



**TOPS Working Committee Meeting**  
**Virtual Meeting**  
**Meeting Minutes**  
**Wednesday, June 2, 2021**

**Members Present:** Bob Falcone, Blaze Panariso, Nancy Hobbs, Ingrid Richter, Bob Shafer, Paula Krantz, Hank Scarangella, Stephanie Surch

**Members Absent:** Michael Merrifield

**Alternates Present:** Wendy Thomas

**Alternates Absent:** Jeff Davis

**Parks Board Liaisons Present:** Carol Beckman, Greg Thornton, Jason Rupinski

**Staff Present:** Britt Haley, Kurt Schroeder, Karen Palus, Kim King, Anna White, Kelly Rajab, David Deitemeyer, Emily Duncan, Scott Abbott

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TOPS Working Committee Chair Bob Falcone brought the meeting to order at 7:34 a.m.

**Agenda Preview**

Committee Chair Bob Falcone announced the agenda for the meeting.

**Announcements**

Karen Palus, Parks, Recreation and Cultural Services Director gave the following updates:

- The City has given approval to return to in-person meetings beginning in July. Karen asked the Committee to email Anna White, Staff Assistant, their preference on meetings moving forward.
- Events continue for the Sesquicentennial Celebration, including Beards, Bonnets, and Brews on June 12 at Rock Ledge Ranch.

Britt Haley, TOPS Program Manager, made the following announcements:

- There will be two rounds of Bio Blitz's this summer. There will be a scientist-only Bio Blitz at Corral Bluffs on June 5<sup>th</sup> and 6<sup>th</sup>. There will be a public Bio Blitz at Stratton Open Space on August 27<sup>th</sup>, 28<sup>th</sup>, and 29<sup>th</sup>. Britt thanked Gillian Rossi, Park Ranger Supervisor, and rangers Stephanie Fields and Haley Noneman for all of their help coordinating.
- Britt has a site tour planned for this month, however there have been some changes to the property. She will contact the Committee when she knows if the site tour will happen.
- Emily Duncan, Trail Development Coordinator, is working on a comprehensive overview of in-process trail work for the next meeting.
- An administrative support position for Design and Development has been hired that will

help assist the division, as well as the TOPS Working Committee.

- Britt gave a brief update on the Presidential Commission on Sustainable Parks Funding, as they are drawing closer to conclusions they would like to have as a recommendation for City Council. Committee Chair Bob Falcone said the commission had been presented options to consider putting on a ballot. The facilitator is polling commission members for their choices on ballot language. Bob said he has made the recommendation that the TOPS Working Committee put forth in December. Committee member Hank Scarangella added that there are two basic ideas, one being to integrate maintenance and acquisition to make sure there is enough money for acquisition but flexibility for maintenance too. The other option is concerning what the Mayor will support.
- Scott Abbott, Regional Parks Supervisor, said the e-Bike Pilot Program is on hold for now as the City Attorney's Office reviews the language in Chapter 10 of the City Code. Scott will continue providing updates as they become available.
- Committee alternate member Wendy Thomas said there was an article in the Wall Street Journal about the conflict of e-Bikes if anyone was interested in reading it.
- Committee Vice Chair Nancy Hobbs gave kudos to Brian Kates, Park Operations Administrator at Meadows Park Community Center, for a very successful first race in the Blue Moon Trail Run series.

#### **Approval of Minutes** – May 5, 2021

**Motion:** To approve the minutes of the May 5, 2021 TOPS Working Committee meeting.

1<sup>st</sup> – Nancy Hobbs, 2<sup>nd</sup> – Paula Krantz, Approved, Unanimously

#### **Citizen Discussion**

Susan Davies, Executive Director for the Trails and Open Space Coalition (TOSC), added that the conversations at the Presidential Commission were very insightful. However she was concerned that some members of the commission are very focused on the percentages and amounts that should be mandated for maintenance. She then said that in the Trust for Public Land's annual Park Score, Colorado Springs ranked 56<sup>th</sup>. She described a little bit of the article and reasoning behind the scoring. She commented positively on the new Powell parking lot in North Cheyenne Cañon Park. She did ask if all of the tourism on parks properties is having a negative impact on the resources. Kurt Schroeder, Park Operations and Maintenance Manager, responded that we are seeing an incredible amount of use. He said the Saturday before the meeting, there were over 20,000 guests in Garden of the Gods. He said we have had to close certain parks due to capacity as well. Committee member Stephanie Surch asked if park usage was increasing with the exponential rate that our population is growing. Kurt said he doesn't have data to tie into it, but that our parks are seeing more use than ever.

Cory Sutela, Executive Director for Medicine Wheel Trail Advocates, said Medicine Wheel had recommended a pilot program for e-Bikes on some properties in 2019 following a survey they

had done in the community concerning e-Bikes. He said his organization would also like to see some metrics from the pilot program. His organization felt that the program that had been rolled out by staff was insufficient. He is glad that the City Attorney's Office has weighed in to address certain problems with the program. He believes moving forward a better program could be rolled out and would be happy to support staff. Finally, Cory added that Committee Chair Bob Falcone and Committee member Hank Scarangella had been doing a great job as representatives on the Presidential Commission.

Jen Peterson, Executive Director for the Rocky Mountain Field Institute (RMFI), gave kudos to the TOPS Program and staff, after having ridden her bike on the new Cottonwood Creek Trail. She added that feedback from RMFI crews is that they are seeing a lot more people in the parks, and said the feedback from citizens has been very positive. She said some of her staff will be joining Dennis Will, City Forester, in North Cheyenne Cañon to discuss wildfire mitigation.

