The complete City Council packet can be found at this location:
<http://www.louisvilleco.gov/home/showdocument?id=21236>

- Walnut Open Space: City Council gave direction to zone this property as Open Space. Council supported the “Open Space- Other” classification which allows for the most flexibility in management practices.
- Warembourg Open Space: City Council gave direction to zone this property as Open Space and to include an additional parcel in the north-west corner of the property.
- Coal Creek Trail (HWY 36 to Dillon Road): City Council gave direction to zone this property as Open Space. However, staff was asked to consider future expansion of the Golf Maintenance Shop (floodplain issues related to expansion).
- Olson: City Council requested additional information regarding this property before giving direction on Open Space zoning. City Council requested staff to evaluate the southern portion of the property for potential park-like uses such as: a dog park, playing fields, and playgrounds as well as potential commercial uses. Generally, City Council was supportive of zoning the northern portion of the property as Open Space with the “Open Space-Other” classification which allows for the most flexibility in management practices.
- Dutch Creek: City Council gave direction to zone this property as Open Space and supported staff’s recommendation to work with appropriate boards and staff on designating boundary lines next to Elephant Park and the Golf Course.

- Lake Park Open Space: City Council gave direction to wait until 2020 to give formal zoning direction on this property. In 2020, the Cottonwood Master Plan is scheduled to occur and information gained in the planning effort will be considered before voting on Open Space zoning. During the discussion a significant majority of the City Council preferred to designate Lake Park as a park and the Cottonwood Master Planning process will help further inform future deliberation and property lines.

Please note, beyond this current Phase III of Open Space zoning, there are likely future phases that will occur following a more extensive inventory of public owned lands and City Council direction.

Next Steps:

Park, Recreation, and Open Space Department staff will consider PPLAB recommendations and continue working with other Departments to finalize property line locations while ensuring that zoning does not conflict with potential future development and/or park and golf needs. Once City staff reaches final agreement on proposed property line locations, the areas will be surveyed, meets and bounds descriptions will be developed, and staff will work with the Planning Department, Planning Commission, and City Council to pursue formal Open Space zoning of the proposed properties.

Attached:

1. October 16, 2018 OSAB Recommended Open Space Zoning Map. Provided for background.
2. Louisville Open Space Zoning Timeline
3. Property Line Location Recommendation Maps Per Property.

