Parks, Recreation and Cultural Services

PR&CS Administration
1401 Recreation Way
Colorado Springs, CO 80905

Agenda- Revised
Parks and Recreation Advisory Board

Please silence your phone during the meeting.

Thursday, June 9, 2016 | 7:30 am | Palmer Room

Call to Order

Citizen Discussion
Time for any individual to bring before the Parks and Recreation Advisory Board any matter of interest they wish to discuss that is not elsewhere on the agenda. Comments are restricted to three (3) minutes; you will hear an alarm when your time is up. Please contact PR&CS staff no later than the last Wednesday of the month prior if you wish to place a longer presentation on the agenda.

Approval of Minutes- April 14, 2016 and May 12, 2016
Minutes are posted no later than 5:00pm on the Tuesday before the meeting at:
http://parks.coloradosprings.gov/explore-play/get-involved/boards-committees/parks-and-recreation-advisory-board

Action Item
- Recommendation to rename Palmer Park Grandview Overlook — Matt Mayberry/MatthewDriftmier
- North Nevada Avenue Pedestrian Improvements-Historic Median Modification — Tim Siebert
- TOPS Policy and Procedure Manual Revisions — Chris Lieber
- 2017 CIP Budget, Fees & Charges — Chris Lieber/Kim King
- Tutt Sports Complex – Utility Corridor — Chris Lieber

Presentations
- Cottonwood and Academy Trail Update — Alex Pellegrino
- North Cascade Avenue Pedestrian Improvements — Kathleen Krager
- Utilities Integrated Water Resources Planning Effort — Leon Basdekas
- 2016 Stewardship Update — Melissa McCormick

Staff Reports
- Bike to Work Day — Karen Palus
- Dedication of the Pikes Peak Hospice & Palliative Care Meditation Garden at Nancy Lewis Park — Karen Palus
- Corral Bluffs Open Space – Colorado Natural Area Designation — Chris Lieber

Board Business
- Committee Reports/General Comments
- Recommendation of TOPS liaison to City Council
- Election of Board Chair and Vice Chair

Parks, Recreation and Cultural Services

Adjournment

Picnic for outgoing Parks and Recreation Advisory Board members to follow at Monument Valley Park

Parks, Recreation and Cultural Services

COLORADO SPRINGS PARKS AND RECREATION DEPARTMENT

PARKS AND RECREATION ADVISORY BOARD

Date: June 9, 2016

Item Number: Action Item# __1_____

Item Name: Recommendation to Rename Palmer Park Grandview Overlook

Summary:
Parks, Recreation and Cultural Services staff requests a motion to approve action on a citizen's proposal to rename the Grandview Overlook in Palmer Park in honor of former Colorado Springs Mayor John Robinson.

Previous Parks Board Action:
In May 2016, the Parks and Recreation Advisory Board heard a presentation on this proposal by Matthew Driftmier, Executive Director of the Colorado Springs Company. No action was taken at that time, but board members asked that the Guardians of the Palmer Park have an opportunity to review the plan.

Background:
The property now known as Palmer Park was donated to the citizens of Colorado Springs by Gen. William Jackson Palmer. The Grandview Overlook has long been a visitor destination within the park. Mr. Driftmier proposes to rename the overlook in of Mayor Robinson, because of information contained in letter written by Robinson in 1900. This letter indicates that Robinson played a role in encouraging Palmer to acquire a portion of Austin Bluffs for a public park. Mayor Robinson served between 1899 and 1902.

Stakeholder process:
Mr. Driftmier reviewed his proposal with the Guardians of Palmer Park, and they support the concept.

Alternative:
The Parks and Recreation Advisory Board can recommend that the traditional name "Grandview Overlook" remain unchanged.

Recommendation:
Staff recommends approval of the citizen proposal. If approved, new wayfinding and interpretive signage will be needed in Palmer Park, and that process could take several months to complete.

Proposed Motion:
Move to approve the proposal to rename the Grandview Overlook as the "Mayor John Robinson Grandview Overlook."

COLORADO SPRINGS PARKS AND RECREATION DEPARTMENT

PARKS AND RECREATION ADVISORY BOARD

Date: June 9, 2016

Item Number: Action Item #___2___

Item Name: Request by NES Inc. on Behalf of Colorado College to approve the proposed North Nevada Historic Median renovation as part of the East Campus Student Housing project.

SUMMARY: NES Inc. on behalf of Colorado College has submitted to the City of Colorado Springs Planning – Land Use Review Division a Development Plan application for a new east campus student housing project located at the SE corner of North Nevada Avenue and Uintah Streets. The site is currently zoned Special Use (SU) which allows for all activities associated with colleges and universities including residential and parking uses. The project includes 154 student housing units and a surface parking lot containing 124 spaces with access to Weber Street. The site layout and building placement (interior quad) directs pedestrian traffic to the southwest end of the site. A newly planned pedestrian crossing of Nevada Avenue which may become a pedestrian-operated signalized crossing, also involves closing the vacated portion of San Rafael Street, closing the median, and removing the existing crossing. This approach is at the request of the City Traffic Engineer (Kathleen Krager) to obtain access management and provide a safe crossing while minimizing the jaywalking condition. Proposed modifications to the historic medians are required to be reviewed and approved by the Parks and Recreation Advisory Board.

