



**Parks, Recreation and Cultural Services Advisory Board
Meeting Minutes
Thursday, May 14, 2020**

Members Present: Ron Ilgen, Carol Beckman, Dr. Daniel Bowan, Abby Simpson, Michael Phan, David Siegel, Greg Thornton, Jason Rupinski, Sarah Bryarly
Alternates Present: Larry Bogue, Lisa Wieland, Andrea Perry
Staff Present: Karen Palus, Kurt Schroeder, Kim King, Britt Haley, Anna White, Connie Schmeisser

Called to Order: Board Vice Chair David Siegel brought the meeting to order at 7:35 a.m.

Citizen Discussion

Lee Milner, citizen, informed the Board about the Reserve at Corral Bluffs development plan. He said this development threatens a 522-acre parcel that the City owns. The development would cause erosion into the parcel. He was hoping the Corral Bluffs Alliance would be revising their current proposal, or if TOPS would reevaluate their proposal. Karen Palus, Director, said that she or Britt Haley, Design and Development Manager, would get in touch with him.

Susan Davies, Executive Director at the Trails and Open Space Coalition, mentioned that Barr Trail was closed in a section near the top of the Incline. She asked the reasoning behind this closure. Karen Palus, Parks, Recreation, and Cultural Services Director, responded that the Forest Service in relation to construction of the Cog Railway closed the section. Karen added that Vanessa Zink, Senior Communications Specialist, was working with the Forest Service on a press release that would come out later in the day or the next day. Susan's next question was if budget cuts resulting from Covid-19 were impeding any projects. Karen said she would address this in the staff reports. Susan's final question was if the parks inventory assessment was still on track. Karen answered that it was still on schedule and we had just received a preliminary draft that staff is reviewing.

Cory Sutela, Executive Director of Medicine Wheel Trail Advocates, thanked staff for their continued maintenance of the parks. He gave a special shout out to Wes Hermann for rerouting the mountain bike skills line in Red Rock Canyon Open Space to better suit mountain bikers. He also credited Gillian Rossi, Park Ranger Supervisor, for her continued work with Leave No Trace stewardship and education.

Approval of Minutes – March 12, 2020

Motion – To approve the March 12, 2020 minutes.

1st – Jason Rupinski, 2nd – David Siegel, Approved, 8-0, with Greg Thornton abstaining.

Action Items

Parks, Recreation and Cultural Services Advisory Board Recommendations for Reappointments to City Council (David Siegel and Daniel Bowan)

Board member Carol Beckman said she was pleased to see both David and Daniel serve a second term.

Motion: Approval of a recommendation to City Council to re-appoint David Siegel and Daniel Bowan for a 2nd term from 07/09/2020 to 07/09/2023 to the Parks, Recreation and Cultural Services Advisory Board.

1st – Carol Beckman, 2nd – Greg Thornton, Approved, 8 – 0, with David Siegel abstaining.

Mountain Shadows Open Space Acquisition (Presented by Britt Haley, Design and Development Manager)

Britt Haley, Design and Development Manager, gave a presentation to the Board covering the acquisition of 193.47 acres at the Black Canyon Quarry and 148.02 acres of the Pikeview Quarry Frontage Property. This presentation included an overview from the 2014 Park System Master Plan; a vicinity map of the two areas; a more detailed view of both the Black Canyon Quarry Properties and the Pikeview Frontage Properties; multiple pictures from various places from both sites; a look at the updated 2020 TOPS revenue, expenditures, appropriations, and fund balances; a summary of the TOPS estimated fund balance; and a proposed timeline for approvals.

Britt added that there was a change to the final amount, as the administrative settlement had been counted twice. The final amount is \$8,991,515. This was changed in the final motion.

[Link to Powerpoint presentation here](#)

Board member Carol Beckman asked if the numbers in the Phase I and II slide of the presentation reflected the Phase II price incorrectly. Britt answered she was correct, but the Phase I number remained the same. Carol's next question was about City Council's feedback on this acquisition from the most recent budget committee meeting. Britt replied that she got good feedback, and working with City Budget and City Finance, along with counsel from Councilmember Don Knight, to double confirm that the TOPS Open Space category has enough funding. Council President Pro-Tem Tom Strand had questions about the company's solvency. Council member Andy Pico had questions about Black Canyon Quarry parcels but seemed supportive. Britt said their feedback did not contain any concerns. Carol then asked if the reclamation work had already been done on the Black Canyon Quarry, as its bond value was