LOUISVILLE OPEN SPACE ZONING TIMELINE

Coal Creek Trail (HWY 36-Dillon), Dutch Creek, Warembourg, Walnut, Olson

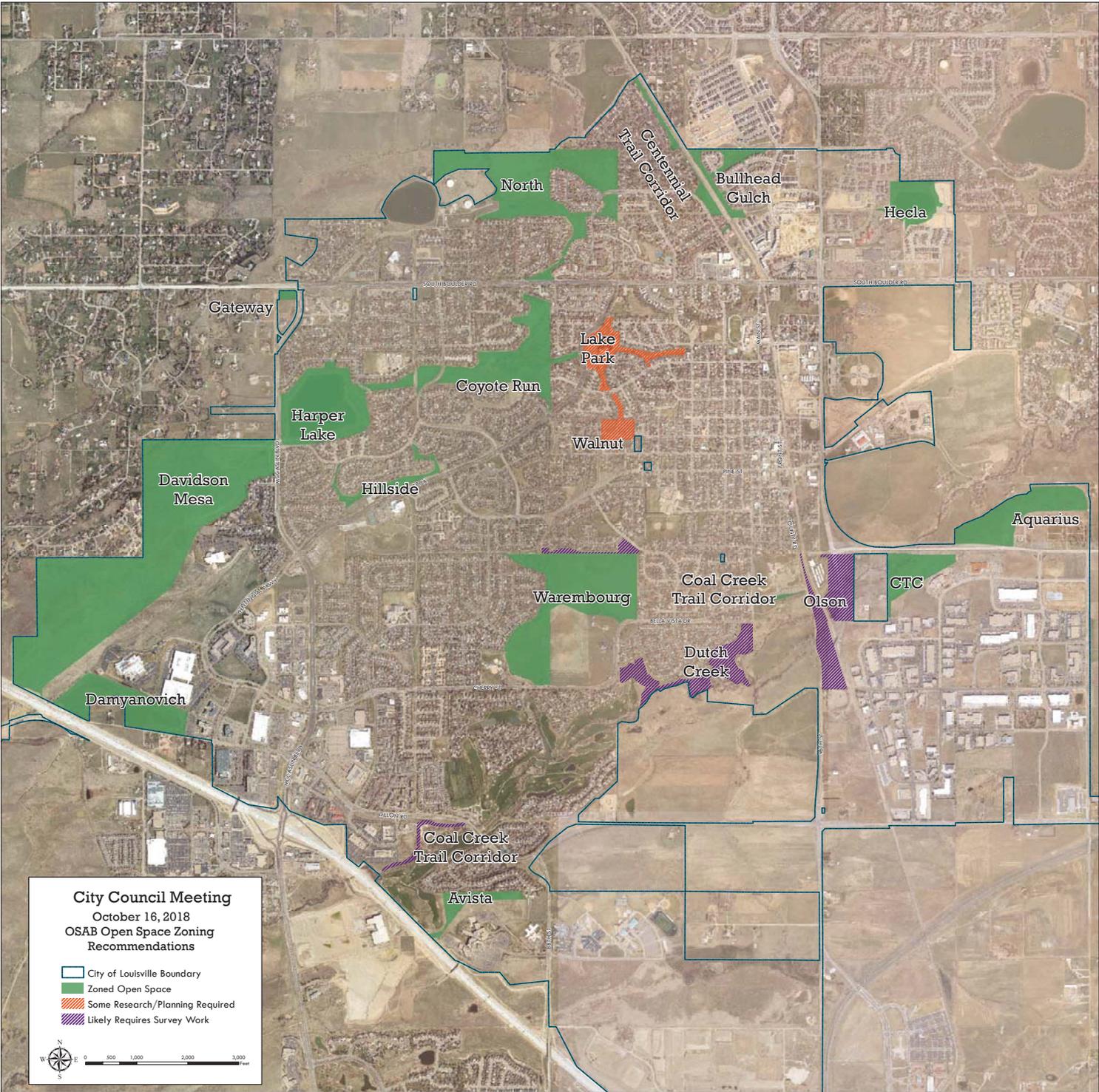
PHASE III
2018-2019



TO BE CONTINUED...

PHASE IV
TBD

Olson, Lake Park, Jointly owned lands within City limits, new parcels requested for review by City Council or OSAB