PREVIOUS BOARD ACTION: NONE

BACKGROUND: The median in Nevada Avenue at this location currently has a break because it was a former intersection with San Rafael Street. San Rafael Street between Nevada Avenue and Weber Street was vacated by City ordinance on April 11, 2006 and conveyed to Colorado College. With this project, the western portion of the driveway will be removed to create a new open landscape area. (Ref. Handout). Therefore, the median break is no longer needed. The modifications to the median are proposed to close the gap between the two existing medians to allow for a net increase of landscape area of 1750 square. No existing trees will be impacted with the proposed closure or relocation of the pedestrian walk. Colorado College currently maintains the Nevada Avenue medians between Cache la Poudre and Uintah Streets and would continue to do so. This responsibility includes mowing, watering, seasonal plantings and other maintenance activities. The new median landscape design is to be included in the required Final Landscape and Irrigation Plan. *Also see attached handouts.*

FINANCIAL IMPLICATIONS: There should be no financial implications to the City PRCS Dept. The planning, construction and long term maintenance will be by Colorado College. Possible construction coordination PRCS staff time may be needed regarding irrigation or street tree protection.

BOARD/COMMISSION RECOMMENDATION: N/A

ALTERNATIVE:
The Board may choose to approve, modify, or disapprove the proposed Median modification resulting from the proposed Development Plan application.

RECOMMENDATION:
Staff recommends approval of the historic median modification.

PROPOSED MOTION:
A motion to approve the proposed North Nevada Historic Median renovation as part of the East Campus Student Housing project.

Attachments:
Neighborhood Meeting May 5, 2016 - Project Summary
Neighborhood Meeting May 5, 2016 - Power Point project overview (Page 8, new crossing location)

PARTIES NOTIFIED OF THIS MEETING:
Tim Siebert, NES (Consultant)
Ryan Tefertiller, City of CS - Urban Planning Manager
Old North End Neighborhood Association

Colorado College
East Campus Housing Project
May 26, 2016

Proposed Median Closure at Nevada Avenue and San Rafael Street (former street intersection)

The Colorado College East Campus Housing project is proposed for the city block southeast of Nevada Avenue and Uintah Street. The site is currently zoned Special Use (SU) which allows for all activities associated with colleges and universities including residential and parking uses. The primary development area of the site is along Nevada Avenue where 154 student housing units are planned along with a community building which anchors the new landscape quadrangle. A surface parking lot containing 124 parking spaces is also planned and will have access from Weber Street. The building entries all face toward the new internal quadrangle space in order to funnel pedestrian traffic to the southern portion of the site. A newly planned pedestrian crossing of Nevada Avenue may become a pedestrian-operated signalized crossing. This approach is used to reduce/eliminate jaywalking conditions along Nevada Avenue in the area.

The median in Nevada Avenue at this location currently has a break because it was a former intersection with San Rafael Street. San Rafael Street between Nevada Avenue and Weber Street was vacated by City ordinance on April 11, 2006 and conveyed Colorado College. With this project, the western portion of the driveway will be removed to create a new open landscape area. Therefore, the median break is no longer needed. The modifications to the median are proposed to close the gap between the two existing medians to allow for a net increase of landscape area of 1750 square. No existing trees will be impacted with the proposed closure or relocation of the pedestrian walk. Colorado College currently maintains the Nevada Avenue medians between Cache la Poudre and Uintah Streets and would continue to do so. This responsibility includes mowing, watering, seasonal plantings and other maintenance activities.

A Preliminary Landscape Plan is included with the Development Plan submittal. A final Landscape Plan will be submitted separately after the DP approval for review by staff.

Existing Conditions

Proposed Site Plan

Project Overview

Goal: Bring students currently living in the neighborhood back within the campus boundaries

- Total Student Population: approximately 2080
- Students residing on campus: approximately 1,500

- No increase in overall student population
- 154 Student Beds
- Upperclassman residents
- Building design is intended to limit jay walking across Nevada Avenue
- Close current San Rafael access on Nevada Ave.
- Crosswalk location to have pedestrian operated signal. Press button and wait for green similar to Steele Elementary School at Weber Street.
- Underground existing overhead electric lines
- New storm water quality pond

COLORADO SPRINGS PARKS AND RECREATION DEPARTMENT

PARKS AND RECREATION ADVISORY BOARD

Date: June 9, 2016

Item Number: Action Item #___3___

Item Name: TOPS Policies and Procedures Manual Update

SUMMARY: Revisions to the TOPS Policies and Procedures Manual are needed to clarify the role of the TOPS Working Committee, incorporate recent plans adopted by the City such as the Colorado Springs Park System Master Plan, and to reflect minor changes in Committee procedures. The overall mission, goals, objectives and procedures of the TOPS Working Committee remain unchanged.

PREVIOUS BOARD ACTION: NONE

BACKGROUND: On April 1, 1997, the Trails Open Space and Parks (TOPS) Ordinance was approved by the citizens of Colorado Springs, establishing dedicated funding for trail, open space and park projects. In 2003 the TOPS Ordinance was amended to extend the TOPS sales tax through 2025. The TOPS Working Committee is responsible for setting priorities and making recommendations for the expenditures of TOPS funds.

Originally adopted by the Parks and Recreation Advisory Board in 1997, the TOPS Policies and Procedures Manual guides the TOPS Working Committee in fulfilling their mission to "Work together, in accordance with the TOPS Ordinance, to guide our City in the prudent acquisition, development and preservation of Trails, Parks and Open Space, thereby creating a legacy for future generations in the Pikes Peak region."

On October 7, 2015, the TOPS Working Committee reviewed the existing Policies and Procedures Manual and identified potential updates and revisions. A subcommittee of the TOPS Working Committee was formed to review the Manual and recommend any proposed changes. On May 5, 2016, the TOPS Working Committee recommended approval of the draft Policies and Procedures Manual. The proposed changes and recommendations are reflected within the draft TOPS Policies and Procedures Manual. (See attached).

FINANCIAL IMPLICATIONS: None

RECOMMENDATION:
Staff recommends approval of the proposed TOPS Policies and Procedures Manual update and revisions.

