

Town Branch Commons:

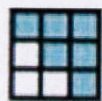
*Bringing the Bluegrass into
The Heart of Lexington*

A Strategic Master Plan

Vision, Governance & Sustainability



PREPARED FOR



Lexington
Downtown
Development
Authority

PREPARED BY



21st
CENTURY
PARKS

May 2015

Table of Contents

EXECUTIVE SUMMARY	2
REVIEW	6
Park Vision – Lexington, 2025.....	6
Process and Findings.....	9
Motivating Impulse (Values+Vision+Mission)	10
The Ripple Effect: Park Impact and Audiences.....	11
Park Amenities.....	12
RECOMMENDATIONS	13
Recommendations — Governance, Sustainability, and Amenity Priorities	14
Future Planning and Decisions.....	19
Project Timeline.....	20
Conceptual 5-Year Operations Budget.....	21
APPENDIX I.....	23
Park Audience & Amenity Visioning Session, October 27, 2014.....	24
Park Audience & Amenity Leadership Summit – Audience Graphs	26
Governance & Sustainability Visioning Session, January 16, 2015	32
Discussion of Recommended Governance Models.....	33
Identification of Successful Parks.....	36
About 21 st Century Parks, Inc.	39
Example Memorandum of Understanding Agreement.....	41

EXECUTIVE SUMMARY

Executive Summary

Great cities have, and preserve, great parks. 21st Century Parks sees the creation and preservation of unexcelled urban parklands and public spaces as one of this century's critical issues of urban planning and infrastructure development. **The 21st century will be an urban century and those cities that build and sustain great park systems will themselves be sustainable and provide a firm foundation for healthy, diverse, economically viable communities.**

As a part of our mission we have developed a process to share what we have learned—in the development and financing of one of the largest fully funded metropolitan parks projects in the country—with others who seek to use parks and public spaces as “city-shaping infrastructure” to help make their communities great places to live and to work. We have found that parks can do many things for a city—create and sustain community, fuel economic development, support the environment and help to create healthy urban ecology, diversify recreation for all ability levels and age groups, improve human health and wellness, redevelop the urban core, and advance educational attainment. We have also learned that parks can only achieve and sustain this impact if the leadership of the project, in its early stages, focuses on the following key issues:

- A clear sense of the **audiences** a new park will serve including specific program elements to deliver that service effectively, and with a clear sense of how to connect and provide access to these audiences.
- A carefully selected menu of park infrastructure and **amenities** to serve these audiences, along with a commitment to high quality, world-class planning, design, and construction.
- A clearly articulated **governance model** defining the roles and responsibilities for the different stakeholders and authorities involved.
- A **sustainable** business plan for operating the park. Parks that are not safe, clean, and tended over the long-term, do not honor the original vision of their founders.

21st Century Parks was engaged by The Lexington Downtown Development Authority (“LDDA”) in early 2014 to collaborate on a strategic master plan to lay the foundations for a world-class planning, design, and construction project that will create both a core central park and connective linear park system that extends through the heart of downtown Lexington, linking the eastern and western edges of the city, and bringing the classic bluegrass landscape into the heart of Lexington. The procedures we used included regional market analysis, site visitation, and most importantly, the deployment of 21st Century Parks’ proprietary strategic master planning process focused on project amenities and audiences, governance, and long-term sustainability as critical pre-design components for a successful urban park system. Our plan builds upon and adds a complimentary strategic agenda to the superb park Master Plan, “*Reviving Town Branch Commons*”, authored by SCAPE/Landscape Architecture PLLC/New York.

We anticipate that this report will be used to guide the LDDA board, the park’s design team and community stakeholders as they implement their plans for Town Branch Commons. As both guiding

document and playbook, this report should provide the leadership group with confidence in its vision as well as an understanding of the challenges and opportunities involved in its successful implementation.

Project Touchstones

Details of our recommended strategies for park governance, sustainability, and amenity priorities are contained in this plan, but we also see three vital touchstones for this project:

- **Validation:** The idea of a world-class, city-shaping core park and linear downtown greenway that promotes healthy and active downtown living, showcases the region's ecology, catalyzes economic development, and becomes the key piece of integrating infrastructure for connecting Lexington's existing parks and urban trail systems, is a wonderful and realizable vision. Speaking as someone who has done this, it can work, and it can happen!
- **University Transformation:** The metamorphic and connective impact that a world-class level Town Branch Commons will deliver as "new front doors" to the University of Kentucky and Transylvania University campuses is so great that these institutions must be acknowledged and embraced as key park audiences and involved as essential stakeholders in this project.
- **Realism:** The very long-term nature of this project must be recognized as a challenge to the park's enduring sustainability; the reality is that new public administrations often change and abandon the priorities of previous administrations. A strong park governance structure and a realistic, sustainable funding model will allow Town Branch Commons to forge a consistent, integrated identity, and to maintain focus on long-term priorities through the inevitable changes in administrative leadership.

Recommendations Summary – Key Strategic Goals

This Strategic Plan focuses on six key strategic goals. We have included the immediate action steps supporting each goal in the Recommendations Section of this report. Keep in mind that the supporting tactics will naturally adjust as the project moves from design, to construction, and then to sustaining operations. A laser-like focus on the following six strategic goals will allow the Town Branch Commons team to create a park that is a unique and cherished resource not only for Lexington, but for the surrounding Bluegrass region.

1. *Move quickly to formalize a leadership council to take action on these recommendations, and push the project forward. The group should continue to recruit community leaders, as well as to build awareness of the importance, and the goals, of the project ahead of the public capital campaign.*
2. *Articulate amenity and park design priorities, and the mix of amenities required to serve the desired, Lexington-wide audiences.*

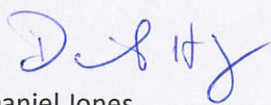
3. *The Mayor, the Urban County Council, and the Leadership Council pledge to pursue a \$75 million funding target for the design, construction and completion of the park system, including underwriting of the first ten years of park operating expenses. Efforts are already under way to pursue local and federal transportation funds to build the initial infrastructure for the project.*
4. *The Blue Grass Community Foundation should begin incubating a Non-Profit Conservancy to manage and maintain the park upon completion. The project should engage likely future executive leadership of the park operations in the early stages of design and construction. (For a complete discussion of governance model recommendations, please refer to Appendix 1.)*
5. *Assess and complete right-of-way acquisitions, enact land protections, and codify design guidelines for the parks to ensure a 100 year Olmsted quality landscape and design legacy for the park system.*
6. *Commit to the establishment of a first-rate park maintenance and operations organization. This structure should focus on delivering services that ensure park conditions and user experiences that are consistently safe, clean, fun, and pleasing for visitors. This consistently great visitor experience becomes the “brand” of the park.*

One final note – personal leadership matters. A great number of visionary and extraordinary park plans are drafted each year to the master plan level. The few that get built are those where a small group of individuals doggedly pursue execution. We see this group in existence around Town Branch Commons. Thanks to an active and expanding group of passionate community stakeholders, the support of the Blue Grass Community Foundation, the strong involvement of the city, and the project management expertise of Lexington Downtown Development Authority, there exists a rare alignment of passion, commitment and professionalism to bring this project to fruition; this should not be taken for granted or allowed to wither on the vine. An intentional project to develop awareness and a key group of community leaders are essential to the long term success of this project!

It is our sincere hope that this strategic master plan will support and fuel the excitement of all stakeholders about the project, as their vision to create a truly transformative, city-shaping park takes form.

I look forward to continuing our conversation about your exciting project and ultimately being a member of the team that makes the vision of Town Branch Commons into reality. Should you have any questions, please contact me at dj@21cparks.org or at 502-584-0350.

Sincerely,



Daniel Jones
President and Chief Executive Officer,
21st Century Parks, Inc.

REVIEW

Park Vision – Lexington, 2025 Process and Findings

Life Cycle of a 21st Century Park



A Park Vision of Lexington in 2025

It is sometimes difficult to foresee the ways in which well-designed, well-kept, urban parks become transformative spaces that shape cities and neighborhoods, and differentiate the special from the mundane. With that in mind, imagine, for a moment, that ten years from now you could be drifting over Lexington, on a warm spring day, in a hot air balloon, and pass over one of its most transformed spaces, Town Branch Commons, a heavily used urban park etched through the heart of downtown.



Your gentle ride starts outside of Lexington on a sunny Saturday morning; drifting slowly eastwards, the first view is the famous Bluegrass region of Kentucky, with its tree groves, rolling horse farms, sinkholes, and distinctive limestone outcrops and stone walls. Our first glimpse of activity is of bikers on the Legacy Trail: a long, steady stream of colorful shirts engaged in a bike ride fundraiser for a local charity. As we glide over the urban edge and approach downtown, a most remarkable view unfolds: a classic American downtown cut—right

down the middle—with a startling swath of green: Town Branch Commons.

We dip low over the Lexington Hollows section, where the early morning sun glints off the revealed Town Branch stream, a sliver of silver tracing lightly through the fields and hardscapes of Lexington's very own "central park." Even this early, activity abounds: on the Hollow's Great Lawn, two groups of soccer players have set up cones and small nets for pickup games, a couple throws a Frisbee, and runners, walkers and bikers pass through on the numerous paths circling and bisecting the park. Several families with children are huddled around one of the pools in the stream where a naturalist leads a small class as part of a city outdoor education program. Caterers are setting up tents for a series of lunches later that day, and a large picnic pavilion hosts the finish line checkpoint for the charity bike run we passed over outside the city. A temporary stage remains at the edge of the event terrace from an outdoor bluegrass concert the night before. It's a quiet corner of the park this morning, but one that comes alive on game days with thousands of enthusiastic students gathering, tailgating and celebrating.

Equally remarkable in this changed landscape is the line of restaurants with outdoor tables lining the edge of the park. Several new downtown residential buildings are observable and two large cranes herald another round of development. Parking lots for weekday downtown businesses are beginning to fill up with suburban walkers and bikers attracted downtown for a day in the city's beloved recreational greenway. You also notice that UK and Transylvania University students are trickling out of nearby campus

neighborhoods on the connective streets and paths leading to the Vine Street Greenway and Karst Commons park sections, popular hubs for lunches, browsing galleries, recreation, and active downtown living.

As we drift further east, car traffic mingles easily with bikers and joggers in a vibrant downtown streetscape. One large group of bikers is just pulling out from a small restroom and gathering pavilion where they met to launch a long ride along the Town Branch and Legacy Trails, now elegantly linked across the city.



