

**CITY OF LOVELAND OPEN LANDS ADVISORY COMMISSION
JUNE 13, 2012
PARKS AND RECREATION CONFERENCE ROOM
REGULAR MEETING MINUTES**

Commissioners Present: Gale Bernhardt, Rick Brent, Kathy Hartman, Andy Hawbaker, Ted Mioduski, Darren Pape, Bill Zawacki, Hugh McKean (City Council Liaison), Jim Roode (alternate).

Commissioners Absent: Lori Bell, Steve McMillan.

Staff Present: Brian Hayes, Gary Havener, Debbie Eley.

The public meeting was called to order at 5:30 pm.

Approval of the May 9, 2012 Commission Meeting Minutes: Kathy Hartman made a motion to approve the minutes as written. Gale Bernhardt seconded and the motion passed unanimously.

Public Comment: None present.

City Council Liaison Report: Hugh McKean reported that Loveland is supporting the High Park Fire with engines and personnel. Also, Larimer County Open Lands Advisory Board members prioritized their areas of interest for spending the \$2M remaining through 2018.

Discussion/Action:

1. River Corridor Open Space Project – GOCO Grant Request. Loveland's Big Thompson Project grant request for the GOCO River Corridors Initiative was not recommended for funding. Eight of the 17 applicants were selected for funding, and nine applicants received no funding. The river corridor grant program was set up to award \$32M statewide. GOCO staff cut that amount by \$2.4M to transfer to the spring 2012 open space applicants. GOCO staff recommended that Loveland submit components of the project during future open space and local government grant cycles.

2. HP/Agilent Open Space

A. Capital Budget (AECOM'S cost estimates). AECOM's estimated design and construction costs for the preferred plan are approximately \$1.4M. The current estimated cost of the project will be covered by the Capital projects budget. Staff is working with AECOM to continue to refine the estimated cost and construction schedule. Topographic and geo-technical surveys were completed, as well as the Colorado Parks and Wildlife (CPW) fish survey. "Fishing is Fun" grants are expected to be announced by June 30. Staff is working with Risk Assessment Staff and the CPW biologist regarding the environmental testing of the ponds completed in 2011.

B. Naming of the new Open Space. Approximately 150 name suggestions were submitted by citizens. Staff selected seven of these names for OLAC to consider. In addition, commission members suggested several other names. Kathy Hartman made a motion that the property be named "HP Ponds Natural Area," Bill Zawacki seconded the motion, and the motion failed on a vote of 4-2. The commission then selected two potential names that will be brought back to the full commission in July: HP Ponds Natural Area and HP Ponds Open Space.

3. Open Lands Proposed 2013 Budget. The proposed 2013 budget shows an increase in staffing of 0.5 FTE (full-time equivalent) for an Open Lands Planner, funding for Parks Maintenance Workers (1.17 FTE) to maintain and operate the HP/Agilent Open Space, and capital project funding to open the Wild property to the public. In addition, a revision to the 2012 budget has been approved that authorizes a new position for Natural Areas Manager, to be filled in 2012. Job descriptions for this position as well as a Natural Areas Resource Coordinator were distributed.

4. Oil and Gas (Fracking). City Council held a study session and panel discussion on June 12 regarding Oil and Gas Extraction and Development. Hugh McKean explained that mineral rights can be severed from a property's surface rights and then exercised for the mining of coal, gravel, oil, gas, etc. Loveland's zoning code does not regulate oil and gas extraction because the state regulates mining. Policies regarding mineral rights and open lands could be developed. The initial review process for property acquisition currently includes consideration of mineral rights. Natural Areas staff will continue to research the mineral rights status of fee-simple and conservation easement properties held by Loveland.

Reports/Correspondence:

5. High Plains Environmental Open Space Fees. Natural Areas staff has been working with the High Plains Foundation regarding the collection and balance of Environmental Fees in accordance with the 2006 Agreement. Due to the complexity of the Agreement and the lack of complete records by High Plains and the City, staff has proposed to accept the calculations by Mueller and Associates, the CPA firm hired by the High Plains Foundation. The balance established by Mueller as of August 2011 was \$275,660.80, plus interest and collections since that time. Final numbers will be determined in the next month or two. The City will request future quarterly reports from High Plains and an estimate of the full build-out of residential and non-residential properties under the Agreement.

6. Natural Areas Projects Report. Brian reported that a contract should be signed shortly for the Regional Open Space Study. The total cost will be \$155,000, with a GOCO grant for \$75,000 and the balance split among the county and municipalities according to the current sales tax allocation. Brian also reported that Aimee Ryel of Colorado Parks and Wildlife (CPW) has been in discussions with a Big Thompson River property owner regarding a possible habitat stamp grant application. The due diligence for this property was researched as part of the Big Thompson River Corridor Grant proposal, and the acquisition could be submitted as a GOCO Open Space grant request. Other partners for this project could

include High Plains Environmental Open Space Fees and Larimer County. Brian also reported that he has been meeting with Berthoud and Larimer County regarding the 2nd phase of the Heron Lakes project.

Commission Members' Discussion Topics:

1. Darren Pape noted that his scout group may have a potential Eagle Scout project request.

Adjournment: The meeting was adjourned at 7:25 pm.