



# Parks & Open Space

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## PARKS & OPEN SPACE ADVISORY COMMITTEE MEETING

Time/Date of Meeting: 6:30 p.m., Thursday, January 25, 2024

**TO:** Parks & Open Space Advisory Committee  
**FROM:** Don Durso, Land Officer  
**AGENDA ITEM:** Von Reyn–2024 Transfer of Management (For Improvements to 95<sup>th</sup> Street)  
**ACTION REQUESTED:** Recommendation to the BOCC

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*For much longer than Parks & Open Space’s history of stewarding open space, the land in this community has been important to diverse Indigenous communities that continue to live here. We are partnering with Indigenous people to make meaningful changes to how we do our work that include Indigenous people, incorporate their perspectives, and honor their land stewardship legacy. Parks & Open Space operates within modern legal constructs of land ownership to steward Boulder County open space and accomplish these efforts on behalf of our community.*

### **Summary**

Boulder County Public Works (Public Works) has asked Parks & Open Space (POS) to transfer management of approximately 0.503 acres of the Von Reyn open space property to Public Works for road right-of-way. The Von Reyn property is located on the southeast corner of 95<sup>th</sup> Street and Lookout Road (please see the maps at the end of this memo). These 0.503 acres are currently under the management of POS and would be transferred to Public Works for road improvements necessary to meet current county standards and make the road more resilient in the face of future floods. Staff supports this transfer of management.

### **Background Information**

95<sup>th</sup> Street, a county right of way, was heavily damaged in the 2013 flood. Public Works will soon begin reconstruction of the road and shoulders between Isabelle Road and Lookout Road. This project will affect an 875 feet by 25 feet strip of open space property on the east side of 95<sup>th</sup> Street that is part of the Von Reyn open space property, as generally depicted by the red area on the map attached to this memo.

Although both the road and property are owned by Boulder County, they are under different managing departments. Public Works will be taking over permanent management of the 0.503 acres of land and this permanent transfer of management must be accounted for and recognized.

Public Works has the ability to condemn property from private property owners and if this were not already county land, Public Works would be ‘taking’ it for roadway purposes. The value of this property was included in an agreement between Public Works and POS dated April 3, 2023, which memorialized a final accounting of transfers of open space from POS to PW for the period of 2016 through 2023. POS recognized that Public Works had purchased the Wallace house lot near CEMEX for open space in exchange for various small slivers of property that Public Works had taken during that period for roadway purposes. This property was included because it was thought at the time that this transfer would occur in 2023. Therefore, no money will be paid to POS for this transfer.

**Public Process**

The resolution language creating the sales tax that was used to purchase the property requires specific procedures be followed to sell this property, including adjacent property owner notification of the county commissioners' public hearing, newspaper notice 10 days prior to the hearing, and a 60-day waiting period following county commissioner approval.

**Staff Recommendation**

Staff recommends the requested transfer of management of 0.503 acres from the Parks & Open Space department to the Public Works department.

Public Works has the ability to condemn property from private property owners and if this were not county-owned land, Public Works would be 'taking' it for roadway purposes. POS has been compensated for the value of the land via the aforementioned agreement between the two departments.

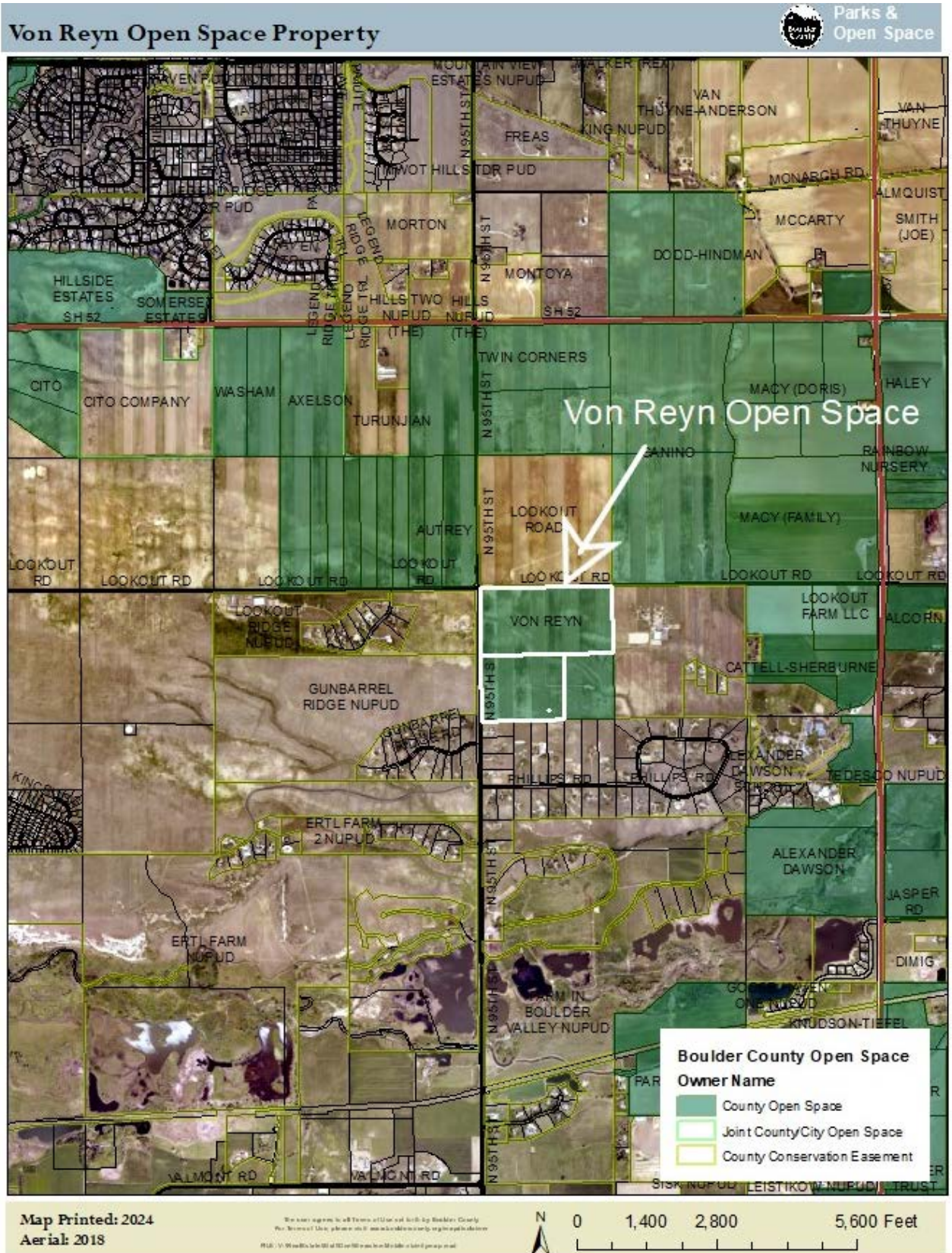
**POSAC Action Requested**

Recommendation to the Boulder County Commissioners for approval of the transfer of management of 0.503 acres of the Von Reyn open space property as described above, and as further described by staff at the POSAC meeting.

Suggested motion language: I move approval of the transfer of management as staff has described.

(see next pages for maps)

Vicinity Map



Close-Up Map with Proposed Area of Transfer in Red

