



City Council

May 6, 2025
Packet Addendum #1

From: [Cathern Smith](#)
To: [City Council](#); [Adam Blackmore](#); [Ember Brignull](#)
Subject: Please remove the PROS Plan Contract from the Consent Agenda, Discuss and Fix it, and Return the Contract to City Council
Date: Tuesday, May 6, 2025 12:09:34 PM
Attachments: [image.png](#)
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Dear Mayor Leh and City Council:

The changes to the PROS Plan contract discussed at the March 18, 2025 City Council meeting are not reflected in the draft contract and budget allocations. Therefore, Louisville Open Space Advocates (LOSA) once again requests that the award of the long-range parks, recreation, and open space plan (PROS Plan) contract to DTJ (Consent Agenda Item 5.A), be removed the consent agenda, discussed, fixed, and returned to City Council.

The reasons for this extraordinary request are outlined below:

Inequitable Cost Allocation:

No costs are allocated to Recreation or Coal Creek Golf Course Divisions. Instead, the cost of the contract is split between just the Parks and Open Space Divisions. Both Open Space and Parks have significant needs of their own and should not be subsidizing other Divisions. Further, the Staff explanation, that the source of the funds comes from the implementation of 2C and the process of separating the accounting and budget of Parks and Open Space, is not a valid justification for the use of Open Space funds to cover the expenses of other Divisions.

Due to Comprehensive Exclusions the Scope of Work Fails to Provide Foundational Information:

The scope of still work fails to identify a specific, meaningful deliverable for Open Space. The unexplained, but extensive list of exclusions creates a foundational information gap that makes it impossible to make informed decisions about any aspect of Open Space management. With all of the exclusions, the final work product can not be a long-range plan for Open Space. In fact, it appears that it will be in large part a list of work that needs to be done – something the City already knows.

For your convenience, below is the list of exclusions from page 18 of the contract. As you can see, an Open Space Management Plan is expressly excluded. Many key components of an Open Space Management Plan are also expressly excluded.

EXCLUSIONS

The following items are currently not part of the proposed Scope of Services:

- Language translation services for print material.
- Artist perspective 3D Modeling, site drawings and digital renderings.
- Parks, recreation, and open space financial plans, staff programming recommendations, or market studies.
- Prairie dogs, if present, will be addressed with a recommendation memo. Management is not included.
- Noxious weed mapping. Recommendations for observed species will be provided.
- Species specific threatened or endangered species surveys or trapping will not be conducted.
- Field ecological inventory or open space management plan.
- Field run survey or subsurface utility investigations.
- Geotechnical Investigations.
- Open space wildlife, natural resources, archaeological, and habitat inventory and site-specific management and maintenance plans.
- Resource protection plans for sites that contain archaeological, paleontological, geologic, or other special resources.
- Threatened or endangered species inventory assessment.
- Native prairie restoration plans and procedures.
- Wetland delineations, permitting and mapping.
- Seasonal or permanent closures of open space requirements and procedures.
- Criteria for trail restoration for formalized trails and user defined trails.

The Scope of Work Fails to Establish the Foundation for a Trails Plan:

With inventories and surveys expressly excluded from the scope of work, any

recommendations for trail placement would be based on historical inventories. But resources are not protected when historical inventories up to 20+ years old – instead of current inventories – are used to determine trail placement. Please note that (1) threatened or endangered species inventory assessment; (2) a field ecological inventory; and (3) open space wildlife, natural resources, and habitat inventories are all expressly excluded from the scope of work. Determining trail placement or writing a PROS plan without this information is like building a house without a foundation.

Failure to Refine the Scope of Work to Ensure Compliance with Article 15 of the City Charter:

Open Space is unique in that Article 15 of the City Charter sets out the management standards. While, for the other 3 Divisions, it may be appropriate that “the specific topics to be explored for each division will ultimately be determined by early public engagement,” the management of Open Space must be guided by Article 15 of Louisville’s home rule charter.

Please ensure that community engagement is consistent with the City Charter and does not offer the community choices that conflict with the charter's goals and management guidelines for Open Space. So that the consultant and their subconsultants understand the governing framework, common sense says that at a minimum Article 15 itself needs to be expressly incorporated in the Scope of Work. Article 15 begins on page 54 at <https://www.louisvilleco.gov/home/showpublisheddocument/64/635500284987870000>

Section 2.4’s High Level Needs Assessment Fails to Meet the Needs of Open Space or Ensure Compliance with the City Charter:

The high level needs assessment is centered on the needs of recreational assets, not the needs of Open Space. There is no mention of plants, wildlife, habitat, or ecology in the needs assessment, or of good stewardship and sound ecological principles. It appears that Open Spaces are just being considered “recreational assets.” But the City Charter demands more saying in Section 15-1 that:

The purpose of this article is to establish management standards for City-owned open space lands that:

- (a) Are consistent with good stewardship and sound ecological principles;
- (b) Preserve and promote native plants, native wildlife, and their habitats; and
- (c) Preserve and promote cultural resources, agriculture, scenic vistas, and appropriate passive recreation activities.