While the infrastructure of inviting lawns, plazas and paths is impressive, equally inspiring is the sense of a natural place in the middle of the city. Lines of trees below trace the riparian corridor of Town Branch, which pools and then flows along ripples through the park, bringing the bluegrass, and nature, into the heart of Lexington. Elegant patches of formal plantings mix with small groves of trees and even some shrubby natural areas along the creek. A lone bird watcher is intent on some resident ducks in the stream.

As we pass over the park's Eastern Headwaters, we spy community gardeners at work, before tracing the bike path as it weaves east of the city, providing access to suburban areas and the



beautiful agricultural landscape beyond, for which Lexington is famous. The most remarkable aspect of the entire journey has been the way in which the park—still only a decade old—has woven itself into the urban fabric of Lexington and shaped the city's urban geography, and its urban culture, while tying that to the wonderful history of Lexington and the natural bluegrass landscape that both underlies it, and has shaped its economy and its people from the city's beginning.

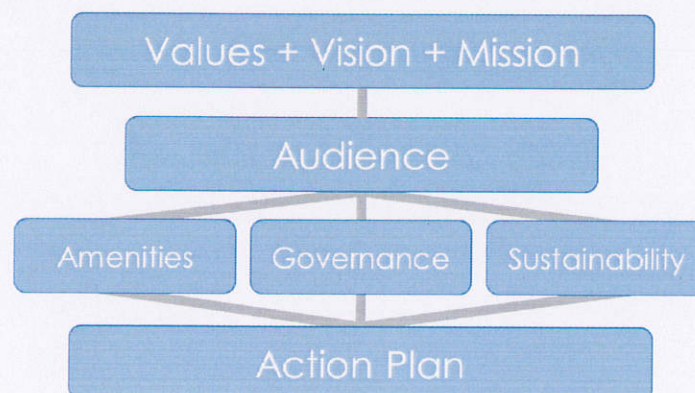
Process and Findings

Town Branch Commons is a project of community-wide impact founded on the ambitious desire to create a world-class and stunning core central park (behind Rupp Arena) and connective linear parks () stretching through the heart of downtown Lexington, Kentucky. The project began with a vision carried forward by a group of community leaders to cultivate a public green space that promotes healthy lifestyles, ecological sustainability, civic engagement, and economic development throughout the Bluegrass region. A central element of this vision, as embodied in the SCAPE Master Plan, is the desire to celebrate the long-hidden Town Branch stream that courses through downtown Lexington. This combination of values and vision, known as a *motivating impulse*, is central to guiding the creation of all great public spaces and parks. This Strategic Master Plan endeavors to present a successful path to realize this motivating impulse.

In the summer of 2014, 21st Century Parks, Inc. was engaged by the Lexington Downtown Development Authority (“LDDA”) to consult with community leaders, members of the project design team and other stakeholders and provide best practice recommendations with respect to governance and sustainability of the envisioned park. Through a process guided by 21st Century Parks, Inc. that involved surveys and two leadership visioning sessions, key questions relating to the project’s priorities were identified and answered. The process helped to assess mission, define the project’s vision of the future, identify audience, and clarify organization and design requirements.

At each successive milestone of a complex development project, changes in direction and scope can significantly magnify costs. This Strategic Master Plan is designed to provide early guidance to shape a very successful park development project that proceeds as efficiently as possible. Importantly, we have captured the logical next steps along with a timeline showing what is needed to bring Town Branch Commons to life in the form of a world-class public park.

The process for successful park development has three pillars of focus (amenities, governance, sustainability) that stem from the identification of the intended audience that is based on the vision of and mission for the project. The chart below visually shows our approach to the strategic master planning process.



Motivating Impulse (Values+Vision+Mission)

Every great project starts with a set of values, a clear vision and a statement of the mission required to achieve that vision. The strategic master planning process organizes passions, beliefs, and desires into a form that gives shape to the project. The Town Branch Commons team expressed a strong set of values, and a very clear vision, as detailed below:

Values

- A passion for:
 - Lexington, its future, and the quality of life of its citizens
 - Creating an inspiring, accessible public space of world-class design
 - Nurturing community-wide connection
- A belief in:
 - Presenting the unique culture, history and geology of the area
 - Sustainable and reliable funding
 - Permanent protection of the land as a public asset

Vision

- A well-used, well-loved public park that brings the beauty of the Bluegrass to the heart of Lexington and becomes its recreational “backyard”
- A destination level, thoughtfully designed community resource geared toward active and passive recreational activities such as walking, running, biking, playing, and community gathering for families and individuals of all ages and abilities
- A park of such quality and impact that it serves as the key piece of integrating infrastructure linking Lexington’s existing parks, trails, and its vibrant commerce districts with the University of Kentucky and Transylvania University campuses
- A park that revives and protects Lexington’s unique ecological resources
- A park system that facilitates Lexington’s transformation into a city center of both beauty and cutting-edge infrastructure for alternative, multi-modal transportation

Mission

Once the park governing body is established, a unique identity and statement of mission should be developed for Town Branch Commons that might look something like this:

“To create, preserve, and sustain, an unexcelled linear park system in the heart of downtown Lexington that promotes connectivity, healthy downtown living, economic development and ecological sustainability.”

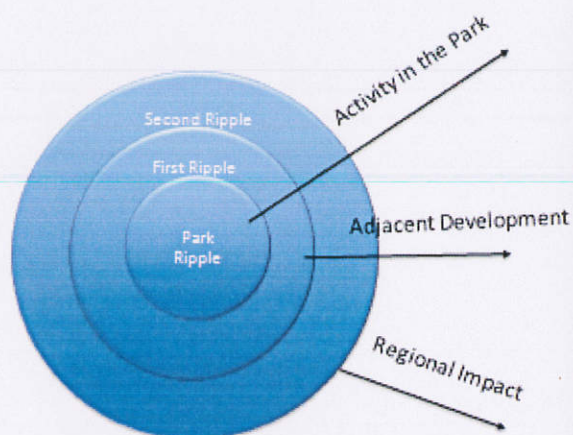
The Ripple Effect: Park Impact and Audiences

Parks and public spaces have a rippling effect on the communities they serve. Early identification of the people and visitors the project is expected to impact brings strategic clarity, sets a solid foundation for planning, and is central to the process of defining the project's users and the appropriate amenities to attract and serve them.

21st Century Parks conducted an Audience & Amenities visioning

session with the Town Branch Commons leadership group on October 27, 2014. The group was guided through a process to evaluate the project with respect to areas of impact and how the park would serve its future visitors. The leadership group expressed a desire for the following audience groups based on activity:

Multiple Levels of Park Impact



Audiences

Bikers/Skaters

Performance Arts

Nature Observers/
Dog Walkers

Daily Commuters

Special Events

Daily Passive and Active Exercisers

Park Amenities

The goal of any park amenity is to ensure that it renders the park as a useful, safe and beautiful place to visit. This will ensure that the park is supported by the community, and that visitors become protectors and stewards of this public space.

Great park amenities only stay great if the governance organization demands excellence in presentation and maintenance of the chosen amenities at the same level they demand excellence in amenity selection and design. This starts at the top with an executive board that sets out a clear standard for the park experience from a visitor's perspective. The exact vehicle and structure to deliver on the standard is up to the organization to determine. Alternatives for park maintenance should include a range of options including full time staff, contract services, volunteers, and partnerships. The key for excellence in park management lies in the setting of the standard, and then holding firm to achieving these levels no matter the technique selected.



Park amenities and maintenance levels are simple to evaluate. Does the visitor consider the park safe, clean, fun and beautiful? Miss any of those, and the park's usefulness and utility to the community is degraded and the investment fails to return on its commitments. Below are the key categories that the Town Branch Commons team should use to vet the success of any particular element of park's operations or specific amenity:

- **Safe** – is the experience for the user safe? Is the equipment/infrastructure supportive of a safe environment for visitors and staff alike? Is there staffing or support necessary to ensure that the investment in the amenity will be protected? Is the park “owned” by the owners, in that their philosophy and standards for safety are consistently present in the user's experience?
- **Clean** – is the capacity present to keep the amenity and experience free of debris and in the form/appearance as designated in the master plan? Unsightly trash cans, worn turf, edges, striping, etc. are all small elements on their own, but taken together they degrade the park experience and the visitor will pick up on this.
- **Fun** – this is a somewhat vague term, but the sum is a simple question most visitors can answer - did the park effectively deliver the experience that the visitor came to enjoy? It could be a quiet walk, a wedding, or a family reunion, but did the visitor achieve their aims? Was the park set up correctly to ensure that this experience can be met consistently?
- **Beautiful** – is the park a beautiful place to visit? **Fredrick Law Olmsted's mantra is true – the park is intended to be a beautiful space of unfolding experiences for visitors.** This must hold true for all four seasons. Are the maintenance crews achieving the designs of the planners?

Please see [Appendix I](#) for additional documentation of data gathered from the Audience & Amenities and Governance & Sustainability Visioning Sessions

RECOMMENDATIONS

Governance & Sustainability, Amenity Priorities

Recommendations — Governance, Sustainability, and Amenity Priorities

Designing an average public park is relatively simple. The process of developing and sustaining a world-class park is much more complex. Our recommendations to the LDDA, the design team and the community leadership focus on six strategic governance and sustainability goals. The steps and tactics required to reach the goals will naturally adjust as the project moves from design to construction to operations and, finally, to sustaining activities. The key for the leadership group is to remain focused on these goals through time.

- 1. Move quickly to formalize a leadership council to take action on these recommendations, and push the project forward. The group should continue to recruit community leaders, as well as to build awareness of the importance, and the goals, of the project ahead of the public capital campaign.*

Immediate Next Steps:

- The Bluegrass Community Foundation (BGCF) should build upon the small leadership working group and develop defined project roles and responsibilities. In addition to technical advisors and political leadership, this group should include senior community leaders, as some may join the capital campaign and board of the governing organization. The working group should begin fast-track planning to build park awareness and to tackle issues that may jeopardize the viability of the project. This initial working group will be the active leadership of the park development project during this early phase until a permanent governance organization is established.
- Engage the services of a development professional to study capital campaign feasibility and strategy, and to assist with co-chair recruitment efforts.

The roles for the initial working group will fall into the broad categories represented below.



