



## Open Space and Trails Advisory Committee

*Minutes*  
**October 9, 2019**

### **Meeting Summary**

OSTAC members visited several Extraction Oil and Gas well sites near the Northwest Parkway. After returning from the tour, OSTAC reviewed a construction update on the Broomfield Business Center Apartments, prairie dog management at Carbon Road and the Hoyt-Midway pedestrian bridge, the updated Industrial Lane Bicycle and Pedestrian Improvements Plan, development review projects at Palisade and Aspen Creek, the revocable permit request for landscaping at the Hoopes North property, and ongoing coyote research with University of Colorado and Colorado State University. Finally, OSTAC voted to support the proposed Broomfield Vaping Ordinance and heard updates on the CDOT US-36 Bikeway numbers as well as successful past and upcoming open space events.

### **OSTAC (Open Space and Trails Advisory Committee)**

#### **Present:**

Patrick Tennyson, Chair  
Ray Churgovich, Vice-Chair  
Todd Cohen  
Terra Lenihan  
Michael McLane  
Chris Petrizzo  
Chris Kassel (alternate)  
Councilmember Guyleen Castriotta  
Councilmember Stan Jezierski

#### **Absent:**

Doug Grumann (prior commitment)

#### **Interested Citizens:**

Anne Marie Cleary, Broomfield resident  
June Wagner, Broomfield resident  
Billie Willey, Broomfield resident  
Tom Yeager, Broomfield resident

#### **Other staff, presenters, and consultants in attendance:**

Kristan Pritz, Open Space and Trails Director  
Pete Dunlaevy, Open Space and Trails Manager  
Ellie Lanaghan, Open Space and Trails Specialist  
Kevin Standbridge, Deputy City and County Manager  
Tami Yellico, Director of Strategic Initiatives (departed after field trip)  
Laura Davis, Assistant Director of Strategic Initiatives (departed after field trip)  
Ed Thompson, CIP Project Manager

Anthony Pratt, Otak Consulting  
Karl Stout, The Garrett Companies  
Bill Branyan, Urban Frontier, LLC  
Ward Ritter, Chartered Development/Palisade Consultant

## Agenda Minutes

### 1. Site Visit to Oil and Gas Extraction Sites at Nordstrom and Davis Open Spaces and North Hoopes property

OSTAC members visited the Extraction Oil and Gas well sites. The tour began at the United Well Pad, northeast of Huron Street and Northwest Parkway. Kristan explained that this site is currently undergoing construction for the sound wall, with spudding of the site to come next. Kevin added that the sound wall will only be erected for the duration of production on the site. Laura and Tami also mentioned that there will be emissions control devices and that the water used in the fracking process will be taken off of the site in pipelines to other facilities.

Next, OSTAC visited the Northwest A and B pads on Nordstrom and Davis Open Spaces, south of the Northwest Parkway. Kristan pointed out the pig launcher, hay bales, sound walls, and buffalo fences that contain activity and protect trees. Kristan also added that the old well site at Davis Open Space was removed, with the one at Nordstrom to follow. The access road will stay on the property and be opened to bikes once the work is completed. The Great Horned Owl pair that was nesting near Pad A successfully fledged this year as well. Laura explained that air monitoring sensors have been placed to test for volatile organic compounds (VOCs), which will be referenced when a complaint is filed. The site is also being tested for ambient noise levels.

Finally, Kristan pointed out the landscaping put in by protestors at the northwest corner of Sheridan Parkway and Lowell Boulevard and the Livingston Pad before returning from the tour.

### 2. Call to Order by Patrick Tennyson, 7:00 p.m.

### 3. Introduction of Interested Citizens

All citizens held comments for items on the agenda.

### 4. Construction Update on the Broomfield Business Center Apartments

Karl Stout explained that with the regional trail going in at the Broomfield Business Center Apartments, the straw bale wall was taken down. Now there is a screen wall acting as a buffer for the eagles. The developers would like to realign the trail so that it is actually slightly closer to the buildings and farther away from the railroad tracks, eagles' nest, and eastern BBC property line. The smooth wire fence that was planned to be installed to protect bikers needs to be placed right along the property line so it will need to be put in last. We are hoping this will occur before the next nesting season for the eagles.