ALTERNATIVE:
The Board may choose to approve, modify, or disapprove the proposed TOPS Policies and Procedures Manual.

PROPOSED MOTION:
A motion to approve the proposed TPOS Policies and Procedures Manual update and revisions.

PARTIES NOTIFIED OF THIS MEETING:
Jason Alwine - TOPS Working Committee Chair

TRAILS, OPEN SPACE AND PARKS

POLICIES AND PROCEDURES MANUAL

SEPTEMBER, 1997
Revised March, 2016

COLORADO SPRINGS PARKS & RECREATION

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ACKNOWLEDGEMENTS

TOPS WORKING COMMITTEE

Stephen D. Harris, Chairman
Ann Oatman-Gardner, Vice-Chairman
Ken Andrew
Doug Carter
Randle W. Case II
Theresa Cavalier
Patti F. Margrave
Lee Milner
Frogard J. Ryan

Andrew Cobb, Interim Chairman

PARKS AND RECREATION ADVISORY BOARD

Kyle L. Blakely, Chairman
Andrew W. Cobb, Vice-Chairman
Theresa Dent
Wayne Fisher
Mary Tom Isaac
Frank Marconi
David Melendez
Ron O'Canna
Chris Vadala

PARKS AND RECREATION DEPARTMENT

Paul D. Butcher, Director
Terry H. Putman, Manager of Planning, Development and TOPS
Christian Lieber, TOPS Assistant Manager
Carole Kingston Miller, Cover Photographs
Denise Sherwood, Desktop Publishing

Printed on Recycle Paper

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TRAILS, OPEN SPACE AND PARKS POLICIES AND PROCEDURES

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PART I.
MISSION STATEMENT
AND
GOALS

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COMMITTEE MISSION: Work together, in accordance with the TOPS Ordinance, to guide our City in the prudent acquisition, development and preservation of Trails, Parks and Open Space, thereby creating a legacy for future generations in the Pikes Peak region.

COMMITTEE GENERAL GOALS:

- ***Prioritize options and then remain focused on those priorities.***
- ***Maximize the leverage value of TOPS revenue.***
- ***Give appropriate consideration to projects in each category - Trails, Parks and Open Space.***
- ***Build trust through effective and proactive communication with the public and the media.***
- ***Fulfill our fiduciary responsibility to the citizens of Colorado Springs by practicing due diligence in our decision making process.***
- ***Coordinate our efforts with neighboring agencies when possible.***
- ***Educate the public of the TOPS Program accomplishments.***

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PART II.
BY-LAWS

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ARTICLE I - FORMATION,NAME AND AUTHORITY

1. The Parks and Recreation Advisory Board has been appointed by City Council to serve as the Trails, Open Space and Parks Citizen Advisory Committee in accordance with the voter approved Trails, Open Space and Parks Ordinance. Three members of the Parks and Recreation Advisory Board are appointed by City Council as Citizen Advisory Committee Members with specific roles as identified in the TOPS Ordinance.

~~1.~~2. The formation and purpose of the TOPS Working Committee:
The Parks and Recreation Advisory Board of the City of Colorado Springs, in accordance with item #11 of Board Policy (12/87), unanimously voted on June 24, 1997 to appoint a nine member citizen committee. The purpose of this committee is to evaluate and prioritize spending options for the revenue generated by the TOPS sales tax which was approved by Colorado Springs voters in the April 1, 1997 election, and based on the committee evaluation, make spending recommendations to the Parks and Recreation Advisory Board for approval.

The three members of the Parks and Recreation Advisory Board that ~~area~~ are appointed by City Council to serve as Citizen Advisory Committee Members attend TOPS Working Committee meetings and serve as liaisons between the TOPS Working Committee and the Parks and Recreation Advisory Board.

~~2.~~3. The name of this organization shall be the TOPS Working Committee, hereinafter known as the Committee.

ARTICLE II - MEETINGS

1. Regular meetings of the TOPS Working Committee shall be held in a convenient location on a day and time to be set by the committee. All meetings will be posted at least 24 hours in advance.

2. Special meetings of the Committee may be held as necessary at the call of the Chairperson. Notice of the time, place, and purpose of all meetings of the Committee shall be given to each member at least 24 hours in advance of each meeting.

3. A complete agenda, with sufficient supporting documents to allow an adequate basis for decision-making, shall be ~~mailed~~ sent to each member five ~~working~~ days in advance of all regular meetings.

4. Unscheduled additions to the agenda shall be allowed when necessary, provided that decisions shall not be required on such items if the majority of those present feel the need for further discussion and data.

5. The following shall be the normal order of business at meetings:

   a. Call to order

   b. Agenda Review

   c. Citizen discussion

   d. Approval of minutes of previous meeting

   e. ~~Continuing Business~~Action Items

   f. ~~New Business~~Presentation Items

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g. Citizen Discussion

h. Legal Session (as need basis)

i. Adjournment

6. Public meetings for the purpose of gaining input from citizens shall be called by the Committee when deemed necessary, with adequate advance notice and publicity provided by the Department.

ARTICLE III - VOTING

1. Five members of the Committee present at any meeting shall constitute a quorum, and no action shall be taken without a quorum.

2. All motions, recommendations, and other acts of the Committee shall be determined by the majority vote of those present.

3. All voting shall be by voice vote, unless a roll call vote is requested by one or more members, in which case the minutes shall record the vote of each member.

~~4.~~ Council rule 21-Parliamentary Law for Nonprofit Organizations shall determine the procedural conduct of all meetings, except as may otherwise be stated here.