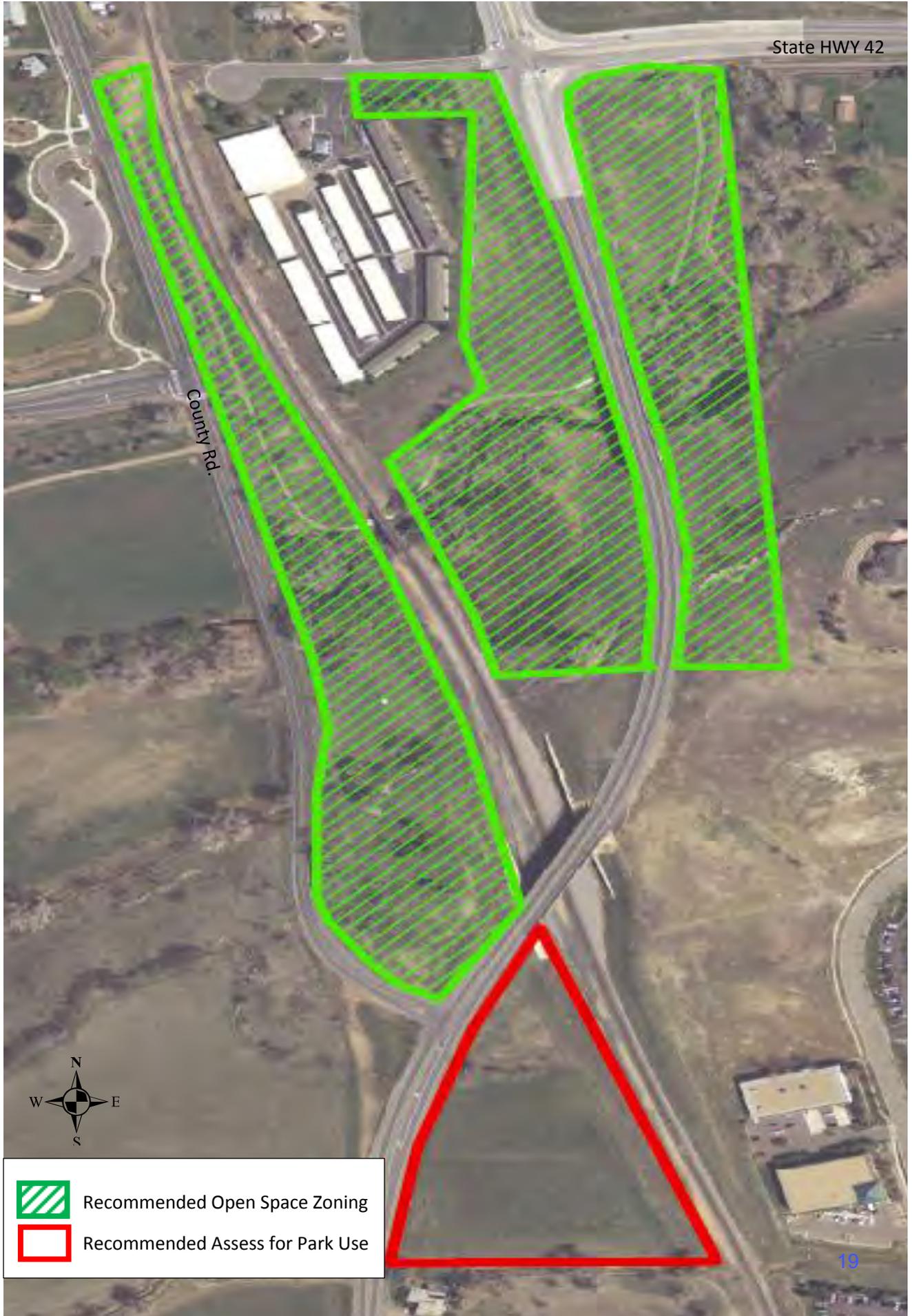


City Council Meeting
 October 16, 2018
 OSAB Open Space Zoning
 Recommendations

-  City of Louisville Boundary
-  Zoned Open Space
-  Some Research/Planning Required
-  Likely Requires Survey Work



Olson Open Space



Recommended Open Space Zoning



Recommended Assess for Park Use

Daughenbaugh/Warembourg Open Space



Walnut Open Space



Dutch Creek Open Space



To: Parks and Public Landscaping Advisory Board
From: Dean Johnson, Parks Superintendent
Date: 1/3/19
Subject: Park Naming Contest Update and Discussion

Purpose:

The purpose of this agenda item is to continue the discussion on the Park Signage Project from the December meeting, specifically the park naming portion of the project.

Background:

During the November PPLAB meeting, the Board was reintroduced to the park sign program. As discussed, the intent of this program will be to sign all of the park sites. These small park signs will include the park name and park rules.

For some of the sites, formal names have not been adopted. PPLAB has the opportunity to advise and guide the City on selecting names for these sites. In advising, PPLAB could make a direct name recommendation to Council, or recommend increased community outreach for selecting a park name, or a combination.

During the December meeting an approach for naming was discussed and PPLAB recommended moving forward with a community outreach process, in the way of a naming contest. Details on how this process will occur will be discussed at the January meeting.

Next Steps:

Discussion is planned to continue in upcoming meetings as needed for the Park Signage Project for finalizing feedback on park names, design, and sign locations.