>Kristan, There will now be more space between the east property line and the trail. If for some reason the developer cannot install the wire fence before the end of December, then the smooth wire fence will go in after the eagles have dispersed the following season.

>Karl, This should be a quick job. Workers will be in and out within a week or two of starting, barring bad weather.

>Stan, Can you show me on the map where exactly the trail is located?

>Karl, It will be west of the screen fence on our property.

>Kristan, The Developer will be required to notify staff when he is ready to place the fence to the exact location can be determined before the fence is constructed.

OSTAC had no additional concerns.

### 5. Prairie Dog Management at Carbon Road and Hoyt/Midway Bridge

Kristan explained where the Cavanaugh property is in relation to the eagle nest on a map with the 660-foot, ¼ mile, and ½ mile buffers. The new owner took ownership of the property this spring. The property is divided into two parcels and both are owned by the same owner. ERO and Front Range Nesting

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Bald Eagles Studies (FRNBES) have both noticed that the eagles seem to be building a new nest to the south of this property. The property currently has a prairie dog colony, and the owner would like to return the land to full agricultural use. At this time, the site is used by equestrians and some of the land is farmed. Staff has been working with the owner for several months now on how to manage the prairie dogs. Under the Broomfield Prairie Dog Policy (Policy), prairie dogs that move onto agricultural/ranching land can be exterminated as long as a pro forma permit has been approved. This piece of the Policy was implemented to strike a balance for those landowners concerned about prairie dogs moving onto their properties from other properties, private property rights in general, and preservation of prairie dogs. Currently, staff is trying to figure out what alternatives are possible to extermination on this property. The owner is talking with staff about alternative options, and relocation of as many prairie dogs as possible may be an alternative. Prairie Dog Action (PDA), a volunteer group, coordinated by Deb Jones has offered to take on the project and charge the city only for the cost of materials. The prairie dog endowment fund will be used to fund the project. Developers that have to manage prairie dogs to allow for development on their properties pay into this endowment fund. The estimated cost of relocation is \$13,000 (approx.), plus \$4,000 (approx.) for dusting the site before relocation begins. Staff also consulted with the U.S. Fish & Wildlife Service and Colorado Parks and Wildlife (CPW) regarding whether removing prairie dogs so close to the eagles would be prohibited. These emails will be provided at the next meeting. The property owner is working with staff but has not officially agreed to the relocation option at this time, so we are working on developing a plan. We do have a conservation easement on this land with eagles, so we feel it is worth trying to figure out a better solution than extermination. However, our legal department has reviewed the conservation easement and determined that it does not prohibit the owner from conducting agricultural uses on the land as long as the Policy is followed.

>Michael, Is there space at Great Western for these prairie dogs?

>Kristan, Yes, we are working with SMITH Environmental, PDA, and CPW on the permit for relocation to Great Western.

>Ray, What exactly is a conservation easement on someone else's property?

>Kevin, This specific easement was part of the Intergovernmental Agreement (IGA) on the Northwest Parkway with Boulder, Louisville, and Lafayette to conserve these properties and purchase most of the development rights for the property in order to keep the land as open as possible while allowing for limited development and agricultural uses. It has been in place for over 20 years. There are different types of conservation easements, but this one was to buy out easements to prevent building out the area to its full capacity. This IGA also requires any additional units to be placed together so that they are not placed throughout the site.

>Ray, So is this similar to eminent domain?

>Kevin, No. Eminent domain allows government agencies to take the property for a public use and pay the owner appraised value, whereas this was a negotiated agreement with the property owners to allow for land preservation and the owners were paid for the lost development potential.

>Terra, So the conservation easement was transferred to the new property owner?

>Kristan, Yes, this agreement runs with the land in perpetuity.

>Terra, What is the owner's motivation for removing the prairie dogs?

>Kristan, The purpose is to continue the existing agricultural use and return the fields to full agricultural use. Currently, the land has an active field near the nest and an equestrian center. Most of land did not have many prairie dogs before the last few years, when the previous owners had to focus on some important family issues. The current owner would like to get the land back into full agricultural use.

>Guyleen, At the last meeting we were talking about creating a sanctuary in that area.

>Kristan, The appraisal on that property came in yesterday, and this may be something that I can address with OSTAC at the next meeting.