ARTICLE IV - MEMBERS, OFFICERS AND DUTIES

1. Committee members term length: the Committee reports to and serves at the discretion of the Parks and Recreation Advisory Board. The normal term for appointees is three years with the option to apply for a second three year term. The initial terms have been staggered to promote continuity. Members appointed for a one year term may apply for two additional three year terms if desired. Members appointed for a two year term may apply for one additional three year term if desired. Re-appointment is not automatic.

2. The Committee shall endeavor to include at least one member from each Council District.

~~2.~~3. Alternate Members to the Committee may be selected to serve at the discretion of the Parks and Recreation Advisory Board. The normal term for alternates is three years. The Parks and Recreation Advisory Board may select up to two alternate members. Alternate members are non-voting and may not attend legal sessions. Alternate members may participate in Committee discussion, until such time as the Committee takes action on an item, such as by a motion or vote. Alternate members may participate in site visits and workshops.

4. New Committee Members shall be appointed in September of each year. Current and future Committee member terms shall end in September of each year.

~~3.~~5. In ~~September~~ October of each year, the Committee shall elect from among its members a Chair and Vice-Chair.

~~4.~~6. The term of office for each shall be one year, or until their successors are elected and take office.

~~5.~~7. The Chair shall work closely with the TOPS Program Manager of the Parks and Recreation Department in developing the agenda for the official meetings and in determining the need for special sessions.

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~~6.~~8. The Chair shall serve as liaison between the Committee, the Parks and Recreation Advisory Board and the media.

~~7.~~9. The Vice-Chair shall assume the duties of the Chair in his/her absence.

8. In the absence of both Chair and Vice-Chair, the Committee shall elect a Chair pro-tempore.

9. The responsibility of keeping Minutes of Committee meetings and of handling ~~secretarial~~ administrative duties of the Committee will be assigned to a staff member of the Parks and Recreation Department.

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ARTICLE V - AMENDMENTS

These By-Laws may be amended at any regular meeting by a majority vote of the full Committee, provided that all members have been notified in writing one week in advance of the proposed amendment. Final approval of such changes rests with the Parks and Recreation Advisory Board.

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PART III. COMMITTEE POLICY

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1. This is a working committee, therefore, all memorandums to the Parks and Recreation Advisory Board are recommendations and are to be so worded.

2. Attendance by Committee members at scheduled meetings, special meetings, go-see tours, conferences, workshops, etc., deemed important by the Director, is vital. Any member with ~~who misses~~ more than two consecutive unexcused absences or absence rate of 20% of the meetings within a six month period ~~40% of meetings during any 12 month period~~ will be asked to resign from the Committee. An excused absence shall be defined as one for which 24 hours prior notice has been given to the TOPS Chair or TOPS Program Manager.

3. The ~~R~~relationship of the Committee to the staff: Committee members channel of communication with the staff is through the Chair of the Committee to the TOPS Program Manager. Avoid requesting individual staff members for reports, favors or special considerations without clearing with the TOPS Program Manager.

4. The ~~R~~relationship of the Committee to the Parks and Recreation Advisory Board: Memoranda providing Committee recommendations are the primary source of communication. When requested or when deemed advisable, the Chair or designee, will be present at the Advisory Board meetings to state the Committee's recommendation and answer questions or submit written comments in lieu of being present.

5. The Committee reviews the TOPS budget and gives its recommendations. It is imperative that the Committee assist the TOPS Program Manager and staff in interpreting the needs and reasons for the budget adopted by the Advisory Board and City Council. The TOPS Program Manager or staff will keep accurate and current records on TOPS expenditures to assure compliance with the TOPS Ordinance.

6. The press and public may be present during all meetings coming before the Committee, except those dealing with land acquisition or legal matters. At these times the Committee Chairperson or TOPS Program Manager may request the press and public to leave the room. Calling of Executive Session must comply with the Colorado Open Meetings Act.

7. The Committee is responsible for implementing the Trails, Open Space and Parks (TOPS) initiative program by making recommendations to the Parks and Recreation Advisory Board on the acquisition and/or construction of trails, acquisition of open space and acquisition and/or development of parks.

8. The Committee will conduct periodic program evaluations, including a review and up-dating of goals. Recommendations for changes in Committee policy may be initiated by Committee members, Advisory Board, TOPS Program Manager, the Director, ~~City Manager~~Mayor, or City Council and acted on in the same manner as changes in the By-Laws which includes advance notice plus majority vote. Final approval of such changes rests with the Parks and Recreation Advisory Board.

9. Public meetings for the purpose of getting input and gathering consensus from the community may be called at the discretion of the Committee. Usually the Committee Chairperson will officiate; the TOPS Program Manager and staff will present background information and pertinent data.

10. The Committee's commitment to provide complete trails, open space and parks and recreation facilities for all parts of the city is best served by taking a broad view of the community as a whole in its budgetary procedures. The Committee opposes any budgetary divisions which might result in narrowing the perspective of Committee members into parochial concerns.

11. The City Attorney's Office provides an orientation for Committee members regarding conflict of interest issues. Members may find themselves confronted with a situation where they have a conflict of interest. The direction provided by the City Attorney's Office shall be followed in these situations.

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12. In order to vote on an open space proposal, each committee member shall personally visit each open space site under consideration for acquisition.

13. In order to vote on a trail or park proposal, each committee member must be reasonably familiar with each trail or park project.