Park Sites With Unofficial Names

Park	Named After	Address
Recommended Parks for Naming Contest		
Dutch Creek / Elephant Park	Dutch Creek Subdivision. City already has a Dutch Creek Park	Lilac Cir. & Chestnut St.
Mission Greens	Centennial Valley 1 Subdivision (Mission Greens)	Lois Dr. & S. Hoover Ave.
Saratoga 1	From Stockade Subdivision (changed name to Saratoga)	N. Hoover Ave. & W. Elm St.
Wildflower (or change to Owl Park ?)	Westfield II Subdivision (commonly called Wildflower)	W. Pine St. & Owl Dr.
Wildridge	?, Centennial #8	0 Arapahoe Cir.
Heritage (B)	From Heritage Subdivision	W. Hackberry St. & S, Tyler Ave
Recommend Changing Name to Bocce Ball Park		
Sagebrush Park	?, From Sundance Subdivision	S. Polk & W. Pine St.
Recommend Not Changing the Names		
Enclave	Enclave Subdivision	1140 S. Enclave Cir
McKinley	Mckinley Park Subdivision, Called Mckinley Park on PUD	McKinley Park Lane
Pine St. Park	Pine Street Park Subdivision	W. Pine St. & S. Polk Ave
Cedarwood	Cedarwood Park Subdivision	Hutchinson St. & Jefferson Ave.
Saratoga	From Stockade Subdivision (changed name to Saratoga)	W. Spruce Way and Tyler Ave.
Sundance Park	Sundance Subdivision	Hoover Ave. & Sycamore Lane

To: Parks and Public Landscaping Advisory Board (PPLAB)
From: Dean Johnson, Parks Superintendent
Date: 01/03/2019
Subject: Process for Advancing Subdivision Entry Landscape Capital Improvement Program

Purpose:

The purpose of this agenda item is for PPLAB to advise staff on structuring the process and policy deliberation related to implementing the Council approved Subdivision Entry Landscape investments in the 2019/2020 Capital Improvement Program (CIP).

Background:

During the biennial budget process during 2018, the City Council added a Subdivision Entry Landscape CIP project (attached). The funding is programmed for planning to occur during 2019, with a \$7,000 budget, followed by additional planning and construction in 2020 - 2024, with a \$57,000 budget each of those years. The CIP description raises a number of issues that need to be vetted by staff and the board, with likely additional guidance requested from City Council.

Staff is requesting the PPLAB's guidance related to process and policy issues raised by the project to help set a course for implementation. At this time, staff is identifying the following issues for PPLAB guidance:

Policy Issues:

Equity – Some of the subdivision entries needed landscape improvements are a result of residential Homeowners Associations (HOAs) going defunct. If/when the city upgrades these subdivision entries, which some may have previously been the responsibility of the association, active HOAs may claim that they also should be eligible for improvements. The planned level of funding is estimated for a limited number of subdivision entry improvements.

Beyond subdivision entries there are other public use areas that are not a part of this CIP but similar in need, with similar issues. For example, this CIP does not address needed landscape improvements in right-of-way cul-de-sac landscaped beds.

Implications for Commercial Zones – It is possible that commercial properties would request being eligible for this improvement program. While it is less common for commercial properties to allow their property maintenance/improvement funding to become defunct, there are some properties that might pursue access to these entry improvement funds.

Underlying Landscape Ownership – Over the decades of subdivision development there are inconsistencies in the underlying landscape ownership and maintenance commitments. Some subdivisions were approved based on allowed variances for street and landscape design with the understanding that they are private assets, not public. Questions could arise related to the

city investing in private responsibility such as equity between private and public assets, liability issues, ongoing maintenance responsibilities, decision-making authority, etc.

Levels of Investment Per Entry – There are wide ranging infrastructure conditions across the subdivision entries. For example: some entries have irrigation intact and others do not; some entries have deteriorating concrete curbing or other hardscapes; some have outdated plant material and landscape design; etc. Staff would like to develop clear guidance on the expected levels of infrastructure investment. For example, is the project intended to upgrade landscape materials only, or is there an intention to upgrade irrigation and hardscape features. This expectation could significantly affect the cost of investment per feature.

Ongoing Maintenance Responsibility – Some subdivisions are requesting that the city provide an upgrade to entries with the commitment from the private property owners to continue with ongoing maintenance. Some subdivisions are unclear where ongoing maintenance would come from. Before proceeding with one-time capital improvements that clear expectations/agreements be established for ongoing maintenance from the private property owners.

Clear Representation from Defunct HOAs – Staff has already experienced that there are differing opinions and unclear representation from defunct HOAs. It could be challenging to achieve representative input and agreement for entry design, construction and ongoing maintenance. Would PPLAB serve as the decision-making entity when representation is unclear? There could be significant staff time devoted to approval processes if and when there is unclear representation.