lower than Pikeview. Britt responded that the reclamation on the Black Canyon Quarry was almost finished, with only revegetation remaining for reclamation. Carol's following question was if the State had been overseeing the reclamation work of Black Canyon. Britt answered that they had overseen the reclamation work but it has not been approved as reclaimed because it is not finished. The Black Canyon Quarry has been dormant since 2015, and before then, not a producing quarry in the same way Pikeview was. As far as Britt knew, the State was happy with the current reclamation of the Black Canyon Quarry, but she was still reviewing documents sent to the Department. Carol asked how the process of approval works for Phase I and Phase II of the acquisition. Britt replied that it is similar to the approval of the Hewlett Packard property acquisition as part of Ute Valley Open Space. The recommendation is for the whole purchase, and that goes into a resolution for City Council to approve. Then there is a recommendation for the supplemental appropriation of the Phase I amount, and then the Phase II purchase requires a new supplemental appropriation. The appropriation would come back in front of the Parks Advisory Board. Carol mentioned that if the Master Plan process would not wait on the eventual donation property, how would using dirt from the donation property for reclamation affect a master plan process. Britt replied that if these properties were purchased, we would need a master plan process and concentrate on the Pikeview Frontage Property and its boundary with the Blodgett Open Space, and that would take a budget process to do a master plan process. Britt anticipated this would be at least a year out due to the budget process. On top of that, the current pandemic could affect the budget process in the future. There would be clarity in the master plan process about the reclamation. Carol asked if we would make tentative plans for the open space as we moved forward in the process. Britt answered that we would be clear in the planning process that the area of potential donation would possibly be complementary to a bike park. Carol mentioned that she hoped the neighboring Cedar Heights community would not get power to veto this acquisition if they disagreed. Britt replied that in conversations with the Cedar Heights community leadership, the acquisition of the Black Canyon Quarry is not a bad thing; however, they have concerns and want to be involved. Britt said the Department would do this regardless, and is committed to being sensitive to their concerns. Carol followed up by saying public access is very important.

Board member Dr. Daniel Bowan felt that this acquisition was a little overwhelming. He began with the Black Canyon Quarry, asked about the bond for reclamation, and if it has to be a certain percentage reclaimed. Britt answered that the State Division of Reclamation, Mining, and Safety regulates all mining activities and reclamation of quarries. Part of the requirement of this is that a company who owns a mine or quarry has to post a bond to assure that if they are unable to complete reclamation, the State can claim the bond and contract out for reclamation. On the Black Canyon property, which has been dormant, the bond has not been fulfilled since reclamation is not finished. The company can approach the state and prove a certain amount of reclamation and request for the bond to be lowered for the remaining reclamation. The value

of the reclamation remaining at the Black Canyon Quarry is estimated to be \$167,000. We want to make sure that in considering uses we do not have to revegetate and then dig up what we have done. Daniel's concern was that we were taking on a risk and asked if there was a way to write up a contingency that we would not want the property based on inspection. Britt said that we did not feel risk with the Black Canyon Quarry for the final reclamation piece, and that we were able to create a deal with the company who owns it to take on the final reclamation ourselves to do it the way we wanted to. Britt and Tilah Larson, Senior Grants Analyst had identified the State Mineral Severance Fund, which is available for grants to communities, and a grant opportunity we can pursue. Britt said she felt confident that we could absorb the \$167,000 cost over time to revegetate the area the way we wanted to. He asked if the \$167,000 could be used as a state funding mechanism, or if the City would take this on. Britt said we have looked at other sources for that funding, but even if other sources were not available, there is TOPS Open Space stewardship money and those funds can be used for revegetation. He asked if the costs to reclaim the Black Canyon Quarry were in the appraisal. Britt answered yes, they are identified in the appraisal and the offer we made was based on if the property was reclaimed already to get the deal. This also reflects the bond and State's information. Britt also got a Phase I environmental analysis done by the Colorado Springs Utilities Environmental Services Division, which estimated that it would be more expensive for us to do the reclamation than for the company to self-perform, which is why there is some flux in the numbers. Daniel moved his questions to the Pikeview Frontage Property and asked about the conversation between Great Outdoors Colorado (GOCO) representative Warren Dean and Britt. He asked for some clarity on the email exchange that had been shared with the Board. She went over a recent conversation where she thought the call ended with support, when in reality he was not in support, so Britt had him clarify his position. Daniel then asked for clarification on Permit Amendment 4. Britt answered that Amendment 4 is what Mr. Dean calls the request and is the official number on the amendment for the donation property to change the methodology used to reclaim that quarry from exploding from the top into the quarry pit to a method where it would be filled from the bottom up. This amendment is pending before the State's Division of Reclamation, Mining, and Safety and their Mined Land Reclamation Board process on the property that is next door to the frontage property we are suggesting approval for. Daniel asked to talk about this in a larger perspective, in consideration with the City's assumption of risk. Britt answered that the Pikeview Frontage Property is part of talking to the company who owns it about how they want to divest their property ownings so they can fund the reclamation at the quarry themselves. We made a package deal for the Black Canyon Quarry and the Frontage properties and it is contingent on the amendment being approved at the State level. The company's position is very different from Mr. Dean's position, and we are in the middle. The contingency is that we could go through all of the approvals and buy the properties, but if the State does not allow the Permit Amendment, and then the deal is off. On the Frontage Property itself, that area has never been mined and was meant to be a buffer to the mine and the neighborhood. Britt believed this property stands alone for its value of connectivity and the protection of the backdrop. The alternative use for this area would be as a subdivision. The company made their own subdivision plans and a developer provided his information to the appraiser, and the thought was that since reclamation had already begun, the quarry itself would be reclaimed by the end of the development review process. Britt felt

