



**Parks, Recreation and Cultural Services Advisory Board
Meeting Minutes - FINAL
Thursday, July 11, 2019**

Members Present: Jason Rupinski, Carol Beckman, David Siegel, Mina Liebert, Gary Feffer, Ron Ilgen, Hank Scarangella, Daniel Bowan, Michael Phan

Members Absent:

Alternates Present: Abby Simpson, Greg Thornton, Sarah Bryarly, Lisa Wieland

Staff Present: Karen Palus, Britt Haley, Kurt Schroeder, Kim King, Jake Butterfield, Anna White, Connie Perry, Pat Gentile, David Deitemeyer

Called to Order: Board Chair Mina Liebert brought the meeting to order at 7:32 a.m.

Citizen Discussion

Becky Leinweber, from the Pikes Peak Outdoor Recreation Alliance (PPORA), presented signage for "Leave No Trace Paddling" and gave an update about the success of Get Outdoors Day in June. She also passed out a Family Adventure Guide created by PPORA to the Board and staff. She thanked the Board for being an example of good outdoor ethics.

Susan Davies, Trails and Open Space Coalition (TOSC) Executive Director, spoke about the success of the Starlight Spectacular, which was enjoyed by 975 riders. She also thanked Mina, Gary, and Hank for their service on the Parks Advisory Board.

Getty Nuhn expressed some disappointment with the Prospect Lake Swim Beach and Beach House not being open for the summer, as it was advertised in a YMCA brochure about summer swimming. Recreation and Administration Manager Kim King gave an update which included information from the most recent boater's meeting about changes to motorized and non-motorized hours as well as information about projects happening at the beach and to the beach house. Kim explained that the restoration of the beach house is taking longer than anticipated as the Department is working with various contractors to find the best value, as well as secure additional funding. The Department is in the process of finalizing a contract, and Kim said that updated information is provided online. Project Manager Jake Butterfield answered that the project requires extensive renovations, but that they are only weeks away from securing a contract and hoping to begin construction this month, with three months of expected work.

Approval of Minutes – June 13, 2019

Board member Carol Beckman had emailed a change to Christi Mehew, which was followed up on.

Motion – To approve June 13, 2019 minutes.

1st – Carol Beckman, 2nd – Hank Scarangella , Approved, Unanimous with Board members Daniel Bowan and Michal Phan abstaining

Action Item

Protect Our Parks (POPS) Initiative (Presented by Karen Palus, Parks, Recreation and Cultural Services Director)

Parks, Recreation, and Cultural Services Director Karen Palus gave an overview of the initiative, which was brought forward by a group of citizens lead by Kent Obee. The group approached City Council in January 2019 to propose that City Council refer a ballot measure to change the City Charter. That proposal stated that City owned parkland should only be sold or disposed of by a vote of the registered electors of the City of Colorado Springs. They presented draft ballot language, and Chief of Staff Jeff Greene then took steps to create a committee to develop different options for consideration. The committee had worked over the last several months to create a potential item, which was then shared with City Council and the Mayor at their Council/Mayor retreat. Council then recommended an additional idea of a super-majority, which the Board has been presented. Karen said Attachment A of the packet given to the Board was the language created by the POPS Working Committee, and was requesting that the Parks, Recreation and Cultural Services Advisory Board forward to Council, with a positive recommendation for placement on the November 2019 election ballot. This proposal requires a vote of the registered electors to dispose of parkland included on the parkland designation list. Karen said the parkland designation list was provided to the Board, and is an item that would be adopted by Council as well as updated with additional properties. She said there is also a list of exceptions, resulting from lengthy conversation with good outcomes. Karen stated that many examples had been shared in terms of the work we have been doing and in consideration of potential projects ahead. As mentioned at the May 29th Mayor and City Council retreat, Council requested the City Attorney's office craft additional language, so Attachment B modifies Section 3-70 of the City Charter, and has two versions with different variations. The nuance on this would be that a super-majority vote would be required for all conveyances that do not fall under the exceptions. The exceptions are similar to POPS exceptions. There is also a deviation in Attachment C, in which Section 11-80 of the City Charter provides language requiring a super-majority of City Council to provide a super-majority for any conveyance of interest in City owned parkland, subject to a list of exceptions which do not require a super-majority vote. That list of exceptions is the same as the POPS except for the difference in the definition of *de Minimis*. The exception for the *de Minimis* in POPS is two (2) acres or 5%, whichever is less. In Attachment C's exceptions, this is a five (5) acre area.

Board member David Siegel, who is a Parks Advisory Board representative to the POPS Working Committee, said his recollection of the conversation was that folks had agreed that versions B-2 and C were written before the group agreed on a new *de Minimis* standard. His recollection was that everyone agreed to use the two (2) acres or 5%, whichever is less, in the super-majority options. He wondered if this had changed. City attorney Lisa O'Boyle responded that any changes to additional versions that were not POPS would have to be approved by City Council. That process didn't happen, so the *de Minimis* that was originally conveyed to City Council is the one that stayed with these versions. She said this was not to say the Board could not recommend something different, but these were the current versions drafted.

Board member Hank Scarangella asked about the list of exceptions, in which some versions had eight exceptions and another had nine. Hank was unsure where the discrepancy came from, and the language regarding undeveloped land is different between the versions as well. He assumed that the two versions likely said the same thing but wasn't exactly sure. Karen believed both had nine, but Hank responded that Attachment A had nine exceptions, B-1 and B-2 have eight, and C has nine, the ninth one being secondary use. Karen asked Lisa to take a look while she continued her overview.

In each requested version relating to the Council super-majority vote, there is the option of the super-majority of six or for a super-majority of seven. She also stated that City Attorney Marc Smith had asked to include that not each member of the POPS Working Committee was present for the group's final meeting, and those that attended were not supportive of Attachments B-1, B-2 or C. Karen presented the financial implications, which include the cost of changing the City Charter which is estimated to be between \$350,000 and \$500,000, but could be increased or decreased depending on situations like the number of registered voters. With November 2019's ballot, we will potentially be voting on a TABOR item and a 2-C Extension, and potentially a POPS Item. If all three of these items get referred by City Council, these three items would share the cost of the election. If the POPS proposal were to pass, if and when a situation arises where we would have to go to the vote of the people, we would have to wait for a general municipal election for it not to have to bear the cost on its own. Or it would have to wait for other items to share cost. If this was the only item going forward in November, it would have to bear the full costs. There are alternatives to all of these scenarios, which were discussed at the last Parks Advisory Board meeting, which include leaving the process as is and continue to follow the City's real estate manual. Karen said the goal for today is that a proposed motion is made in terms of moving a recommendation to Council, who will make the final decision. City Council wants to hear the Advisory Board's thoughts and recommendation as well. With that, Karen addressed the proposed motions.

Board Member Dr. Daniel Bowan asked for a quick overview about the continuation of the current procedures. The real estate manual is in the process of being updated. Board member Michael Phan asked if it was possible to review the real estate manual before putting a measure on the ballot, as a lower level fix. Karen said this could be a good approach. She invited Britt to speak about the manual. Britt said one aspect of the discussion would be to

have a new chapter dedicated to land exchange procedures. The manual previously referenced it, but did not have an entire chapter. This would detail the process and procedure for land exchanges for any Department in the City, not just the Parks Department.

Kent Obee then addressed the Board as a citizen but also stated he was representing the group Save Cheyenne. He thanked Board members David Siegel and Hank Scarangella for their efforts on the POPS Working Committee. He also thanked and congratulated Hank, Mina, and Gary for their time serving on the Board. Kent then urged the Board to put forward for City Council approval the version of POPS developed by the Committee, which recommends voter approval instead of a council super-majority. Kent had a few reasons, the first being that park and park lands belong to the citizens and was recognized by General Palmer when he gifted land to the citizens of Colorado Springs and that the Parks Department did not own the land, but is instead a steward of the land. His second point was that once parkland is traded, sold, or given away, it is gone forever, which he believes requires an additional level of protection. Kent's next point was that Save Cheyenne's research concluded that the vast majority of cities in Colorado had similar processes to protect parkland that he is advocating for, in which the only disposable conveyance is by a vote of the people. This is a part of State Statute, which two-thirds of the cities in Colorado abide by as Statuary Cities. Kent stated that of the over 100 "Home Rule" cities, of which Colorado Springs is one, over two-thirds of those cities have similar protections for their parkland. Kent's final point was that the POPS Initiative was not asking the Board to do something unpopular or out of line. Kent had done some loose research of voters before this past April election, as published in the Independent, in which 80% of people in Colorado Springs supported the idea of voter based park protection. He said he believed that if this initiative was approved, it would pass. He referenced the change to *de Minimis* and the time it took to decide on it, and said there is a big difference between the five (5) acre option in the Council super-majority motions, and the two (2) acre or 5% option that the committee settled on. He said the five (5) acre option would take out over half of the smaller parks on the parks designation list that are under five (5) acres, as well as huge chunks of other parks. He believes this would decimate protection for neighborhood parks. In reference to the cost, Kent mentioned that this had been proposed for the April election but did not make it, so the Mayor invited this committee to piggyback on the election for the renewal of 2C. Kent said had this invitation not taken place, the POPS Initiative would not have gone on to its own special election. He pointed out that it is noted in the briefing material provided to the Board that a future POPS-related election could cost the citizens money. He said the committee came up with three examples of land exchanges in the past that would have required an election, one being with Lyda Hill, one with Garden of the Gods, and one with North Cheyenne Canon. He said he didn't believe any of those exchanges were so urgent, that they couldn't have waited for an election. He said he wants to trust the City's management that if something needed to be put on the ballot, that this would not cost the citizens money in a special election. He said there are three organizations on the Save Cheyenne side in support of this POPS Initiative: the Sierra Club, the Aiken Audubon Society, and the League of Women Voters.