2. *Articulate amenity and park design priorities, and the mix of amenities required to serve the desired, Lexington-wide audiences.*

Immediate Next Steps:

- The working group should adopt a clearly defined statement of guiding principles for Town Branch Commons as a directing instrument for prioritizing decision-making on “must have” park sites and amenities.
- Engage SCAPE and possibly other professionals to undertake design development for the project and to advance a development plan anchored to the goals of the Founding Capital Campaign, and to the project’s amenity priorities.

The following is an initial, but not necessarily exhaustive list of focus amenity recommendations developed by 21st Century Parks to facilitate the working group’s discussion about early project priorities:

A Core Central Park: There must be a core park that can stand alone if the project never receives another dollar. This park will set the benchmark for high standards of quality and design as well as completeness. The site of the Cox Street Lot at Rupp Arena, as envisioned in the SCAPE master plan, has our support as such a park.

Access and Connectivity: It is critical that the first development phase link the park’s core amenities with the campuses of the University of Kentucky and Transylvania University. Integration with the rural Legacy and Town Branch Trails, and filling other critical gaps in the bike and pedestrian trail infrastructure is of equal importance and will ensure community-wide impact. Connectivity with the existing Lexington parks in closest proximity to Town

Branch Commons will increase usage of all Lexington parks. Finally, welcoming park gateways to nearby neighborhoods, downtown districts, and provisions for adequate parking should also receive emphasis.

A Focus on “90% Use”: Amenities such as lawns, playgrounds, multi-use paths, a pavilion, small picnic and gathering sites – amenities that will be used by the vast majority of park goers – should receive primary focus for initial development.

Events and Programming: Amenities that support events and programming such as a pavilion, lawns, informal performance spaces and welcoming gathering sites should receive priority.

Service Amenities: Signage, interpretation, restrooms, maintenance facilities, benches, water fountains, trash cans, etc. create the park’s most tangible identity for users and should be to a uniform design standard. A thoughtful lighting plan should be developed as well, as the nighttime operations of the park are a critical component, especially in the fall and spring shoulder seasons.

3. *The Mayor, the Urban County Council, and the Leadership Council pledge to pursue a \$75 million funding target for the design, construction and completion of the park system, including underwriting of the first ten years of park operating expenses. Efforts are already under way to pursue local and federal transportation funds to build the initial infrastructure for the project.*

Immediate Next Steps:

- The LFUCG leads with a commitment to provide \$10-15 million in City capital funding to match a federal TIGER grant application. Based on the competitiveness of federal transportation dollars, this is an immediate step due to the lead-time of securing said funding and the infrequency of funding rounds.
- The working group, city and community leaders make use of the City’s seed capital funding to secure additional private, state and federal funding for the project. The Founding Capital Campaign goal of \$75 million is designed to fund project costs and initial operations, with a breakdown as follows:

\$ 55 million	Phase 1 Design and Construction
\$ 8 million	10-Year Operations Funding
\$ 12 million	Endowment Funding (Held at BGCF)

The conceptual operating budget in year ten (as a stand-alone organization) is projected to be \$1 million annually with sources as follows:

\$ 500,000	Endowment Income
\$ 250,000	Earned Income
\$ 250,000	Annual Fundraising

- After completing the initial feasibility study, the Founding Capital Campaign would involve these next steps:
 - Establish a budget for the capital campaign and hire a full or part time interim Executive Director (ED), ideally a community leader with capital campaign experience. This would send a strong message that this project has support.
 - The first goals for the new ED is to develop a basic campaign plan, set clear funding milestones for the project, facilitate implementation of the strategic plan, increase awareness of the project, and build relationships between the various private and public stakeholders.
 - Begin strategic prospect solicitations for major gifts (\$50,000 or more) to build momentum. Use the city and private funding as leverage to gain state and federal funding for the project. Set goals, hire or outsource support staff as needed.
 - Explore the feasibility of Tax Increment Financing (TIF) or other existing funding mechanisms for the project.

4. *The Blue Grass Community Foundation should begin incubating a Non-Profit Conservancy to manage and maintain the park upon completion. The project should engage likely future executive leadership of the park operations in the early stages of design and construction. (For more details about governance model considerations and recommendations, please refer to [Appendix 1.](#))*

Immediate Next Steps:

- Consult with and consider partnership arrangements with other local nonprofits and foundations involved in park development and land preservation activities.
- Organize leadership for the entity. The BGCF working group will incubate the nonprofit conservancy organization during the early phase of the project.
- Engage consultants to create a distinctive brand image for the park.

5. *Assess and complete right-of-way acquisitions, enact land protections, and codify design guidelines for the parks to ensure a 100 year Olmsted quality landscape and design legacy for the park system.*

Immediate Next Steps:

- Finalize any remaining land acquisitions necessary to develop the project.

- Develop a plan to ensure that all publicly accessible land for Town Branch Commons is under the control of the project, and execute short and long-term rights agreements to protect the land in perpetuity.

Because of the uncertainty created by a park site's long-term use, we recommend that the land have certain restrictions placed on it so that the founding intent is preserved for the long term. This is accomplished through various methods that can run in favor of the public including easements, deed restrictions, covenants, and overlay zones. Protective language could be placed in the deed that, should the land ever be sold, the proceeds would go to a specific charity. There are many other benefits in placing restrictions on the land, ranging from liability protection to increasing the ability to raise design and construction funding. The restrictions do typically decrease the value of the land due to the additional burdens and restrictions placed on it. Ultimately, the key strategy is to document and preserve the original intent to protect the land, and ultimately the park, in perpetuity.

6. Commit to the establishment of a first-rate park maintenance and operations organization. This structure should focus on delivering services that ensure park conditions and user experiences that are consistently safe, clean, fun, and pleasing for visitors. This consistently great visitor experience becomes the “brand” of the park.

- Encourage working group members and political leadership to visit highly rated parks to develop their understanding of what world-class park operations and maintenance looks like.
- Included maintenance reserve funding in the park budget to ensure high standards of maintenance and regular replacement of park amenities.

Future Planning and Decisions

There will be additional planning issues relating to park amenities that are best addressed once the project is underway. A few examples are:

- **Development of Planting and Natural Areas Plans**

The entire park needs a more detailed look at the planting plan during the design phase. Consideration should be given to planting mixes that encourage four-season visitation.



- **A Plan for Public Art, Donor Recognition Policies**

A thoughtful plan for public art should be developed to ensure both quality and desired themes in keeping with the park's identity. Donor recognition policies will be needed to govern how major gifts will be acknowledged; this policy should also include a plan for naming rights for major park amenities and facilities, if such arrangements will be considered.



- **Interpretive Features and Signage**

A more detailed plan for cultural, historical, geological and other interpretive subjects should be developed. This is an area where partnerships with educational institutions are beneficial. A plan for well designed and distinctive park signage should be addressed as well.



The timeline below has been developed specifically for this project and assumes optional conditions and a park opening sometime in during Year 3. Delays in the governance, design and capital funding stages may make it necessary to readjust the timeline. One immediate recommendation would be to request a proposal for design and construction documents from the architects to expedite the process once the overall vision and plan are approved by the LDDA board. Consistent and visible progress in the execution of the plan will help tremendously in building public support and in keeping the outstanding community leadership team motivated.



Conceptual 5-Year Operations Budget

CONDITIONS

This is a conceptual budget only that assumes all fundraising goals are met. It is designed to present the challenge of the revenue model, as well as the scope of the required annual park operations.

There is a universal tendency of park planners to understate anticipated operational expenses during the Strategic Master Plan process. While it is premature to discuss in great detail operating policies, programming rules, and annual expenses for the park, it is to the benefit of the leadership team to comfortably understand operating categories and considerations. This is a key inflection point for executing a true world-class, sustainable, and difference-making public space. High quality park services require not only high quality design, but also professional management. Additionally, the non-profit conservancy model will have expenses in areas the public sector does not need to budget (e.g. enhanced risk management, fundraising, donor relations, in-park revenue development, lifespan replacement).

Operating expenses begin long before the park opens. During the course of the design and construction phases there will be expenses ranging from capital campaign planning, construction documents and permitting, organization set-up, project management, and staffing. This conceptual budget model will ensure that the park is well maintained from year to year and sustainable for the long term. The Long Term Maintenance Reserve allows for the complete replacement of park amenities and infrastructure within a 40-year cycle.

BUDGET ASSUMPTIONS

- That the park is operated under the nonprofit conservancy model with a significant level of partnership support from city agencies and community stakeholders
- That rangers/patrol security is paid for by the park organization
- That the city provides storm-water management, mowing, and basic core maintenance
- That the park begins full operations after Phase-1 construction during Year 3
- That most "event/programming" is revenue-based and requires very little in the way of support from the organization

Conceptual 5-Year Operations Budget

EXPENSE MODEL

	Year 1	Year 2	Year 3	Year 4	Year 5 & Subsequent
Operations Expenses					
Governance & Management	\$100,000	\$125,000	\$150,000	\$150,000	\$200,000
Programming			\$50,000	\$50,000	\$75,000
Identity/Branding & Fundraising	\$100,000	\$100,000	\$100,000	\$100,000	\$125,000
Gardening		\$25,000	\$50,000	\$60,000	\$75,000
Natural Areas					\$50,000
Infrastructure Maintenance			\$50,000	\$75,000	\$75,000
Maintenance Equipment			\$75,000	\$50,000	\$30,000
Security & Insurance		\$25,000	\$75,000	\$75,000	\$135,000
Utilities		\$25,000	\$25,000	\$25,000	\$35,000
Long Term Maintenance Reserve ¹			\$150,000	\$150,000	\$200,000
Total Operating Expenses	<u>\$200,000</u>	<u>\$300,000</u>	<u>\$725,000</u>	<u>\$735,000</u>	<u>\$1,000,000</u>

REVENUE MODEL

	Year 1	Year 2	Year 3	Year 4	Year 5 & Subsequent
Estimated Funding Contributions					
Underwriting Contr./Endowment	\$200,000	\$300,000	\$500,000	\$425,000	\$500,000
Annual Campaign/Membership			\$125,000	\$140,000	\$250,000
In-Park Revenue (Events)			\$100,000	\$170,000	\$250,000
Total Operating Income	<u>\$200,000</u>	<u>\$300,000</u>	<u>\$725,000</u>	<u>\$735,000</u>	<u>\$1,000,000</u>

¹ Based on \$10 million amenities cost with 2% reserve factor. The reserve funding ensures full replacement of all park amenities within a 40-year cycle.