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>Guyleen, I have agricultural property owners in my ward. They have a lot of horses and are concerned about the burrows injuring their horses. They are allowed to exterminate them by their right to protect their livestock.

Pete went on to discuss the trapping at the Hoyt-Midway pedestrian bridge site. Relocations were completed in the last week of September, and the consultant captured 101 more prairie dogs in addition to the original 101 or so from the last trapping. All of the relocated prairie dogs have gone to Great Western, with a follow up fumigation treatment this week, which is part of the relocation permit requirements. The site will be officially cleared now for construction with a 20-Day Letter. This work was coordinated with Hunter Douglas, who would have been allowed to exterminate all of their prairie dogs under a pro forma permit. Staff asked them to hold off on extermination and relocate all of the parcels as part of the bridge project. All of the prairie dogs were kept in the same coteries that they were caught in. This reduces the amount of space needed for relocation to Great Western and leaves more room for the prairie dogs from the Cavanaugh property. The approved expansion area is still vacant. We will hopefully be breaking ground on the project by the end of the month.

>Ray, Will the burrows be backfilled?

>Pete, Yes, they will be closed after the lethal control.

>Chris P, Given that 100 prairie dogs removed from the site after initial trapping, could this prove that prairie dogs were being dropped off there illegally?

>Pete, We are not sure and cannot really say, but it has been remarkable the amount that came back after the first trapping.

>Stan, When is the project expected to be completed?

>Ed, In April or May of 2020. This will be weather dependent.

>Kevin, When will the bridge be delivered?

>Ed, The bridge will be delivered in November.

>Chris P, Will the Cavanaugh property be keeping up on removing prairie dogs? Is this required?

>Pete, We ask that property owners keep up with this maintenance in order to prevent large populations from needing to be relocated.

## 6. Industrial Lane Bicycle and Pedestrian Improvements Plan

Ed explained that he will be presenting the current design status and provide an overview of the project. Staff had to make some changes to the previous plan in order to stay within the available budget. The current plan is being guided by the seven principles of Bicycle Network Design from the FHA Bikeway Selection Guide. Ed presented a map of the project from the east end of Commerce Street heading west to the East Park underpass and the Hoyt-Midway pedestrian bridge. There will be a 12-foot wide concrete trail on the south side of the road for the entire length of this project, while remaining in the \$2 million budget. Ed explained that the cost estimate for both the 12-foot wide trail and sidewalk on the north side put the project over budget by nearly \$1 million. Therefore, staff revised the project scope to focus on the 12-foot trail only and refine the design. Ed showed a cross section of the trail, and explained that staff plan to install curb, gutter, and 12-foot attached concrete trail with a buffer of stained concrete. With these adjustments, the cost estimate is now \$1.78 million. This current cost estimate is only for construction costs, so staff also needs to account for other costs.

>Ray, What differences in the design made for the savings?

>Ed, Most of the savings came from deciding not to have a detached trail. Those costs come along with two to four feet in hardscape or landscaping. This also limits the impact of the right of way into businesses along Industrial Lane.

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>Kristan, Improvements along the north side of Industrial Lane are not part of this updated package of improvements, however, the engineers have confirmed that these north improvements could still be done in a later phase of work.

Ed added that nothing precludes the sidewalks to the north. What staff do not want to do is something that could make construction of a north sidewalk more challenging to build in the future. Ed went on to explain how the Seven Principles of Bicycle Network Design play into this project, including safety, comfort, connectivity, directness, cohesion, attractiveness, and unbroken flow. Ed also passed out printed handouts of the plans and budget costs.

>Todd, The initial plan included the entire length of Industrial Lane, so there was money saved there.

>Ed, There was also a lot of money from removing the north sidewalk.

>Todd, But we did have a discussion of doing only part of the trail so that we could put in a detached trail.

>Anthony, There is really no great stopping point between these sections of Industrial Lane.

>Ed, We already had to pull the length of the project back from extending all the way to Flatirons Mall. We felt that the trail really needed to at least get to the US 36 underpass. Anything short of the underpass would leave the public perplexed.

>Todd, Didn't you find that people prefer to be off of the street--i.e. A detached path with a buffer from the street?

>Anthony, There will still be a couple feet of buffer, and a detachment could be added on later.

>Ed, It would be very expensive to add an additional buffer later on.

