

**COSAC IV Meeting Minutes  
City Council Chambers  
February 25, 2014, 8:30 a.m.**

COSAC members in attendance: Charlie Sturgis, Cheryl Fox, Wendy Fisher, Jan Wilking, Suzanne Sheridan, Rhonda Sideris, Kathy Kahn, Meg Ryan, Jim Doilney, Judy Hanley, Dick Peek, Bill Cunningham

Excused: Andy Beerman, Stew Gross, Cara Goodman

Public (alternates): Bronson Calder, Carolyn Frankenburg, Jeff Ward, Kate Sattelmeier

Staff: Heinrich Deters, ReNae Rezac, Mark Harrington

**CALL TO ORDER**

Meg called the meeting to order. She congratulated Judy on being voted as Vice Chair.

**ADOPTION OF JANUARY 14, 2014 MINUTES**

**MOTION:** Rhoda Sideris moved approval of the minutes as written; Suzanne Sheridan seconded.

**VOTE:** The motion carried.

**STAFF AND COMMITTEE DISCLOSURES/COMMENTS**

Heinrich introduced Council member Dick Peek to the Committee. He is the City Council alternate liaison.

Heinrich congratulated COSAC and the Summit Land Conservancy on obtaining approval from City Council for the Risner Ridge preservation easement.

**PUBLIC COMMUNICATIONS**

Meg called for public comment on items not included on the agenda. There was none.

**NEW BUSINESS**

**Summit Land Conservancy's Stewardship Endowment Request**

Meg thanked Heinrich for his detailed staff report. She framed the focus of the Committee's discussion. City Council has asked COSAC to provide a recommendation on the use and form of conservation easements; the Summit Lands Conservancy stewardship request; and the proposed Gambel Oak easement.

City Council has asked COSAC to consider whether there should be a funding mechanism for stewardship of open space parcels. The funding source identified in the staff report is the Resort City Sales Tax.

Heinrich: At a high level the request is for an endowment. Summit Land Conservancy is asking for a donation for services that have been and will be provided. The current Council direction for stewardship fees, funds are covered by the seller or are they covered as part of the negotiation. City and the Conservancy's goals are the same . . .

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having an independent 3<sup>rd</sup> party to provide oversight. The Conservancy's position is that the stewardship should be outside the political process. The City cannot use public funds to pay for stewardship. The recommendation was to fund the endowment in the amount of \$1.5 million. Council direction was to place it in the CIP. COSAC's recommendation is to provide a negative recommendation.

Cheryl addressed the committee and explained the difference between stewardship and management of lands and how monitoring fits into that. The stewardship goal from SLC's perspective is for a professional independent 3<sup>rd</sup> party to oversee the use of open space. The City is responsible for management. The Conservancy is responsible for making sure proposed uses are in line with the easement. The critical aspect is finding the funding source for stewardship that is independent from the landowner.

If stewardship had been funded at the time of transactions, it would have been done in much smaller chunks and the funding would have been set aside. \$1.5 million is a lot of money, but it is to provide stewardship for 14 ½ easements, 1,994 acres. Actual costs in 2013 were a little over \$40,000.

After Cheryl's presentation, Wendy and Cheryl left the room while the committee discussed their options.

Megan asked the committee to first discuss whether they feel the City should fund stewardship on the 14½ easements designated as open space.

**Motion:** Jim Doilney moved the City should fund stewardship to protect the 14½ open space easements. Bill Cunningham seconded the motion.

There was discussion on the motion. Judy stated there are some people who do not support stewardship funding coming from the City. She recommended making sure the community had a chance to weigh in on any recommendations. Megan clarified that COSAC would be making a recommendation to City Council and that Council would have the final vote on the matter.

**Vote:** Motion carried unanimously.

Megan outlined the next discussion point as relating to the funding mechanism for stewardship. Should the City use the Resort City Sales Tax (RCST), or the Open Space Maintenance Fund (OSMF)? Staff has recommended an RFP with a 10-year life as a possible option.

**Motion:** Suzanne Sheridan made a motion that the funding source be from the OSMF, not the RCST, and that staff explore other funding options as well. Jan Wilking seconded the motion.

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There was discussion on the motion. Some ideas were to find a funding mechanism that was long term (not annual) that meets SLC's objectives. Another thought was for staff to work with Summit Lands Conservancy to investigate ways a long-term agreement using the OSMF could be reached that did not require an RFP and also provided a balanced partnership, to the best extent possible, between the City and Summit Lands Conservancy.

Mark suggested maybe there is a way to get the HOA that controls the other half, as owner of the Empire easements, to directly contract with Summit Lands and the City rebates ½ or \$40,000 back to them out of our half, but their contract is with Summit Lands.

Suzanne amended her motion to include a recommendation to explore options of a permanent contract or at a minimum, a 10-year contract. This is in addition to what is stated above.

Megan summarized the discussion to be the City and SLC will work together to see if they can agree on the mechanism for funding. The committee wants further time to look at all the opportunities to make a deal work for the 14½ easements using OMSF. It was also clear that the policy from now on is to address stewardship in each upcoming deal to cover those costs. Further, SLC has should continue to solicit private funds for stewardship.

Jan called for the question.

**Vote:** Unanimous.

The next meeting will be March 25.