APPENDIX I

Audience & Amenities Session

Governance & Sustainability Session

Governance Model Options/Discussion

Successful Park Examples

About Us: 21st Century Parks, Inc.

Sample MOU Agreement

APPENDIX I

Park Audience & Amenity Visioning Session, October 27, 2014

Gathered Data

The LDDA invited 21st Century Parks to lead a discussion amongst a small group of individuals from across the Lexington community on October 27, 2014 to aid in the development of a strategic master plan for Town Branch Commons. According to feedback from the group, the goal of the project is to create a community asset that provides large green spaces and gathering areas in hopes of increasing the recreational opportunities, the overall health, and the economic development of the city and surrounding areas.

The agenda for the meeting focused on discussing two key issues – desired audience and ideal amenities. Ratios of the potential visits versus desired audiences were created to rank each audience. The two primary audience groups identified were “Communities,” and “Activities,” that are detailed in order below. The audience and amenity graphs that follow include representations of data from all audience groups and amenity types surveyed.

Communities

Broad audience communities were the first audience category discussed. Documented data of the surveys and group discussions produced these ranking results:

- | | | |
|---------------------|------------------------|-------------|
| 1. Children | 4. Young Professionals | 7. Tourists |
| 2. Downtown Workers | 5. College Students | 8. Seniors |
| 3. Families | 6. Downtown Residents | |

Additional audience communities identified as important but with lesser potential for frequency of annual visits were: Equestrian Groups, Foodies, Suburbanites, School Groups and Garden Clubs

Activity Seekers

The following audience groups were identified that would be attracted to the park for physical exercise and dynamic activities:

- | | | |
|---------------|---------------------|---------------------|
| 1. Exercisers | 3. Nature Observers | 5. Performance Arts |
| 2. Commuters | 4. Dog Walkers | 1. Skateboarders |

APPENDIX I

Park Audience & Amenity Visioning Session, October 27, 2014

Amenities

With the desired audiences defined, the Town Branch Commons group then began defining a selection of park design features and amenities that will attract and sustain the interest of the desired guests. Design consideration must also be given to discouraging and minimizing the appearance of undesirable guests and behaviors. Beginning with basic amenities, a list of design elements and their respective values to Town Branch Commons was determined.

To assist in the development of the park's amenity priorities, the assembly was divided into work groups and asked to value a number of possible amenities. As was the case with the identified audiences, the amenities were divided into types. Through this process, three clear types were identified – destination amenities, connectivity amenities, and operational amenities.

Destination Amenities

- | | | |
|------------------------|---------------------------|----------------------------|
| 1. Regional Playground | 4. Natural Water Features | 7. Great Lawn |
| 2. Multi-Use Path | 5. Amphitheater | 8. Dog Park |
| 3. Splash Park | 6. Shaded Seating | 9. Neighborhood Playground |

Many destination amenities were discussed that would establish the site as a multi-generational destination.

Operational Amenities

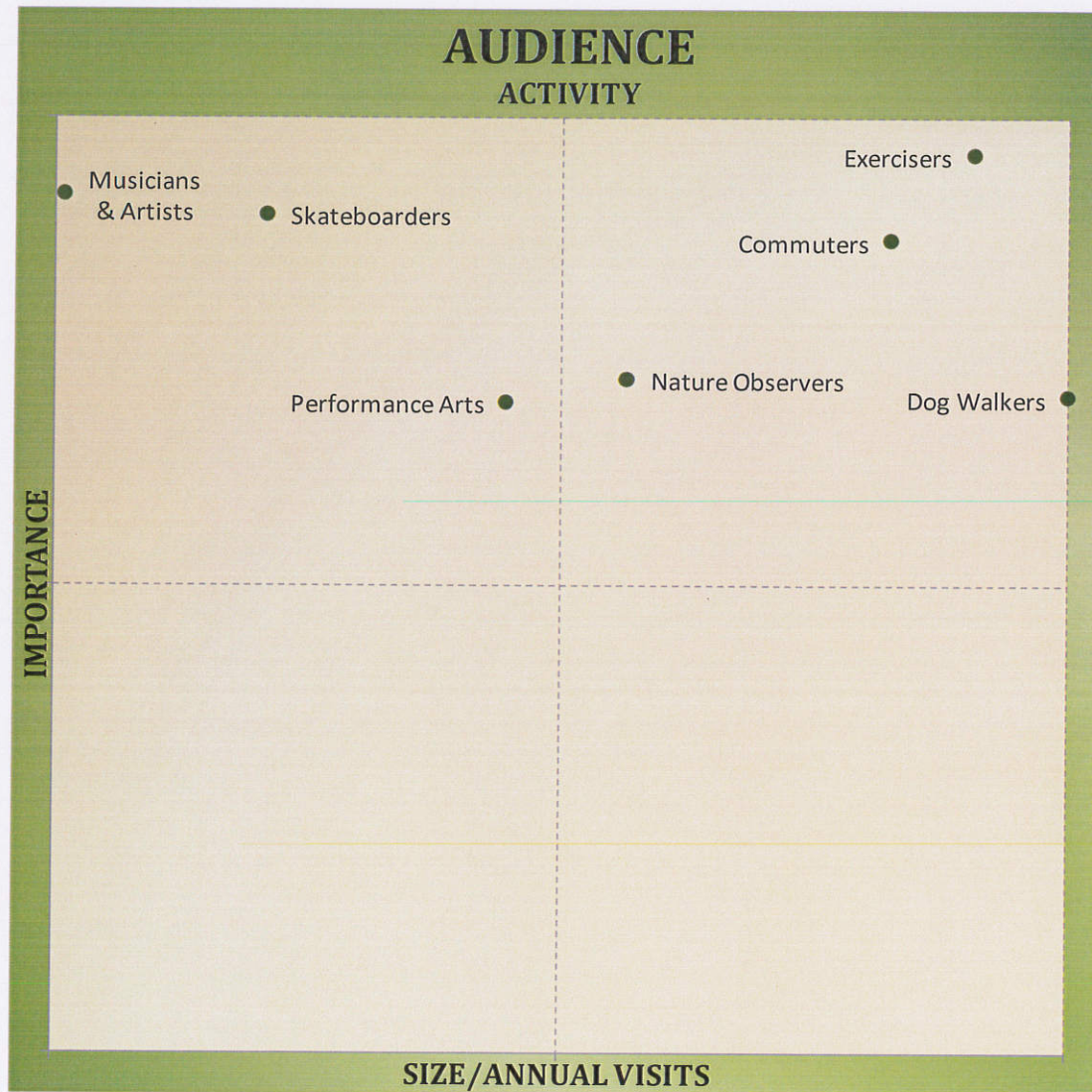
Operational amenities are vital to the design process and to the success, stability, and long term sustainability of the park.

- | | | |
|------------------------------|------------------------|----------------------|
| 1. Comfort Stations | 4. Landscaping | 7. Bike Rental |
| 2. Neighborhood Connectivity | 5. Food Truck Stations | 8. Movable Furniture |
| 3. Interpretation | 6. Pop-up Retail | 9. Trolley Stop |