Board Discussion:

City attorney Lisa O'Boyle responded to Hank's previous question about the difference in the number of exceptions between attachments. She said that Wynetta and she have not discussed it, but her best educated guess of why the versions were different was that the POPS version and Attachment C were meant to be practical mirror images, with the exception of the *de Minimis*. She said the other two versions were more heavily edited, and when they looked at the secondary use it was taken out, as there is little argument that can be used as a conveyance, so it seemed unnecessary to have it in the other two versions. The termination of secondary use by Parks would be administrative control of the Department. Hank thanked her, and then asked about the language on undeveloped land being different. He asked what, using Larry Ochs as an example, exaction means. He asked if right now, if land is sitting aside, undeveloped and not being used, do either or both of the versions consider that to be undeveloped land, and therefore an exception for Council to vote on. Lisa responded that her understanding from conversations in the committee was that Larry Ochs was the specific example they used for undeveloped PLDO property. Exaction is basically any requirement during the land use process to convey land or fees in the case of PLDO over to the City, and this is what was trying to be captured. This helps give the Parks Department some flexibility around these parcels that may be pieced together during the process but isn't the final location once the development is finished. She said she was unable to see the two different versions of the undeveloped land. Hank pointed out that Attachment A, item 8 was worded differently than Attachment B. He said the PLDO property was only one category of undeveloped land, and that there could be other types of undeveloped land that aren't PLDO. Lisa suspected the difference might be the same as before, and that it is more heavily edited than the two Attachments (A and C) that are meant to mirror each other. Lisa said they were intended to be the same thing.

Board member Carol Beckman asked why the restriction is only on undeveloped PLDO land versus any undeveloped land, and used donated land as an example. She asked if someone donated land to the City, and the Parks Department took it initially but then later decided to trade, that this would not be an exception. Karen Palus responded that a big part of exactions were PLDO, as they are more flexible versus donations that are often contiguous to current parks, like outparcels in Garden of the Gods. She said that this could be modified if so desired. Board member Hank Scarangella asked for clarification on the undeveloped land exception applying to only PLDO property or any undeveloped property. Karen responded that the way it is written only refers to a conveyance of parkland acquired by the City through the Park Land Dedication Ordinance, through other land exaction. "Through other land exaction" can refer to an annexation agreement or as Britt Haley responded, any time it's a legal requirement of a development activity or other City request, it is not a voluntary donation, but it's a requirement. This is different than giving up property on a voluntary basis. Subdivision development is the most common example of this. Hank asked if this exception of undeveloped land only applies to PLDO funded land, which Karen said yes, but language could be changed. Carol asked if transfers between Departments are not included in exceptions, like the upcoming Centennial Boulevard transfer. She asked if a transfer like that would have to

go to a vote. Kent Obee responded that in early language of this initiative, the term conveyance referred to only exchanges or sales between the City and private entities, not City entities. David Siegel offered that this was in Attachment B-1 in the attachment, and also in Attachment A. Carol's next question was if Attachments B-2 and C were changing different parts of the City Charter, and what implications that would have. Karen responded that the two attachments have different exceptions, specifically the *de Minimis* exception. Lisa O'Boyle answered that POPS (Attachment A) was originally amending section 11-80 in the City Charter, and Attachment C stays as close to that as possible without requiring a vote of the citizens. Lisa said when Council asked the City Attorney to draft some different language, there wasn't a constraint on the City Attorney to stay within chapter 11 of the City Charter. It appeared that a more appropriate place to put it would be where the votes are concerned, which is where POPS would go anyway. Chapter 3-70 discusses voting by the City Council. It is just placement by the topic, which the City Attorney said would also be appropriate for this language. Lisa stated that the implications are just organizational. Britt Haley added that the versions that involve city council areas of the charter, as in different places than the POPS initiative alone would be. Karen responded that POPS and Attachment C really take the City Council purview out of it, and the other two options put City Council having purview over that process. Carol asked if choosing between C and B-2, B-2 is more appropriate for the charter based on exceptions. Lisa said she did not have a position to give but didn't doubt that there would be further changes between them.

Board member David Siegel asked about B-2 and C, and what would be the pros of moving 11-80 language to 3-70, and if the 11-80 exceptions could be used in Chapter 3, as the exceptions are different. Lisa asked to clarify if David meant to move 11-80 to 3-70, if he was using Attachment C or POPS, to which he responded he was talking about the exceptions in Attachment A, as they have been thoroughly vetted through the committee, and if they could be used in the 3-70 change. Lisa said she believed he could recommend that.

Board member Ron Ilgen asked for a real life example, like the Centennial Boulevard extension, if Attachment A was in place. Karen stated this would be an exception since it is moving through City Departments, and would still go through the Parks Department's process, but would not go to a vote of the people.

Board member Jason Rupinski wondered about the super-majority language as written, and if the entire council would need to be present as it is written in the attachments, as that seemed very difficult. Because a quorum is in theory only five members, not all nine, and some members may have to abstain for conflicts of interest or other reasons, he asked for some clarity on the language. Lisa answered that legislative council was not her area of specialty, but could get a follow up from attorney Marc Smith. He asked with Attachment B-2, what the intent of the super-majority is, and what its pitfalls could be as it is written. He did not suggest there was a right answer, but wanted some clarity. Lisa said she would try to get a quick answer for him. Karen Palus responded that the six and seven super-majority options were born out of a conversation with City Council and the Mayor after the land exchange with The Broadmoor in which there was a vote of six to three in favor of the land exchange. Six

members is the regular super-majority but there was a conversation about using seven votes in favor as an extra measure.

Board member David Siegel wanted to make a strong case for changing the *de Minimis* standard, and give background on the conversations at the committee level. He said the original five (5) acre exception was just a guess in early conversation and was not based on anything specific. He suggested in any recommendation, the Board would instead use the two (2) acres or 5%, whichever is less, exception if the Board were to make a recommendation and change anything.

Citizen Discussion:

Jim Lockhart, citizen, thanked everyone involved with this committee. He said the *de Minimis* issue clearly shows that the process used to create the POPS Initiative was well crafted. He said the option to give Council the vote is just Ad Hoc, and has less consideration for the parks. He reiterated Kent Obee's statement that the parks are for the people, and that parks add to property value. He said the key point is that the citizens own the parks, and therefore should be able to help decide how that changes over time. He said elected officials don't always vote with what voters express that they want, and this POPS Initiative would truly reflect the voice of the people. He felt many City decisions are made behind closed doors, and that the public only gets invited in after a deal has already been created. He said the City staff and administration shouldn't make the parameters and get the final say for our parks. He recommended Attachment A. Board Chair Mina Liebert, challenged his idea that decisions were made by the City behind closed doors, using the Larry Ochs sports complex as an example of a public process with neighbors not in favor of the chosen location, and therefore a new location was selected. She did ask about how this voting process would go if it was in the hands of the citizens, pertaining to if you can only vote in your district, how information is distributed, and how to educate the public on how an acquisition/exchange should or should not occur. Jim responded that Larry Ochs was a rare example, versus a developer wanting to acquire an area like Strawberry Hill. Mina said this was a tangible example, and included Strawberry Hill, asking if the improvements that the owner has made are not to standard or improving a space the Department didn't have the ability to do so. Kent Obee responded that Larry Ochs was not a fair hypothetical to Strawberry Hill based on acreage, and by the standards of these Attachments. Vice Chair Gary Feffer replied that Larry Ochs is a fair hypothetical because it was being used as an example of a very open public process and proof that deals are not made behind closed doors, which wasn't the case with Strawberry Hill, either. Kent answered that they would agree to disagree on Strawberry Hill. Board member Hank Scarangella commented that Strawberry Hill has been the focus of the POPS group, though it was one element in a large land exchange. The Board and Council acted on the land exchange as a whole, not one singular element. He said there were both easy and difficult parts of that land exchange, but his view of it was as a whole. Hank added that he was getting tired of hearing all comments come back to Strawberry Hill when it was only one element of the land exchange. Jim's final comment was that citizens had learned about the land

exchange after it had already been crafted, which added to his point that the citizens want a say in their park land.

Linda Hodges, citizen, spoke on behalf of the Aiken Audubon Society. She described many of the natural animal habitats in some of the areas that the POPS Initiative wants to protect. She stated that only half of the Garden of the Gods was permanently protected, and that additional parcels could be sold at any point. She also stated that many parks are not fully protected, which leads to millions of acres of bird habitat being lost every year. She said that we have an opportunity to protect park land, and should capitalize on it. She said that the Aiken Audubon Society will be supporting the POPS Initiative, to give voters the option to decide.