~~14. A database of interested communities, groups and individuals will be solicited and updated periodically for use in informing the public and/or media when appropriate of public testimony sessions regarding open space acquisitions, trails and parks.~~

~~15.~~ 14. The committee will conduct business within the guidelines and/or requirements of the following documents which comprise the ***TRAILS, OPEN SPACE AND PARKS POLICIES AND PROCEDURES MANUAL:***

TOPS Working Committee Mission and Goals (~~Section I~~ Part I)
TOPS Working Committee By-Laws (~~Section II~~Part II)
TOPS Working Committee Policy Statement (~~Section III~~Part III)
TOPS Working Committee Acquisition Process (~~Section IV~~Part IV)
TOPS Working Committee Acquisition Options (~~Section V~~Part V)
TOPS Working Committee ~~Requests~~ Application for Funding (~~Section VI~~Part VI)
TOPS Working Committee Resource Assessment/Open Space Evaluation Questions (~~Section V~~Part VII)
TOPS Working Committee Appendix (Part VIII)

Other Supporting Documents:
TOPS Ordinance
Colorado Springs ~~Open Space Plan~~Park System Master Plan
~~Multi-Use Trails Master Plan~~
~~Parks and Recreation Master Plan~~
City Policy for Open Meetings
City Policy for Conflicts of Interest

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TIME COMMITMENT

FUNCTION	DATE	TIME	~~APPROX. MONTHLY HOURS~~Time Committment
Formal TOPS Working Committee Meeting(s)	To be determined	TBA	~~1½~~2 – 4 hours per month
Review of Formal Agenda/Site Visits	Prior to Formal Meeting	NA	2-3 hours per month
Meetings with Advisory Board	Varied	NA	6-8 hours per year
Work sessions, budget hearings, field trips	Varied	NA	~~4~~-8 hours per year

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AGENDA AND MINUTES PROCEDURES

Procedures regarding the agenda and minutes are as follows:

- The placement of items on an upcoming agenda should be referred to the Committee Chairperson or TOPS Program Manager.
- Agenda items may need Department staffing, which may require reasonable time for meetings and staff recommendations to be developed.
- Committee members, with input from the Chair, may place an item on the agenda for Committee discussion, which does not require a prepared staff recommendation.
- Executive session items may be closed to the public and must be relative to land acquisition or legal matters and must follow Council Rule 14.
- Executive session minutes are kept of executive session agenda items. This follows City Council meeting format Rule 15.
- Minutes of the regular session are ~~mailed~~ sent with the next meeting's agenda as stated in the bylaws. If minutes for an item are needed prior to that time, please notify the TOPS Program Manager.

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PART IV. AQUISITION PROCESS

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A. PARKS AND TRAILS ACQUISITION AND DEVELOPMENT

The Parks and Recreation Department has a long history of acquisition and development of parks and trails. Both parks and trails have approved master plans that will be followed to guide acquisition and development. The planning and development process for parks and trails includes a time tested public process. All development master plans are approved by the Parks and Recreation Advisory Board. Any acquisition and development using TOPS funding will follow the existing process.

1. PARK ACQUISITION, PLANNING AND DEVELOPMENT PROCESS

The acquisition, planning and development of neighborhood, community and regional parks generally follow the guidelines of the Parks and Recreation Master Plan. This plan is prepared with an extensive public input process and is updated approximately every ~~five~~ ten years.

a. Acquisition Process

The ~~City of Colorado Springs has an ordinance that~~ Public Space and Development Ordinance (PLDO) requires land dedication for neighborhood and community parks as a part of new developments. The majority of land that is in the inventory for neighbor and community parks has been provided by developers in compliance with the ordinance. These park sites are determined during the planning process for the subdivision master plan. The Parks and Recreation Department has been able to maintain a standard of ~~25~~ 5.5 acres of parkland per 1,000 residents using this ordinance and with the occasional purchase of additional land.

If there is a need to purchase land to add parkland within an area or if a special situation arises to add to an existing park, the process is as follows:

(1.) Staff will assess the property in question as to need and other conditions as required.
(2.) If the land purchase price is not agreed on initially, the staff will either negotiate with the land owner or work through land appraisals.
(3.) Once a purchase price is established, the acquisition proposal is forwarded to the Parks and Recreation Advisory Board for approval.
(4.) If the Board approves, the proposal is forwarded to City Council for final approval.
(5.) After City Council approval, the property transaction is turned over to the Real Estate Management Services Office to process. This process includes a Phase I Environmental Assessment and title and tax certification.

b. Planning Process

The Parks and Recreation Department has a planning process that requires extensive public and staff input. Neighborhood meetings are held to gather input for the master plan for each park. The final plan is then presented to the Parks and Recreation Advisory Board for approval.

c. Development Process

The development of parks begins with construction plans prepared either by staff or a consultant. These plans are subject to an extensive review process by various City departments. The construction of the parks is then managed by the Parks and Recreation staff.

2. TRAILS ACQUISITION, PLANNING AND DEVELOPMENT PROCESS

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The acquisition, planning and development of trails generally follow the guidelines of the ~~Multi-Use Trail~~ Park System Master Plan adopted by the Parks and Recreation Advisory Board and the City Council in 2014~~1988~~.

a. Acquisition Process

The City of Colorado Springs has an ordinance that requires land dedication for trails along the twenty-six trail corridors identified in the Multi-Use Trails Master Plan as a part of new developments. The majority of land that is in the inventory for trails has been provided by developers in compliance with the ordinance. These trail corridors are identified during the planning process for the subdivision master plan.

If there is a need to purchase land for trail corridors within an area the process is as follows:

(1.) Staff will assess the property in question as to need and other conditions as required.

(2.) If the purchase price is not agreed on initially, the staff will either negotiate with the land owner or work through land appraisals.

(3.) Once a purchase price is established, the acquisition proposal is forwarded to the Parks and Recreation Advisory Board for approval.

(4.) If the Board approves, the proposal is forwarded to City Council for final approval.

