

**Citizens' Open Space Advisory
Committee (COSAC V)
Executive Conference Room
445 Marsac Ave.
November 8, 2016**



AGENDA

- I. MEETING CALLED TO ORDER - 8:30am
- II. ROLL CALL
- III. PUBLIC INPUT
- IV. REGULAR AGENDA
 - a. ADOPTION OF MINUTES: October 11, 2016
(Attachment I)
 - b. STAFF AND BOARD COMMUNICATIONS/DISCLOSURES
 - c. OLD BUSINESS
 - i. Library Field- Preservation Project- (30 minutes)
- V. CLOSED SESSION PROPERTY- (60 minutes)
- VI. ADJOURN

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Sustainability Department at 435-615-5201 24 hours prior to the meeting.

Attachment I – Draft Minutes October 11, 2016



**Citizens' Open Space Advisory Committee (COSAC V)
Executive Conference
445 Marsac Avenue
Park City, Utah
October 11, 2016**

I. Meeting Called to Order 8:33 am

II. Roll Call

- a. Staff:
 - i. Heinrich Deters
 - ii. Mark Harrington
 - iii. Ken Fisher entered later.
- b. Committee:
 - i. Jim Doilney
 - ii. Charlie Sturgis
 - iii. Andy Beerman
 - iv. Cheryl Fox
 - v. Tyler Dustman
 - vi. Cara Goodman
 - vii. Rhonda Sideris
 - viii. Alisha Nishwander
 - ix. Wendy Fisher
 - x. Bill Cunningham
 - xi. Bronson Calder
 - xii. Kate Sattelmeier
 - xiii. Jan Wilking
 - xiv. Rich Shand arrived later.

III. Adoption of Minutes of July 26, 2016

- a. Motion to Approve: Jan
- b. Seconded: Rhonda Sideris
- c. Motion Approved Unanimously

IV. Staff & Board Communications

- Mr. Deters asked Ms. Fox to speak about her event that evening called Clothing Hoptional. Ms. Fox gave an overview of the event, and added that there was going to be a meeting following this meeting to discuss the bond. This was to take place at the Summit Land Conservancy office.
- Ms. Fisher announced that on Thursday, October 13, from 5:30 to 7:30 pm, an informational forum will be held at the Newpark Resort and Hotel in Kimball Junction. This event is being sponsored by Utah Open Lands, Wasatch Back Country Alliance, Save Our Canyons, Summit Lands Conservancy, Mountain Trails Foundation, and a number of other people. Everyone is invited.
- Mr. Deters thanked Ms. Fisher for her remarks and asked Mr. Harrington if he wanted to mention anything about the bond. Mr. Harrington said he would be happy to take questions

on the matter. State law prohibits use of city equipment and time for endorsing or espousing political views. He let the committee members know they can express their views; they just cannot use city time or equipment. He emphasized that if anyone had any questions they should contact him.

- Mr. Cunningham asked if anyone had spoken with the property owner, to find out if they had already accepted a contract. Mr. Harrington said he preferred to give an update in closed session at the next meeting.

Mr. Deters discussed upcoming meeting dates for COSAC, some of which will conflict with holiday weeks, as well as Sundance. He asked the group to think about moving the dates of the upcoming meetings, to accommodate travel and other conflicts. He explained that possible scheduling conflicts were some of the thinking about the Library Field Sub-Committee. He also reminded the group that they still need to complete the prioritization exercise. The discussion of priorities could also change depending upon whether the bond passes. Discussion ensued per the sub-committee. City Council gave the group clear direction: they want the committee to provide answers about the library field in March. This could be delegated to a sub-committee, and could be done on a concurrent path while the entire committee considers some other questions. We should remember this when determining a schedule.

Mr. Doilney suggested that the group discuss again what they heard from Council, and also get the perspective of Councilman Beerman. Mr. Deters said we should have this discussion, but first asked for public input then disclosures.

Mr. Doilney asked if there was public input. Hearing none, he moved the discussion to the Council meeting discussion.

VI. Library Field Discussion

Mr. Doilney told the group that several committee members—Steve Joyce, Cheryl Fox, and himself—attending the Council meeting. He asked Mr. Beerman to summarize Council's charge to the committee.