>Todd, I am curious what the discussion was from doing the project now versus waiting until the budget was available to do it how people want.

>Kevin, Staff did look at it, but the community has also been very vocal about having this trail and it needs to get done. This project has been in discussion for 10 years.

>Kristan, There is potential to put in landscaping along the southern edge of the trail, between the trail and businesses when development may occur.

>Ray, There are a lot of industries along there, and I am wondering what that impact will look like for trail users. There will be a lot of cars pulling in and out. Will they be looking for bikes when leaving the parking lots?

>Anthony, The stained concrete will be a visual cue to drivers. But it will be nearly impossible to stop anybody from pulling out on top of the trail.

>Ed, We can look into signage.

>Anthony, There are fifteen driveways along this stretch. As more people ride, more drivers will stop further back. Many sections along the driveways are going to be elevated from the road.

>Michael, So if the entire surface is concrete, would it be less expensive if part is crusher fines?

>Anthony, That would be a longer term expense.

>Ed, It also might actually cost more for the initial installation as well. You would need at least 2 feet of crusher fines for runners and this will likely require more right of way if the 12-foot concrete trail width is maintained.

>Ray, What will winter maintenance look like on this trail?

>Ed, All trails of this type are maintained by Public Works staff. We are going to look into similar maintenance strategies as we have in place along the US-36 Bikeway. Typically, the streets are cleared first, since they kick up snow onto the trails. Then the sidewalks crew comes through to deal with the snow on the trails.

>Chris K, This is a very dark area at night, will there be lighting included in this plan?

>Ed, It is not completely dark. There are some existing light poles and businesses. This project is not incorporating any new lighting, as the budget is very tight.

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>Chris K, The area is weird over there with shallow parking lots. I am concerned about people parking along the trail.

>Anthony, We will have the curb to make up the grade on the back side of the trail. Cars would have to hop a curb to park along the trail.

>Chris K, If the bike lane were on-street at least bikers would stand a fighting chance.

>Ed, Bike lanes were discussed and it was one approach that was considered. We did have an open house with the public, and they expressed that experienced bikers feel more comfortable on the bike lane but most people don't feel comfortable.

>Ray, I think that people who are trying to get onto Industrial Lane will inch up onto the trail, I just have a bad feeling about this.

>Anthony, Driveway interactions are where bike collisions most often occur. But we also have to consider severity- severe bike collisions happen at over 25 miles per hour. Everything we are doing is to reduce the severity of a crash and to slow down vehicles coming across the trail. This will also open up their cone of vision and decrease crashes.

>Terra, Could we have signage in those tight areas?

>Anthony, We would have a lot of signs. And sign fatigue can cause drivers to just ignore them. We have raised the trail six inches to increase the awareness of drivers.

>Kristan, We do need to look at the signage for drivers and cyclists. Large trucks also come through this area with their mirrors out and this can be a concern for cyclists that are using bike lanes.

>Chris K, Could we paint the lane green along the driveways so people know it's for bikes?

>Anthony, We could certainly do that, but it would be an ongoing maintenance cost. We could do bars of green to save some paint. We are doing this on Nickel Street, and it is often done in conflict zones.

>Ed, One positive is that there is very good site visibility along this road, as there is not much landscaping. People don't always pay attention, but this will help.

>Anthony, The curb and gutter are also visual cues for drivers.

>Ray, Have you seen similar projects elsewhere?

>Anthony, There are lots, but not as wide as this one which is nice. Some similar projects are in Boulder near Pearl and 28th Street. The next step will be to move into the 90% design plan, after all of the comments are received from the committees and staff. Then we review the plan and touch it up.

Kristan summarized the concerns that included bike path separation from the street, lighting, addition of a crusher fines path, safety at crossings at entries, and signage.

