

## **THIRD AMENDATORY AGREEMENT**

**THIS THIRD AMENDATORY AGREEMENT** (this “Amendment”) is made by and between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”), and **COLORADO MINERS INC.**, a nonprofit corporation, with a mailing address of PO Box 7424, Denver, Colorado 80202 (the “Contractor”).

### **RECITALS:**

**A.** The City and Contractor are parties to that certain Cooperative Agreement dated July 27, 2010 (the “Original Agreement”), as extended by that certain letter from the Manager of Denver Parks and Recreation Department to Colorado Miners, Inc. dated July 5, 2011 (the “Extension Letter”) and amended by that certain First Amendatory Agreement dated March 26, 2013 (“First Amendatory Agreement”) and amended by that certain Second Amendatory Agreement dated July 27, 2015 (“Second Amendatory Agreement”) (collectively, the “Existing Agreement”) to allow Contractor to utilize the City-owned Johnson Recreation Center, 4809 Race Street, Denver, Colorado (the “Recreation Center”) to administer and provide youth and community programming at the Recreation Center; and

**B.** The City and Contractor desire to amend the Existing Agreement to require Contractor, whenever holding itself out as a part of Denver Parks and Recreation (“DPR”), or DPR, or as the Recreation Center, to coordinate with Denver Parks and Recreation Marketing/Communications department regarding outreach to the media per Denver Parks and Recreation’s Public Engagement, Communication and Notification policy (PECAN) attached as **Exhibit F** to this Third Amendatory Agreement.

**C.** The City and Contractor also desire to amend the Existing Agreement to extend the term of the Existing Agreement.

**NOW, THEREFORE**, the parties agree as follows:

**1.** The term of the Existing Agreement is extended through and including June 30, 2018. Contractor and the City may amend this Agreement at any time to further extend its term or amend any other term of this Agreement, as may be agreed to by the parties, provided that any such extension or other amendment is approved and executed in the same manner as this Agreement.

**2.** There shall be added to the Existing Agreement, paragraph 4. (e) which shall read as follows:

In the event, and to the extent, Contractor holds itself out as a part of DPR, or as DPR, or as the Recreation Center, in its communications with the general public/community, Contractor shall adhere to the following communications guidelines:

General communications:

- Public-facing communications related to updates and plans for facility/amenity projects managed by DPR must be coordinated with and

approved by the DPR's Director of Marketing and Communications, Yolanda Quesada, (720)913-0664.

Public meetings:

- Any type of public meeting or community gathering organized for the purpose of discussing or promoting plans for DPR facilities/amenities must meet the guidelines set forth by DPR's Public Engagement, Communication and Notification (PECAN) Policy, attached hereto as **Exhibit F**.

Fundraising/Development:

- Plans for fundraising and development efforts, plus related communications that support facility/amenity projects managed by DPR must be coordinated with and approved by DPR's Director of Marketing and Communications.

Miscellaneous third party communications:

- Public-facing communications not outlined in approved DPR facility/amenity project communication plans shall not speak on behalf of the DPR or utilize DPR or other City of Denver logos.

**3.** Except as amended in this Amendment, the Existing Agreement is affirmed and ratified in each and every particular.

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**Contract Control Number:**

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of

SEAL

**CITY AND COUNTY OF DENVER**

ATTEST:

By \_\_\_\_\_

\_\_\_\_\_

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

By \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_



Contract Control Number: PARKS-XC02065-03

Contractor Name: Colorado Miners, Inc.

By: \_\_\_\_\_

Name: \_\_\_\_\_

(please print)

Title: \_\_\_\_\_

(please print)

ATTEST: [if required]

By: \_\_\_\_\_

Name: \_\_\_\_\_

(please print)

Title: \_\_\_\_\_

(please print)



# Exhibit F

Public Engagement, Communication and Notification (PECAN)

**Public Engagement, Communication and Notification**  
**“PECAN”**

**Purpose of this policy**

The Denver Parks and Recreation (DPR) public/community outreach policy is intended to create standards that the DPR administration can follow to ensure that public input and the dissemination of information is a top priority. The standards that make up the framework of this policy are intended to be flexible. The overall goal in creating this policy is to develop a better-informed public, encourage participation and to work collaboratively with our constituents to hear their ideas and collect their feedback.

