



Legislation Details (With Text)

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On agenda: 5/23/2023 **Final action:**
Title: A Resolution of the Board of Trustees of the Town of Erie Approving a Reimbursement Agreement with Vista Pointe Homeowners' Association As Part of the Erie Neighborhood Improvement Program
Sponsors:
Indexes:
Code sections:
Attachments: 1. Resolution 23-059, 2. Reimbursement Agreement

Date	Ver.	Action By	Action	Result
5/23/2023	1	Town Council		

SUBJECT:

A Resolution of the Board of Trustees of the Town of Erie Approving a Reimbursement Agreement with Vista Pointe Homeowners' Association As Part of the Erie Neighborhood Improvement Program

DEPARTMENT: Parks & Recreation

PRESENTER(S): Luke Bolinger, Development & Neighborhood Services Division Manager

TIME ESTIMATE: 15 minutes

FISCAL SUMMARY:

Cost as Recommended: \$115,000.00
Balance Available: \$115,000.00
Budget Line Item Number: 100-50-110-605000-100425
New Appropriation Required: No

POLICY ISSUES:

This agreement is consistent with the Board's previous support for creating the Erie Neighborhood Improvement Program, which is intended to ensure that all Erie residents, including those in older developments, continue to have equitable access to recreational amenities. If the Board approves this agreement, it will likely result in future budget increases by creating expectations for the Town to help fund some park improvements in situations similar to those in Vista Pointe where it is not clear whether an HOA, metro district or the Town is responsible for replacing aging park facilities.

STAFF RECOMMENDATION:

Approve the Resolution to Approve the Reimbursement Agreement with Vista Pointe Homeowners'

Association

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

In the late 1990s and early 2000s, previous Town Boards and administrations made land planning decisions that comingled the ownership and maintenance of certain outlots and tracts of land in Town. There are numerous instances where the Town holds the deed to a tract or outlot and a Homeowners' Association (HOA) assumed the maintenance responsibility through the annexation or development agreement process.

While the ownership and maintenance designation is fairly straightforward and uncontroversial, the responsibility for replacing the aging infrastructure is less clear. As park facilities in such areas age and need to be replaced, the need for clear policy direction on this matter grows.

The Town no longer comingles ownership and maintenance of tracts or outlots, so recent development and associated documents clearly define ownership and maintenance responsibility, including replacement. However, staff has learned through our community conversations that HOAs are either unable or unwilling to fund the capital replacement of the infrastructure they are responsible for maintaining, regardless of who owns the property. As playgrounds and amenities reach the end of their useful life, if they are removed and not replaced it will eventually mean residents in those areas have less access to meaningful park and play amenities in their neighborhoods. As with new development, the Town should continue to ensure that Erie residents in older developments continue to have equitable access to recreational amenities.

With this in mind, as part of the adopted 2023 Budget the Board of Trustees approved funds to support Homeowner's Associations (HOAs) with much needed capital improvement projects for updating amenities in their pocket parks. To manage the funds, staff created the Erie Neighborhood Improvement Program, which is an application-based program that evaluates projects based on need, community engagement, and benefit to the community. The program requires applicants submit a narrative describing their project, any community engagement with residents, the urgency/need for additional funding, a budget, timeline, and a resolution from the HOA board supporting the project. This is all intended to ensure the project has neighborhood support, that matching funds are secure, and the project can be completed. Staff have been working with the Vista Pointe Homeowners Association (VPHOA) to pilot the program. This type of pocket park is very similar to other pocket parks in Town in size and amenity offerings and the improvements are typical for a park of this size. This program would be open to all HOAs or metro districts that maintain pocket parks within their development; Town-owned and maintained neighborhood parks would not be eligible for these funds.

Based on this pilot program and pending future funding allocation from the Board, staff intends to advertise this opportunity to the HOAs so they may submit applications for future projects on an annual basis.

By the submittal deadline, VPHOA submitted the application and all necessary documentation for the following project:

Project Name: Renovation of VPHOA Tot Lot #2

Reimbursement Amount Requested: \$115,000

Total Project Cost: \$305,530

Project Description:

The VPHOA is seeking funds to renovate Tot Lot #2, one of two pocket parks in the Vista Pointe Development, which serves as the only developed parkland for more than 335 households. The park's playground equipment and substrate have surpassed their useful life, and there is a critical need for replacement. The project's benefits include providing outdoor recreation and education opportunities for young children, enhancing the sense of community, offering a safe environment for children and central school bus stops for students, adding to the aesthetics of the neighborhood, and attracting summer programs to complement their summer movie night. Additionally, the parks are open to the wider public, providing additional park facilities for all residents of Erie.

Staff have reviewed the application and accompanying material and recommend the Board award project reimbursement funding to the VPHOA. Following approval, staff will host a project kickoff workshop with the HOA to ensure the project is completed following the Town's construction standards and specifications. The HOA will manage the project which is scheduled to take place between August and October. Reimbursement funds will be released to the HOA upon project completion. The HOA is contributing \$185,500 to the overall project cost.

BOARD PRIORITY(S) ADDRESSED:

- ✓ Attractive Community Amenities
- ✓ Engaged and Diverse Community
- ✓ Small Town Feel
- ✓ Safe and Healthy Community
- ✓ Effective Governance
- ✓ Fiscally Responsible

ATTACHMENT(S):

1. Resolution
2. Reimbursement Agreement