### 7. OSTAC Development Review Projects - Palisade Land Dedication and Aspen Creek

Kristan started with the Palisade Land Dedication, which is north of State HWY 7 and west of Huron Street. The Children's Hospital is to the east of this site, with housing units on the north side. The developer is planning on building a park in the middle of the development for athletic fields and an amphitheater, with offices on either side on the park and retail to the south. The development will have 160 housing units located on the north side of the parcel with a population estimate of 305.6 people, which equals 7.344 acres in required public land dedication. The applicant is proposing a 5.98 acre private park with public access and cash-in-lieu of \$59,415.84. Kevin added the reasoning behind this decision to allow a private park. Children's Hospital is immediately to the east of this project. Often, hospitals get surrounded by development, so when they want to expand they are unable to and they move to a different location. Hospitals are integral parts of neighborhoods, so we would like to develop this area with future hospital expansion in mind. The current plan allows for the eventual removal of the housing units to make the space available for future hospital expansion. If all of the housing units are removed, then the park could be removed. The proposal would go through the standard planning review process in place at the time of the request.

>Ray, If Children's moved in and the housing units go away, would they be required to give public land?

>Kevin, There is no public land dedication for hospitals or commercial development, the public land dedication is used for residential projects.

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>Kristan, We were initially concerned about this, and have been working with the applicant. The statement from the developer captures how the removal of the park would occur, and we previously had no wording on this topic in the Site Development Plan. We feel that this statement is important to have as part of the final plan. The housing units would need to all be gone before the land is converted to commercial property. Any expansion of the hospital would still go through the development review process in place at the time.

>Kevin, \$59,000 of the cash-in-lieu will still be paid, and not be reimbursed regardless of what happens to the park.

>Bill Branyan, The neighborhood park will cost about \$6 million to construct. This will be an amenity for Palisade Park. The housing units are unlikely to go away in the next 20-30 years. But with this being a \$200 million hospital, it is not that out of the question that it will eventually need to expand.

>Kristan, This is a unique idea and situation. I was concerned about the concept at first, and fear of setting a precedent of removing parkland. Getting the statement put in writing about the purpose for the hospital expansion helps, and clarifies that this is a unique situation.

>Bill, In respect to maintenance and public use, this is similar to the Interlocken area. Broomfield has a sharing agreement to access and maintain the parks.

>Chris P, There is an advantage over public land dedication, otherwise it would be on Broomfield to build the park. With this the developer builds the park.

>Kristan, The OSTAC Development Review Team was concerned about setting a precedent with this, and we wanted to clarify that this is a special circumstance for the hospital.

>Patrick, I will recuse myself from this decision.

>Ray, I feel comfortable being presented with this.

>Chris P, Twenty years from now, when the hospital wants to expand, what happens to the people living there?

>Ward, The housing leases will expire. These units will be for rent. The apartments will go out of business and the Children's Hospital will buy the land.

>Chris K, I am glad for clarification, and feel good about it now. What will the units rent for?

>Ward, We are going to try allowing co-living to increase affordability.

>Terra, What is the next step on this project?

>Kevin, It will go to Council on October 22nd.

Kristan explained the site plan for Aspen Creek and gave an analysis of the public land dedication (PLD) numbers. The development will have 316 housing units with a population estimate of 845.47 people total, which equals 20.29 acres in required public land dedication. The existing Aspen Creek development has a minimum PLD obligation of 25.03 acres. As such, there is an existing surplus of dedicated PLD in the Aspen Creek development of 9.39 acres. The applicant is proposing to reduce their overall PLD dedication obligation by adding the 9.39 acres of surplus into their calculations. This would mean that the Aweida project would need to provide 10.9 acres of PLD. The applicant is currently proposing 13.22 acres of dedication, a surplus of 2.32 acres of PLD. Kristan added that these numbers may change slightly, but that this is where we are now. Kristan added that staff completed a tour of the property to review the tree removal plan with the landowner and development team, earlier this afternoon.

>Michael, Two of the large trees will be removed because of the Aspen Street expansion. The biologist estimated these were 50-60 year old trees, but both are very close to Aspen Street. Compensation for the loss of these large trees is needed. They are doing a good job of marking the healthy and not so healthy trees for saving. They are trying to not take out trees under eight inches either. We like the idea of keeping the thicket for wildlife.

>Patrick, Will the developer have a responsibility to replant the large trees being removed?

>Kristan, They are including lots of trees in their landscaping, but we could require that as a comment.

>Chris P, I was really impressed. They have had every tree looked at by an expert, and put into a spreadsheet. They are also partnering with the Butterfly Pavilion to become the second pollinator district in the country.

>Chris K, This project does not have cash-in-lieu. I think we should move forward and feel that the lake area will be good. I am pretty impressed.

