



Parks & Open Space

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BOCC PUBLIC HEARING

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TO: Board of County Commissioners
FROM: Don Durso, Land Officer
FOR: BOCC Public Hearing, 9:30 a.m., Tuesday, February 13, 2024
RE: Von Reyn-2024 Transfer of Management (Improvements to 95th Street)
MEMO DATE: February 6, 2024

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 0.5 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 95th Street and Lookout Road (please see the maps at the end of this memo). These 0.5 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

95th 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 95th 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 0.5 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 areas 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.

No public comments have been received to date. Any comments we receive after the date of this memo will be shared with the Board at the meeting.

POSAC Recommendation

Staff presented this matter to the Parks and Open Space Advisory Committee at the public meeting held on January 25, 2024. POSAC voted unanimously 7-0 to recommend approval to the Board of County Commissioners.

Staff Recommendation

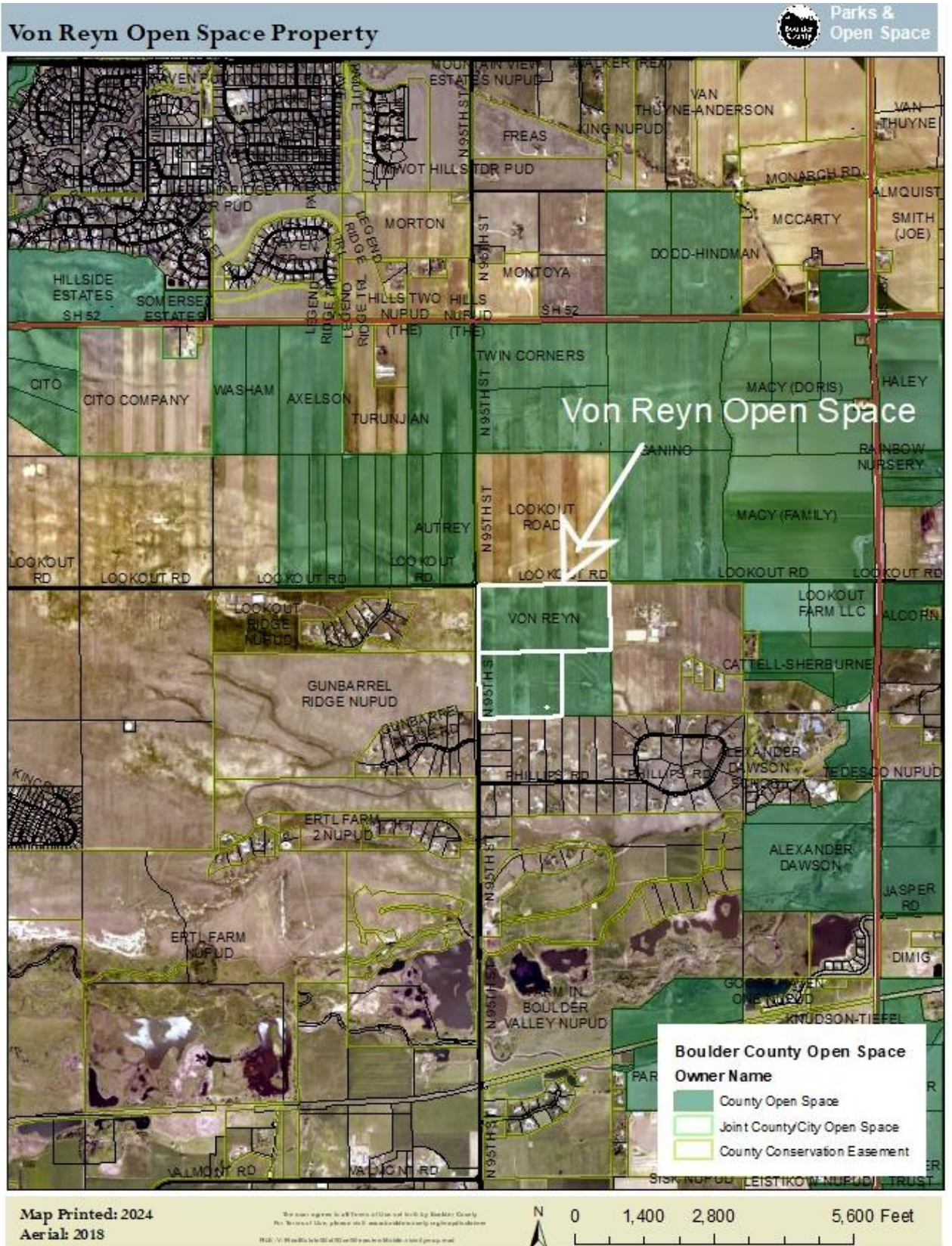
Staff recommends the requested transfer of management of 0.5 acres from the Parks & Open Space department to the Public Works department.

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.

BOCC Action Requested

Approve the request as described above and as presented by staff.

Vicinity Map



Close-Up Map with Proposed Area of Transfer in Red

