

*Approved as Amended 6-15-15*  
**OPEN SPACE BOARD OF TRUSTEES**  
Minutes  
Meeting Date May 13, 2015

**BOARD MEMBERS PRESENT**

Shelley Dunbar      Frances Hartogh      Kevin Bracy Knight      Tom Isaacson

**STAFF MEMBERS PRESENT**

Tracy Winfree      Jim Reeder      Mark Gershman      Kelly Wasserbach  
Jim Schmidt      Steve Armstead      Annie McFarland      Don D'Amico  
Deryn Wagner      Don D'Amico      Alyssa Frideres      Alycia Knutson  
Leah Case

**GUESTS**

Annie Noble, Greenways Program Coordinator  
Kurt Bauer, Engineering Project Manager  
Kristin Dean, Utilities Planner  
Jeff Arthur, Director of Public Works for Utilities  
George Gerstle, Boulder County Transportation  
Julian Maskeroni, Central Federal Lands Highway Division of the U.S. Dept. of Transportation

**AGENDA ITEM 1 – Approval of the Minutes**

Frances Hartogh said in the first paragraph on page two it should read, “Frances Hartogh expressed her concern that the HCA designation of Joder Ranch was not finalized after the Board and City Council voted unanimously for that designation.”

Tom Isaacson moved the Open Space Board of Trustees to approve the minutes from April 8, 2015 as amended. Frances Hartogh seconded. This motion passed unanimously.

**AGENDA ITEM 2 – Public Participation for Items not on the Agenda**

Crif Crawford, Boulder, said he applauds the Open Space Board of Trustees (OSBT) ongoing efforts to protect Open Space. He encouraged the Board to allow the use of a narrow strip of Open Space for the proposed berm, which in turn will protect the citizens of the City of Boulder.

Pete Palmer, Boulder, said the frequency of severe weather events is going to continue to increase and the likelihood of another flood is high. He asked the Board to expedite the construction of the proposed berm.

Chuck Howe, Boulder, said we were lucky not to have any fatalities from the September 2013 flood. He thanked all groups involved who are focusing on this project and working to identify a solution.

Joyce Davies, Boulder, asked the Board to support the mitigation plan to help eliminate future flooding of Frasier Meadows and other neighborhoods located in the flood plain. She said PLAN-Boulder County highlights that Open Space lands can be used to protect lives of the citizens living in flood hazard areas.

Bruce Thompson, Boulder, asked the Board to support the staff recommendation. He noted that roughly 40 residents from Frasier Meadows who also support this recommendation were in attendance.

Mike Barrow, Boulder MountainBike Alliance (BMA), said there is a positive change in how Open Space and Mountain Parks (OSMP) staff is interacting with the public. He expressed his thanks for all of the updates staff has been providing for ongoing projects.

Janet Streater, Boulder, said the proposed changes to the National Institute of Science and Technology (NIST)/National Oceanic and Atmospheric Administration (NOAA) protected areas were not on the agenda as she was expecting. She asked staff to move forward with the foot bridge over Anderson ditch. The process of designating trails should not also make areas off limits.

Suzanne Webel, Boulder County, thanked staff and the Board for bringing forward the proposed trailhead designs for Chapman Drive and Joder Ranch; she said she looks forward to these becoming a reality.

### **AGENDA ITEM 3 – Matters from Staff Draft 2016 Work Plan/CIP**

Tracy Winfree, Open Space and Mountain Parks Director, gave an update on the 2016 Work Plan.

Frances asked when the overarching issues will be addressed. Tracy said likely not until after the North Trail Study Area (TSA) plan is completed.

#### **Progress report on projects**

Annie McFarland, Visitor Access Coordinator, gave a presentation on the status of closed trails due to the recent rain.

Frances asked how staff encourages people to stay on trail in muddy conditions. Annie said this is a hard thing to enforce; staff will post signage at the trailhead as well as on the website to alert people of the trail's condition. If it seems there is a social trail developing long-term, staff can put in structures to deter people from continuing to use the additional trail. Frances suggested having the neighbors do an adopt-a-trail program to help with signage and notifying staff of poor conditions. Tom said in some cases closing the trail may be the best solution as damage can occur very quickly. Annie agreed that this is an effective method; there are two new staff members focused on monitoring muddy trails which will allow staff to be more responsive. Shelley asked if staff can put together a press release when a trail is too muddy to notify users before they get there. Annie said right now Twitter and Facebook are used for this purpose.