(5.) After City Council approval, the property transaction is turned over to the Real Estate Management Services Office to process. This process includes a Phase I Environmental Assessment and title and tax certification.

b. Planning Process

The-Park System Master Plan identifies existing and future trail corridors. The City seeks to secure these trail corridors through the Development Review Process and the PLDO Ordinance. If acquisition of additional land for trail purposed is required, the City's Real Estate Manual will be followed. For new trail corridors, the City shall conduct neighborhood meetings to inform the community and seek input. ~~Parks and Recreation Department has a planning process that requires extensive public and intra-city departmental input through the city Trails Team. The Trails and Open Space Coalition is a permanent member of the Trails Team as a means for providing public input. The final plan is then presented to the Parks and Recreation Advisory Board for approval.~~

c. Development Process

The development of trails begins with construction plans being prepared either by staff or a consultant. These plans are subject to an extensive review process by various City departments and appropriate regulatory agencies. The construction of trails is then managed by the Parks and Recreation staff.

B. OPEN SPACE ACQUISITION

1. Acquisition Priorities

a. Land that fulfills the system goal and purposes of the ~~Colorado Springs Open Space Plan~~ current Park System Master Plan.

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(1.) Creates large contiguous areas of native vegetation

(2.) Protects rare landscape elements and significant natural features

(3.) Maintains connections among open space areas

(4.) Conserves areas representative of Colorado Springs main natural area types: Grasslands, Foothills, Bluffs and Mesas and Riparian

(5.) Maximizes public access and recreational opportunities, particularly trail corridors within and between open space areas and opportunities for nature observation and environmental education.

(6.) Pursues the conservation of areas that reflect community values for open space that may not be tied directly to the protection of natural areas, such as historic resources, urban shaping and agricultural uses.

(7.) Protects environmental features: wildlife habitat, significant vegetation, water resources and natural hazards

(8.) Protects our community's visual resources

b. Lands that have long-term regional significance

c. Lands which serve multiple purposes

d. Lands or easement rights which are available where the current owner is willing and able to negotiate the sale

e. Lands which may have a higher and more immediate development potential

2. Acquisition Outreach

The regular and proactive contact of appropriate landowners is a corner stone of the TOPS program. The Parks and Recreation staff or their representatives shall identify the owners of all parcels deemed valuable to this community to be preserved as open space. ~~All owners of candidate lands identified in the Colorado Springs Open Space Plan shall be included. In addition to notice that their land is of community value, owners shall be provided information on personal benefits and alternative methods of participating in open space preservation. Owners shall be contacted a minimum of twice a year by mail and once a year by telephone or personal meeting.~~

C. Procedures

1. Acquisition or Development Requests

a. Staff Review

(1.) All acquisition requests shall be submitted to Parks and Recreation for consideration by the TOPS Working Committee. Requests for acquisition may be submitted by an owner or representative, a municipality, a public or private entity, private citizen, or by the City of

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Colorado Springs.

(a.) The request shall be written and shall include the information contained in the TOPS Application Form, Exhibit II-B-1

(b.) Staff shall assign a project tracking number, complete an application form and perform pre-screening as deemed necessary by Staff.

(c.) If the request meets pre-screening criteria, Staff shall complete a property profile/preliminary evaluation as deemed necessary. If the request does not meet the pre-screening criteria, Staff shall notify the applicant in writing and provide a report to the Committee at the next regular meeting. An applicant may appeal the decision to the Committee.

(d.) Staff shall schedule the request on the Committee meeting agenda. If the proposal is submitted by another government agency, a resolution by that governmental entity is required and shall accompany the request.

b. Trails, Open Space and Parks Working Committee Review

(1.) Acquisition proposals are presented to the Committee by Staff as an agenda item. Applicants will be notified of the meeting date for consideration of the proposal.

(2.) Following review of the request by the Committee and a preliminary determination to pursue acquisition, a field trip shall be scheduled with the Committee, Staff, applicant and if deemed appropriate, the owner or representative.

(3.) At a Committee meeting following the field trip, public testimony shall be taken and a vote taken on the proposal. In order to vote on an open space proposal, each committee member shall personally visit each open space site under consideration for acquisition. In order to vote on a trail or park proposal, each committee member must be reasonably familiar with each trail or park project.

(4.) If the proposal is recommended for approval, a Committee recommendation shall be prepared by Staff and signed by the Committee Chair. A minority report shall be prepared if appropriate.

If the proposal is not recommended for approval, a letter stating the decision of the Committee shall be prepared by Staff, signed by the Committee Chair, and sent to the applicant. If an Application is rejected by the TOPS Working Committee the Applicant may appeal the decision to the Parks and Recreation Advisory Board as follows:

a. Within 10 working days, t~~T~~he appeal must be made in writing to the TOPS Program Manager who will inform the Committee Chair of the appeal and immediately forward the appeal to the Chair of the Parks and Recreation Advisory Board.

b. The appeal will be placed on the Parks and Recreation Advisory Board agenda ~~as soon as is practicable~~within 30 days. The appellant will be notified in writing at least one week in advance of when their appeal will be heard by the Parks and Recreation Advisory Board.

c. The Parks and Recreation Advisory Board will hear the appeal and have latitude to recommend approval of~~-~~ the Application, deny the appeal, or send the Application back to the Committee for reconsideration.

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d. The applicant may re-submit a proposal that has been rejected only ~~of~~ if there have been significant/substantial changes in circumstances or financing that might warrant reconsideration.

(6.) For proposals recommended by the Committee for approval, Staff shall place the proposal on the next regular scheduled Parks and Recreation Advisory Board meeting as a legal item and prepare the agenda item for the Board agenda packet. If the Committee determines that the proposal can be in a public session, it shall be placed on the regular agenda.

c. Parks and Recreation Advisory Board Review

(1.) The proposal shall be presented to the Parks and Recreation Advisory Board by a representative of Staff and/or a representative of the Committee in a legal session or public session as determined by the Committee.