Mr. Beerman first complemented the representatives for presenting a summary of COSAC's thoughts and findings on the matter. The Council was receptive and agreed for the most part on the findings. The unanimous conclusion was allowing no habitable development on Library Field. The staff report also included some options that Mr. Deters had put together: COSAC could also look more closely at these options. Mr. Beerman said Council also felt that it was a mistake that we had not solicited input from the Recreation Advisory Board, which is technically responsible for maintaining our parks. He suggested inviting representatives from RAB to join the sub-committee. Council would then like the entire group to further refine the appropriate uses. Council is concerned about identifying the appropriate tool, because, for obvious reasons, this is different from protecting wild spaces with defined ecological habitat and aesthetic values. The Library Field is a community gathering space. Council wants to make sure that the protection tool has an allowance for the community's growth evolution and input, while still not building habitable structures.

Ms. Fox concurred with this summary of Council's direction. She mentioned again the six-month deadline as an indication that they want additional suggestions or recommendations—and perhaps creating a template for other parks in the city.

Ms. Fisher asked about how RAB would be involved. She asked Ms. Nishwander, who also serves on RAB, whether that committee was aware of this discussion. Ms. Nishwander said not really but they did nominate two people to serve on the sub-committee at last week's meeting. The group is in place and excited to be part of the conversation. Ms. Nishwander clarified that she will not be part of the

group; she is sitting in for Ms. Meisha Ross, who just had a baby.

Mr. Doilney went back to the sub-committee (which will be composed of representatives from COSAC and RAB). The group sought clarity about the logistics, the schedule, the composition (COSAC and RAB), and the charter (just Library Field or a larger charter?) Mr. Deters clarified that we know COSAC's recommendation (including a third-party steward), but that RAB does not have a preservation recommendation. There has also been discussion on the "McPolin option," i.e., a voter referendum of sorts. Mr. Deters said he feels that they are close to achieving consensus on the outlines of a plan forward. The sub-committee would assign values and then present them to the full RAB and COSAC groups, perhaps in January or February. We will need to educate RAB on our process and the tools.

Ms. Fisher said she thought there was discussion about whether a conservation easement was the right tool. She expressed concern that this might not be the right blanket tool for all of the parks. She said that Council seemed to take their preservation recommendation to heart.

Mr. Beerman tried to simplify the issue. Council agreed with COSAC on providing greater preservation and asked COSAC to define the tool. With regard to the other parks, he said he thought this was important, for equity and other purposes. It might be worth it to look at the big picture. He recommended three steps:

- Review the parks in town: seven or eight may qualify for additional protections
- Develop specific criteria for a community gathering space without habitable development on it (Paths? Fountains? Football fields?)
- Confirm correct tool: third-party easement, deed restriction, public referendum

Mr. Calder liked the idea of using the Library Field as a prototype for this process. Others liked this idea of creating a blueprint for future parks. We may need to look at the protections of other parks with RAB: they may not be protected as well as we think they are. Mr. Beerman said that, with regard to specific logistics of execution, there can be a both/and approach: they can create a sub-committee with RAB and COSAC representatives then call a joint meeting between the two committees and have the sub-committee present their recommendations. The entire group can then approve or request more work on the recommendations.

Mr. Sturgis expressed that he is "not a fan of subcommittees" but would like to stay focused on the library itself. This is what the citizens tasked the group with. He also said he thought it was RAB's responsibility to come to COSAC and say they want to do these things with their parks. He said he felt like COSAC had overstepped with RAB. There was an agreement with this, but the group expressed that they would like to have a seat at the table. Mr. Sturgis said he felt like, until RAB asked us to look at the other parks, there was no need to worry about it. One person did say that the expanded mandate emerged from Council, but Mr. Sturgis again urged the group to stay on task and focus on Library Field. There was agreement that starting with Library Field would assist the process in the future.

Ms. Sattelmeier voiced her concerns with the sub-committee: they are partly due to timing partly due to the lack of clear mandate or mission. Rather than starting at ground zero, she suggested reminding the subcommittee—once it is formed—of the charter for Library Field. Then ask for RAB's input. It's important to remind those involved that COSAC has spent a lot of time getting to this point. Mr. Sturgis suggested "handing the ball to RAB" and asking them to look at each of their parks and determine which ones they want to preserve in some manner vis-à-vis their specific functions.

Ms. Sideris made a motion to form a subcommittee with three people from COSAC and three people from RAB. The committee would be tasked initially with how to preserve Library Park and—once that is completed—to look at other parks.

- Mr. Wilking seconded.

