



Land Use, Transportation & Infrastructure Committee Summary Minutes

Tuesday, September 14, 2010 11:00 AM City & County Bldg., Rm. 391

Members Present: Johnson, Madison, Montero, Robb, Sandoval

Members Absent: Hancock

**Other Council
Present:**

Committee Staff: Gretchen Williams

Bill Requests

**BR10- Approves the 2011 assessments of the nine local
0783-0791 maintenance districts in Group I.**

A motion offered by Councilmember Madison, duly seconded by Councilmember Johnson, that the 2011 assessing ordinances for the nine local maintenance districts in Group I be filed carried by the following vote:

AYES: Johnson, Madison, Montero, Robb, Sandoval(5)

NAYS: (None)

ABSENT: Hancock(1)

ABSTAIN: (None)

Local maintenance districts (LMDs) must be created by property owners to provide on-going maintenance of streetscape improvements made in commercial areas with either public funds, such as city-issued bond funds, or with assessments on the properties within the districts. This is to ensure that funds for maintenance will be available.

Each fall, the LMDs prepare their annual budgets and assessments for approval by the City. If any property owner submits a protest of assessment within the allowed time following notification of such, City Council acts as the Board of Equalization to hear the protest and determine if that assessment should be reduced or waived.

Protests are occasionally based on an argument that the district is not providing service equivalent to the assessment. This type of protest is handled through

review by Public Works to determine if that district is in fact failing to adequately provide the maintenance services for which it was formed.

This year, there are 26 LMDs with an aggregate budget total of approximately \$1 million. These are traditionally divided into three groups to be brought before Council at different times.

Group I, which is before Committee today, typically does not have any protests, and that is the case this year. Groups II and III include properties owned by non-profit entities and residential properties, and these assessments are typically protested. Historically, Council, in its role as the BOE, has reduced or waived the protested assessments for these types of properties.

Group I consists of the LMDs listed below. Property owners were notified of their assessments on August 20, along with information on how to file a written protest before the deadline of September 10. None were filed. If any protest had been received, Council would sit as the BOE on September 20. The LMDs in Group I, along with the Council District and the proposed 2011 budget, are:

15th Street (CD 9) - \$26,684.62

20th Street (CD 9) - \$5,400

Consolidated Larimer Street (CD 9) - \$24,000

Santa Fe A (CD 9) - \$28,140

Santa Fe B (CD 9) - \$33,437

Santa Fe C (CD 9) - \$1,901

Welton Street (CD 8) - \$33,200

South Downing Street (CD 7) - \$12,830

West 28th Ave. Phase I (CD 9) - \$25,232

Councilwoman Sandoval asked if LMDs typically spend their entire budgets. Mr. Kelly said they do not always spend it all, and in these cases, the City encourages the board of directors to either fine-tune the budget and lower assessments or increase the level of maintenance.

Councilwoman Robb asked about the boards of directors for LMDs. Mr. Kelly responded that each is supposed to have five members, appointed by the Mayor, three of which must be owners of property within the district; one may be a property owner or designee of a property owner; and one is the Manager of Public Works or his designee. The boards must meet at least annually to draft the

budget; some meet quarterly; some meet more often.

Councilwoman Robb asked if the notices sent to property owners are copied to the appropriate district councilmember. Mr. Kelly said they are, plus to the two at-large councilmembers. The letters for Group II will go out this week.

BR10-0759 Approves a Park Use Agreement with Downtown Denver Events, a nonprofit subsidiary of the Downtown Denver Partnership, to provide ice skating at Skyline Park for the 2010-2011 winter season.

Chantal Unfug, Parks & Recreation, and Susan Rogers Kark, Downtown Denver Partnership

A motion offered by Councilmember Johnson, duly seconded by Councilmember Madison, that a Park Use Agreement with Downtown Denver Events, a nonprofit subsidiary of the Downtown Denver Partnership, to provide ice skating at Skyline Park for the 2010-2011 winter season be filed carried by the following vote:

AYES: Johnson, Madison, Montero, Robb, Sandoval(5)
NAYS: (None)
ABSENT: Hancock(1)
ABSTAIN: (None)

Councilwoman Robb explained that this is a park use permit for more than 30 days, requiring a Council vote. This is a separate issue from the Admission-Based Events (ABE) discussions.

