

DATE: August 9, 2005

STAFF: John Stokes

**WORK SESSION ITEM
FORT COLLINS CITY COUNCIL**

SUBJECT FOR DISCUSSION

Options for the Designation or Creation of a Citizen Advisory Board Dedicated to the Natural Areas Program as Required by Open Space, Yes!

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

Does Council prefer any of the three proposed alternatives or does it have another alternative that it would like to propose?

BACKGROUND

In November 2002, voters adopted a ballot measure known as Open Space, Yes! (OSY), a continuation of the City's 25 cent sales tax for the acquisition and management of open space. Open Space, Yes! begins collecting and distributing revenues to the City's Natural Areas Program as of January 1, 2006.

Section 15 of OSY states that: "...the City Council shall designate a voluntary City Advisory Board, either existing or new, to advise and make recommendations to the City Council regarding the expenditure of the moneys for the purposes stated herein."

The purpose of this work session is to explore several alternatives to this stipulation and to seek Council's advice regarding preferred alternatives.

Staff has developed three alternatives for Council consideration.

1. Council could designate an existing Board to take on the duties. If Council were to prefer this approach, the most logical existing Board to be so designated would be the Natural Resources Advisory Board (NRAB). Advantages to this approach are that it is easy to implement, and Board members already advise Council on matters having to do with the Natural Areas Program. Designating an existing Board might be disadvantageous in that the Board would be distracted by matters not directly related to the Natural Areas Program. Also, designating an existing Board would forgo an opportunity to appoint citizens with some special interest or expertise in open space matters to a newly created Board.
2. Council could create a new Board to take on the duties. If Council were to prefer this approach, staff suggests that it consider creating a nine-member Board that would meet on a monthly or semi-monthly basis. Staff also suggests reserving four memberships on the Board to be appointed from the existing NRAB. Moreover, in addition to citizens with a general interest in open space issues, board members with expertise in real estate,

outdoor recreation, biology and ecosystem management, outdoor education and interpretation, and financial matters could be considered. The charter of the Board would make it clear that the Board's focus would be on implementation of OSY as well as management and stewardship of Natural Areas lands previously acquired by the City. Staff suggests that the Board be called the *Land Conservation and Stewardship Board*. This name would parallel the City's *Land Conservation and Stewardship Plan*, which is a 10-year plan approved by Council in 2004 that informs and directs the activities of the Natural Areas Program. An advantage to this approach is that Council would have an opportunity to appoint citizens with some special interest or expertise in open space matters. Council also could appoint one of its own members to serve on the Board as a voting member or as a liaison. An important disadvantage to this approach is that the Natural Resources Advisory Board, which has a long history of advising Council on Natural Area matters, would no longer play that role. If this option were preferred, there would be a total of three Boards serviced by the Natural Resources Department (Air Quality, Natural Resources, and Land Conservation and Stewardship).

3. Option 3 revises option 2 by proposing the consolidation of two existing Boards, Natural Resources and Air Quality. In this scenario, Council would create a new Board to service OSY, and it also would combine Air Quality and Natural Resources into a single Board. The advantage to this approach is that a newly created Board can deal solely with land conservation and stewardship issues, and a newly combined Board can efficiently focus on various natural resource issues. Creating a new Land Conservation and Stewardship Board would relieve the Natural Resources Board of its Natural Areas duties and could help mitigate the workload of a combined Air Quality and Natural Resources Board. There are disadvantages to the approach of combining the Air Quality and Natural Resources Boards. For example, combining Boards could be perceived as reducing the voice of citizens in natural resource issues.

Further Discussion/Background:

In analyzing the option for Board consolidation, it might be helpful to know that in the mid-1980's, the Natural Resources Board handled air quality issues. In 1989, Council asked for some additional emphasis on air quality and a task force was formed. The task force created the first air quality plan and recommended the formation of a separate air quality board which was formed circa 1993.

The consolidation of the Boards has been considered previously. On February 20, 2003, the NRAB and the Air Quality Board held a joint meeting to discuss the issue. Members from both Boards were unanimous in their conclusion that the Boards should not be combined and that a new Board should be created for the Natural Areas program. Objections at that time were focused on the work load, not enough overlap on the issues before the two Boards, and a desire to retain a stand-alone Air Quality Board due to the importance of air quality as an environmental issue.