our park advocates would fight the development of a subdivision for a very long time. Britt did not see the Quarry itself as an impediment to the open space values, and unfortunately, the development community did not see it as an impediment either. This is all tied together through the company seeking the amendment for the reclamation plan in terms of the methodology of reclamation. Daniel's next question was why the State would deny the amendment if we were to approve this acquisition. Britt answered the amendment is how the area is reclaimed, and the State will force the company to do it. It more so falls on the company to find out how they will do and afford the reclamation. The State holds a \$15 million dollar reclamation bond on the Pikeview Quarry, and the company has incentives to finish the reclamation for less than the price of the bond. If the company fails, the State can claim the bond, contract for the reclamation, and would work with us towards the bike park plan. The company is also already working with us on the bike park plan outcome with StanTech Engineers. The State has one objection, which is Mr. Dean's, so they now move to a hearing process. Mr. Dean has provided a substantial amount of information for the State to review. We will also be at the hearing process so we can see this through for the purchase to work out. Daniel asked what would happen if the State claimed the bond and they found out the reclamation would cost more. Britt said the bond had been evaluated last year and the State had deemed \$15 million dollars sufficient for reclamation.

Board member Sarah Bryarly said she felt acquiring these properties was important to preserve the backdrop of the area.

Board member Michael Phan echoed Sarah's sentiment, and appreciated that this acquisition helps fulfill the 2014 Park System Master Plan. He asked if the area was not fully reclaimed, if the State would keep the property. Britt responded that the property would remain an asset of the company until we wanted to purchase it from them. The State takes the performance bond, but the property is still a company asset. We would not accept the property unless the State certified it for reclamation. Michael asked what some of the concerns of the TOPS Working Committee members who did not support the recommendation were. Britt replied that she did not want to try to characterize the concerns for fear of misspeaking, but generally it was around the Pikeview Frontage Property value per acre at \$45,000 being very high and fear it would affect our other purchases. The other concern was with the administrative settlement amount, which got us to the final deal. Michael asked if the \$45,000 per acre was reasonable. Britt replied that she felt it was because this area is a connecting piece that would otherwise be developed into a subdivision. She felt there would not be another time to purchase this property for a lesser price unless we did so now.

Board member Jason Rupinski appreciated Britt's hard work on these properties. He asked if with the Black Canyon Quarry, the City would absolve Castle Concrete from further reclamation requirements per the state. He asked if the City would then be obligated to enter into a performance bond to complete the reclamation. He followed up with the question on if the Department had reclamation experience. Britt answered that our contract contends that the City would take over the reclamation plan for the quarry and fulfill the remaining elements. Being a municipality, there are different rules regarding the bond requirements because

municipalities do not go bankrupt. We will work with the State on this, and Britt had already talked to a contractor who does mine reclamation work. The revegetation work is not unusual for us.

Board Vice Chair David Siegel asked the three TOPS representatives on the Parks Advisory Board to offer their insight from the TOPS Working Committee meeting. Board member Carol Beckman said these properties had been discussed multiple times during other TOPS Working Committee meeting executive sessions, and the Committee as a whole, as the vote represents, most of the members supported the acquisition even before the meeting. Lee Milner was the only opponent. He made a couple of motions that failed to get a second about the properties. Board member Greg Thornton added that the fact Lee's motions were not seconded showed how strongly the TOPS Working Committee felt about making this recommendation. He reiterated that recommendation. He felt the properties are a great purchase. Board member Jason Rupinski commented that each year, the TOPS Working Committee gauges properties at different priority levels and this one was always a high priority.

Board member Abby Simpson thought the questions from the Board were very helpful and offered clarity to this acquisition. She commended Britt for her hard work.