>Todd, I am not sure how they will fill the pond.

>Michael, They are working on getting the water rights.

>Kristan, The developers will be addressing the water rights for the pond. They are also looking at the pond to finish the edge in a manner that does not encourage geese access. They will be taking some existing wetland materials and using them for creating wetlands. They will be keeping snags and thickets for wildlife. There is an abandoned hawk nest in a dead tree that the developer wishes to be removed. The letter from the biologist will document that the nest is abandoned, and they will go ahead and remove the one dead tree now so that it is not an issue in the spring.

>Chris P, We are hoping to keep a large, dead cottonwood for nature play.

>Kevin, They won't have a gradual grassy slope to the pond, but rather maintain the undergrowth and understory for abrupt topographical changes that deter geese.

## 8. Revocable Permit Request to Occupy Hoopes North Property

Kevin explained that in response to the recent oil and gas activity, a group of residents occupied the Hoopes North Property near Sheridan Parkway and Lowell Boulevard. They erected some trellis structures and planted some shrubs and trees. Kevin clarified that this land is not open space and is open lands, but is part of the right of way and is owned by the Broomfield Water Fund. Today this property currently functions similarly to open space. These activities were done without a permit, and the city did receive complaints about it. We have asked that the residents remove the physical structures and items that were placed. The city has a revocable license permit process that allows someone to occupy a property for a period of time. These permits are revocable by the city, with 30 days notice. We expect the residents to request a revocable permit for the landscaping to remain on the site, but we wanted to hear from your perspective as well. There would be no commitment for the city to take care of the landscaping, and this would be the responsibility of the permit holders.

>Anne Marie, The permit would just allow us to keep in the living things we planted.

>Ray, I am for it.

>Guyleen, Go for it.

>Tom, I moved here in 2006. In 2012, I found out that fracking could occur on open space. I swore that if they ever put a rig at Lowell and Sheridan, I would plant trees. This was a symbolic action, and the community provided the plants and helped us put them in to help clean up the air, plant green things, and take care of the open space. We will take care of the landscaping and apply for the revocable permit. We hope you love this land as much as we do, and support us.

>Anne Marie, These plantings were in response to restoring what's being destroyed. We came to fix it and put things that are native back into a space that is cleared. This action was very symbolic, but also the beginning of new life, where things are also being destroyed. We know that you care. The true symbolism of this was to stand up and show that we care, even though fracking is occurring in the background. It might be a few trees but, that's what we can do right now.

>Stan, Are the vegetation and trees drought tolerant? I'm concerned about how to keep it watered.

>Patrick, You will have to haul water to it.

>Anne Marie, The site is easily accessed from the road. We could recruit people from the initial activity to help on a watering schedule.

>Tom, We don't currently have a set plan for watering, and we will be relying on the community to help. The peach tree might not make it. The rest of the drought tolerant landscaping hopefully will.

>Kevin, The permit authorizes the permittee to occupy city-owned land for a defined purpose. If the permit is revoked, everything must be removed within the 30 day notice. If something happens to the area, we would give the 30 day notice and remove it, if needed.