APPENDIX I

Park Audience & Amenity Leadership Summit – Audience Graphs

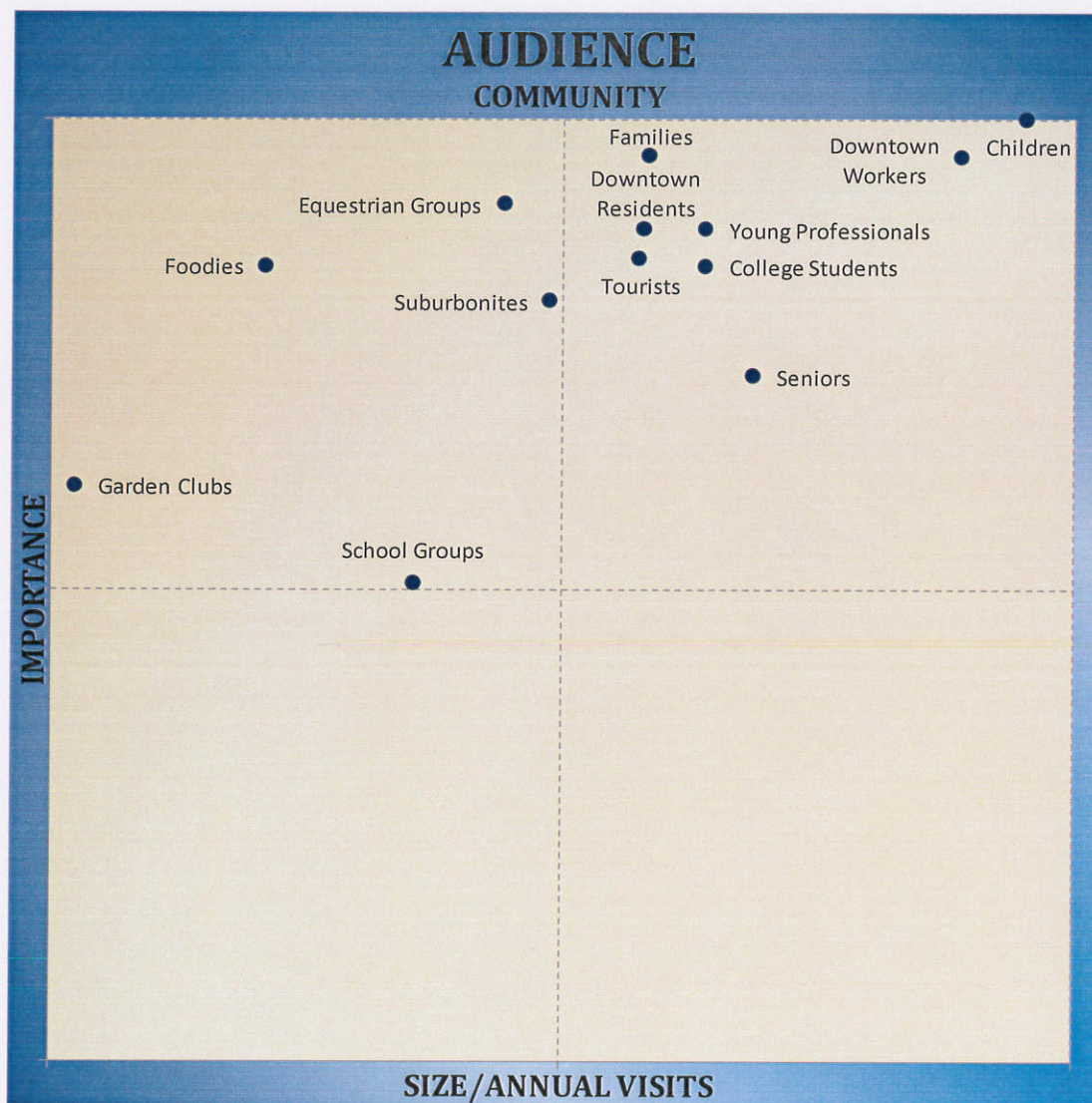
Audience Graph – Activity



APPENDIX I

Park Audience & Amenity Leadership Summit – Audience Graphs

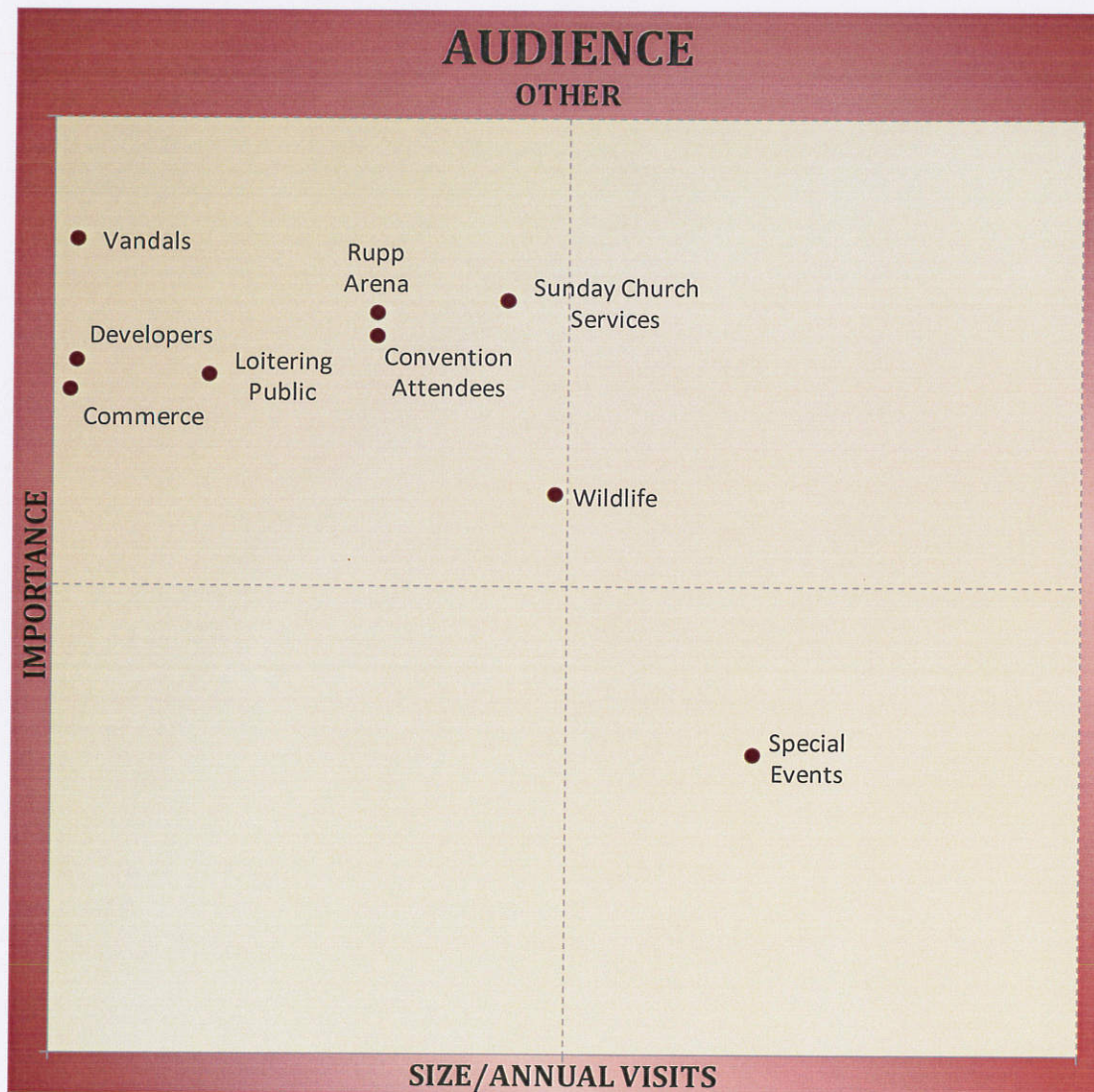
Audience Graph – Community



APPENDIX I

Park Audience & Amenity Leadership Summit – Audience Graphs

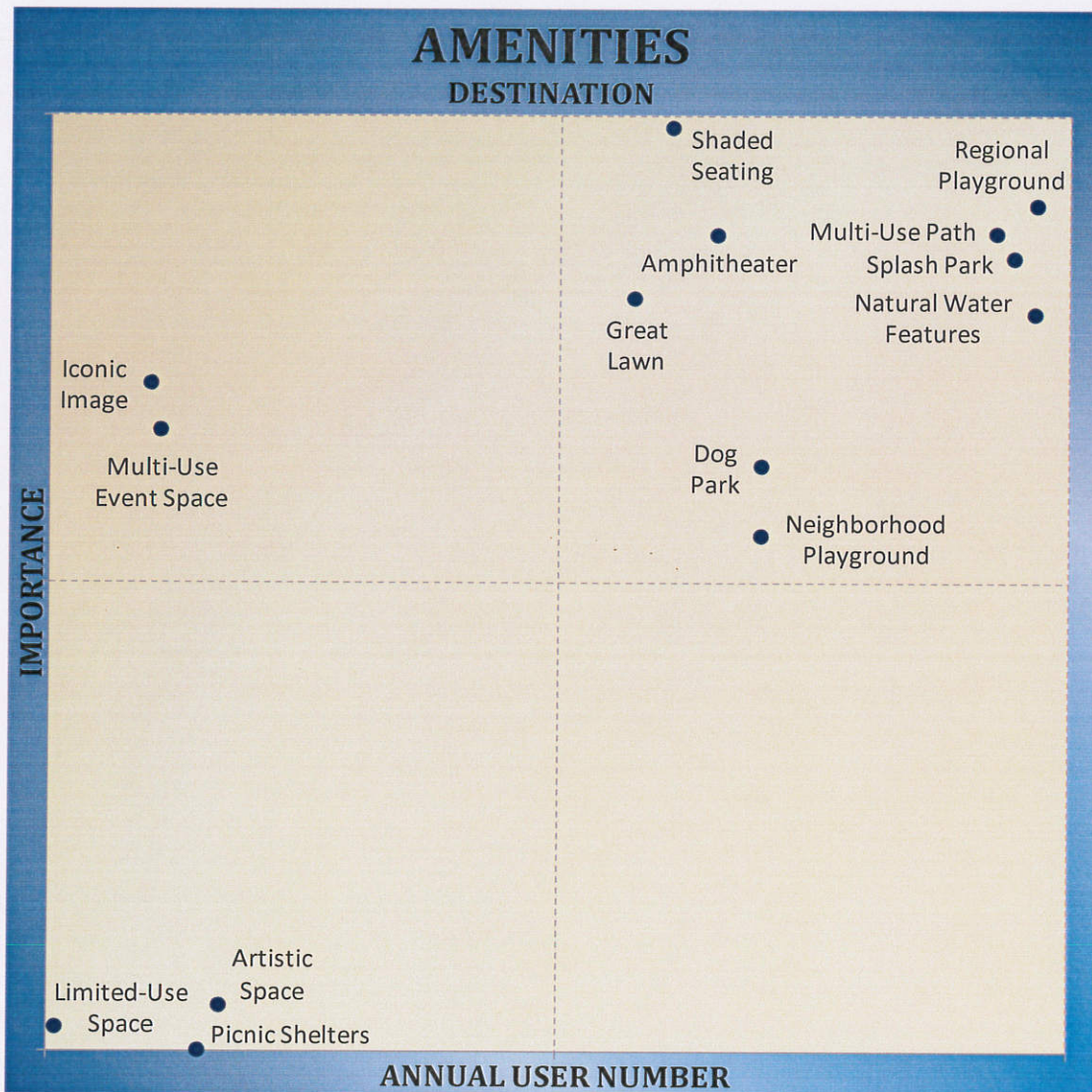
Audience Graph – Other



APPENDIX I

Park Audience & Amenity Leadership Summit – Audience Graphs

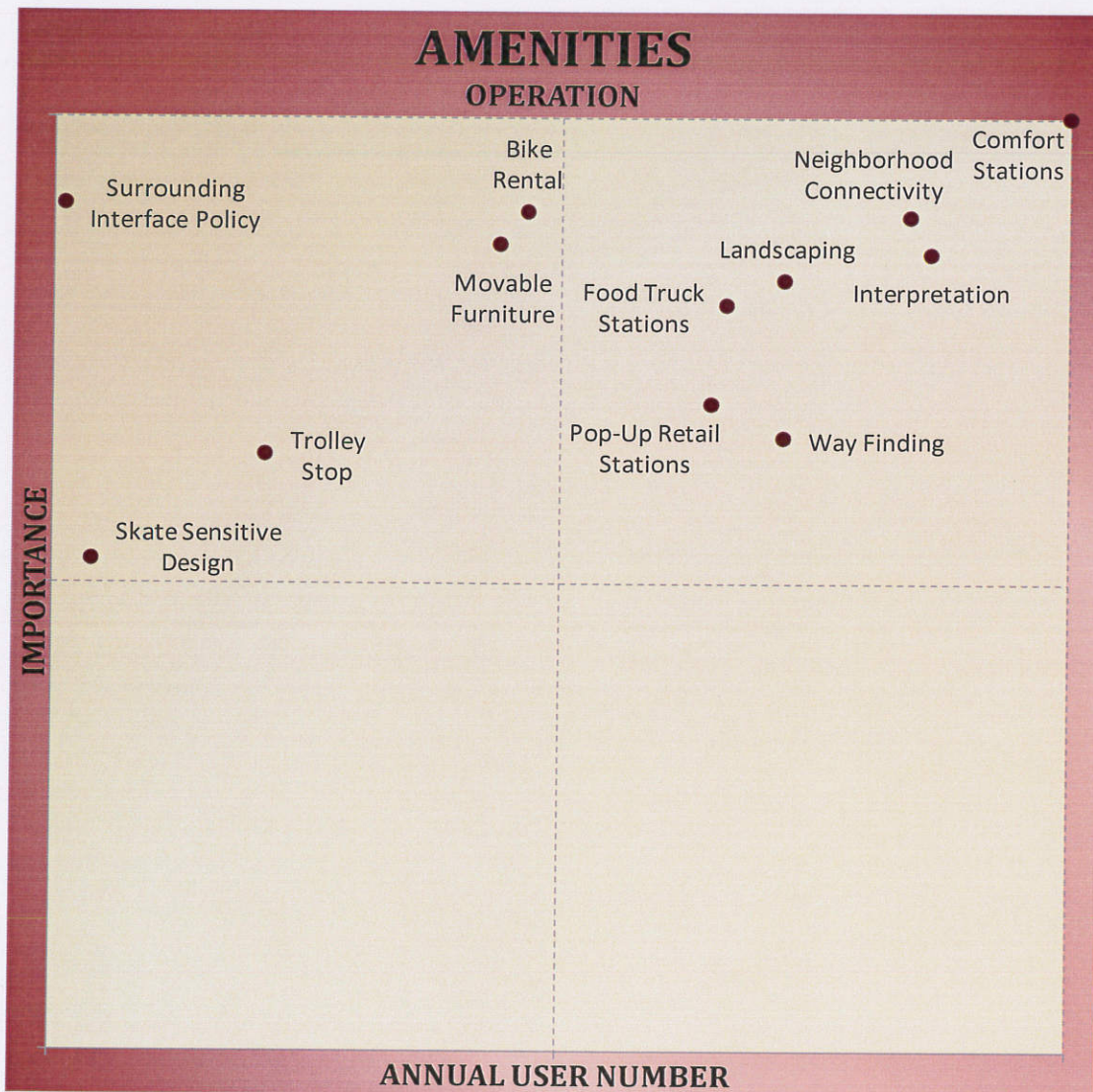
Audience Graph – Destination



APPENDIX I

Park Audience & Amenity Leadership Summit – Audience Graphs

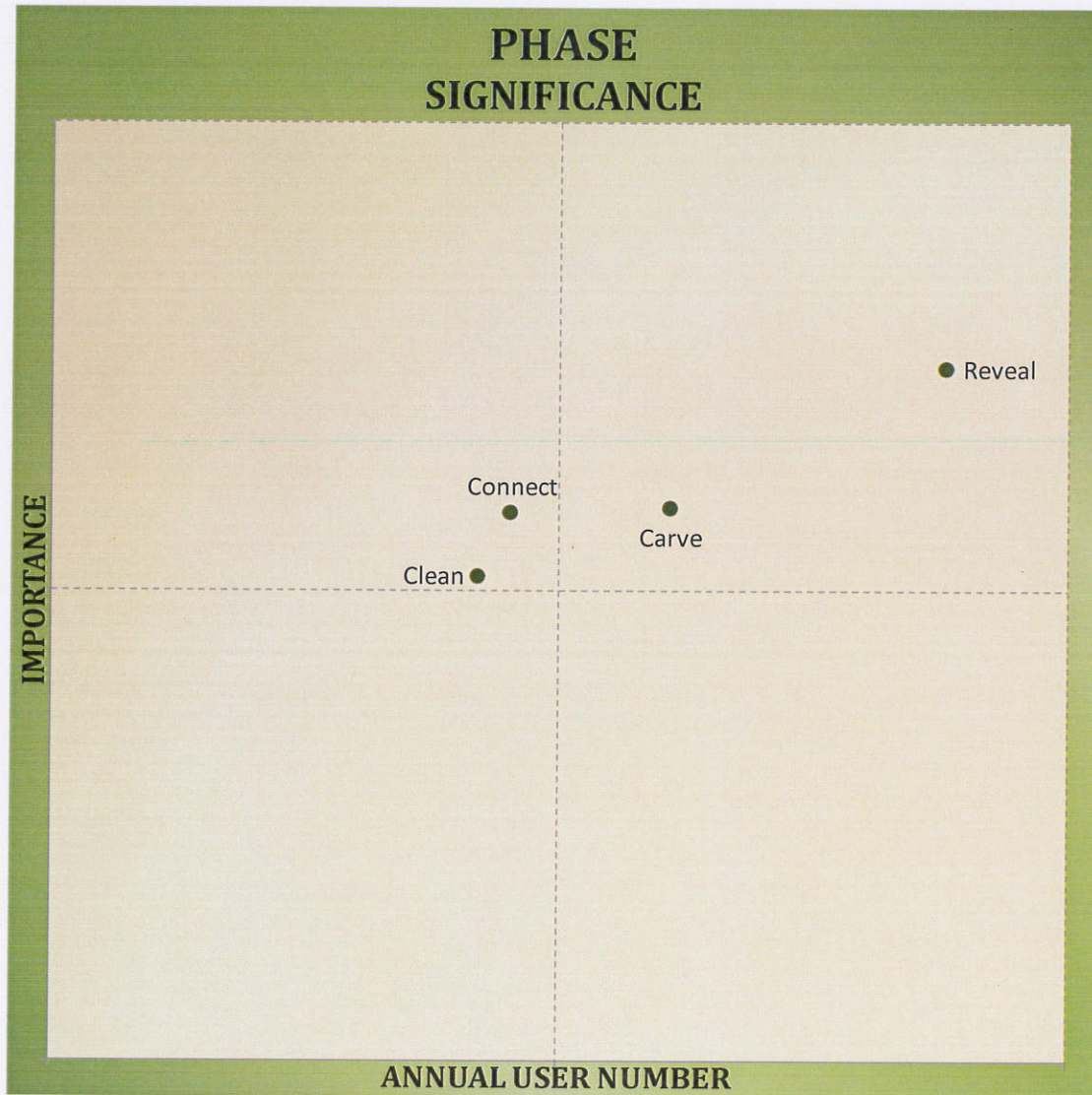
Audience Graph – Operation



APPENDIX I

Park Audience & Amenity Leadership Summit – Audience Graphs

Audience Graph – Phase Significance



APPENDIX I

Governance & Sustainability Visioning Session, January 16, 2015

Governance & Sustainability

On January 16th, 2015 the 21st Century Parks team convened a work session with the Town Branch Commons leadership team to discuss governance and sustainability. Meeting at First Baptist Church and its new fellowship hall, this was a productive workshop in that it was in a building that highlights the ability of Lexington to accomplish great projects and reinvent itself.

The workshop followed the general processes used in the Audience and Amenity work effort (Parks 101) with the first part of the session focused on raising the general awareness of the group on park maintenance and operations issues. (Parks 102). The group then pivoted to assignments to identify challenges and opportunities with these activities within four selected budget amounts for operations.

From this, the group quickly identified the challenges, opportunities, and real-world decision-making that is required to govern and sustain a world-class park. Then, the group was briefed on four general public park management structures – single agency public operation, multi-agency, public/private non-profit conservancy, and private. The groups reported out on these models and assessed strength and weaknesses as they pertain to the Lexington community.

The general consensus was that a new operational model would be needed to deliver a world-class park for the residents of the community. Town Branch Commons participants noted that the non-profit conservancy model would allow for more creative fund raising and “in park” revenue opportunities than are available in the traditional (single-agency) public parks model. Additionally the group was universally behind the need for a strong governance structure for the park. The group discussion and exercises led to a narrowing of the governance model selections to two models: Non-profit conservancy, and multi-agency/MOU.

APPENDIX I

Discussion of Recommended Governance Models

Discussion of Recommended Governance Models:

Either of the following models can provide sustainable governance for the envisioned Town Branch Commons park organization.

Option A: “Non-Profit Conservancy” Model