Board Chair Ron Ilgen echoed Abby and then other Board members' previous comments. He felt these properties are extremely important to the City to preserve viewscape and fulfill the 2014 Park System Master Plan.

Jennifer Peterson, Executive Director of the Rocky Mountain Field Institute, spoke to the public process, and specifically engaging the Cedar Heights Community representatives very early in this process. She commended David Deitemeyer, Senior Landscape Architect, for his communication and listening to the community's concerns. She said as this acquisition moves forward, we will have a leg up on having their concerns addressed and mitigated.

Cory Sutela, Executive Director of Medicine Wheel Trail Advocates, made a statement in support of this acquisition, and expressed excitement for the future of a potential bike park. He also commended Mr. Dean for his work and information he provided during this process.

Warren Dean, citizen, said he did feel that the Black Canyon Quarry was a good purchase; however, he cautioned the City for taking on the reclamation obligation. His issues were mostly with the Pikeview Frontage Property. He said Continental Materials still had a right to excavate from that the quarry reclamation. He wanted to know how much of the land is subject to excavation by the operator. He felt this was a major issue. He said he felt the original reclamation plan for this quarry was a good and simple plan. Continental Materials proposed another reclamation plan last summer that is difficult to execute. He felt this plan would not be able to be revegetated after this plan. He said the plan was proposed only to save money for the operator. There is a potential financial failure of the operator, which would turn the reclamation plan over to the State. He said a year ago, the bond was \$4 million and relying on the State to bail the City out is misdirected. He proposed putting the money for this acquisition

in escrow until the reclamation is completed. Britt responded that for any excavation to occur, additional amendments to the reclamation would have to be approved relating to the mined area. She added that the Phase I parcel has a 1.96 acre office area or Mr. Dean identified as a possible area of disruption. Britt felt this area was actual a good spot for disruption to occur. David Deitemeyer added that the other area is a six to seven acre portion to the north of the small ten-acre inholding of the donation parcel. This location has a notable ridgeline that could provide adequate fill for the reclamation, but also help to promote a future bike park site. He noted that the ridgeline is highly screened from the neighborhood to the east and to the north. Mr. Dean asked if the six to seven acre area was stated in the contract to be used for this. Britt answered that the contract for the Pikeview Frontage envisions that there could be a future agreement for fill dirt removal if that becomes a possibility, but is contingent on many other actions. This is not permitted as of now. Mr. Dean's final question was if the contract would block the company from removing dirt from the property. Britt replied that if there is an opportunity to take fill dirt from the Phase I purchase, it would be specifically identified in an agreement but is currently not an action that can happen in the reclamation plan.

Susan Davies, Executive Director for the Trails and Open Space Coalition (TOSC), commented that this process honored our 2014 Park System Master Plan. She said we needed this area secured for conservation, and that TOSC was in support.

Becky Leinweber, of the Pikes Peak Outdoor Recreation Alliance, echoed the other comments of support. She said she appreciated the time and effort this acquisition had taken. She added that she felt this was a very important piece of the ongoing Reimagine Waldo Canyon effort.

Lee Milner, citizen, stated that he had voted against the recommendation during the TOPS Working Committee. He felt the administrative settlement should not be included in the purchase price and that the money be held in escrow until reclamation is done. He felt the City was paying for a dream, and urged the Board to accept the recommendation with an amendment to reallocate funds into a quarry reclamation incentive.

Justin Spring, of the Conservation Fund, said he was looking forward to this project, and felt this acquisition was a unique opportunity. He said he appreciated all of the comments from citizens and the Board and that protecting these parcels is a smart idea.

Christine Smith, citizen, stated that the Cedar Heights community was appreciative of all the open dialogue. She is also a realtor, and said she would be engaging with neighbors in Mountain Shadows about this acquisition.

Dick Standaert, citizen, said that he would like to see a geological state survey done on the properties.

Paula Krantz, citizen, stated she was unable to vote in support of this item at the TOPS Working Committee meeting due to technical difficulties, but was absolutely in support.

Jerry Schnabel, of Castle Concrete, said the proposed amended reclamation plan is the most stable way to complete the reclamation process. He said there are monitoring systems in place for any movement in stabilization of the quarry and that if there are any issues, they will be addressed during the reclamation process.

Motion: To recommend acquisition of the 193.47 acres known as the Black Canyon Quarry parcels and acquisition of 148.02 acres in two phases from the Conservation Fund of the Pikeview Frontage property to include the purchase prices, the administrative settlement, real estate transaction costs and professional services fees for a total cost of \$8,991,515 with revenue from the TOPS Open Space Category.