Getty Nuhn, citizen, reiterated what Linda, Jim, and Kent had said before her. She stated she hadn't visited Daniels Pass in the last 10 or 12 years due to how overgrown and eroded it was. She felt that the exchange was made by people who had never seen the area. She also said that Strawberry Hill housed a lot of wildlife which has been displaced by development, including mountain lions and bears. She urged the Board to vote to protect the parks, as they are the face of the City and people come from all over the nation and the world to see our parks. Vice Chair Gary Feffer asked if she would suggest that in the case of Strawberry Hill, if we would have been better off leaving the area how it was, with the wildlife, instead of having the new Chamberlain Trail being completed, which also brings people to the area. Getty responded that a trail is a good thing, but there has to be a better process to make those decisions. She felt that a great deal of value was traded for an area people seldom use.

Marcy Morrison, citizen, spoke on behalf of the League of Women Voters in support of the POPS Initiative to protect our parks. She said she felt very strongly that what we have needs to be protected, using the saving of the old city courthouse as an example. She elaborated about the value of parkland not only for health, but for property value as well. She said she had a realtor friend look into 1275 housing units of all types (single family, condo, townhome) throughout the city, and said 731 of those 1275 homes had something about parkland or views in their description. She shared that 638 of those 731 houses have parks near their homes. She also said that giving citizens the right to vote on such issues also helps with participation.

Bruce Hamilton, citizen, stated that he echoed all of the previous statements made in favor of the POPS initiative.

Sarah Bryarly, citizen, had a few questions regarding what would happen if the POPS Initiative were to be approved by Council and taken to a citizen vote. She addressed the fact that if a land exchange were to be on the ballot, who would be in charge of distributing factual information about it, as the City cannot take a stance on a ballot issue. She asked how much information the City could provide so there is a balanced argument. She also addressed the *de Minimis* standard of the original five (5) acres versus the new two (2) acres or 5%, whichever is less, to say that in the case of neighborhood parks, that very few people invest their time

outside of their own neighborhood parks. She said it could be potentially detrimental for people from different areas voting for parks in areas they don't spend much time in or feel the impact of. Sarah's next comment was if this created precedence for the rest of the Departments citywide. She sees this initiative as an attempt to do good, but could potentially hinder other Departments who have less of a public following than the Parks Department if people were to mimic our process of land exchange in other Departments. Sarah questioned what the process would be if an opportunity to buy, sell, or exchange land were to arise shortly after an election, and if that project would be postponed. Specifically, she asked if there could be special processes for a project with a very strict time frame for completion or if that project would have to fall to the wayside. Her final question was if there could be multiple transactions on one ballot, and if this would create a problem for certain voters who may check "no" for everything. Karen Palus answered that once an item is on the ballot, the Department would not be able to speak on it, only answer questions. We would have to go through election procedures after the item is referred to the ballot. In regards to the larger population voting on a smaller area, this was a concern of Council Member Don Knight, as what may sound like a good idea to vote for would have a direct negative impact on the neighborhood. He also expressed that a Council vote creates a much more selective effort to look at the properties in question than a citizen vote. Karen also commented that there was a discussion with City Clerk Sarah Johnson's office about if there was a possibility to break some of this voting down into smaller precincts, but that is not a possibility. Karen answered Sarah's question about special processes for opportunities that fall shortly after an election, to which Karen responded that there are no special provisions written, only the exceptions listed. Karen also answered that having multiple transactions on a single ballot can be a danger, as it could feel like too many items to vote on, and depends on when the election falls (National, midterm, etc.). Board member Dr. Daniel Bowan commented that in the big picture of properties this could have been used for in the past 20 years, there were only a handful of cases. Karen said yes, that there were only a few, and would depend on frequency and cost of election. Karen said past discussions with Council was that the processes have worked in the past and they know more of what to expect, versus the unknown of what a citizen vote would look like, which could potentially challenge the City greatly for opportunities. Karen mentioned that the specific cases that this would've covered in the past would be two transactions in North Cheyenne Cañon and one in the Garden of the Gods. Vice Chair Gary Feffer asked what the second transaction in North Cheyenne Cañon was, to which Karen responded that it was the Seven Falls property.

Susan Davies, Trails and Open Space Coalition (TOSC) Executive Director, commended the passion of the groups behind the POPS Initiative. She also expressed that TOSC had no position, as they had not had a meeting to discuss this item. Susan expressed that she was sharing her own recommendations, as a citizen. She did feel as though this was a "solution looking for a problem." She felt as though there was a good reason our community didn't have an ordinance like this, and felt that the Advisory Board spending so much time debating and thinking through different items to reach consensus, though they may not always agree with each other illustrates the level of responsibility taken by the Board in its decision making role. Susan said she felt that the overall community doesn't have the knowledge that is

sometimes required in such large land exchanges. She wanted to believe people would educate themselves on what would benefit the greater good, but that isn't always the case. She believed there would be missed opportunities. She did, however, urge the Board to make a decision today, as Council would be looking for a recommendation. She urged them to vote for the way that would serve the parks system best.

Board Discussion:

Lisa O'Boyle, City Attorney's Office, answered Jason's question from earlier about what a quorum for a super-majority Council vote would require. She confirmed that his initial comment that more of a quorum would be required for this type of vote was correct, and the hard number would control. If the six or seven super-majority was recommended, you would have to have at least that number of positive votes for it to pass. Jason said the way it is written in the different Attachments, is that all of Council would need to be present, and if this was the intention of how it was written. Lisa responded she didn't think that would be required and you could still have abstentions or excused members but you would need the controlling number. Jason asked if there was a possibility to change this language to potentially say "of those present" or "eligible to vote" so it's less black and white. Lisa said she would be happy to look at it again. Board member Hank Scarangella asked if it would be possible to also clean up the language surrounding undeveloped land, which Hank had not remembered as being limited to PLDO undeveloped land. He said this is only referenced in Exception 8 of Attachment C, but not in Attachment A or B. Lisa said she had taken note of this and recommended this would be cleaned up, if this was proposed. Hank felt as this Exception 8 in Attachment C is more encompassing than in Attachment A. This would exempt any undeveloped parkland, from whichever motion moves forward, no matter how the City came to obtain it. Board member David Siegel asked Hank if he preferred that version of Exception 8 in Attachment C to Attachment A, to which Hank said he preferred Exception 8 in Attachment C. Lisa said that her reading of Exception 8 in Attachment C still does tie that exception to development related exactions. She said this doesn't change the meaning of the undeveloped land.

Committee Representative Comments:

Board member David Siegel said he had no definitive idea yet in his mind on the best option. He started the process with a strong belief in representative democracy, and that though the parkland belongs to the people, we elect officials to be our representatives to steward the land. He felt this was different than the administrative arms of city government controlling the land. Through the process, he was encouraged by the thoughtful exceptions that the committee came up with, that yielded good results. He did not expect to see the suggestion from Council Member Williams to use the super-majority vote, but was taken by the idea and thinks that ultimately that idea holds merit while increasing protection for parks. He is not in favor of the "do nothing" approach, and that these exceptions were set out in the work of the committee, and favored the exceptions in Attachment A. He referred back to his core belief in representative democracy and believed they could make a motion using the Attachment A

exceptions with some of the Attachment B-2 super-majority language. He was eager to hear the rest of the Board's thoughts.

Board member Hank Scarangella said that everyone had a common purpose, and that everyone in the room wants to protect parks. He said it is true that the citizens own the park, the streets, everything, but we choose to elect people to manage these things for us. He believes our voices are heard. He gave an example, being furious about a decision Council had made about the C4C Area on the Air Force Academy as a blighted area, which he communicated to Council. He said he didn't like the decision, but that he elected Council who made their best decision. He said even though he may not agree, he still has faith in City Council. He reiterated a point Sarah made about advocacy, and commented that only one side of the issue spoke on its behalf today, and that no one was here to speak on the other side. The government is constrained on how it can advocate for itself, which is good, but then only one side of the argument goes to the population, which may be ignorant of all of the information. He referenced the Land Exchange again as being a very large complex vote, not one issue. He spoke about the same issue Sarah mentioned, that you may love your own neighborhood park, but with this Initiative, someone who couldn't even find it on a map could vote for what happens to it. He agreed with David that Council is a better representative. On the six or seven super-majority vote issue, Hank researched that when we changed forms of government from Council to Council-Mayor, the Charter was amended to require six votes of Council to override a mayoral veto. He said six votes seemed like a precedent to him. He asked if we were to get to a super-majority vote, if conveyance of parkland is more important than overriding a veto. He asked if six votes would be sufficient. He began this process thinking we did not need to make a change, but was influenced by the conversation in the committee, and felt an additional level of protection is necessary. He said constructing a motion would be interesting because there were inconsistencies in the language and also so many options. He said another challenge is finding the right thing to do.