(2.) If the acquisition of property is initially approved by the Board, a title commitment, appraisal, survey and negotiations to acquire shall proceed. An appraisal may be authorized prior to the Board meeting upon approval of the TOPS Program Manager and/or the Committee Chair.

(3.) If the acquisition of the property is not approved by the Board, written notification of the decision shall be provided by Staff to the Committee, applicant and the owner or representative. The Board decision may be appealed by the applicant or member of the public to the City Council.

(4.) The Board decision should be placed by Staff on the next regular meeting of the City Council for consideration and approval. The proposal will be either on the regular or legal agenda depending on pending negotiations.

d. City of Colorado Springs City Council Review

(1.) The proposal shall be presented to the City Council by a representative of Staff and/or a representative of the Committee as determined by the Committee.

(2.) If the acquisition of property is not approved by the City Council, written notification of the decision shall be provided by Staff to the Committee, applicant and the owner or representative.

(3.) Following action on the recommendation by the City Council, copies will be provided to Staff and the Committee and the owner or their representative shall be notified by Staff of the City Council decision.

(4.) The acquisition of the property at this time shall be assigned to the City Real Estate Services Office to follow the City Land Acquisition Policy.

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PART V. ACQUISITION OPTIONS

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A. Intent

To provide guidelines on the types of land preservation techniques available to the TOPS Program.

B. Policy

1. The City of Colorado Springs may consider all available acquisition options and combination of options in order to maximize the Trails, Open Space and Parks Program funding.

2. The City of Colorado Springs shall participate in cost-share agreements, intergovernmental agreements, and partnerships with other public or private entities where appropriate.

3. The City of Colorado Springs shall take full advantage of outside grants where appropriate.

C. Procedures

1. The following preservation options shall be explored by Staff and the Committee when considering acquisition of property:

   a. Fee-simple purchase
   b. Donation
   c. Dedication
   d. Conservation easement
   e. Purchase /Transfer of Development Rights
   f. Lease with option to buy
   g. Leases and Management Agreements
   h. Purchase and leaseback
   i. Limited or joint venture development
   j. Options and rights-of-first refusal
   k. Undivided interests
   l. Remainder interests
   m. Conservation investors
   n. Exchange
   o. Installment sales

~~2.~~ Grant programs shall be explored by Staff when considering acquisition of property. ~~Grant programs include, but are not limited to:~~

~~a. Great Outdoors Colorado (GOCO)~~
~~b. State Trails Program~~
~~c. Land and Water Conservation Fund~~
~~d. ISTEA (Intermodal Surface Transportation Efficiency Act)~~

3. Acquisition Option Review

   a. The Parks and Recreation Staff shall coordinate the review of the acquisition option(s) as a component of the acquisition process outlined in Section I.

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PART VI. APPLICATION FOR FUNDING

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APPLICATION FOR FUNDING
TRAILS, OPEN SPACE AND PARKS (TOPS) PROGRAM

APPLICANT:

Name: _____

Agency: _____

Address: _____

City: _____ State: _____ Zip: _____-_____

Telephone: (_____) _____-_____

TYPE OF PROJECT: (Check all that apply)

Trail: _____ Acquisition _____ Development_____

Park: _____ Acquisition _____ Development _____

Open Space:_____ Acquisition: _____

OWNER: Is owner aware of this proposal?_____

Name: _____

Agency: _____

Address: _____

City: _____ State: _____ Zip: _____-_____

Telephone: (_____)_____ _____-_____

LOCATION AND DESCRIPTION -OF PROPOSED ACQUISITION:

Address:_____

_____

Description_____

_____

_____

Purpose of Acquisition:

_____

_____

_____

_____

~~**Proposed Type of Acquisition:**~~

~~Fee Simple_____ Sale_____ Trade_____~~

~~Conservation Easement _____ Donation _____~~

~~Transfer of Development Rights_____ Lease_____~~

~~Other_____~~

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APPLICATION FOR FUNDING

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TRAILS, OPEN SPACE AND PARKS (TOPS) PROGRAM

PAGE TWO

Proposed Type of Development:

_____

_____

_____

Please explain why this proposal is appropriate for TOPS Funding:
(200 words or less)

_____

_____

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FOR OFFICE USE ONLY

O.S. File No._____

Date of Proposal _____

Name of Project _____

City of Colorado Springs
OPEN SPACE PROPERTY PROFILE/

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PRELIMINARY EVALUATION

Prepared by Staff

Open Space File No: _____ Staff Assigned: _____ Date: _____
Name of Project: _____

Primary Criteria:
(score all that apply: 1-10 points each) (maximum score = 100) Score: _____

_____ Wildlife habitat/corridor
_____ Ecosystem preservation; species diversity
_____ Water resources (natural drainages, streams, lakes, ponds, wetlands)
_____ Riparian corridor (major stream corridors, potential greenways)
_____ Significant vegetation (type, mix, coverage)
_____ Significant geological formations or unique landforms
_____ Scenic quality (views to and from, relative visibility, visual significance)
_____ Open space linkages and trail connections
_____ Passive recreation opportunities
_____ Cultural, historic, archeological, or paleontological resources

Supplemental Criteria:
(score all that apply: 1-5 points each) (maximum score = 15) Score: _____

_____ Land adjacent to park or public open space lands
_____ Spatial definition and separation of developed areas
_____ Preservation of agricultural activities

Priority:
(score all that apply: 1-10 points each) Score: _____
(maximum score = 120)
_____ Identified for conservation in the ~~Colorado Springs Open Space Plan~~Colorado Springs Park System Master Plan
_____ Meets goals of potential open space system
_____ Serves multiple purposes
_____ Representative of one or more natural area types
_____ Long-term, regional significance
_____ Accessible to the public
_____ High and immediate development potential
_____ Land/easement rights available
_____Favorable terms and conditions
_____ Community support/partnerships
_____ Ability to combine acquisition with other conservation tools
_____ Maintenance and Management

Total Score:_____ (maximum score = 235)

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PART VII. RESOURCE ASSESSMENT/ OPEN SPACE EVALUATION QUESTIONS

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Requests for acquisition shall be reviewed by Staff. The proposed land acquisition shall be evaluated using the Open Space Property Profile/Preliminary Evaluation form, utilizing any and all resources available. Additional questions or issues may be considered during the evaluation process if determined appropriate by Staff.