1st – Michael Phan, 2nd – Carol Beckman, Approved, Unanimously

Presentations

Wolf Ranch – Valemount Park Master Plan (Presented by Chris Lieber, Principal at NES Landscape Architecture, and Tim Siebert, Vice President at Nor'wood Development)

Chris Liebert, Principal at NES Landscape Architecture, presented the Board with the final master plan for Valemount Park in the Wolf Ranch Subdivision. This presentation included a map of the Wolf Ranch Subdivision and where this proposed park would fall among others; a consensus of ideas gathered from citizens during the neighborhood survey; design concepts presented at two neighborhood meetings; results from small groups that were asked to record their thoughts and ideas based on these concept designs; and the final design, with a list of amenities.

[Link to Powerpoint presentation here](#)

Downtown Historic Parks Master Plan (Presented by Connie Schmeisser, Landscape Architect II, Amanda Jeter, Lead Park Designer at Design Workshop, and Anna Laybourn, Principal at Design Workshop)

Connie Schmeisser, Landscape Architect II, Amanda Jeter, Lead Park Designer at Design Workshop, and Anna Laybourn, Principal at Design Workshop, presented the Board with the Colorado Springs Downtown Historic Parks Master Plan, which included Acacia Park, Antlers Park, and Alamo Square Park. Their presentation covered the project background; a timeline of the planning process; information about public engagement over the course of three meetings; the final preferred plan alternatives; existing conditions of all three parks; the preferred alternative of each park; the character values of each park that they wanted to incorporate in the redesign; activation for each park; tree preservation and plantings for all three parks; and a final invitation to participate in the digital open house, which included a short survey.

[Link to Powerpoint presentation here](#)

Board member Dr. Daniel Bowan said it would be helpful to see a summary of public comments from the survey, and how they match up with the plans presented. Connie Schmeisser let him know that the results from the previous two surveys were online and gave a brief explanation on how survey results were processed. He asked for clarification on what summer games at the ice rink in Acacia Park would look like. Anna Laybourn answered that the planning group had done quite a bit of research into positive ways to repurpose an ice rink in the summer, so there were a variety of options. Amanda Jeter identified that the lines on the ice rink in the Acacia Park Plan could be for potential summer court games, like shuffleboard. She said there are different materials you can use, like AstroTurf with minimal to no damage to the ice rink. Daniel noted that the Acacia Park plan did not seem to provide much seating, and asked if this was to discourage the homeless population from sitting there. Amanda Jeter pointed out some different areas marked by red circles in the plan that would be proposed seating, using artistic benches. Anna Laybourn also identified some other flexible seating near the ice rink as well. Daniel's final question pertained to the potential dog park in the proposed Antlers Park Plan. He felt there were not many residential areas around this park that would support the need for a dog park. Amanda Jeter said the main idea for this came from talking to leadership at the Antlers Hotel, which is a dog-friendly hotel, and they identified a need for an area for dogs. Additionally, Amanda said with new residential developments being built in the surrounding area, they wanted the park to be a nearby area people could walk to as well as a destination for people further away to enjoy for its specific dog-friendly amenities.

Staff Reports

Karen Palus, Parks, Recreation, and Cultural Services Director, gave the following Covid-19 Update:

- She thanked Parks, Recreation, and Cultural Services staff for their diligence to keep parks and trails open.
- At this time, all of our indoor recreation facilities, community centers, and playgrounds remain closed.
- Visitor's centers remain closed but we are looking at strategies to open.
- City Auditorium is closed, and will remain closed for the rest of the year as it is being used as an isolation center.
- All events for May and June had been cancelled.
- All spring youth sports and therapeutic recreation programs are cancelled.
- Golf courses are open with certain social distancing restrictions.
- Cemeteries are open with modifications to services.
- Pikes Peak – America's Mountain is open with restrictions, and the shuttle service is being evaluated for summer.

Board Business

Sarah Bryarly – Had to leave the meeting at 1 p.m.

Carol Beckman – Carol shared with the Board an update from the TOPS Working Committee meeting about the proposed development of The Reserve at Corral Bluffs plan. She stated that Britt had submitted comments both to the planning commission and at the El Paso County Parks Board. Carol also mentioned the Leave No Trace Stewardship update Gillian Rossi, Park Ranger Supervisor, gave at the meeting.

David Siegel – David said that there would be a virtual LART meeting that afternoon. He added that the direction of the LART Committee was to do everything possible for funding contracted entities. He said that the Cares Act IV would help.

Adjournment

Motion: Move to adjourn the Parks, Recreation and Cultural Services Advisory Board meeting at 1:17 p.m.

1st – David Siegel, 2nd – Greg Thornton, Approved, 8-0.