Board Comments:

Board member Carol Beckman said she also felt as though Strawberry Hill was still being debated and instead that the intention was to look for what would be best for the future. She felt there were practical problems with putting this to a people's vote. She stated that ideally you have thoroughly educated electors, not a lopsided media campaign using emotion, but we don't live in the ideal. There could be many different ways to spin these arguments, for example, a developer could have a great ad campaign behind their project, and the City can't say anything. She said she was feeling rushed, and there hasn't been much presentation about this item. She said the super-majority idea felt very rushed. She wondered if there was a possibility to do majority plus one, instead of a super-majority in the case that all Council members could not be there. She did like the exceptions the committee came up with, but felt the super-majority option could come with unintended consequences such as not having enough people to vote so an opportunity is missed.

Board member Michael Phan said he believed there was already a good process in place. He added that everyone has the same goal, and he felt the process was thorough. He said he was fearful of adding layers to the process that would take away from efficiency, especially when we are backed up on other issues. He echoed the statement that not many people are going to be invested in a neighborhood park that isn't in their direct neighborhood. Vice chair Gary Feffer asked if Michael's position would be to keep the process as is, in which Michael said yes.

Board Chair Mina Liebert said in thinking about the role of the Department as stewards of park land, there is no ill-intent made. She felt that things were thoroughly vetted and considerations taken into account. She stated that as an Advisory Body, the Board adds additional oversight. She was struggling with the idea that the majority of people who can vote might not seek out the knowledge to make an informed decision if one of these items were on the ballot. She questioned if people would be intentional in understanding what they are voting on. She felt that even as an educated voter, some of the questions in this discussion have even tripped her up. She was unsure if putting this initiative out there would make sense for the greater good, and the purpose of why this Department exists or even why this Advisory Board exists. She did say, however, this additional level of protection is thoughtful but might be adding another layer to impede opportunities for the Department to move forward. She said there are projects that are unfunded and backed up, and chances to obtain land to help with connectivity can take very long periods of time. She asked if not for the intent of doing good, if we were creating opportunities that would need more information and also negatively impacting opportunities because people don't have the information to begin with.

Vice Chair Gary Feffer gave an example of how he may not always agree with the overall things one person in government might do; agreeing with certain aspects does not align him with that person or change something about his personality. Gary then stated that in his eight years serving on the Parks Advisory Board, he had only put forth one motion: The Broadmoor Land Exchange. He said he felt that because of that one motion, to some, the Board had lost credibility and trust, and that bothered him. He said he has been on many Boards, and that the Advisory Board was the best Board he had ever been on, and he would miss it due to its connections to the City. He reiterated that the Advisory Board is not the enemy, as is sometimes the message received from citizen comment. He said before Strawberry Hill, everything seemed to be unanimous, and that turned the overall feeling to "us versus them." He said his vote would be to do nothing, to not fix what isn't broken. He knows the people before him did a good job, and knows the people taking the three spots becoming available will do an even better job. He mentioned a phone call with Kent Obee after the final appeal from Save Cheyenne to the State Supreme Court failed, where Gary asked if all of Kent's focus and effort could be put into a way to permanently fund this Department so we don't have to be as compromising, and we wouldn't have to do as much. He hoped that citizens could put faith in the Board, but that they were not the final decision, either.

Board member Ron Ilgen agreed with Gary about many of his points. Ron said he heard two basic talking points, one being to protect public land. He commented on a citizen who was moved to tears previously in the meeting talking about how important Panorama Park is to the Southeast region and her thankfulness to the Board for approving the Master Plan. He said he admired everyone's passion, but that citizens are "preaching to the choir." He said the other talking point was the vote of the people. He reiterated that democracy is not perfect, but it is the best we have. He agreed there are imperfections, but was unsure the vote of the people was the best way to go. He asked where the vote of the people stops, if that is at parks or bike lanes or have we opened the door for more. He also agreed that this felt a little rushed. His position was not to "do nothing," but to keep the process and look at what could be some of the flaws in transitioning land. He reiterated that not all parks are protected, and that could be strengthened. And he said they need to find a way to make people who are passionate feel like the process was fair and amicable.

Board member David Siegel wanted to address the idea of "don't fix what isn't broken." He said he saw an obligation to our parkland to be stewards and protectors, by being proactive. He said just because the current system works okay, there is no harm in adding a layer of protection, which has been well thought out by the committee. He stated he was not in favor of the public vote, as it added too much liability and uncertainty. He felt that the Board was well informed, as is Council, and there should be an added layer of protection as well as a layer of trust to the Department. He believed there was a lot of value in being proactive, especially with reasonable exceptions that don't limit the ability to function as a Department.

Board member Hank Scarangella touched on David's comment about trust, saying trust is annulable. He said we could believe a super-majority option could engender some trust given the current situation, but that is not knowable.

Board member Dr. Daniel Bowan stated that this is more of a take on the philosophy of government rather than the philosophy of parks. He respected the committee and said this is a challenging conversation, and that we all have the same goal to protect the beautiful public lands we all like to enjoy which is an awesome responsibility. He felt his role is to represent the public, and to take a big picture approach and trust his gut. His gut feeling is that though there may be negative consequences and some complications, the people should be able to vote on these decisions. He thinks the argument not to trust the public to be informed has good merit, but we live with it every day. He knows this could be an expensive process, but in the history of the Department, it has only been a handful of instances and slowing down the process isn't a bad thing.

Board member David Siegel offered a motion to recommend that Council approve or refer Attachment B-2 to the November Ballot, amended to use Attachment B-2 with the Exceptions in B, C, and D of Attachment A as well as Exception C-8 in Attachment C replace Exception 8 in Attachment A. Motion retracted.

Board member David Siegel offered a new motion to recommend that City Council refer Attachment B-2 to the ballot using sections B, C, and D language of Attachment A instead of the equivalent language in B-2 with a recommended seven super-majority Council votes. (Option 5, with language from Attachment A).

Board Discussion About Proposed Motion:

Board member Ron Ilgen inquired why he chose B-2. David responded that he believed in representative democracy and the vote of the people came with too many complications. Ron asked why David felt something needed to be done beyond the status quo to which David replied that an opportunity to further protect should be taken, and he would rather be proactive than reactive, and this was an opportunity to do so.

Board member Hank Scarangella wanted to clarify that if Council chose this recommendation, how it would be implemented in the Charter. Karen Palus responded that this item would be on the ballot in November to change the Charter to these terms. If it did not pass, the current process would remain.

Board member Ron Ilgen asked David Siegel if he would make any other changes or if he felt confident in this motion. David responded that he didn't have a good answer but felt comfortable with the mechanism and the exceptions of the motion.

Board Chair Mina Liebert recapped quickly to make sure she had heard the motion correctly. **She stated that this would be Option 5 of the proposed motions, to recommend to City Council the proposed Charter amendment requiring a super-majority with exceptions (Attachment B-2) with a super-majority defined as seven votes of the entire council for consideration for placement on the November 2019 election ballot, with language from Attachment A – B – Term Definitions, C – Conveyances not requiring a vote, and D – Parkland Designation List.** David Siegel said he would be open to discussing the six or seven super-majority options with the rest of the board if someone seconded the motion.

Motion: to recommend to City Council the proposed Charter amendment requiring a super-majority with exceptions (Attachment B-2) with a super-majority defined as seven votes of the entire council for consideration for placement on the November 2019 election ballot, with language from Attachment A – B – Term Definitions, C – Conveyances not requiring a vote, and D – Parkland Designation List.

Motioned by – David Siegel, 2nd by – Hank Scarangella

Board Discussion:

Board Chair Mina Liebert asked if our question was to choose a six or seven Council super-majority vote. She clarified that this says any land that is to be exchanged *de Minimis* two (2)

acres or 5%, whichever is less, would be decided by Council with a super-majority outside of these parameters, if passed on the November 2019 Ballot.

Board member David Siegel made a motion for seven, but said he was candidly stumped about the number to choose and agreed with Jason Rupinski's earlier notion that the typical super-majority was a vote of six. He said he was uncomfortable with a hard number definition, and was curious if the City Attorney's Office could offer some advice on this, potentially having a majority plus two or a quorum, basically a mechanism without a hard number. Lisa O'Boyle from the City Attorney's Office came to the podium and offered to answer David's question after addressing a concern with the verbiage Mina used in the description of the motion using "and exchange" because this initiative is not confined to exchanges. She reminded the board that this refers to conveyances as defined, which could include but is not limited to land exchanges. Lisa also added that working with the six or seven hard number and quorum concerns could be reworked but there would need to be a recommendation which states what the Board would be working to achieve through a change to that.

Board member Ron Ilgen stated that he felt six or seven are appropriate numbers for City Council to determine, as they have the background knowledge on how those decisions go.

Board member Carol Beckman said she would feel more comfortable with a Council super-majority of six. She couldn't accept the rationale for seven. Hank Scarangella also reiterated the precedent for overriding a mayoral veto only requires six votes.

Board member Carol Beckman made a motion to amend the current motion to have six council super-majority votes instead of seven. David Siegel accepted the amendment. Ron Ilgen seconded the motion.

Amended Motion: Move to recommend to the City Council the proposed Charter amendment requiring a super-majority of City Council with exceptions (Attachment B-2) with super-majority defined as six votes of the entire council for consideration for placement on the November 2019 election ballot, with language from Attachment A – B – Term Definitions, C – Conveyances not requiring a vote, and D – Parkland Designation List.