So that you can easily compare the City Charter and the Scope of Work, here's an excerpt from the Scope of Work's Task 2.4: Research, Data Collection, Trends + Needs Assessment (emphasis added):

The Consultant will address facilities, properties, and programs, operational, and capacity issues and include recommendations on how best to establish a financially sustainable program that **meets the demands and needs of Louisville’s recreational assets**. The evaluation will consider current levels of service standards and evaluate existing facilities and programs to meet community preferences and trends. The review will include a high-level analysis of elements such as:

- Demographics
- Existing city parks, open space properties, and trail system
- Recreation & Senior Center facilities, programs, and services
- Coal Creek Golf Course facilities, programs, and services
- Comparative best practices
- Relevant standards such as National Recreation and Park Association (NRPA), AASHTO and other examples
- Review of maintenance practice and standards
- Operations structure and staffing
- Demand and SWOT analysis

Subcontractor Provision is Inadequate: At the March City Council meeting, the Council expressed a desire that the subconsultant be named and that their roles and responsibilities be delineated. The contract still fails to: (1) spell out ERO's scope of work, and (2) identify or require the use of specific contractors. In addition, the contract permits the substitution of contractors without Open Space having a role in the approval of a new contractor.

Even though Open Space fought hard to get ERO, the contract does not require the use of subcontractors at all. It simply says that the "Contractor **may** utilize subcontractors" (emphasis added) and that the "Contractor will submit any proposed subcontractor and the description of its services to the City for approval." This loosey-goosey approach does not bode well for Open Space.

Below for your ease of reference is paragraph 22 of the contract.

22.0 SUBCONTRACTORS

Contractor may utilize subcontractors identified in its qualifications submittal to assist with non-specialized works as necessary to complete projects. Contractor will submit any proposed subcontractor and the description of its services to the City for approval. The City will not work directly with subcontractors.

Conclusion

Louisville Open Space Advocates remains concerned that the structural conflict arising from the combined management of the Open Space Division with the Parks, Recreation, and Coal Creek Golf Course Divisions will result in mismanagement of our Open Spaces, a valuable asset. The structural issues associated with the PROS contract demonstrate that the unique issues associated with Open Space management and trails planning are not well understood outside of the Open Space Division. The current structure requires us all to pay close attention, work together to mediate conflicts, and ensure good outcomes, which frankly seems quite inefficient.

Thank you for taking comments on this important contract and for your service to the community and to our Open Spaces.

Best,

/s Cathern Smith for Louisville Open Space Advocates (LOSA)

cc: City Manager Diana Langley

Director Blackmore

Superintendent Brignull

Open Space Advisory Board and Chair McEachern (via Superintendent Brignull)

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From: [Matt Jones](#)
To: [City Council](#)
Subject: Parks and open space plan.
Date: Tuesday, May 6, 2025 12:00:51 PM

I support Cathern Smith's comment on the parks, recreation and open space plan and trails plan. Weil the staff memo had a few improvements as for what is considered, it is still very difficult to follow the scope of work and how ecological information will be used and ERO's role in each step of the process.

My best,
Matt Jones

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From: [Ann](#)
To: [City Council](#)
Cc: [Diana Langley](#)
Subject: Support for CM Langley's proposal on emergency preparedness
Date: Friday, May 2, 2025 6:22:53 PM

Mayor Leh and City Council Members:

I cannot attend the May 6 Council meeting for the consideration of City Manager Langley's review and recommendations related to DISASTER PREPAREDNESS AND EMERGENCY RESPONSE. I hereby provide written comments for your consideration.

I am beyond grateful that our new City Manager has prioritized this critical safety and community vitality issue so early in her tenure. Her insightful and informed review of the state of our City's disaster preparedness and emergency response capabilities highlights the work that has been done and the work yet to be completed. I urge Council to accept her findings and vote to implement staff recommendations as outlined in the packet. It is critical that Council make funding available to implement these recommendations as outlined, including an additional staff member within ODM to focus on Louisville's preparedness, and the consultant to help prioritize Louisville's actions. These are urgent needs that form the basis of our City's near-term safety and long-term sustainability.

I urge Council to vote unanimously to approve this investment in our City's core safety, and to make funds available immediately to begin this work.

Ann Brennan
888 Larkspur Court

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