The emerging model in public park management is the non-profit park conservancy. This model allows a non-profit to assume operational responsibility for the park. Generally, these conservancies have been formed by a group of committed citizens with the mission of creating and maintaining the needed public green space for the community. The organization may hold title to a significant portion of the land and typically provide a significant portion of funding for construction and operations. In exchange, the governance and annual operations are controlled by the private, non-profit organization. This model is generally deployed at parks with significant private investment for construction and design that result in a park large enough to warrant a significant mass of team members to annually operate and program the park.

“Non-Profit Conservancy” Model



This option would involve creating a new 501(c)3 organization (or re-purposing an existing one) for the special purpose of managing and preserving the park as a permanent part of the organization’s mission. The balance between public and private responsibilities can adjust from those shown above to reflect the relative responsibility of each side in each category.

APPENDIX I

Discussion of Recommended Governance Models

Key Benefits of and Considerations for the Nonprofit Conservancy Model

- Increased design, construction and operational control
- Ability to raise private donor funding for the park due to a singular mission and non-profit tax deductibility
- Enhancement of ability to create a unique identity and brand for the park and the nonprofit organization
- Clarity on organizational structure and accountability
- The ability to operate with more flexibility and entrepreneurial spirit
- Awareness and alignment of core competencies and capacities of the non-profit and government entities
- Acknowledgement of shared commitment and risk between the public and nonprofit agencies
- Increased management operating costs due to lack of municipal sovereign immunity benefits
- No taxing authority to support operations

Option B: “Multi-Agency Partnership/MOU” Model

Multi-agency partnerships are frequently used to develop park projects across the nation. There are now many successful examples that demonstrate that localities, as well as state and federal agencies, can collaborate across jurisdictional boundaries. While these agreements are by their very nature complex to organize, the ability to draw on existing expertise and resources for public service delivery should not be discounted.

APPENDIX I

Discussion of Recommended Governance Models

“Multi-Agency Partnership/MOU” Model



This option would involve management by multiple existing city agencies with roles defined by a multi-agency Memorandum of Understanding (“MOU”) agreement. The LDDA or another city agency could act as the lead organization developing the necessary agreements. The balance between public and private responsibilities can adjust in each category shown above to reflect the relative contribution and responsibility of each private entity and signatory agency. A separate 501(c)3 “friends” organization could also be formed to aid in developing private donor support for the park system.