Motioned by – Carol Beckman, 2nd by – Ron Ilgen

Board member Carol Beckman moved to amend the motion so the exception that "undeveloped PLDO park land" be changed to "undeveloped park land." She used the example before of donated land that cannot be developed, that would later be traded for something else. She questioned why not change this to any undeveloped land. David Siegel described a conversation he and Hank had with Lisa O'Boyle during the break earlier in the meeting, in which Lisa explained the difference, or lack thereof, in Exception 8 in Attachment A and Attachment C. He asked Lisa to explain this difference for the Board. Lisa said that her explanation stated there was a difference in the language between the two, one using "not

developed” and the other using the term “defined as not developed parkland.” She said the real piece of this was not the development piece, but instead the PLDO piece. She said if the PLDO portion was removed, using conveyance of undeveloped parkland instead of PLDO land use exactions and annexations to the city, is a departure of what was discussed in the POPS Working Committee. Hank Scarangella asked if PLDO property was, by definition, exempt. Karen Palus responded that it had to be undeveloped PLDO property, and if it was developed and on the park designation list, it would be subject to the requirements. Lisa said she believed Karen pointed out that several parks on the designation park list were PLDO acquired. Karen said once a park is developed, using John Venezia as an example, that the developed portion is on the park designation list. Hank asked why it is important to stipulate PLDO in Exception 8 when we are talking about undeveloped land, but just land acquired under the PLDO ordinance. Lisa clarified if he meant under PLDO exactions, which he said yes. Lisa recollected from meetings with the POPS Committee, the need to trade parklands acquired through exactions would probably be more frequently exercised than in donations, gifts, or other acquisition methods. Karen said the conversation about PLDO versus just undeveloped was because of examples like North Cheyenne Canon Strawberry Hill, which was undeveloped, and would be exempt under these terms. Carol Beckman said she didn’t know why donated undeveloped land should be excluded from the exceptions, and change the language to undeveloped park land. David asked if she meant Exception 8 in Attachment A, to which Carol replied whichever exception would need to be changed to say simply “undeveloped parkland.” Both Mina and David said that they believed there was a reason there was a distinction between “undeveloped land acquired through PLDO” instead of just “undeveloped park land.” Kent Obee offered that the committee decided to use the “undeveloped land acquired through PLDO” because in the history of exchanges, the area that was most troublesome was PLDO. He said that the developer will set aside a parcel per PLDO and then as the development goes ahead, they want to change the location of the park, sometimes for good reasons. Kent used Larry Ochs as an example of this flexibility. He stated that there was no other type of land that required so much flexibility to be PLDO specific. He said from the point of view of many on the POPS Committee, they did not want the loophole to be so big, that you could then take an undeveloped piece of a park, using North Cheyenne Cañon as an example, and say it is up for grabs. The PLDO exclusion both narrows the definition of what is undeveloped but also to give the City, Parks Department, and the developers the flexibility to move parcels around. Karen gave one point of clarification that this exception only applied to property we have officially taken ownership of. Until the Department has ownership, developers can move those properties around when they want, through the land use process, before the City accepts it, stating Wolf Ranch as one example. When a property is in our ownership is when we could be flexible with an opportunity.

Vice Chair Gary Feffer addressed Kent Obee, mentioning patience, collaboration and compromise. Gary asked Kent, representing his committee, if his impression that this item was all or nothing (either going to the vote of the people for what they wanted), or if this compromise would be embraced. Kent responded that in the final meeting, with all four organizations represented, that the unanimous agreement was that a compromise would not be accepted going to a super-majority vote. He said their group went back to the premise that

parkland belongs to the people, and that was the purpose of their motion going forward. Kent also said he felt that everyone was getting bogged down in hypotheticals, and other cities in Colorado who have these protections, do not have difficulties. He said this hurdle of a vote of the people would require the city to find other ways to obtain land without doing exchanges. Mina Liebert asked if he believed this would create more barriers for the Department, to which Kent responded he didn't think so, just that they would have to jump a higher hurdle. Kent would ask that if the Department wanted to acquire land, they could find other funding. Dr. Daniel Bowan believed that this was a positive direction to find a solution, which he commended the committee's time to taking the right steps. Kent said he simply liked the idea of a safe guard, and this seemed sensible.

Board Chair Mina Liebert reiterated the motion: (Option 4) Move to recommend to the City Council the proposed Charter amendment requiring a super-majority of City Council with exceptions (Attachment B-2) with super-majority defined as six votes of the entire council for consideration for placement on the November 2019 election ballot, with language from Attachment A under section B – Term Definitions, C – Conveyances not requiring a vote, and D – Parkland Designation List.

Board member David Siegel just wanted to clarify that this, if passed, would still go to a vote of the people on the November ballot to amend the City Charter. Karen agreed that this would have to pass with the citizens or the regular process would resume. Mina Liebert added that until this changes, the Department will operate as is. Mina asked if this was put on the ballot, if the city would pay for this. Karen answered that it was a part of our regular City process, since there are other items on the ballot. All items do have to go through Council before placement. Mina did ask Karen if this was outside of a regular election, if it would cost the City versus being added to already planned items, which Karen confirmed it would. Carol asked if there would be an expense difference if there were fewer or less items in a regular election, to which Karen said no, that the only expense difference would be for a TABOR item, since it requires extra notification.

Vice Chair Gary Feffer requested individual votes. Board Chair Mina agreed.

In favor: Carol Beckman, David Siegel

Opposed: Michael Phan, Daniel Bowan, Gary Feffer, Mina Liebert, Hank Scarangella, and Ron Ilgen

Absent: Jason Rupinski

Motion failed

Board member Ron Ilgen stated that the motion seemed to be in the weeds. He asked if the process was sufficient, and if that is what we were arguing, or if there needed to be changes made to the process.

Board member David Siegel asked if those comfortable in saying why they declined the vote would offer their explanation, or what they would hope to change.

Board chair Mina Liebert responded that part of it was that the committee only wanted one thing, instead of the extra layer that Council will provide. She also said part of her reasoning was that the outcome would not satisfy the POPS Committee. She added that the process can always be improved, but her concerns were, if this was passed as a vote to the people, whether or not the people who would be voting would be informed enough to make an educated decision. Mina felt that this is not always the case, through her observation from the area in which she works, where most people are not even registered to vote. She didn't believe it would do good to vote on an area where many members of its community couldn't even vote one way or another. David responded that was his reasoning to not support Attachment A, the vote of the people. Marcy Morrison, of the League of Women Voters, expressed disappointment in comments relating to people not being educated in their voting. She stated that she understood the frustration, but encouraged Mina not to give up on the public when it comes to voting. Mina responded that she was using her own personal observations and survey data which reflected that people are not always informed voters, or voters at all.

Vice Chair Gary Feffer stated that he voted in opposition because the POPS Committee replied that they would not be satisfied with the proposed outcome. Gary said he is willing to compromise, but was frustrated that he felt the POPS group view their item to be all or nothing. David Siegel added that he didn't think a compromise required both sides to be happy, which Gary agreed to.

Board member Ron Ilgen answered David's question, saying it wouldn't have mattered how he voted, because he is on the fence. He said it was worth considering, but when he saw the opposition he voted with it. He did add that it was a very valid proposal. David responded that he didn't ask to interrogate, but just genuine curiosity and how to move forward.

Motion: To approve Option 8, to move to recommend to the City Council the continuation of the current procedures for property transactions as defined in *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests*.

Motioned by – Carol Beckman, 2nd by – Michael Phan

Board Discussion:

Board member Ron Ilgen asked if this could be amended. He said he believed the discussion was between if this procedure was good enough or if it could be improved in some way. Karen Palus said there is nothing precluding the Board from making this decision, and then with that decision stating that you would like to look at this in more depth. Karen commented that multiple Board members did say they felt rushed, and this could be brought to Council with the comment that more time would be needed to look at the current procedure and further deliberate improvements. Ron replied that he did not like the "do nothing" approach and he felt David brought up good points about possible flaws and risks. Hank Scarangella

responded that not knowing what the Real Estate Manual revisions looked like created some uncertainty in relation to conveyances. Hank asked if the Parks Board could be involved in the Real Estate Manual revision in regards to parkland. Britt Haley offered that they could keep the motion the way it is, but give direction to staff on additional protections. This would keep the motion clean but also show direction to staff in regard to improvements. Britt shared some insight with the Board about the Real Estate Manual's updates, being that the updates are not substantially different in terms of the jurisdictional approach. It is not a super-majority, there is still the standard process of taking things to council, with a majority vote as it is now.

Voting:

In favor: Hank Scarangella, Mina Liebert, Michael Phan, and Carol Beckman
Opposed: Ron Ilgen, Gary Feffer, Daniel Bowan, and David Siegel
Absent: Jason Rupinski

Motion failed.

Board Chair Mina Liebert asked if there were any modifications anyone wanted to make, to create a new motion.