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- >Patrick, Typically these permits are applied for before any work is done. So if this is approved, we are just allowing this to happen without a permit beforehand.
- >Kevin, We accommodate and deal with many different circumstances. With the current sentiments in the community, we are trying to respect their intention. They are now going through the permitting process and respecting that requirement.
- >Todd, Are there no guidelines for what can be done in this space?
- >Kevin, It would allow them to keep what landscaping is there, and allow access for watering.
- >Todd, We could be in a rough spot if someone else comes along and does the same thing. What's to prevent someone else from coming to do things on public land?
- >Kevin, We are trying to look at the physical setting, and also emotional space of the community. The permit is a tool to accommodate this action.
- >Michael, I would suggest that the permit includes something to explain what is there, and the concepts and ideals behind why it was placed there. It would be good to have a plaque to explain the purpose of this space. We have signage at trailheads, why not something similar here?
- >Todd, Is a sign on the open space in the spirit of open space?
- >Terra, I think it tells a story. Some small plaque on the ground would be nice.
- >Tom, We'll take that idea back to our people.
- >Chris, I think the point is that this was meaningful to the 50 people who planted this, but it will not mean something to everyone else in the community unless they know what the purpose was.
- >Guyleen, What is the purpose of OSTAC listening to this first?
- >Kevin, The area is commonly viewed as open space by the public, and we would like to include OSTAC's comments in a staff report to Council.
- >Stan, Does City Council normally see revocable permits like this?
- >Kevin, Yes.
- >Chris P, I support this idea, but hear Todd's concerns about setting a precedent. Is this an issue we might have to deal with down the road?
- >Ray, Any revocable permit has to go to Council. They always have the right to refuse.
- >Patrick, I think it's beautiful, but I worry that there are a lot of different people who are passionate about a lot of things and pretty soon they are putting stuff up without permission first. You have to have a driver's license before you can drive. I think this is bigger than it seems. I'm glad it's there, and I hope it stays, but I hope we also don't open a can of worms around it.
- >Michael, It might make sense for the city communications group to write to the enterprise about how this process was done backwards.
- >Kevin, We would prepare a staff report. This would be to present a statement of facts, not to pass judgement. The fact that the normal permitting process was not followed would be noted in this report.
- >Guyleen, Is there an application process that we can help them with.
- >Kevin, We are working on that with them.
- >Todd, So will the permit go to City Council to ratify or reject this permit?
- >Anne Marie, They will be looking to you for guidance.
- >Todd, Not everyone will be this sensitive to this purpose. OSTAC is not in a good place to say whatever to this decision. That may not be the best place for a peach tree. Maybe plant native grasses. I would like to have seen this go through the formal process, ideally.
- >Kevin, So it sounds like there are generally no strong objections to the permit, but there are concerns about setting a precedent and how those who follow may use open space.
- >Todd, I would also want there to be a requirement in the permit that only allows for the landscaping to be done with native plants.

## 9. Coyote Research Projects with University of Colorado and Colorado State

Ellie described the current coyote research on Broomfield open space with University of Colorado (CU) and Colorado State University (CSU). CU Graduate student Emily Beam has been out in the field for 6 days a week this summer to observe coyote behavior over 8.5 hour shifts at The Field, Metzger Farm, County Commons, Ridgeview, Great Western, and the Future Reservoir/North Hoopes property. She also continues to maintain and monitor a camera trap at each of these sites. The behavior she has observed here in Broomfield will be compared with coyotes in rural Utah. Emily is currently compiling her findings into a report for her Masters degree and will continue these studies over the next few years as she pursues her PhD. She is also collaborating with an art student to create an art book of Broomfield coyotes that is set to release in early 2020. We will be working with the Broomfield Library on holding a book release event and will keep you all posted on its development. CSU undergraduate honors student, Annie Hess, has been working on a coyote behavior research project with the National Wildlife Research Center at sites in Pawnee National Grasslands as well as Broomfield. The study involves placing camera traps at different sites, all with a meat bait attractant placed in a small depression about 12 feet in front of the camera. Half of the cameras will only have the bait, while the other half will have a "novel object" for the coyotes to interact with. This novel object is 4 stakes placed in a 3-foot square around the bait with roping around the top. The nine Broomfield sites were set up yesterday and include The Field, Metzger Farm, County Commons, Plaster Reservoir, Ridgeview, McKay Lake, Country Vista Park, Anthem Community Park, and Broomfield Industrial Park. These camera trap set-ups will be set up for about 3 weeks and then pulled down again. These findings will also be compared with results across the country as well as in Panama. Ellie showed a map of where all of the camera traps have been installed, along with photos of what the bait and novel object test looks like. Ellie added that we are very excited for these opportunities and will keep you all posted on the findings of these studies. We will hopefully have the opportunity to have both researchers come to speak about their work once it is completed.

>Chris P, What are the examples of novel objects?

>Ellie, The stakes are the novel objects for these sites. At the camera traps in Pawnee National Grasslands, the coyotes stayed away from the objects. It will be interesting to see if this is the case in more urban environments.

>Michael, Will you notify the Coyote Crew about this?

>Ellie, Yes, thank you for reminding me to do this!

>Patrick, I want to congratulate Ellie and the staff for doing this type of work and being so proactive on wildlife research in general, that is really terrific.

>Chris P, It almost seems moot to me that the coyotes will not be bothered by the stakes in our urban environment, given that they are so bold and jump over fences.