Does the PPLAB have any input on the policy issues identified above? And are there policy issues that are missing?

Emergent Issue – Municipal Code Gap Related to ROW maintenance responsibilities:

As this issue and other landscape maintenance issues have come up over recent years, staff has identified a gap in the city’s right-of-way (ROW) maintenance ordinances. It is typical for local governments to have a more clear delineation of maintenance responsibility related to the ROW from back of curb to private property. A clear example that does exist in the City of Louisville’s ordinances is sidewalk snow removal responsibility, which is the responsibility of adjacent property owners within 24 hours of a snow event. However, maintenance for vegetation is not clear in the City of Louisville. Typical code examples from other local governments include:

City of Lakewood

9.80.025 Unlawful condition of right-of-way

It shall be the responsibility of the owner, agent, or lessee of any real property abutting a public right-of-way to provide landscape maintenance including, but not limited to, mowing of all right-of-way area between the property line and the curb line or edge of roadway or right-of-way. The vegetation in said area shall be maintained to the same levels required under Chapter 9.80 and be litter free. (Ord. O-2013-4 § 3, 2013; Ord. O-97-41 § 3, 1997).

City of Littleton

Every owner shall comply with the regulations adopted by the city manager, or his designee, and shall be responsible for the normal care, including the watering, pruning, control of diseases and pests, and removal (if required), of trees and plants located on rights of way adjacent to their property.

City of Arvada

Sec. 94-68. - Maintenance responsibility.

It shall be the responsibility of present and future owner of property adjacent to all streets to provide for the maintenance of all facilities and landscape area from the property line out to the main traveled portion of the roadway. This shall include, but is not limited to, the curb, gutter, sidewalks and landscaping, except where the rear lot line of a residential property is adjacent to the street. This section shall be applicable to all property within the city.

In parallel with, and perhaps in advance of, the subdivision entry program process, staff recommends that the PPLAB support and provide guidance on updating the city code related to ROW maintenance responsibility similar to the examples identified above.

Does PPLAB support developing a recommendation to City Council to amend the code to clarify ROW maintenance responsibilities similar to other local governments in Colorado?

Process Approach:

Staff is requesting guidance from PPLAB regarding the process to follow to deliberate these policy issues and to develop options to proceed.

With PPLAB's help, staff would like to develop a program that makes sense for all involved and establishes clarity on the policy issues outlined above. The intent would be for the PPLAB to work with staff to further develop policy questions for PPLAB guidance and City Council decision. Also, PPLAB could help staff develop options for a clear approach to working with subdivisions once policy questions are answered. For example, options may include creating a matching program which awards investment dollars to those subdivisions that put up matching investments at a requested percentage. Also, there could be options that include a requirement to commit to ongoing maintenance.

In addition, staff requests PPLAB assistance in developing code clarity for ROW maintenance responsibility for recommendation to City Council.

Staff has developed two options for PPLAB process:

PPLAB Subcommittee – PPLAB selects two board members to work with staff to develop policy and program guidance that would then go back to the full board for recommendation. This approach may accelerate PPLAB guidance since more work could occur outside of regular board meetings; however, there would be an impact to the amount of time the subcommittee members would be spending on the issue.

PPLAB Meeting Format – Staff would develop policy questions and program guidance options to be considered only at regular PPLAB meetings. The program would likely take longer to develop; however, PPLAB time would only be devoted to regular meetings.

Are there other process options that PPLAB would like to consider? If not, which option would PPLAB prefer to make process on this new program?

Staff recommends PPLAB establish a subcommittee to work with staff to more fully vet policies and process options.

Next Steps:

Based on PPLAB input and feedback staff will work with the PPLAB on developing policy questions and options for implementing the Subdivision Entry Landscape program approved in the 2019/2020 budget and take next steps on developing clarifying code language.