Board member Michael Phan asked Ron if there was any way he could incorporate direction to the staff in that motion. Ron replied he was wrestling with that issue. Ron said that this was saying there was faith in the current procedure, but wanted to see if there is anywhere in the procedure that warrants improvement or safeguards. Mina asked if maybe these improvements could lead to one of the options listed in the future. Ron responded that could be true, or some variation thereof. Ron said maybe more needs to be considered, and he knew a lot of work went into it.

Board member Hank Scarangella wanted to be clear that, with the exception of Dr. Daniel Bowan, there was not support for this to become a vote of the people. He said essentially the two options came down to David's proposal or Carol's proposal, and both had failed. Hank thought it would be better to come back to David's proposal.

Board member David Siegel asked if there could be exceptions that could be added to his motion to loosen the requirement that would encourage an opposed vote to be more interested or moved in support of the motion. Mina said the Real Estate Manual was something to consider.

Vice Chair Gary Feffer stated that the committee had worked hard to work out hypotheticals through the modifications and exceptions, and it doesn't put a handicap on the ability for the Department to do business. Hank agreed the exceptions are appropriate.

Board member David Siegel proposed the following motion: (Option 4) Move to recommend to the City Council the proposed Charter amendment requiring a super-majority of City Council with exceptions (Attachment B-2) with super-majority defined as six votes of the entire council for consideration for placement on the November 2019 election ballot, with language from Attachment A under section B – Term Definitions, C – Conveyances not requiring a vote, and D – Parkland Designation List.

Motion by – David Siegel, 2nd by – Gary Feffer

Board Discussion:

Board member David Siegel said he would candidly prefer the “do nothing” approach but looked towards pragmatism, and whether or not the POPS Committee representatives were satisfied, he saw this as a compromise. He said when this position of leadership is taken on, the goal is to move toward compromise, for himself at least. He said he would be open to direction or language that upon making this recommendation, the Board continue to work with City Council to streamline concerns about how exactly a super-majority functions. He said by voting today, it still doesn’t go to the ballot and there is still opportunity to work on smaller concerns and this moves toward a reasonable solution.

Vice Chair Gary Feffer commented that he is on the Urban Renewal Board that brought up Hank’s issues about the C4C items that came before the board and was then passed by Council. Gary said he opposed this issue, in compliance with Hank’s concerns. Urban renewal did pass this item, and last week the Urban Renewal Board had to vote on the same item, and he voted in favor of it in order to move it forward. He voted for it because the Board voted to move it forward. Gary said that he didn’t think there was anything wrong with the current parks procedure, but he is voting to compromise. He believed the exceptions do protect the parks without tying the Department’s hands to make decisions.

Board member Hank Scarangella said he echoed Gary’s statement.

Board member Ron Ilgen asked if the POPS Working Committee would be dissolved. Hank said there were no further meetings. David believed they had suspended, not dissolved. Lisa O’Boyle said the committee’s purpose was to help craft the language in Attachment A, and didn’t believe there was an ongoing purpose of the group. Ron wondered if there was another option, but there was a current motion. Hank reminded the Board this was their only chance to give a recommendation to Council given time constraints to get an option on the Ballot. Karen Palus said once a recommendation is made, it would be loaded into the system for a Council work session on July 22, and then go to the regular meeting on August 13. The item has to be reviewed by Council twice since it is a charter amendment, which would be viewed again at the following meeting.

Board Chair Mina Liebert had a final question regarding if someone were to read this, would it look like an extra layer of government.

The motion was restated: (Option 4) Move to recommend to the City Council the proposed Charter amendment requiring a super-majority of City Council with exceptions (Attachment B-2) with super-majority defined as six votes of the entire council for consideration for placement on the November 2019 election ballot, with language from Attachment A under section B – Term Definitions, C – Conveyances not requiring a vote, and D – Parkland Designation List.

1st – David Siegel, 2nd – Gary Feffer

Voting:

In favor: Ron Ilgen, Hank Scarangella, Mina Liebert, Gary Feffer, David Siegel, Carol Beckman

Opposed: Dr. Daniel Bowan, Michael Phan

Absent: Jason Rupinski

Motion passes 6 to 2.

Action Item

Panorama Park Master Plan (time certain 9:00 a.m.) (Presented by Connie Perry, Landscape Architect)

Connie Perry from the Parks, Recreation and Cultural Services Department, Emily Patterson from the Trust for Public Land, Joyce Salazar with El Paso County Public Health and the Rise Coalition of Southeast Colorado Springs, and Jesse Clark from Stream Landscape Architecture, presented the final draft for the Panorama Park Master Plan. Connie stated that the project is now a year and a half into its three year plan. The group also gave an update from their June 20th master plan meeting and some survey data collected from over 400 neighbors to help finalize the master plan. Emily stated that the community effort around this park has been truly driving the project, including their Youth Advisory Council (YAC). Joyce gave some more detail about the community's part in this project, and thanked the Board for all of their support. Allen Beauchamp, Trails and Open Space Coalition, spoke about his involvement with the YAC regarding biking connectivity and wayfinding by doing organized rides with the community, through help from the Atlas Prep bike library and the Sand Creek Public Library. Finally, Jesse detailed for the Board the final plan, noting some of the changes made since the last meeting.

Board Discussion:

Board member Jason Rupinski said he really enjoyed the plan, but had a question about the budget and if there was any information in how it is being funded. He also stated that this was part of the TABOR action item that was also going to be voted on. Connie responded that they don't have a finalized number for cost since the design hasn't been approved yet and there are still facets of it that can change or be done in phases. She said the master plan, if approved, would then go into a refinement process, with a better number to come in the future. She also noted the different funding sources, including a GOCO Grant, TOPS funds, PLDO funds, TABOR revenue retention funds, and finally charitable and partnership contributions. Jason then asked if approving this master plan with current funding would tie the Department's hands with time and budget. Connie said there were no major constraints, and the goal was to build this over 2020 and 2021. She said the only constraint was of the grant obligations, which are flexible, and some of the other funding sources have already been approved. Connie added that they have a vision, and as they proceed they will see how much they can match up to the design provided. Jason's main concern was being sensitive to master plan changes that may come up in the future due to funding shortfalls or surpluses. Connie responded that this master plan was just a concept, with the one being presented to the Board as the "A" plan, and that there would also be a minimum plan, moderate plan, and a high reaching plan, and that in the refinement process, these plans would be developed. Connie thought that the project would at least reach the base plan, and likely the medium plan. Jason's final clarification was what was being approved, and if it was the slide in the PowerPoint with the design on it, to which Connie replied yes.

Board member Ron Ilgen asked how the maintenance for this park would be absorbed in the budget, and if there was any concern about expenses. Park Operations Manager Kurt Schroeder replied that since there is already a park there being maintained, there is already certain maintenance procedures in place. As far as staffing, there is someone going to the site on a periodic basis, and there is some irrigation in place. Kurt stated there are issues with the current park that he felt confident would not continue with the newly constructed park, in the form of misuse, which creates a burden on staff. He said there are dollars in place already and that the cost would increase, but not significantly. Karen Palus also mentioned that the Department had allocated funds from the cable franchise account to help maintain this facility. Board Chair Mina Liebert asked if there was the ability to use TOPS rangers because of the TOPS funding. Britt Haley responded that those rangers only apply in the open space category of TOPS funding.

Board member Hank Scarangella thanked the group for all their efforts to move this park forward.

Vice chair Gary Feffer commented that approving this project is something he encouraged the board to continue to keep at the top of the "To-Do" list for future voting. Gary detailed how important this project is to many different entities and commended the Parks Department for taking the lead.

Board member Dr. Daniel Bowan commented on the survey data and preferences, and asked if the public liked the final master plan or had commentary. Emily responded that their June 20th meeting, which included 50 participants, had only positive feedback about the final master plan. She also said most of the results from the survey were reflected in the final plan. Dr. Bowan said for future reference, if the Department were to get feedback on a master plan, he would like to see that data presented to the Board. Dr. Bowan also commented on the zip line being at the top of the list of preferences. Jesse Clark responded that a zip line was one specific element that can be incorporated later, but isn't yet in this master plan stage. Emily added that the goal is to encourage a certain type of play, but not specific equipment yet. Finally, Dr. Bowan added that he would've liked to see a pool as an option, as there isn't a close outdoor pool nearby. Board chair Mina Liebert commented that a pool was an option in previous public meetings but didn't make it through further refinement. Vice chair Gary Feffer added that there is a pool nearby at the Southeast YMCA which does allow for daily admissions; however it is indoors.

Board member David Siegel added that he wanted to see this project kept at the top of the list of projects as it will be catalytic. He also wanted to state for the record that public art is a park amenity just like a playground is a park amenity. He followed up that he took exception with the phrase in the slide featuring the final design plan that said "multi-use gathering area with possible public art," stating we don't say "adventure trail loop with possible bike challenge course." He said wording or phrasing like this is how public art gets dropped off, and becomes expendable with the use of the word "possible." He said he would love to see the word "possible" removed because public art is a critical piece of the park. He commended TPL for their work with creative place making initiatives, but asked again to have the word removed from the final plan. Jesse answered that they hadn't considered the interpretation of the word there, because they always planned to have art throughout, and just used the "possible" as a potential placeholder. Connie said that since her involvement, there has been public art in discussion since the beginning, including the idea of utilizing a local public artist. She had been in conversation with Joyce Salazar about how they would find the artist or artwork they wanted to incorporate.