Susan Rogers Kark, Vice-President of the Downtown Denver Partnership, said the Partnership plans to bring free ice skating back to Downtown Denver this winter during the holiday season through its non-profit subsidiary, Downtown Denver Events. The requested permit would allow set-up to begin November 15 and teardown to be completed February 15. Skating should be available from about Thanksgiving through January.

The site would be in Skyline Park north of 16th Street, immediately north of the D&F Clock Tower, the same location of the rink in 2001-2002. This is also where Parks & Recreation shows free movies during the summer.

All costs of the operation will be incurred by Downtown Denver Events through an undisclosed donor, with no costs to the City. The rink will be open for free public skating. Skates will be available for rent or you may bring your own. Other concessionaires, such as those selling hot chocolate and coffee, would be allowed per the Park Use Agreement. Special programs, such as free clinics for kids, are planned.

The permitted area will be approximately 60 by 90 feet. All necessary infrastructure, including Zamboni (rink is real ice) storage and skate rentals, will be contained within the permit area.

Councilman Johnson asked how the Partnership can afford this in the down economy. Ms. Kark said in 2001, the ice rink was a reaction to events of Sept. 11, and the Downtown merchants contributed to augment the Partnership's funding. That year, there was a fee for skating. This year, an as-yet-unnamed sponsor for the entire event stepped up, but the announcement will not be made until the permit is approved by Council.

Councilwoman Madison asked if the German fest will be here this year for the holidays. Ms. Kark replied they are still working with Kris Kringle Market, but it does not look promising due to issues internal to the Market.

Councilwoman Robb asked the percentage of Skyline Park occupied by the rink, noting that under the modest ABE policy, there are percentage limits. Ms. Unfug will provide that information.

The permit will not allow alcohol except at private parties.

Presentations

- 1. Trust for Public Land: Economic Report on Denver**
Scott Robson, Parks & Recreation, and Tim Wohlgenant, Trust for Public Land

Mr. Robson and Mr. Wohlgenant presented the Trust for Public Land (TPL) recently-completed research, entitled The Economic Benefits of Denver's Park and Recreation System. The report is attached to this committee meeting on DenverGov.org/City Council; it is also available at TPL.org.

TPL was impressed by Denver's system of parks, parkways, trails, recreation centers, athletic fields and other open space and recreational amenities. The goal of the research was to determine dollar values of parks and open space by gathering data on seven factors: property values; tourism value; direct use value; health value; community cohesion value; stormwater retention value; and air pollution removal value. Data and discussion on each of these factors is provided in the report; the summary table from the report is reproduced below.

ESTIMATED ANNUAL VALUE OF THE DENVER PARKS & RECREATION SYSTEM

Revenue-Producing Factors for City Government

Tax receipts from increased property value	\$4,081,302
Tax receipts from increased tourism value	\$3,048,861
TOTAL	\$7,130,163

Cost-Saving Factors for City Government

Stormwater management value	\$ 804,187
Air pollution mitigation value	\$ 128,914
Community cohesion value	\$2,674,422
TOTAL	\$3,607,523

Cost-Saving Factors to Citizens

Direct use value	\$452,014,285
Health value	\$ 64,955,500
TOTAL	\$516,969,785

Wealth-Increasing Factors to Citizens

Property value from park proximity	\$30,690,771
Net profit from tourism	\$18,027,542
TOTAL	\$48,718,313

Mr. Wohlgenant said the report starts to build the case that parks are important to the city as more than just an amenity. Many cities are able to fund these amenities through dedicated revenue sources, traditionally bonds or taxes. Without such a revenue stream, Denver misses out on federal funding opportunities.

As one of the fastest growing metro areas in country, Denver needs to add parkland in order to maintain the ratio of park acreage to population. One suggestion is to amend the City's development code to require donation of land for open space or cash-in-lieu for development of open space.

Councilwoman Robb noted that both Parks and Community Planning & Development are under this Committee, which may want to bring the departments together to discuss this idea.

Mr. Robson emphasized that maintenance costs have to be part of any conversation about increasing supply. It is important, and difficult, to balance the need against the maintenance costs. Parks & Recreation is in the process of trying to identify the appropriate types of open and park space in the various types of neighborhoods in Denver. Several options are available other than blue grass and soccer fields.