Kelly Wasserbach, Engineering Manager, gave a presentation on the possible trailhead designs for Chapman Drive and Joder Ranch.

Tom asked if people will still be able to park at Olde Stage. Kelly said no, Boulder County has requested that staff put up no parking signs. Shelley asked if the infrastructure being put in will be used when the plan is final. Kelly said staff will install it with the intent for it to be permanent.

#### **North Trail Study Area Update**

Steve Armstead, Environmental Planner, gave an update on the status of the North TSA planning process.

Frances suggested posting the schedule for the Inspire Boulder comment window. Shelley added that an e-mail could be sent out to the North TSA e-mail list with the dates for when people can submit comments.

### **AGENDA ITEM 4 – Matters from the Board**

Kevin said the public meeting OSMP held for the North TSA was really great. He encouraged the public to come to these meetings in the future; this is a great way to be involved.

### **Feedback regarding televising OSBT meetings**

The Board agreed that the pilot program of televising the OSBT meetings has been a great success; it provides a great way to be more inclusive. Board members expressed their support for this to continue.

### **2016-2021 Greenways Capital Improvement Program**

Tom Isaacson and Annie Noble, Greenways Program Coordinator, summarized information from the Greenways Capital Improvement Program (CIP).

### **AGENDA ITEM 5 – Public hearing and consideration of a recommendation to City Council regarding the South Boulder Creek Major Drainageway Flood Mitigation Plan**

Don D’Amico, Ecological Systems Supervisor, and Kristin Dean, Utilities Planner, gave a presentation regarding the South Boulder Creek Major Drainageway Flood Mitigation Plan.

#### **Public Comment**

Chuck Wellman, Boulder, said the community was lucky to not have any loss of life from the September 2013 flood. He said he feels heartened to hear that a solution has been discussed and agrees that the staff recommendation is the best solution and very reasonable.

Kathie Joyner, South Boulder Creek Action Group, said every month that goes by and there is no relief is very worrisome. She encouraged the Board to move quickly on making a decision and getting a structure put in.

David McGuire, Boulder, said he is looking forward to a solution being made for saving lives. There are several excellent alternatives to benefit both Open Space and the neighborhoods located in the flood plain.

Rick Mahan, Boulder, re-emphasized the severity of the 2013 flood. This is a huge public safety factor and appreciates that this is being considered.

Steve Karakitsios, Boulder, said the staff recommendation seems like a good solution; Open Space will be affected slightly, but it will easily recover. He asked the Board and staff to move forward quickly.

Tim Johnson, Boulder, thanked the Board for their willingness to listen to the community. He would echo that a decision needs to be made in an expedited fashion; the fear of the next flood event is still very prevalent.

Karl Anuta, Boulder, said flood retention is an important use of Open Space; acquisition was never intended to trump life safety. This time period is already too drawn out; please move ahead quickly.

Raymond Bridge, on behalf of the Boulder County Audubon Society, said he was glad to see that staff had revised the berm language; he is skeptical that this would be accomplished without disruption to the native grasslands. He urged the Board to not approve this recommendation without first making sure there are safeguards in place. All funding for this project needs to come from outside Open Space.

#### **Return to the Board**

Frances asked how the berm can be constructed without impacting Open Space land. Don said the concept plan envisions this to take place totally within the right-of-way; he said there may be temporary impacts to Open Space but staff would make sure there is a good plan for restoration. Tom asked if the proposed option pushes the berm farther east. Don said yes, this moves it farther away from the creek and critical habitat for the Preble’s meadow jumping mouse. He said this will also lessen the project footprint. Tom asked what the height of the berm will be. Kristin said the height of the berm, at the highest, would be 18ft from the base of the underpass (from the Open Space side the height would be 29ft). She said the

majority of this berm should not change the experience/view driving into Boulder. Shelley asked if there is a possibility to make the berm look more natural. Don said if the berm is constructed with soil and an appropriate slope, there might be an option to plant native vegetation. Frances asked how long it would take the detention area to drain in a big rain event. Kurt said they are only allowed to retain water for 72 hours or less, so that would be the longest it would hold water. Frances asked about effects on plants and wildlife. Don said there should not be significant long-term effects. Frances asked what the cost to OSMP will be. Tracy said this is a Utilities project so there will be no cost to OSMP.