Mr. Doilney asked if there was further discussion. Mr. Sturgis reminded the group that this originally started with affordable housing. Mr. Deters asked the committee to remember this, and also the spillover affect: if you put housing on the field, it will affect the use of other fields. Be aware of unintended consequences. Ms. Sattelmeier said the guidelines should take this holistic approach. Mr. Beerman reminded the group of the background and context: one of COSAC's missions is to preserve land and limit development. This group can take a global, comprehensive look at issues, especially since they currently have the time to do so, and there is not an immediate sense of urgency. Ms. Fisher added that Council seems to be asking COSAC to understand the precedent that Library Field might set for other properties and parks. With regard to the parks, start looking at their recreational values, potential amenities such as fountains, aesthetic and scenic qualities. These could all be the start of a template. She suggested having the sub-committee start thinking about this and adding this as part of the motion. Mr. Sturgis said he didn't think they needed to amend the motion, since the motion on the table was to amend the task force. Once the task force is formed, we can collectively define its charter. The sentiment that the motion on the table was enough was echoed. Ms. Fisher clarified that she doesn't think it is COSAC's duty to determine the uses of other parks without including RAB. Mr. Doilney said he was hearing that there should be concurrent discussions refining the library easement.

Ms. Sideris was asked to repeat the motion for the recording. She proposed that they form a subcommittee with three representatives each from RAB and COSAC. The task for the subcommittee would begin with Library Field and eventually expand to other parks.

- Mr. Wilking again seconded.
- The motion passed unanimously.

Mr. Doilney then asked for volunteers to serve on the subcommittee. The subcommittee members were determined to be Mr. Shand, Mr. Cunningham, and Ms. Kahn. Mr. Deters said he would confirm with Ms. Kahn. If she is not interested, he said he would ask Ms. Murray.

At this point, Ken Fisher (Recreation Manager) entered the room. Mr. Deters explained that he invited Mr. Fisher to provide an overview of the parks and their governance, and the recreation master plan. He directed the group to the packet, which contains a list of parks.

Mr. Fisher began with an overview of RAB. He explained it is a seven-member advisory committee appointed by City Council. Their role is to evaluate improvements or ideas for parks that are proposed by the general public, engaging the public when appropriate. They have focused primarily on capital projects and park improvements. They were very active in the construction and renovation of the MARC. Additionally, in 2001, two \$2-million bonds were passed—one for the ice rink expansion, one for neighborhood parks. RAB allocated the money for the second bond. Their projects have included Prospector Park, Little Prospector Park, Little Moab, Creekside Park, a neighborhood park behind the Racquet Club, and improvements to City Park. They also expanded the tennis courts.

Mr. Fisher said RAB also approaches City Council on an annual basis with a list of projects or a work plan. Sometimes Council will set direction for them. Some examples include renovation of the Rec Building in 2004, the Racquet Club renovation, all of the neighborhood parks, and expanding the tennis courts in City Park. Essentially their charter includes any capital project that is not maintenance-related. Neighborhood engagement is a key part of this. He used the example of Prospector Park. He then explained the charter and partners of the Recreation Master Plan. The purpose is often amenity-driven, which drives the location.

Mr. Deters asked Mr. Fisher how the RAB board sees Library Field. Mr. Fisher said the only time they programmed library field was in the early 1990s, while the high school was being renovated. The city

had a field shortage, so they lined Library Field for youth soccer games. He did mention that an old recreation master plan looked at Library Field, which proposed the idea of a bandstand close to the library for concerts and movies in the park. They also proposed tennis courts on the north end of 13th Street, and other possible hard structures. Council rejected these proposals, and nothing has been done since. These requests all go through RAB, which evaluates then presents them to Council. The question of zoning analysis, or additional deed restrictions or preservations was raised. Mr. Fisher responded that they don't evaluate through this lens. Zoning will come into play with any potential construction, but they have never discussed preserving the parks with an easement or a similar tool. He did say he would be supportive of creating a tool like this, especially for other parks such as City Park. The question of maintenance challenges was raised, and Mr. Fisher said this is considered during design, but that Parks manages maintenance. Mr. Fisher was asked how he sees RAB contributing to the discussion of Library Field. Mr. Fisher said this discussion would be especially pertinent if it expanded to other parks and their respective protections, but it would depend on each park and their specific uses. He was asked what amenities are most requested, and he responded that they are all large facilities such as a second sheet of ice, indoor field space, and additional land fields. They are working through these via the Rec Master Plan. The Library Field has not been identified for any of these uses, and has not for awhile. There was then a discussion about other parks in town, as well as the programming possibilities of Library Field in relation to improvements at City Park. Mr. Fisher said the biggest impact would most likely be programming changes that occur at the high school fields. It would be utilized temporarily until the fields at the school were replaced. It is not an ideal location for this type of use, though. Given this consideration, it was suggested that the easement address possible uses such as this: "temporary, non-habitable recreation uses."