**Tiers**

Because Denver Parks and Recreation is such a large entity, a one-size-fits-all approach to public communications and engagement is nearly impossible. With more than 5,000 acres of parks and open space in the City and County of Denver, 27 recreation centers and more than 14,000 acres of mountain parks, the department constantly has projects and programs in various stages of implementation and completion. These projects can range from major, multi-million dollar bond projects to minor park improvement or maintenance projects. With that in mind, a tier system is proposed in an effort to set standards for identifying and prioritizing DPR projects and programs, and the appropriate level of public engagement and communication to support them.

The tiers are described in detail below. A separate table and a glossary of terms are also attached to help explain and illustrate this approach.

**Tier 1: Citywide/Regional Participation/Notification**

This is the most comprehensive tier when it comes to communications, engagement and outreach. This tier would include major capital improvement or bond projects that have complex planning, design and funding requirements. Given their size and complexity, these projects require far-reaching communications and multiple opportunities for the public to provide feedback and share ideas.

Projects and issues that fall under this tier include, but aren't limited to, City-wide, regional and large-scale programs, plans, improvements or actions that have the potential for significant change in service, use and/or appearance of parks and facilities. For example:

- City wide or Regional Master Plans  
Capital Improvements in any park above \$500,000 that have city-wide impact  
Major facility or park expansions and renovations
- Citywide Initiatives, such as recreation program redesign; development of new departmental policies; rule changes;
- Proposed fee changes

## **Communication/outreach standards for Tier 1:**

Given the size and impact of issues and projects included in this tier, the standards for public communication, engagement and outreach should be comprehensive. Outreach efforts and planning should begin as early as possible before the project is completed or the issue is addressed.

The following is a proposed outreach standard to be followed for Tier 1:

- Stakeholder group identified with at least one meeting planned
- Presented and discussed at DPRAB meeting
- Presented and discussed at City Council LUTI committee
- At least one public meeting planned and announced with at least 30 days notice.
- Outreach to all RNOs via e-mail blast and/or phone calls
- Presentation and discussion at INC PARC and/or larger INC meeting
- Outreach to other business and community organizations as they are identified
- City Council notification for distribution to their constituents (via newsletter, etc.)
- Press releases and media outreach to all news outlets
- Materials created for awareness/marketing (distributed to many locations around the City, including all Recreation Centers)
- DPR Website – Page created for information, documentation, plans, photos, etc.
- Social Media – posts on Facebook, Twitter, online calendars, etc.
- Method for soliciting feedback from public who is not part of the stakeholder group will include surveys and public repository of email comments

*Intent of Public Input for Tier 1: Participate in process and provide feedback, suggestions and insight to DPR management/administration; voice concerns, objections or support; broad-based buy-in and influence from public to shape final decisions; direct input and decisions from stakeholders.*

## **Tier 2: Neighborhood/Local Participation/Notification**

This is an equally important group, but involves a more targeted and specific public outreach than in Tier 1. This includes smaller-scale programs and infrastructure improvements; smaller-scale planning and service delivery; and actions for parks or facilities of a more local focus or limited impact. These would all have the potential for local change in service (temporary or long-term), use and/or appearance of parks or facilities. For example:

- Local or neighborhood master plans – Park- or facility-specific plans, neighborhood/local recreation center improvement plans, etc.
- Local Improvements – Structures such as restrooms, picnic facilities, trails/sidewalks, playing fields and playgrounds
- Local Actions or Initiatives – Flower beds; grass conversion for a specific park; temporary park closures/detours; programmatic changes/activities such as summer camp locations, etc.

- Historic Designation – Proposed landmark status or National Registry placement for any park or facility (although this is a City-wide issue, because it is largely handled by third parties, it is placed in Level 2 because the outreach we can control/perform is limited).