Board member Michael Phan agreed that the plan was overall great. He asked about long-term sustainability for the park and encouraged that to be kept in mind. He asked if an enterprise zone was a funding source for this area. Connie replied they would pursue that if it's possible.

Board member Carol Beckman asked if any changes had been made to the master plan since the June 20th meeting. Jesse responded that there had been some subtle changes, like to the location of the pavilion and the alignment of the trail, since the previous June 13th Parks Advisory Board meeting, but not since the June 20th public meeting. He stated the changes made after the previous Parks Advisory Board meeting were only made to make features of the park work better together and honor the requests made by the public. Carol was glad to see the inclusion of natural grass. She asked about the outdoor classroom option, and if it would be in the park or part of the school. Jesse detailed on the plan where this would be,

and that the school could choose to make a formal connection. Carol's next question was about interim shade before the trees reach maturity. Jesse responded that the aspect of shade was taken very seriously. The plan proposes three pavilions with structured shade, as well as a picnic grove which would include trees as well as furnishings with built in shade, like a picnic table with a metal umbrella. Carol asked what type of trees would be planted, to which Jesse replied that would be discussed later in the plan, but it was likely going to be a mix of different trees. He also said naturalized areas would have different trees that would work with the water those areas receive. Carol questioned if there would be seating around the walking paths. Jesse answered that funding would help drive the amount and type of seating, which could include benches and boulders. Carol commented on the pavilions and if there would be a reservation process for them as there are in other parks. Connie replied that reservations for the pavilions were not part of their plan, but they are also not to that level of planning. She said they would follow current park policy about the larger pavilion if it meets requirements. Carol noted that one of the desires in the survey was maps, and she was wondering if that meant bike maps, and how they would be distributed. Allen Beauchamp commented that there is a map in development for that specific area, but that you can also see these trails in the citywide bike map. Allen also ventured to say that the Trails and Open Space Coalition used the basic map and were adding extra wayfinding, as well as going out on rides with the kids to help encourage wayfinding. Carol's final question was about the priorities of the park throughout the different types of plans. Connie answered that the infrastructure, such as grading and parking, is a large piece of the funds it would require to build this park. However she did state that the accessible play area, seating, and basketball court are in the top priority as well as the shade and walkway system. She added that certain elements may fall higher or lower on the scale of importance, or happen later. Bathrooms are also a main priority. She did say that play is definitely a huge aspect.

Board Chair Mina Liebert reiterated how important this project is to her and this community. She made another reference to the importance of trees and having shade, as the Southeast community is almost six degrees hotter than other areas of town according to recent studies. She said anything that can be done to add to the urban canopy of that area is extremely important. She said the overall process has been a huge collaborative partnership and wouldn't have been possible without all the organizations involved. The partnership and the City stepping up has been extremely special, but also a priority for everyone involved. She commended Stream Landscape Architecture for how present they were in the process, and how quickly they worked. She said it was a vision many people have had for the Southeast as a place to gather and have social connections, and also reduces social isolation for all ages. She added that this park will be a cornerstone for the built environment work that needs to occur in the Southeast region, and how we can bring more people to this area to enjoy the culture and richness.

Citizen Discussion:

Joyce Salazar, Rise Coalition of the Southeast, introduced Nadia and DeShawn, two members of the Youth Advisory Council (YAC). DeShawn said he skipped football practice to speak to

the Board because this park was an even bigger commitment for him than football. He said he's very happy to have a playground and a park nearby to hang out in without traveling. Nadia stated how excited she is to have a brand new park, as it will bring people together. She said she has loved meeting people throughout her time serving on the Youth Advisory Council and looks forward to the renovations.

Allen Beauchamp, Trails and Open Space Coalition, said that his organization looked to the YAC for activation, and all feedback was positive. He invited the Board and citizens attending the meeting to a bike ride the following Saturday from the Deerfield Hills Community Center bike library to Panorama Park, starting at 7:45.

Abby Simpson, Parks Board Alternate, works for the Sand Creek Library and is so excited to see this project moving forward.

Motion: To approve the Panorama Park Master Plan.

Motioned by – Jason Rupinski, 2nd by – Carol Beckman, Approved, Unanimously

Action Item

Centennial Boulevard Extension (Presented by Aaron Egbert, Senior Civil Engineer)

[Link to PowerPoint presentation](#)

Aaron Egbert from City Engineering reminded the Board of the presentation he gave last month about the planned Centennial Boulevard extension. The presentation had not changed since the previous Parks Advisory Board meeting.

Board Chair Mina Liebert stated that a few of the Board members were able to go to this proposed area with Aaron to see the site and said it was helpful seeing what was being exchanged. She said the extension would make a lot more sense, though it looks awkward in photos now.

Vice Chair Gary Feffer agreed the tour was very helpful.

Board member Hank Scarangella also agreed the tour was very helpful, and asked the street name of where Centennial currently ends. Aaron answered that street is Van Buren. Hank commented that this area is blocked off currently and if it would remain blocked off, to which Aaron replied that it is only barricaded temporarily to keep people from cutting through. Hank asked where the interchange that would give better access to Sondermann Park would be. Aaron clarified that this would be a pedestrian crosswalk.

Board member David Siegel also appreciated the tour. He was still uncomfortable with the northwest portion that closely borders Centennial with the grading that will take place. He did not see much value in parkland, and as a one-to-one exchange where the Parks Department

has land to give up, what the implications of taking the narrow area of the land on the northwest side and retaining it for Public Works. Aaron clarified the strip, and David also mentioned it's under the Broadview Open Space. Aaron responded that they wanted to clean up the area. Britt Haley added that this pedestrian access in this section connects to Broadview Open Space. Aaron added that it doesn't serve Public Works' interest, but works as a linear connector for the Parks Department instead of leaving the area patched together between Departments. David worried about the maintenance responsibility, when it doesn't add value to the asset. Kurt Schroeder said that if this is in our inventory, the Department having control, is a positive.

Board member Carol Beckman asked about the 10 foot pathway, and who is building that and maintaining it. Aaron answered that Public Works is both building that pathway and will maintain it. Her next question was about the Mesa Valley Trail, as last month it was not listed as a system trail but was pointed out as one at the tour. Kurt Schroeder responded that it is a system trail. Carol said at the site tour, it was discussed that a connector would be built between the 10-foot pathway and the Mesa Valley trail, and if Parks staff would agree to do. Aaron responded using the map, showing a section had been graded out that could have a pedestrian bridge in the future but that this might require a master plan for the Mesa Valley Trail, Sondermann Park, and the Broadview Open Space, which Park and Rec would handle. Carol felt that providing a connection would make a lot of sense. Carol asked if we would do a master plan. Britt Haley replied that we could, but that project is not on the scope of projects now. Britt said that the entire drainage and waterway would need a lot of protection from erosion and that there are issues with camping in the area. Britt said this project would provide some of that protection through use of the detention pond and the development, but a lot of work will need to be done. Carol asked if a connector trail could be put in there fairly soon, which Britt said she didn't believe would happen, given the current work plan. Gary Feffer commented that the demand will increase for a trail there, and we may see that when more developments are created in the area. Britt Haley said there were other complicating factors. Carol commented that it would be better to see system trails than social trails in the area. Britt said that there was a deed that could be restricting building. Carol asked about the connector to the Mesa Springs Trail and how the 10-foot path would connect. Aaron said the trail would connect and showed the area on the map, and showed where you could cross the street and find it. He said this trail will come to the signaled intersection at Chestnut and Centennial Boulevard. Carol asked if there had been discussion with the Friends of Sondermann Park, and Aaron said he didn't believe there was a group called that but that they had met with the Catamount Institute and Mrs. Sondermann, and there were no concerns. Carol had a question about locating the detention pond and Public Works' desire to put them on Parkland. Britt responded that every project has its own restrictions. Britt said most times a detention pond is an opportunity for Parks to work with Public Works to protect our waterways and drainages. Britt said it's better to take these opportunities in the design stages, where green infrastructure can be implemented, rather than wait until it's too late.

Motion: Move to approve the proposed land exchange as presented.

Motioned by – Ron Ilgen, 2nd by – Carol Beckman, Approved, Unanimously

Action Item

2020 Golf Fees & Charges (Presented by Pat Gentile, Golf Courses Superintendent)

[Link to PowerPoint presentation](#)

Pat Gentile presented a PowerPoint to the Board that had been a presentation item last month. There were no changes to this presentation from the last month.

Board member Ron Ilgen asked if this was presented to the public in any public meeting. Pat answered that there were two public meetings, one at Patty Jewett with seven attendees and one at Valley Hi with no attendees. He said most of the interest was looking for other ways to pay for these projects.

Board member Dr. Daniel Bowan asked if the “Happy Hour” pricing to play golf was new. Pat responded that it is being used as a discount previously that had not been advertised, but now would be thanks to a suggestion from Council Member Don Knight. Daniel said he felt differential pricing is important in golf. He also commended Pat for the transparency and honesty in pricing, as these prices were a little higher than comparable courses throughout the Front Range.