This led to a consideration of how the field would be used for Special Events, especially in terms of how they interface with Recreation (example, a cheerleading camp renting the field). Currently, Sundance uses it, and there was talk of moving some 4th of July programming from City Park to Library Field. Mr. Fisher responded that, yes, they had talked about doing this, and also held some Miner's Day programs there a few years ago. The library's grand reopening also had some programming. However, they do not rent the field, although they do rent other fields and parks. There is a shortage of rentable park pavilion space, but Library Field has always been considered more of a community space. Mr. Fisher then gave a brief description of each of the main parks and their primary uses and amenities. There was more detailed discussion about City Park and Prospector Park. Mr. Harrington does not think that Prospector Park is part of the development agreement because the expansion of the park occurred after the subdivision. Mr. Fisher said they are starting to discuss potential programming there, including outdoor fitness classes in the green space. This is a high priority for them. They have discussed adding a bathroom.

Mr. Shand expressed how important our parks are to keeping Park City a special place. This is especially apparent when you visit other comparable cities in the Mountain West.

Mr. Deters then moved the conversation to the values matrix. He said he felt that they had good direction on the subcommittee, and they had a good review of the current inventory of parks. He then turned the conversation over to Ms. Fox.

Ms. Fox started by asking again about what we want to protect at Library Field. (What will we propose as a preservation tool and what restrictions will we put on it?) Mr. Harrington reminded the group that Council gave unanimous direction to preserve the field. The neighborhood brought the issue to the city because they are fearful of development. No one wants habitable structures, so the group needs to drill down and provide parameters around aesthetics, passive recreation, special events, amenities such as water fountains, etc. This will help provide direction for RAB. The existential question is whether the group wants to set any parameters or just leave it as-is.

Ms. Fox started by clarifying that you must first determine what you want to save; this will then

dictate the tool to use. To-date, we have received input from the neighbors and discussed it as a committee. Looking at it through the Recreation lens, she suggested seeing how it fits in the context of the other parks. COSAC has decided they want a permanent easement; there may be a different tool, so you need to figure out first what you want to protect. The group said this will be a longer conversation and suggested looking at the calendar to figure out next steps.

The question was raised as to whether COSAC/RAB should develop a separate values matrix for the fields and other park parcels. There was further discussion as to what the role of the subcommittee would be and the specifics of the process and vetting the various vehicles for preservation.

Ms. Fox made the point that COSAC is the expert on various preservation tools, more so than the subcommittee would be. COSAC needs the context that the RAB subcommittee members will be providing. It would be unfair to expect those six people to be versed in the various conservation easement tools.

There was further discussion about finalizing the calendar for the next few months. Mr. Doilney made the motion to move the November and December meetings to the second Tuesday of the month.

The group agreed to do so. The next two meetings will be November 8th and December 13th.

Ms. Fox continued presenting her draft. She explained that the purpose statement is the prime directive. Everything else is permitted as long as it does not harm what's being protected in the purpose statement. Some things may be specifically prohibited and some things may be specifically called out and allowed.

Mr. Harrington was asked if he wanted to add anything. He said simply that the goal again is to identify the right tool. Staff can probably come back with a broader list and the committee can weigh in with the pros and cons of each. There is no silver bullet: it just comes down to what we want to prioritize. The question is more in terms of refining our recommendations in terms of permanence versus flexibility, as well as the level of ongoing public input. He urged the group to be creative and not simply box it into one traditional easement. Please keep an open mind.

Adjournment

- Mr. Doilney asked if there was a motion to adjourn.
- Motion to Adjourn Proposed by Jan Wilking
- Seconded by Ms Sideris

Meeting Adjourned.

These minutes were recorded by Heinrich Deters and prepared by Mary May and Elizabeth Quinn Fregulia. The meeting for which these minutes were prepared was noticed at least 24 hours in advance by posting to www.parkcity.org, the Utah Public Notice website, and at the meeting location.



COSAC Staff Report

Subject: Library Field Preservation Project
Author: Heinrich Deters
Department: Sustainability
Date: November 8, 2016
Type of Item: COSAC

Summary Recommendation

Staff recommends COSAC:

1. Utilize the adopted COSAC Matrix to determine the 'purpose' (Tier I) and 'values and priorities' (Tier II) specific to the Library Field.
2. Provide the information to the Library sub-committee.