On July 20th, the Natural Resources Advisory Board considered the three options presented in this memo. Various members of the Board supported all three of the options either partly or wholly. A Board member suggested a fourth option that would create a single Natural Resources Board that considers all City natural resource issues. One member of the Board observed that

creating a new Board, and combining existing Boards, might not necessarily reduce staff workload. It was noted that air quality issues tend to be highly technical in nature, and that several Air Quality Board members have a special expertise in the atmospheric sciences (four of the members are PhD's in atmospheric and life sciences). Several Board members seemed most comfortable with option #1 – but with the caveat that Natural Resources Board meetings be reorganized so that one meeting a month would be devoted to land conservation issues and the other meeting to other natural resource issues. (Note: The Board may choose to make an official recommendation to Council at its August 3rd meeting. If so, the recommendation will be reported to Council at the work session.)

The Air Quality Advisory Board discussed the three options at its July 26th meeting. The Board unanimously opposed option 3. The Board plans to write a memo to Council in advance of the work session explaining its recommendation.

From staff's perspective, all three options are viable, although staff prefers options 2 and 3 because a new Land Conservation and Stewardship Board would be created. There are a number of factors to consider:

1. It is very likely that the Natural Resources Department, like many other City departments, will experience a reduction in labor force this fall. A considerable amount of time is invested by staff in preparing for multiple Board meetings and agenda items. A new Land Conservation and Stewardship Board, and a combined NR Board, would retain the two-Board structure and might conserve both financial and human resources.
2. Option #1 could be considered the most efficient approach, because the OSY duties would be delegated to the NR's Board. The Board usually meets twice a month, and it is possible that one of those meetings each month (or as needed) could be devoted to OSY issues.
3. In the twelve-month period July through June 2004-05, NRAB met 21 times and 3 meetings were cancelled. Air Quality met 12 times. NRAB had 59 agenda items. Of those, 31 were Natural Area items. Air Quality considered 40 items. (Both Boards discussed some agenda items on multiple occasions.) Thus, during this period, if the Boards had been combined, it is conceivable that the combined Board would have considered 68 items, although it should be noted that several agenda items during this period were separately considered by both Boards. Although this is a large number of potential meetings, eliminating redundant agenda items, creating an air quality sub-committee, carefully selecting what items the Board considers, and managing the meetings efficiently, could allow a combined Board to handle the workload. On the other hand, creating a combined Board might lead to a situation in which there are simply too many agenda items for the Board to carefully consider.
4. The Natural Resources Advisory Board charter presently stipulates that the Board shall advise Council on, "all matters pertaining to natural resources and environmental protection and management issues of concern to the City." The Air Quality Advisory Board's mission includes advising Council on matters pertaining to policies, plans, and programs to maintain and/or improve the City's air quality, to review indicators, to advise the Governor-designated lead agency for air quality planning (MPO) on matters

pertaining to the Fort Collins element of the State Implementation Plan, to coordinate with other boards, and to promote citizen participation and public education in city-wide air quality issues. Better defining a combined Board's role could help make the Board more efficient.

5. At this time, the Natural Area program budget is approximately \$9 million a year, and the general fund side of the Department is approximately \$900,000. Creating a Board to address Natural Area issues could be helpful given the substantial resources involved and the wide-ranging influence of the City's land conservation program. A new Land Conservation and Stewardship Board would parallel Larimer County's Open Lands Board, which has proven to be an excellent forum for considering open space issues.
6. The Air Quality Advisory Board has two expiring terms and the Natural Resources Advisory Board has three expiring terms in 2005, for a total of five. If Council were to combine the Air Quality and Natural Resources Boards and not fill those five positions, and if Council were to appoint four existing members of the Natural Resources Board to the new Land Conservation and Stewardship Board, the combined Air Quality/Natural Resources Board would be left with nine members.

To conclude, there are several options available to meet the OSY requirement to create or designate a Land Conservation and Stewardship Board. Although staff believes that any one of the options are viable – staff prefers an option that includes the creation of a new Land Conservation and Stewardship Board.

Staff presentations for Work Session items have been video taped in advance of this meeting. The presentations will be broadcast on City Cable Channel 14 at the following times:

Thursday, August 4	7:00 p.m.	Monday, August 8	7:00 a.m. & 12:00 noon
Saturday, August 6	9:00 a.m. & 8:30 p.m.	Tuesday, August 9	4:00 p.m.
Sunday, August 7	9:00 a.m. & 8:30 p.m.		

Videos of the presentations will also be available via a high-speed internet connection at www.fcgov.com by 5:00 p.m., Friday, August 5.