Key Benefits of and Considerations for the Multi-Agency/MOU Model

- Clarity on government roles, responsibilities, and operational areas by signatories
- Defined power, decision-making and oversight processes
- Potentially lower operating costs due to multiple agency resource sharing and liability insurance savings due to sovereign immunity protections
- Every organization/signatory focuses on what they deliver best to provide a high quality visitor experience
- Practically eliminates the ability to raise private funding (except through a separate “friends” 501(c)3 organization), and more challenging to create a strong, separate identity (brand) for the park

APPENDIX I

Successful Park Examples

Identification of Successful Parks

When identifying the keys to a successful park, it is helpful to begin with existing examples. These can be analyzed with the intention of identifying similar qualities that have led to their success' leading to a foundation for the development of another successful park. The group was lead through some notable examples of successful parks and public green spaces and these are included in the appendix. Below are some representative park projects with similarities to Town Branch Commons.



Beckley Creek Park – Louisville, KY www.theparklands.org

Administered by 21st Century Parks, Inc.

APPENDIX I

Successful Park Examples



Falls Park – Greenville, SC www.fallspark.com

Administered by City of Greenville & Carolina Foothills Garden Club



Smith Rivers Sports Complex – Axton, VA www.smithriverssportscomplex.com

Administered by Smith River Recreational District

APPENDIX I

Successful Park Examples



Gas Works Park – Seattle, WA www.seattle.gov/parks/park_detail.asp?ID=293
Administered by City of Seattle



Lititz Springs Park, Lititz, PA www.lititzspringspark.org
Administered by Lititz Moravian Congregation

APPENDIX I

About 21st Century Parks, Inc.

About 21st Century Parks, Inc.

As cities grow, residents of the 21st century deserve great public parks in or near their neighborhoods, providing accessible recreation, contemplation, and an enhanced quality of life. Our approach at 21st Century Parks, Inc., reflects a passion for parks that includes a respect for both people and the environment. Founded in 2004, 21st Century Parks is a Kentucky-based private, non-profit corporation, created to bring a fresh vision to the preservation and development of new public parklands. We are in the finishing stages of our largest project to date, The Parklands of Floyds Fork. At almost 4,000 acres and a cost of more than \$120 million, The Parklands is the largest public parks project currently underway in the Nation and will be fully completed and open for use in three phases over a short 5-year time period. When open, it will operate with no annual public taxpayer support.

Our team brings a variety of experiences from public and private sectors, large and small organizations, forestry to business skill sets, and all of us have a passion for delivering world-class parks. We provide access to our resources at key steps along the project. We have highlighted the experiences of two team members below, but we also have engineers, architects, horticulturalists, interpretive personnel, rangers, communications and many other professionals on the team that may be called upon for their expertise.

Dan Jones, Chairman, President and Chief Executive Officer: A native of Louisville, Kentucky, Dan holds degrees from Yale University (B.A., M.F.) and Indiana University, Bloomington (Ph.D.). He has spent much of his working life in the fields of education and business management. In addition to founding and managing his own business, he taught World History and the History of the American West at the University of Louisville, and most recently, an Honors Seminar entitled “Reading the Natural Landscape.” In 2004, he founded 21st Century Parks, a non-profit corporation that manages a partnership that seeks to develop The Parklands of Floyds Fork, one of the largest new metropolitan parks projects in the country: almost 4000 acres of new public parks and trails in the last major undeveloped section of Metro Louisville. He currently serves as the Chairman and Chief Executive Officer of 21st Century Parks, where he oversees fundraising, planning, design, construction, and operations of the new parks. He is married, with four children, and enjoys hiking, camping and fishing with his family, skiing, running, and reading.



Scott Martin, Parks Director: Scott serves as the Parks Director for The Parklands of Floyds Fork.



Tasked with operating the park, Scott serves as member of the leadership team that seeks to reapply the metropolitan planning and development lessons of Fredrick Law Olmsted in the new century with the wrinkle of the new model being a private/public partnership. Scott joined The Parklands team in 2010 after serving eight years as the Director of Commerce & Leisure Services in Franklin County, VA. In this capacity, he was part of the County's leadership team overseeing economic development, parks & recreation, tourism, and pilot open space conservation programs. Prior to Franklin County, Scott spent five years working for the Boise (Idaho) Parks and Recreation Department as the Coordinator of Partnerships during which time he provided staff support and conservation planning for the successful \$10 million Foothills Open Space Serial Levy campaign that has preserved over 9,000 acres of land to date. Scott holds a MPA (Natural Resource and Environmental Policy with honors) and BA (Political Science) from Boise State University. Scott and his wife spend their free time kayaking, camping, and hiking.



APPENDIX I - ATTACHMENT

Example Memorandum of Understanding Agreement

- Memorandum of Understanding, Bureau of Land Management, Boise District, between Ada County, City of Boise, Idaho, Department of Fish and Game, U.S. Forest Service, and Boise National Forest

AGREEMENT NO. 8810

FS Agreement No. 10-MU-11040202-003

MEMORANDUM OF UNDERSTANDING
Between The
BUREAU OF LAND MANAGEMENT, BOISE DISTRICT
ADA COUNTY
CITY OF BOISE
IDAHO DEPARTMENT OF FISH AND GAME
And The
U.S. FOREST SERVICE
BOISE NATIONAL FOREST

This MEMORANDUM OF UNDERSTANDING (MOU) is hereby made and entered into by and between the City of Boise, hereinafter referred to as City, Ada County, hereinafter referred to as the County, the State of Idaho, Department of Fish and Game, hereinafter referred to as Fish & Game, USDI, Bureau of Land Management, Boise District, hereinafter referred to as BLM, and the USDA Forest Service, Boise National Forest, hereinafter referred to as the Forest Service. The aforementioned entities are collectively referred to as "the Agencies". This MOU supersedes MOU #04-MU-11040202-018 dated December 22, 2003, which expires December 31, 2009.

BACKGROUND: The boundaries of public lands in the Boise Foothills (Foothills) are changing today just as they have over the last century. As the various public agencies acquire or dispose of lands according to their respective needs, land ownership patterns change. The boundaries of public land ownership in the Foothills are undergoing one of the most sweeping changes to date due in large part to the City's Foothills serial levy conservation efforts. The participatory public agencies to this MOU have anticipated this outcome and have planned for the evolution of a coordinated management effort.

Management coordination has long been a guiding principle by which public agencies in the Foothills operate. The Ridge to Rivers Pathway Plan, the Boise River Wildlife Management Area Plan and the 1999 MOU authorizing the development of the Public Lands Open Space Management Plan are examples of the progressive coordination for planning and management between the agencies.

The 1999 and 2003 (#04-MU-11040202-018) MOUs between the agencies calls for the development of a *formal Memorandum of Agreement among local, state and federal agencies to cooperatively oversee and efficiently manage the resources of the Boise Front under the auspices of the Open Space Management Plan*. These documents were developed collaboratively by the land management agencies in the Foothills and a steering committee of private property interests including numerous Foothills private property owners. The vision of a lead entity to serve as the focal point for the community originated from this broad-based committee and is well-documented throughout the Public Lands Open Space Management Plan.

This instrument is a continuation of the vision of past planning efforts and is intended to improve management efforts to meet increased public demand for coordinated management.

Title: Public Land Management – Boise Foothills

I. PURPOSE: The purpose of this MOU is to provide a framework for cooperation to establish a structure by which local, state, and federal agencies with public land management responsibilities in the Foothills, will cooperatively oversee and efficiently manage the resources of public Foothills lands. In order to meet growing community expectations for land management, the County, BLM, City, Fish & Game, and Forest Service will form an Agency Coordinating Committee.

This Agency Coordinating Committee shall:

- A. Coordinate public agency actions in the Foothills through selection and appointment of a Lead Coordinating Partner to take a lead role in Foothills stewardship.
- B. Establish clear lines of communication between the public and the agencies.
- C. Facilitate the participation of citizens, private landowners, and users in providing recommendations to the Lead Coordinating Partner regarding Foothills public land management decisions.
- D. Minimize administrative costs to taxpayers.
- E. Optimize public resources available for Foothills stewardship.
- F. Comply with all applicable legal requirements.
- G. Commit to measuring management and stewardship performance.
- H. Assist agencies, nonprofits, private landowners, and private citizens interested in public lands resource management in the Foothills.

II. STATEMENT OF MUTUAL BENEFIT AND INTERESTS:

The public agencies with land management responsibilities in the Foothills enter into this MOU to formalize their pursuit of a collective approach to managing public lands in this area. The Agencies recognize:

- A. The Foothills represent a unique natural and recreational resource to the community,
- B. The agencies have a long history of cooperation in resource management in the Foothills,
- C. As the amount of land in public ownership increases, a community expectation for cooperative management also increases,
- D. Coordinated public land management provides multiple benefits to both the public and land management agencies,

- E. Each agency has its own unique mission, legal authorities, and finite resources for achieving its mission,
- F. The agencies are committed to delivering streamlined, efficient management, and
- G. Collaboration, cooperation, and public land management efficiency is the intent of this MOU.

In consideration of the above premises, the agencies agree to the responsibilities outlined in Section III.

III. RESPONSIBILITIES:

- A. The Agencies of this MOU agree to appoint one member from each agency to serve on the Agency Coordinating Committee, which will synchronize management efforts in a manner consistent with the statement of Purpose (see Section I above). The Agency Coordinating Committee shall meet once per calendar quarter and shall have the responsibility of coordinating the activities of the Lead Coordination Partner Agency in order to better foster:
 - 1. Communication, Education and Public Outreach: Recognizing that public input and support is vital to resource management outcomes, a coordinated public involvement strategy must be developed for all facets of resource management in the Foothills.
 - 2. Development of Partnerships: The development of public and private partnerships serves to leverage the capacity of the five Agencies in achieving resource management goals.
 - 3. Funding Strategies for Capital Projects: The development of trailhead facilities, interpretive signs and other capital assets necessitates collaborative funding efforts in order to maximize capital dollars of each individual agency.
 - 4. Implementation of Foothills Open Space Management Plan: The Foothills Open Space Management Plan is a collaborative effort of public and private interests in resource management in the Foothills. The Plan contains detailed recommendations for improving coordination of resource management.
 - 5. Response to Private Property Owner Concerns over Public Land Management in the Foothills: Private land owners in the Foothills are partners in resource management. Concerns over how public lands are managed in relation to adjacent private property are of concern to all agencies and effective and timely communication is vital for private property owners.
- B. In order to carry out this agreement:
 - 1. **ADA COUNTY SHALL:**
 - a. have the Director of Recreation and Event Services serve as a member of the Agency Coordinating Committee.