Frances said it is hard to vote on something like this when the impacts are unknown. Kurt said this is not the last time the Board has a say in this; there are still several steps (including a public process and a community environmental assessment). Kevin said he is concerned about the idea of this as well; the Charter states opposite to what is being proposed; he said he would have hoped for more of a balance. Frances added that there is line between sacrificing Open Space and protecting homes; this is a much broader issue than bringing residents out of the flood plain. Shelley said she feels comfortable with the staff recommendation. The perspective from a trail user will barely be affected, and the bike experience will be enhanced. She asked staff to bring back design specifics from multiple perspectives, and for the Board to be involved as discussions move forward. Tom read some comments from Molly Davis who was unable to attend the meeting; she expressed her support for the staff proposal.

### **Motion**

**Tom Isaacson moved the Open Space Board of Trustees to support staff's recommendation for City Council to accept the South Boulder Creek Major Drainageway Flood Mitigation Plan, specifically Option D (single berm using Colorado Department of Transportation Right of Way - and requiring no disposal of City of Boulder Open Space and Mountain Parks lands) which significantly lessens environmental impacts to Open Space lands for regional detention at US 36. This is conditioned upon staff returning to the Open Space Board of Trustees in the event staff determines construction will involve non-trivial impacts to Open Space. Shelley Dunbar seconded. This motion passed four to zero; Molly Davis was absent for this meeting.**

**AGENDA ITEM 6 – Recommendation to dispose of an interest in Open Space lands pursuant to Boulder City Charter Section 177 through the conveyance of three (3) acres of Right of Way plus an additional 7 acres for the associated slope easements to Boulder County for the realignment and rebuilding of Lefthand Canyon Drive between Buckingham Park and Jamestown Road and a further recommendation to accept fee ownership to all lands currently owned by Boulder County between the south boundary of the new Right of Way and Left Hand Creek.**

George Gerstle, Boulder County Transportation, gave a presentation to the Board regarding this possible disposal.

Tom asked how long this road would need to be closed for construction. George said it would remain open with the exception of a few short scheduled closures. Frances asked if raising the height of the slope would affect the way wildlife moves in this area. Mark Gershman said in the aquatic habitat this will improve mobility; it will also provide more room in the creek corridor which provides better functionality.

### **Public Comment**

None.

### **Return to the Board**

No further comment.

**Motion**

**Tom Isaacson moved the Open Space Board of Trustees approves and recommends that City Council approves 1) the disposal of an interest in Open Space lands pursuant to Boulder City Charter Section 177 through the conveyance of no more than five (5) acres of Right of Way plus an additional seven (7) acres for the associated slope easements to Boulder County for the realignment and rebuilding of Lefthand Canyon Drive between Buckingham Park and James Canyon Drive, and 2) acceptance of fee ownership to all lands currently owned by Boulder County between the boundary of the new Right of Way and Left Hand Creek. Kevin Bracy Knight seconded. This motion passed four to zero; Molly Davis was absent for this meeting.**

AGENDA ITEM 7 – Consideration of a motion to approve and recommend that City Council approves the disposal of an interest in Open Space lands pursuant to Boulder City Charter Section 177 through the grant of easements to Public Service Company of Colorado for overhead power lines along Thomas Lane and on the T.H.P. Open Space property, as described in Attachment D, conditioned upon Public Service Company of Colorado executing a quit claim deed in a form acceptable to the city terminating whatever rights and interest it may have to the Lower Big Bluestem power line access route.

Jim Schmidt, Property Agent, gave a presentation on this possible disposal.

Kevin asked what other options there might be for access (other than Big Bluestem). Jim said one idea may be to reconstruct the bridge that goes north out of South Mesa trailhead. Shelley asked what the existing power line poles are made of. Jim said wood; the new poles will look very similar.

**Public Comment**

None.

**Return to the Board**

No further comment.

**Motion**

**Frances Hartogh moved the Open Space Board of Trustees approves and recommends that City Council approves the disposal of an interest in Open Space lands pursuant to Boulder City Charter Section 177 through the grant of easements to PSCo for overhead power lines along Thomas Lane and on the T.H.P. Open Space property, as described in Attachment D, conditioned upon PSCo executing a quit claim deed in a form acceptable to the city terminating whatever rights and interest it may have to the Lower Big Bluestem power line access route. Shelley Dunbar seconded. This motion passed four to zero; Molly Davis was absent for this meeting.**

ADJOURNMENT – The meeting adjourned at 9:53 p.m.

These minutes were prepared by Leah Case.

APPROVED BY:

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Shelley Dunbar  
Board Chair

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DATE