Acronyms

COSAC Citizen's Open Space Advisory Committee
RAB Recreation Advisory Board

Background

On September 15th, 2016, City Council discussed COSAC's recommendation to place a 'third-party' preservation easement on the Library Field. Council's direction from that meeting was as follows:

- Council was unanimous in preserving the field in a natural manner that prohibits construction of new habitable structures.
- Council would like RAB members included in the process.
- Council did not determine whether a third party easement was necessary; however, there was no consensus on which tool to utilize, rather they asked staff, COSAC and RAB to work more on the topic and return with a recommendation. (Option #3 referred to as the McPolin Option in the Council report did receive some merit) While the City Council agrees there is a need to limit the ability of a simple majority of Council to change the field protections, several Council members were concerned a permanent easement deprived the PUBLIC of future input opportunities.
- Council asked COSAC and RAB to review all of the urban parks to determine if other parks should be considered for preservation.
- COSAC and RAB should consider a list of appropriate permitted/prohibited uses for the Library field. A similar discussion for other parks may follow if the Council moves in that direction.

- Council is committed to making a final decision within the next 6 months.

At the October 11 COSAC meeting, the Committee requested the group discuss the purpose and values associated with the Library Field, which in turn may provide the framework of a proposed preservation tool.

Analysis

Staff recommends COSAC utilize the adopted matrix to identify the values associated with the Library Field.

Council Goals

1. World Class Multi-Seasonal Resort Destination
2. Preserving & Enhancing Natural Environment
3. An Inclusive Community of Economic & Cultural Opportunities, Responsive
4. Cutting Edge and Effective Government

	Categories (Purpose)	<i>Recreational</i>	<i>Aesthetics</i>	<i>Critical Conservation</i>	<i>Community Character</i>
Tier I	<p><i>Will the open space purchase advance and/or protect stated goals in the Park City General Plan and specifically add/or enhance one or more of the following four primary purposes?</i></p>				
Tier II	<p>Values and Priorities (Intent/Unweighted)</p> <p><i>The following sections are intended to narrow the prioritization of allowed uses and preserved values which may further enable COSAC to identify funding sources and the appropriate protection tool.</i></p>	<ul style="list-style-type: none"> • Improves trail connectivity and new trail development. • Acquisition needed for public access; • Passive recreation higher priority (Passive/Non-motorized activities on established trails; related trail infrastructure, parking); • Active recreation (includes improved fields, parks, facilities, group camping, restrooms); • multiple public uses permitted 	<ul style="list-style-type: none"> • Protect resort and open view sheds; • Greater Park City Area entry corridor; • preserves open space buffers against new development encroachment • Prevention of new residential or commercial construction- land may or may not have specific additional conservation values 	<ul style="list-style-type: none"> • Protection of the natural habitat of fish, wildlife or plants; • Enhances stream corridor or watershed; • Protects wetlands; • Existing natural characteristics and conservation values essentially preserved as is and primary over other uses 	<ul style="list-style-type: none"> • The preservation of open space in conjunction with agriculture, farmland and forestland, or the preservation of historically important land or a historic structure. Appropriate support related infrastructure. • Preservation is for the scenic enjoyment of the general public, which will yield a significant public benefit; may include mines, mine structures or repositories provided open character of land is maintained and environmental issues mitigated; secondary uses partitioned

Funding	Do the acquisitions leverage public monies, provide significant benefits compared to costs incurred and/or involve donations from private lands to the public?	Open Space; Possibly Shared for Active recreation	Open Space	Open Space	Open Space; Possibly Shared
Other Considerations		<ul style="list-style-type: none"> • Location: Outside City Boundaries or Internal • Contiguous to existing Open Space • Consideration of Parcel/Purchase Acreage • Soils Issues • Water Rights • Partition of more intensive use parcels • Adaptability/Sustainability [unknown future uses] 			



Preservation Tool	Preservation Purpose/Intent <i>Does the preservation tool meet the purpose and intent of the committee and Council at time of acquisition?</i> <i>More than one tool may be implemented within a parcel to better meet COSAC/Council Goals.</i>	Perpetual "Recreational/OS" Easement Primary purpose is recreation; subsidiary purpose is protection of natural and habitat values OR Deed Restriction/Right of Reverter	Perpetual Multi-Purpose Easement Establish different use zones OR Deed Restriction/Right of Reverter	Perpetual "Conservation" Easement "Forever Wild" easement or Primary purpose is protection of natural and habitat values; subsidiary purpose is recreation	Non-perpetual (§ 57-18-1) Easement OR Conservation Contracts OR Deed Restriction/Right of Reverter
-------------------	--	--	---	---	---