Kent Drummond, citizen, submitted a statement in email to be included in the minutes. The statement reads as follows: "On behalf of all e-bike riders in the Colorado Springs area, I wish to express our dismay over the indefinite postponement of the E-bike Pilot Project. The reason given in the newspaper on May 28th was that the city attorney had determined the federal 'definition was strictly related to roadway use, and it wasn't applied to parks or trails'. Public Law 107-319 defines electric bicycles, but nowhere does it specify where they can be operated. Public Law 107-319 states, 'electric bicycles are explicitly not "motor vehicles" for the purposes of federal law'. Admittedly, Public Law 107-319 has no impact on state or local traffic laws or vehicle codes, which regulate the use of electric bicycles. In Colorado Spring's case, that would be the ordinance paragraphs which cover motorized vehicles. During the May TOPS meeting, some members of the committee acknowledged the ordinance is outdated in this respect. When the ordinance was written, e-bikes did not exist. If it would be possible to ask someone who was present when the non-motorized provision was added to the ordinance, I would be willing to bet they were thinking about combustion engine vehicles. The three class system creates rules governing the use of electric bicycles, with safety as the top priority. It is intended that Class 1 and 2 electric bicycles would be permitted to travel anywhere traditional bikes are permitted, as the maximum assisted speed of these devices is closely aligned with speeds traveled by traditional bicycles. The State of Colorado is one of 28 states who have enacted legislation creating the class system for e-bikes. Along with the adoption of this class system, the State has opened all state parks to Class 1 and Class 2 e-bikes wherever traditional bikes are allowed. I emphasize Class 1 & Class 2. This includes soft surface trails. Parks & Rec has officially allowed Class 1 e-bikes on the urban trail system since 2018, with no pushback. It wasn't until the announcement of the pilot project, and the consideration of allowing Class 1 e-bikes on the single track soft surface trails, that the traditional mountain bikers started to bring pressure on the administration, because 'their' domain was about to be invaded. The mountain bikers don't care about the city trails, because it doesn't affect them. I don't think the

traditional cyclists who primarily ride the city trails are bothered by e-bikes. If we believe the statistic we were given by the Ft. Collins presentation during the TOSC Webinar a couple weeks ago, e-bikes make up 1.3 percent of all bicycles on their urban trails. When the pilot project finally gets underway, I'll bet the percentage of Class 1 & Class 2 e-bikes on the urban trails, and Class 1 e-bikes on the soft surface trails is about the same very low percentage. Before my father would take the tweezers to pull a splinter out of my finger, he would say, 'you're crying before you're hurt'. To the anti-e-bikers I say, 'you're crying before you're hurt.'"

### **Action Items**

**2022 Capital Improvement Project Recommendations** (Presented by Kelly Rajab, Analyst II, and Britt Haley, TOPS Program Manager)

Kelly Rajab, Analyst II, and Britt Haley, TOPS Program Manager, presented the Committee with the 2022 Capital Improvement Project Recommendations. This presentation included the TOPS Proposed 2022 CIP budget; the January 2021 Revenue Report; the April 2021 Revenue Report; informing the budget process; the TOPS Fund Summary 2020 Estimated Fund Balance; TOPS Fund future revenue 2022 through 2025; preliminary 2022 revenue; TOPS Maintenance and Administration; the TOPS Trails category; upcoming trail projects; the TOPS Parks Category; upcoming parks projects; the TOPS Open Space Category; upcoming open space projects; Stewardship Program education; Stewardship Program rangers; Stewardship Program land management; Stewardship Program resource management; Stewardship funding history; and finally, Stewardship Funding percent of Open Space revenue.

[Link to PowerPoint presentation here](#)

Committee Chair Bob Falcone asked if the \$200,000 allocated for the wayfinding signage would be enough to complete the wayfinding projects. David Deitemeyer, Senior Landscape Architect, responded he thought this would be sufficient to finish signage on the TOPS properties. This will cover all TOPS properties besides Ute Valley and Austin Bluffs Open Space. Bob asked if the issue with Ute Valley and Austin Bluffs Open Space is that some of the property is not TOPS acquired. David responded that yes that is the main reason. The request in 2022 will fund the signage in the TOPS acquired area of Ute Valley. Bob then asked if we can use TOPS funds to put a wayfinding in all of Ute Valley Park. Britt answered you could only do this if a TOPS acquired trail crossed into the other section of Ute Valley. Bob's final question was how much money was being allocated for law enforcement support of the rangers in the parks, or if there is room to appropriate more money to this. Kelly said she could pull these figures for Bob and get back to him. Kurt Schroeder said about \$30,000 to \$35,000 is set aside for this every year, though they can't always find officers to sign up for extra patrolling.

Committee member Hank Scarangella reiterated the concerns Susan Davies had raised from the Presidential Commission about the maintenance dollars. Hank noted that this presentation broke down the life of the tax, and only about 70% could be used to acquire property.

Susan Davies, Executive Director for TOSC, said that if revenue comes into the TOPS tax at a steady rate, she would hope the Committee would urge staff to make some improvements and finish up projects. She thinks more improvements could be found outside of the CIP list. She gave examples of how the increase in the TOPS tax would change funds. She asked staff if they could make a plan of projects that could be completed if the tax were to be increased.

**Motion: To recommend to the Parks, Recreation, and Cultural Services Advisory Board this 2022 TOPS CIP budget as presented.**

1<sup>st</sup> – Bob Shafer, 2<sup>nd</sup> – Paula Krantz, Approved, Unanimously.

**Citizen Discussion**

There was no further citizen discussion at this time.

**Motion to adjourn**

1<sup>st</sup> – Blaze Panariso, 2<sup>nd</sup> – Nancy Hobbs, Approved, Unanimously