Board member Carol Beckman asked if fees collected at Patty Jewett will help cover CIP needs. Pat answered that these will cover a proposed repayment bond and maintenance fees collected will help cover water cost. Carol asked if current capital needs are covered and Pat said no, but these dollars would cover some of the smaller needs. Carol asked if these improvements helped meet the needs of the efficiency audit. Pat commented that these needs such as the boiler are going to take longer to address, but small changes like lighting at the buildings and upgrades to equipment are helping with efficiency. He said the rest of those needs will be addressed in their regular budget.

Motion: A motion to recommend approval of the proposed fee increases for the Golf Enterprise effective January 1, 2020 as shown in Exhibit A.

Motioned by – Carol Beckman, 2nd by – David Siegel, Approved, Unanimously

Action Item

Resolution Referring TABOR Excess Revenue Retention Question to the Ballot (Presented by Karen Palus, Parks, Recreation and Cultural Services Director)

[Link to PowerPoint presentation](#)

Karen Palus gave a summary of this resolution that refers to a ballot question proposed on the November 2019 election ballot. She also gave background on previous examples of the use of this revenue following previous elections. In the PowerPoint was a list of projects that would be funded by this revenue.

Board member Hank Scarangella asked how the \$7,000,000 being returned to voters would be distributed. Karen answered that this would equate to less than \$32 returned per household.

Board member Dr. Daniel Bowan asked what the Council asked to be changed, to which Karen responded that some dollars were pulled from other projects to fund the new master plan for Norman “Bulldog” Coleman Park. She said they were anticipating receiving \$4.1 million from the sale of Springs Ranch, and that funding would go to construction to finish that park once a master plan is completed.

Board member Ron Ilgen asked if an argument could be made in the equity in distribution of these projects, as they seemed downtown specific. Karen responded that the distribution had been purposeful as part of the sesquicentennial celebration for the City. Gary Feffer commented that we need to convey that message better so more citizens understand why the plan is downtown-centric. Karen agreed and said once she has explained it to citizens who have asked; they understand and appreciate the idea.

Board member David Siegel had an ordering question. He liked the idea of polling but also asked why and how we arrived at these projects before doing polling. Karen answered that you have to have questions to test, and that these projects have been in our queue with community members making requests for them. She also said some of the projects fall in with the Master Plan efforts of water footprint reduction, safety, and ADA requirements. All of the different projects were looked at in the queue, and the challenge was on how to distribute money between projects around the city that need to be completed. We know trail improvements are successful, but this is our only source to take care of the proposed trails as TOPS money cannot be used on them. David said the way to approach something like this would be to take 15 priorities and decide on what polls best, as this seemed a little rushed. He asked why the board was being presented with these options now rather than through the capital improvement presentation. Karen responded that the Mayor is making these recommendations to City Council, and would like to have input from the Parks Advisory Board. Karen mentioned we also looked at projects already taking place in the community that we can’t fund through other mechanisms to bring these projects forward. David’s final point was that in future TABOR overrides, he would love to look at the City Auditorium. Vice Chair Gary Feffer echoed this statement, as he served as the Parks Advisory Board representative on the City Auditorium RFP Committee.

Board member Dr. Daniel Bowan asked if we were doing a vote for this revenue every year and it was just going to other Departments, or how often we see a vote like this. Karen responded that it depends on the situation with TABOR, as the last time we saw this was five years ago along with the 2C initiative. The Mayor and Council know that we have projects we can't fund, and typically when the money is going to go to parks, more citizens support it. This is also economy dependent. A TABOR refund also does not automatically get distributed to parks. Daniel asked what a sport court is, to which Karen responded that it is a dual striped court for multi-use.

Board member Carol Beckman asked if the language in the TABOR resolution would restrict us to the amounts listed. Karen said the projects are not tied to the amounts listed, and we can move money around. Karen said the goal is to accomplish as many projects as we can and we were successful in the past. Carol asked where the Mesa Trail is, and Kurt said it is the same trail as the one labeled as the Palmer Mesa Trail.

Citizen Comment:

Susan Davies, Trails and Open Space Coalition (TOSC) Executive Director, made a quick request knowing that as soon as this would be on the ballot and can't be modified, that staff come up with some language to support each of the projects. She said more context on projects would be helpful to voters to help them support.

Motion: A motion to recommend that City Council approve the proposed resolution referring to the qualified, registered electors of the City of Colorado Springs, the question of retaining and spending up to \$7,000,000, which is the estimated 2018 fiscal year revenue above the 2018 fiscal year revenue and spending limitations, for City parks, sports and cultural facilities and trail improvements, as a voter approved change.

Motioned by – Carol Beckman, 2nd by – Ron Ilgen, Approved, Unanimously

Action Item

Referring 2C Extension Question to the Ballot (Presented by Karen Palus, Parks, Recreation and Cultural Services Director)

[Link to PowerPoint presentation](#)

Karen Palus gave an overview of the 2C extension to the ballot. She said this was similar to the last 2C initiative but the Parks Department is mentioned in the language this time. This is a roadway initiative, with some modifications. There was a reduction from 0.62% to 0.57% in the amount of sales tax, and this would average about \$57 million of projects for our Public Works Department during the next five years of this extension. Karen's understanding was that there are more residential roads to be repaired in this plan. She

said in the last five years they have collaborated with Colorado Springs Utilities, so that the infrastructure is repaired as well. The biggest issues for Parks now are entry ways and parking lots. This initiative now includes park access roads and roadways, including the cemeteries. This will not solve the issue of parking lots.

Board member Carol Beckman asked if this excess revenue had excess revenue, where that money would go. Karen answered that the amount brought in can be spent up to its stated amount. Carol mentioned that the stakeholder list did not include parks. Karen responded that our projects were decided by our team, and the Mayor had an interest in repairing roadways in the Cemeteries and Golf Courses. Carol mentioned there were no bike lanes in the photos, though bikers also pay sales tax. Karen said she would pass the message along.

Board member David Siegel asked about the difference in polling between the 0.62% and 0.57% options for sales tax. Mina said that the Mayor had stated previously that if this issue were to return to the ballot, it would be less than before.

Board member Dr. Daniel Bowan echoed Carol's sentiments about biking, and if there would be a way to put in language about bike safety. Karen said she would share those ideas with Public Works.

Citizen comments:

Susan Davies, Trails and Open Space Coalition (TOSC) Executive Director, thought any help to support the Streets Department and the Bike Planning Department is very valuable, and a new Complete Streets policy is underway.

Motion: A motion to recommend that City Council approve the proposed resolution submitting to the registered qualified electors of the City of Colorado Springs, Colorado, at the coordinated election conducted by mail ballot to be held on Tuesday, November 5, 2019, the question of extending for a five-year period the temporary sales and use tax for road repairs and improvements at a reduced rate of 0.57% as a voter approved revenue change exempt from spending and revenue limitations.

Motioned by – Carol Beckman, 2nd by – Hank Scarangella, Approved, Unanimously

Presentation Items

Austin Bluffs Open Space Master Plan (time certain 11:00 a.m.) (Presented by David Deitemeyer, Senior Landscape Architect)

This item was postponed to a future meeting.

Board Business

Karen Palus, Parks, Recreation and Cultural Services Director

- Karen thanked Board Member Hank Scarangella, Board Vice Chair Gary Feffer, and Board Chair Mina Liebert for serving on the Parks Advisory Board. She mentioned how much she appreciated their time and effort in helping to make decisions to better our park system. She said the love and passion they had for our parks system was immeasurable.

Ron Ilgen

- Attended a few North Cheyenne Cañon bridge meetings, which were ongoing presentations.
- He said the concessionaire RFP for the Summit House is in the process of being determined.

Hank Scarangella

- He said the new board would need a new Larry Ochs and PLDO liaison.
- Karen asked that Hank Scarangella and Gary Feffer remain as citizens on the PLDO task force.

Gary Feffer

- Gary said that the City Auditorium is in the RFP process.
- Gary asked for an update on PLDO. Karen replied that there will be an internal meeting due to changes made to recommendations. She said Christi Mehew would be working on scheduling that meeting, and then the task force will get back together.

David Siegel

- The AAA project has done several focus groups in the last few weeks. The biggest news is that Antlers Park would have new ideas while Acacia and Alamo would have more rehabilitation done to them.
- The Public Art Master plan hasn't met since the last committee meeting but there is one next week.

Carol Beckman

- Carol expanded on the North Cheyenne Cañon bridges. They were instructed not to make new bridges look old. Three of the six bridges would be replaced, specifically those the longest spans. There was a meeting for options for design, and an idea was to keep the bottom of the bridges straight so it doesn't impact the creek.
- Austin Bluffs Open Space Master plan had comments about trails that will be interesting to hear next month.

Mina Liebert

- Mina will be staying on the LART Board during funding decisions, and David Siegel has been accompanying Mina when possible.
- TOPS went on a few site visits.
- Mina also welcomed the new board members, and thanked them for their patience.

Adjournment

Motion: Move to adjourn at 1:43 p.m.

Motioned by – Carol Beckman, 2nd by – Hank Scarangella, Approved, Unanimously