**Communication/outreach standards for Tier 2:**

Outreach efforts/planning will begin at least 30 days before project/issue completion (and often will have a longer lead time). The following is a proposed outreach standard to be followed for Level 2:

- Outreach to local RNOs in related area (no less than ½ mile from the park/facility) via e-mail blast and/or phone call to leadership
- Presentation to DPRAB, LUTI or INC PARC if requested by a member
- City Council notification for distribution to their constituents (via newsletter, etc.)
- Press outreach to neighborhood publications and to daily news outlets as warranted (Denver Post, TV, radio).
- DPR Website as warranted – Page created for information, documentation, plans, photos, etc.
- Social Media as warranted – posts on Facebook, Twitter, online calendars, etc.

*Intent of Public Input for Tier 2: Active participation in processes and to provide feedback, suggestions and insight to DPR management/administration; voice concerns, objections and support; influence final decisions.*

**Tier 3: Site-specific notification; no advance notification; unforeseeable issues**

From time to time, issues might come up that weren't predicted or planned and require some level of immediate attention and communication. These issues may certainly cause minor disruption in parks or facilities. Typically these issues will only last for 24-48 hours, but require some level of notification to the public in an effort to keep citizens informed and to ensure concerned parties that the situation is, indeed, only temporary.

For example:

- Emergency repairs – irrigation systems, landscaping; utilities; mechanical facility repairs (plumbing, electrical, HVAC, etc.)
- General wildlife management/hazing (this does not include prairie dog management)
- Actions complying with laws/agreements – Any project or activity undertaken in conformance with and/or satisfaction of federal, state and local laws or other legal requirements and/or agreements entered by the city (public health issues, safety issues, police/fire activity, film office permits, etc.)
- DPR administrative decisions/manager directives – field closures due to drought conditions; severe weather issues; acts of God, etc.



### **Minimum Communication/outreach for Tier 3:**

Because many of these issues and projects aren't planned and have a relatively small shelf life, this tier has a much narrower audience. Communications and outreach for this group needs to be flexible, easy and quick. The following is a proposed outreach standard to be followed for Level 3:

- Press releases (as warranted)
- Social media – posts on Facebook, Twitter, online calendars, etc.
- E-mail sent to RNOs in the affected area.
- Information sent to City Council District for possible dissemination through e-newsletters
- Signage posted in the park/facility as needed
- Outreach to Denver and neighborhood media outlets (as warranted)

It is important to note here that, despite our best efforts to communicate, there may be many instances where the information required for distribution at this level is largely dependent of a very mobile workforce proactively communicating with the marketing office through various channels. As such, the information required can be very dependent on human factors and the communications office may not receive notification in a timely manner. We hope that over time this policy helps to eliminate those instances, but it is human nature nonetheless.

*Intent of Public Input for Tier 3: at this level, communication is intended to be informational only. Here we hope to inform and have our messages disseminated through the targeted community. While this is mostly intended to be one-way communication, we will always welcome and evaluate public comment and feedback. Another goal with this communication is to gain compliance with temporary directives/rules as needed.*

### **No Public Outreach Planned/Required**

It is necessary to establish a standard for issues/events that don't automatically require any public outreach that is planned or unplanned. This is necessary to keep the department functioning as efficiently as possible. The Department's overall policy is to communicate and to do it often and openly, but there may be times where that is not fiscally possible or the act of doing so would be ineffective. Examples include:

Minor park maintenance/construction items  
Minor Park/Rec center improvements or renovations  
Day-to-day operational decisions  
Permit distribution  
Volunteer programs

## **Communication Tools/Vehicles**

The Department has a number of communication tools and vehicles available that can be used to help achieve and supplement our outreach efforts for all levels. The following tools/vehicles available include, but aren't limited to:

Traditional press releases	White Papers	Social Media
Internet/Web	Newsletters	Email Distribution Groups
Public Meetings	PRAB	INC/PARC
RNO Partnerships	Public Notices	Press Conference
Letters	Printed Materials	Door-to-Door
Community engagement	City Council	Media Interviews
Word-of-mouth	Paid Advertising	Stakeholder Meetings
Focus Groups	Surveys	Street Team Marketing
Email correspondence	City Partnerships	Festivals/Events
Denver 311	Council District Newsletters	Attend community meetings

## **Issues and Projects That Have Significant Public Interest**

It is likely that, from time to time, projects and issues that seem relatively small in scale and therefore fit into tiers two or three (or none at all) will have a much greater level of public interest. As such, even though a lesser amount of outreach is called for under this policy, the DPR communications staff and department management have the ability responsibility to elevate the issue or project to a higher and more appropriate level of public engagement and communication.

All tiers included in this policy are designed to be standards for how the department will handle public information and engagement. At any time, the department management can choose to go above the listed standards, but should never go below it.

## **How This Policy Fits With Other DPR Policies**

This communications policy is designed to be flexible and to complement existing policies within the Department of Parks and Recreation. It will not supersede any other policies that have communications components, but can be used in conjunction with those policies. For instance, this policy does not change the requirements or process for park naming. If necessary, the communications policy can be used to add to the park naming process, but it does not relieve any components of that specific policy. The same would be the case for posting the notice of a public hearing. By charter, public hearings are to be posted 45 days in advance in the Denver Journal. The communications policy would not change that or allow for that process to be ignored. Instead the communications policy would expand the process of public notice beyond what is required under the current City charter.

## Glossary of Terms

**Regional Park:** A regional park is one of the larger parks within the Denver urban park system and is generally larger than 80 acres in size. Regional parks include City Park, Sloan's Lake Park, Washington Park and Central Park

**Master Plan:** A Master Plan, as referred to in this document, is a long-term planning process or vision that will apply to a particular park. Master plans look at park use, design and development over a period of many years and are often divided into phases. Many DPR master plans have already been developed but are often re-visited for updates or changes, as necessary.

**Capital Improvement Project:** A capital improvement project is a large-scale project that requires significant funding that may come from various sources. Many of these projects are estimated to be \$500K or more and require City Council approval to move forward. Planning for these projects typically starts well ahead of when they are needed and include a lengthy public process from RFPs to City Council to public engagement as outlined in this policy.

**Recreation Center:** Denver Parks and Recreation has 27 recreation centers located around Denver. These centers vary in size and amenities but generally offer a place for the community to gather and exercise. Membership is required to gain access to a recreation center and fees vary from a small one-time use charge to an annual charge for system-wide access.

**DPRAB:** This is the Denver Parks and Recreation Advisory Board. The advisory board members are appointed by the Mayor of Denver and City Council to advise DPR leadership on policies, programs, rules and procedures.

**Stakeholder Group:** A stakeholder group, as referred to in this policy, is a group made up of individuals that represent various interests and/or neighborhoods in Denver. Stakeholder groups meet regularly to discuss large projects or initiatives and help make decisions on large projects or guide the formation of official DPR policy.

**LUTI Committee:** This is the Land-Use, Transportation and Infrastructure committee of the Denver City Council. This committee oversees all ordinance requests brought forward by Denver Parks and Recreation. Any ordinance that goes before the full City Council for a vote must first be discussed and voted on by the LUTI committee.

**INC:** Short for Inter-Neighborhood Cooperation. Denver's INC was established in 1975 by a small group of residents from core neighborhoods in Denver. In 1979, Denver passed the Registered Neighborhood Organization ordinance, making it possible for neighborhoods to take a more proactive role in protecting historic areas and giving them a voice about how to responsibly maintain and develop neighborhood areas.

**RNO:** Short for Registered Neighborhood Organization

**INC PARC: Short for the Parks and Recreation Committee of the Denver INC.**

**DPR: Short for Denver Parks and Recreation**

**Social Media: Social media is forms of electronic communication through which users create online communities to share information, ideas, personal messages, and other content (as videos). Most common social media sites include Facebook, Twitter, YouTube and Pinterest, just to name a few.**