Six-Year (2019-2024) Capital Improvement Plan Request Form for Capital Equipment or Capital Project

Identification and Funding Source

Project Name: <u>Subdivision Entry Landscape Improvements</u>		Submitted By: <u>Parks & Recreation</u>		Version: <u>8/14/2018</u>	
Program(s):	Sub-Program(s):	Funding Source(s):	Percent		
<u>Transportation</u>	<u>Streetscapes</u>	<u>Capital Projects Fund</u>	<u>100%</u>		
				100%	

Estimated Cash Flow Schedule

Equipment or Project Costs	Year 1 2019	Year 2 2020	Year 3 2021	Year 4 2022	Year 5 2023	Year 6 2024	Six-Year Total
Land Acquisition	-	-	-	-	-	-	-
Design & Engineering	7,000	7,000	7,000	7,000	7,000	7,000	42,000
Other Prof Services	-	-	-	-	-	-	-
Construction	-	50,000	50,000	50,000	50,000	50,000	250,000
Other Equip/Project Costs	-	-	-	-	-	-	-
Capital Equipment Purch	-	-	-	-	-	-	-
Total Costs (Gross)	7,000	57,000	57,000	57,000	57,000		292,000
Grants or Other Off-Setting Revenue	-	-	-	-	-	-	-
Impact to Annual Maint/Operating Costs	-	5,000	10,000	15,000	20,000	25,000	75,000

Description and Justification

	<p style="text-align: center;">Description & Proposed Funding:</p> <p>Equipment/Project Description: Project or program is to begin renovating subdivision entry landscaping for those currently not maintained by HOAs. Estimated at more than a dozen locations.</p> <p>Cost allocation methodology for projects with more than one funding source: None requested at this time. Estimated that with annual construction budget appointed, one or two entrances could be renovated per year depending on scope and current utility needs.</p> <p>Project revenue or grants, if any, that will support the project and the impacts to the operating budget: Not at the time of request.</p>
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Justification and Alignment with Program/Sub-Program Goals & Key Performance Indicators:

Staff recommends further discussion occurs before approval of this project. If project is approved, it will change the City's unofficial policy on maintenance provided to these areas. The initial need to fund a dozen entrances could quickly multiply once this project/program has been adopted. It stands to reason that functioning HOAs could ask for renovation assistance and other similar landscaped areas such as cul-de-sac landscaped beds (about 25), and even entrance beds maintained by commercial properties could all become apart of this program. Capital expenses could be significant. Utilities will need to be reestablished and direction or policy on subdivision signs will need to be established. For example, pictured above is the entrance to Heritage Subdivision. Would repair of subdivision signs be apart of this CIP? As the maintenance expectations and inventory increases so would maintenance expenses. This may eventually lead to the need to fund another full-time position along with temporary help (or significant increase in contractual funds). PPLAB has discussed the subdivision entrance beds and did not consider it to be a priority for consideration at this time, but did see the need to further discuss. PPLAB was planning on discussing in the fall.

Is there a computer hardware or software component to this request? No If so, has I.T. Dept. reviewed this request? _____
 Department Priority Ranking: High Request Number: (Finance Use)

Parks and Public Landscaping Advisory Board

TENTATIVE* Board Items Calendar

(updated January 3, 2019)

February 7, 2019	March 7, 2019	April 4, 2019
<p>Action Items:</p> <p>Updates/Discussion from the Department:</p> <ul style="list-style-type: none"> • Ordinance Updates Affecting Parks • Continued Subdivision Landscape Discussion <p>Updates/Discussion from the Board:</p>	<p>Action Items:</p> <p>Updates/Discussion from the Department:</p> <ul style="list-style-type: none"> • Park Playground Replacement Design Review • Sundance Park Master Plan • Park Sign Design <p>Updates/Discussion from the Board:</p>	<p>Action Items:</p> <p>Updates/Discussion from the Department:</p> <ul style="list-style-type: none"> • Prioritize Park Sites for Drinking Fountains <p>Updates/Discussion from the Board:</p>
May 2, 2019	June 6, 2019	July 11, 2019
<p>Action Items:</p> <p>Updates/Discussion from the Department:</p> <ul style="list-style-type: none"> • Sundance Park Master Plan Open House <p>Update/Discussion from the Board:</p>	<p>Action Items:</p> <p>Updates/Discussion from the Department:</p> <ul style="list-style-type: none"> • Discuss Park Sign Locations <p>Update/Discussion from the Board:</p>	<p>Action Items:</p> <p>Update/Discussion from the Department:</p> <ul style="list-style-type: none"> • Heritage Park Restroom CIP Design <p>Update/Discussion from the Board:</p>

*All items are subject to change.