- b. contingent upon the availability of funds, to provide technical assistance and financial support for tasks identified by the Agency Coordinating Committee.

2. BUREAU OF LAND MANAGEMENT, BOISE DISTRICT SHALL:

- a. have the Four Rivers Field Manager serve as a member of the Agency Coordinating Committee.
- b. contingent upon the availability of funds and legal authority for their expenditure, to provide technical assistance and financial support for tasks identified by the Agency Coordinating Committee.

3. CITY OF BOISE SHALL:

- a. have the Director of the Parks and Recreation Department serve as a member of the Agency Coordinating Committee.
- b. contingent upon the availability of funds, to provide technical assistance and financial support for tasks identified by the Agency Coordinating Committee.

4. IDAHO DEPARTMENT OF FISH & GAME SHALL:

- a. have the Southwest Region Wildlife Habitat Manager serve as a member of the Agency Coordinating Committee.
- b. contingent upon the availability of funds, to provide technical assistance and financial support for tasks identified by the Agency Coordinating Committee.

5. USDA FOREST SERVICE - BOISE NATIONAL FOREST SHALL:

- a. have the Mountain Home District Ranger serve as a member of the Agency Coordinating Committee.
- b. contingent upon the availability of funds, to provide technical assistance and financial support for tasks identified by the Agency Coordinating Committee.

- C. RESPONSIBILITIES OF PARTIES.** The Agencies and their offices will handle their own activities and utilize their own resources, including the expenditure of their own funds, in pursuing these objectives. Each agency shall carry out its separate activities in a coordinated and mutually beneficial manner.

IV. LEAD COORDINATING PARTNER

This MOU recognizes the need to establish a Lead Coordinating Partner from amongst the agencies. The responsibilities of the Lead Coordinating Partner shall be to develop priorities and recommendations for:

- a. Communication, Education and Public Outreach
- b. Development of Partnerships
- c. Funding Strategies for Capital Projects,
- d. Implementation of the Public Lands Open Space Management Plan for the Foothills, and
- e. Respond to Private Property Owner Concerns over Public Land Management in the Foothills.

The City agrees to serve the role of Lead Coordinating Partner. The Boise City Foothills & Open Space Manager shall serve as the point of contact with the Agency Coordinating Committee and whose responsibility it will be to implement responsibilities of the Lead Coordinating Partner Agency, subject to necessary approvals by the Boise City Mayor and City Council.

V. IT IS MUTUALLY UNDERSTOOD AND AGREED BY AND BETWEEN THE PARTIES THAT:

- A. APPLICABILITY. This agreement recognizes that other intra-governmental management agreements exist for public lands in the Foothills. Cooperative agreements, such as those for fire suppression, law enforcement, noxious weed management and the Boise River Wildlife Management Area, are not superseded by this MOU. Similarly, planning and zoning issues are not within the scope of this MOU. The intent of this agreement is to gain efficiencies in areas where additional cooperation is beneficial to the public.

Each agency to this MOU agrees to designate a member of that agency to serve on an Agency Coordinating Committee. The Agency Coordinating Committee shall approve the tasks to be completed by the Lead Coordinating Partner consistent with the area of responsibilities described above and subject to review and approval by the Boise City Council. Each agency shall retain its respective legislative mandates and legal authorities.

- B. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this instrument.

Principal Contacts:

Boise City Program Contact	Ada County Program Contact
Name: Jim Hall, Director Boise Parks & Recreation Department Address: 1104 Royal Blvd City, State, Zip: Boise ID 83706 Telephone: (208)384-4060 ext 312 FAX: (208)384-4127 Email: jhall@cityofboise.org	Name: Bob Batista Ada County Recreation & Event Services Address: 4049 South Eckert Road City, State, Zip: Boise, ID 83716 Telephone: (208)287-5656 FAX: Email: bbatista@expoidaho.com

BLM Program Contact	Fish & Game Program Contact
Name: Michael O'Donnell Acting Four Rivers Field Manager Bureau of Land Management Address: 3948 Development Ave. City, State, Zip: Boise, ID 83705 Telephone: (208)384-3300 FAX: Email:	Name: Ed Bottum Regional Wildlife Habitat Biologist Idaho Department of Fish and Game Address: 13000 E. SH21 City, State, Zip: Boise, ID 83716 Telephone: (208)334-2115 FAX: Email: ebottum@idfg.id.gov

Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Contact	U.S. Forest Service Administrative Contact
Name: Stephaney Church, District Ranger Mountain Home Ranger District Address: 2180 American Legion Blvd. City, State, Zip: Mountain Home, ID 83647 Telephone: (208)587-7961 FAX: (208)587-9217 Email: schurch@fs.fed.us	Name: Brenda Williams, G&A Specialist SW Idaho & Nevada Acquisition Center Address: 1249 S. Vinnell Way, Ste 200 City, State, Zip: Boise, ID 83709 Telephone: (208)373-4322 FAX: (208)373-4294 Email: brendawilliams@fs.fed.us

- C. NON-LIABILITY. The Agencies do not assume liability for any third party claims for damages arising out of this MOU.
- D. NOTICES. Any communications affecting the operations covered by this MOU given by the Agencies is sufficient only if in writing and delivered in person, mailed, or transmitted electronically by e-mail or fax, as follows:

To the agency's principal contacts, at the address specified in the MOU.

Notices are effective when delivered in accordance with this provision, or on the effective date of the notice, whichever is later.

- E. PARTICIPATION IN SIMILAR ACTIVITIES. This MOU in no way restricts the Agencies from participating in similar activities with other public or private agencies, organizations, and individuals.
- F. ENDORSEMENT. Any agency contributions made under this MOU do not by direct reference or implication convey Forest Service endorsement of the Agencies' products or activities, and does not by direct reference or implication convey the Agencies' endorsement of Forest Service products or activities.
- G. NONBINDING AGREEMENT. This MOU creates no right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity. The Agencies shall manage their respective resources and activities in a separate, coordinated and mutually beneficial manner to meet the purposes(s) of this MOU. Nothing in this MOU authorizes any of the Agencies to obligate or transfer funds. Specific projects or activities that involve the transfer of funds, services, or property among the Agencies require execution of separate agreements and are contingent upon the availability of appropriated funds. These activities must be independently authorized by statute. This MOU does not provide that authority. Negotiation, execution, and administration of these agreements must comply with all applicable law. Each agency operates under its own laws, regulations, and policies, subject to the availability of appropriated funds. Nothing in this MOU is intended to alter, limit, or expand the agencies' statutory and regulatory authority.
- H. MEMBERS OF U.S. CONGRESS. Pursuant to 41 U.S.C. 22, no United States member of, or United States delegate to, Congress shall be admitted to any share or part of this MOU, or benefits that may arise therefrom, either directly or indirectly.
- I. FREEDOM OF INFORMATION ACT (FOIA). Public access to MOU or agreement records must not be limited, except when such records must be kept confidential and would have been excepted from disclosure pursuant to Freedom of Information regulations (5 U.S.C. 552).
- J. TERMINATION. Any of the Agencies, in writing, may terminate this MOU in whole, or in part, at any time before the date of expiration.
- K. DEBARMENT AND SUSPENSION. The Agencies to this MOU shall immediately inform the Forest Service if they or any of their principals are presently excluded, debarred, or suspended from entering into covered transactions with the federal government according to the terms of 2 CFR Part 180. Additionally, should the Agencies or any of their principals receive a transmittal letter or other official Federal notice of debarment or suspension, then they shall notify the Forest Service without undue delay. This applies whether the exclusion, debarment, or suspension is voluntary or involuntary.

- L. MODIFICATIONS. Modifications within the scope of this MOU must be made by mutual consent of the Agencies, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least thirty (30) days prior to implementation of the requested change.
- M. COMMENCEMENT/EXPIRATION DATE. This MOU is executed as of the date the last agency executes this MOU and is effective through **December 31, 2014**, at which time it will expire, unless extended by an executed modification, signed and dated by all properly authorized, signatory officials.

VI. AUTHORITIES

Ada County is authorized by Section 67-2332, Idaho Code, to enter into agreement with one or more public agencies to perform any governmental service, activity, or undertaking, which each public agency entering into the agreement is authorized to perform.

The Bureau of Land Management is authorized under BLM Manual Section 1786, Memorandums of Understanding, Section 1786.3, Section 307(b) of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1737 (b).

City of Boise is authorized by Sections 67-2328 and 67-2332, Idaho Code, to enter into agreement with one or more public agencies to perform any governmental service, activity, or undertaking, which each public agency entering into the agreement is authorized to perform.

Idaho Department of Fish and Game is authorized by Idaho Code Section 36-104(b)(8) to enter into cooperative agreements with local, state and federal agencies to promote wildlife conservation.

The U.S. Forest Service is authorized under the provision of the Multiple-Use Sustained-Yield Act of 1960.

VII. AUTHORIZED REPRESENTATIVES.

By signature below, each party certifies that the individuals listed in this document as representatives of the individual Agencies are authorized to act in their respective areas for matters related to this MOU. In witness whereof, the parties hereto have executed this MOU as of the last date written below.

Aden L. Seidlitz 12/22/09
ADEN SEIDLITZ, DISTRICT MANAGER
BUREAU OF LAND MANAGEMENT, BOISE DISTRICT
Date

Fred Tilman 12/15/09
FRED TILMAN, CHAIRMAN
ADA COUNTY COMMISSIONERS
Date

David H. Bieter 1/12/10
DAVID H. BIETER, MAYOR
CITY OF BOISE
Date

Scott Reinecker 12/17/09
SCOTT REINECKER, SOUTHWEST REGIONAL SUPERVISOR
IDAHO DEPARTMENT OF FISH AND GAME
Date

Cecilia R. Seesholtz 12/17/09
CECILIA R. SEESHOLTZ, FOREST SUPERVISOR
U.S. FOREST SERVICE, BOISE NATIONAL FOREST
Date

The authority and format of this instrument has been reviewed and approved for signature.

Brenda L. Williams 12/18/09
BRENDA L. WILLIAMS
U.S. Forest Service Grants & Agreements Specialist
Date

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