>Ellie, I agree, but sometimes we can learn things from these studies that we never would expect. It will be interesting to compare our results to the rural areas as well.

## 10. Comment on the Proposed Broomfield Vaping Ordinance

Kristan explained that this ordinance on banning vaping in public areas has already been to City Council for the first reading. The ordinance essentially changes the wording in the City Code to include electronic smoking devices, and clarify where they are not allowed. This ordinance is currently written to mirror state law. One of the areas that is prohibited in the ordinance is parks, which open space is a part of in the code. We felt that it was important to let you all know, and we would ask to have a motion and vote for your support of the ordinance as it is written.

>Ray, Is smoking currently banned in open space?

>Kristan, Yes, however it is really the fire for the smoking that is prohibited. With the new ordinance it would be prohibited outright. Smoking is only currently explicitly prohibited in the City's Community Center. The new ordinance is being updated to reflect state law.

>Guyleen, The state laws allow for local ability to regulate vaping products. We can allow additional restrictions, such as licenses for vape stores or increasing the minimum age to 21. There should be a penalty for stores that do not require identification.

>Todd, This isn't a public health issue, but a public annoyance. There's no second hand smoke with vapers.

>Terra, That is not established.

>Guyleen, Not all the harms of vaping are known yet.

>Ray, I am anti-smoking, but this ordinance is too restrictive.

>Terra, My concern is how will this new code be enforced?

>Michael, Essentially this ordinance is getting rid of public smoking at the state level. I support it.

Michael motioned to support the new vaping ordinance; Chris P. seconds; Patrick, Todd, Terra, Michael, Chris P, Chris K, Guyleen, and Stan support the ordinance. Ray opposes.

>Ray, Explained that he hated smoking, but noted his concern about telling others how to live their lives and also indicated that this approach did not seem to provide a comprehensive solution to the concern.

## 11. Review and Approval of the August 22, 2019 OSTAC Meeting Minutes

Michael motioned to approve the minutes; Chris P seconds; Minutes were passed unanimously with a change in text from 'crushed refines' to 'crusher fines'.

## 12. OSTAC Updates

- Successful Recent Events

Ellie explained that the Open Space and Trails department successfully hosted several events in the last couple of weeks since the previous OSTAC meeting, including Family Nature Night at Centennial Elementary, Colorado Open Space Alliance Conference presentations, Broomfield Days, Farmers Market booth, Broomfield Heights Middle School Field Trips to Josh's Pond, and the start of the Fall Speaker Series.

- CDOT US 36 Bikeway Numbers

Pete explained that staff do not yet have the numbers from 2019, and that we can come back to this topic again once those statistics are available. There was significant growth from 2017 to 2018, and we are expecting another increase for 2019, with major peaks in the summer.

- Upcoming Events

Ellie presented the upcoming Open Space events:

- Friday, October 11 - Nature Program's Moonlight Hike at Lac Amora Park from 7-8 p.m.
- Tuesday, October 15 - OST Volunteer Celebration from 5-7 p.m. at Brunner Farmhouse.
- Wednesday, November 6 - Open Space Speaker Series "Mountain Lions in the Front Range" at Broomfield Library from 7-8 p.m.

### 13. Other Topics as Desired by OSTAC

June Wagner, a Broomfield resident, explained that she and her friends greatly enjoyed participating in the Broomfield 100 this year. They did ten to twelve walks in the passport and found that in some areas they got lost. June explained that this was fine with friends, but that she would not go on some of the trails by herself. She suggested a plan to mark the trails, such as using small footprints with a little arrow to show which way to go.

Unknown, The little books are difficult to follow. I would love to be on the committee to design them. We had a wonderful time.

June, The City Trail Maps have also not been updated for a few years.

Pete, We are working on an update now, and are also working on paint stamping options. It is difficult to put directional signage out on our trails. But we are working on better signage and mapping.

>Guyleen, What was the purpose of the tour today? We did not have a chance to talk.

>Ray, I thought they were going to build something around the pig launcher.

>Kristan, It is not built yet. It will be a wrought iron fence. The neighbors in this area did not want a solid barrier so they could see the view through the bars.

No other topics were desired by OSTAC.

The meeting was adjourned at 9:37 p.m.

Minutes were prepared by Ellie Lanaghan.