I. Primary Criteria:

Wildlife habitat/corridor:

a) Are there any endangered species known to exist? Any threatened species?

b) Is there a wide diversity of wildlife present?

c) Is the land of sufficient size to provide stand-alone habitat to support the known species?

d) Does the land provide a critical corridor for movement of wildlife from one habitat to another?

e) *Is the land an important or critical element within a regional habitat?*

f) *Will development of the site negatively impact wildlife?*

Ecosystem preservation; species diversity:

a) Does the land contain a unique or rare ecosystem?

b) What types of ecosystem(s) are present?

c) What is the size of the unique or rare ecosystem contained on this land?

d) Does this land, when considered with any adjacent conservation land, have the size and resources necessary to sustain the ecosystem?

e) What flora or fauna is within the ecosystem?

f) Is the ecosystem free from detrimental factors such as insect, disease, and/or weed problems?

Water Resources: (Natural drainages, streams, lakes, ponds, wetlands)

a) Does the land contain unique water resources?

b) Does the land provide a variety of water resource habitats?
c) Is the site reasonably free of possible off-site impacts such as downstream flooding, mud slides, debris flows?

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d) Do the water resources found on this site have high quality water and habitat? Free from contaminants?

e) Is the site free from adjacent development impacts such as drainage or detention pond requirements?

Riparian corridor:

a) Does the waterway contain water year-round?

b) Does the vegetation in the corridor consist of native species? Broad diversity?

c) Will the land protect a sufficient amount of riparian area to positively impact the areas not protected?

d) Does the corridor contain significant or indicator plant and animal species?

e) Will the corridor support multiple purposes such as storm water management, greenway, wildlife, etc...

f) To what extent will development of adjacent property affect the corridor?

Significant vegetation:

a) Does the land contain unique or rare vegetation?

b) Does the land exhibit one or more vegetation community? Broad diversity?

c) Does the land contain healthy vegetation, free from insect problems, noxious weeds, and diseases?

d) Is the natural vegetation free from disturbance such as grading, propagation of non-indigenous species, or over grazing?

Significant geological formations or unique landforms:

a) How visible are the formations from adjacent areas or roads?

b) Are the formations those that make Colorado Springs, El Paso County, or adjacent counties unique along the Front Range?

c) ~~e)~~ Would the formations or landforms create public safety concerns if public access is provided?

~~e)~~ d) Can the geological features be managed to prevent endangering the resource if public access is provided?

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~~d)~~ e) *Does the land form rate highly on the Visual Significance Inventory identified in the 1996 Colorado Springs Open Space Plan?*

Scenic Quality: (Views to and from, relative visibility, visual significance)

a) *Is the land visible from a major arterial? A local collector? A rural road?*

b) *Does the land provide wide vistas, such as to the mountains, grasslands, to a major bluff, or overlooking the city and other lands?*

c) *Does the land rate highly on the Visual Significance Inventory?*

d) *Is the land, and adjacent land, free from visual distractions or intrusions such as utility sites, future easement, power lines, mining scars, unsightly development, etc.?*

Open space linkages and trail connections:

a) *Is the linkage significant to provide access to trails, parks, or open space?*

b) *Is the trail identified as an important link in the Colorado Springs ~~Trails Master Plan~~ Park System Master Plan or other agency trail master plans?*

c) *Will the linkage provide access to a significant number of residents?*

d) *Is the linkage in danger of being lost if not pursued?*

e) *Is it reasonably feasible to acquire the linkage or trail through the development process?*

f) *Is the land suitable for trail construction? Suitable grades?*

g) *Does the land adjacent to the open space or trail connection effect the proposed recreational experience in a positive manner? Free from public safety concerns? Aesthetically pleasing?*

h) *Will the linkage or connection serve more than one purpose such as wildlife corridor, view corridor, transportation, recreation?*

Passive recreational opportunities:

a) *Is there an opportunity for multiple uses? (I.e. trails, picnic tables, educational, fishing wildlife viewing, etc.)*

b) *Does the land provide a recreational opportunity unique to Colorado Springs, El Paso County or adjacent county? (~~I.~~i.e., a lake for fishing, wading, bird watching, photography, etc.)*

c) *Is the land easily accessible to a large population?*

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d) Is the land topographically suitable for development of passive recreation facilities while providing a variety of nature experiences?

e) Will preservation of the resources on the site necessitate seasonal closures, or restrictive use areas?

Cultural, historic, archeological, or paleontological resources:

a) Are there any sites on the land recognized by the Colorado Springs Historic Preservation Board, the Colorado Historical Society, or the State Archeologist?

b) Is the site of local significance? Of regional significance? Of national significance?

c) If the site contains a structure, is restoration easily accomplished? Are long-term maintenance and upkeep costs relatively low?

d) What, if any, special management considerations will be required to protect the resource?

II. Supplemental Criteria:

Land adjacent to park or public open space lands:

a) Are the uses of the other adjacent lands compatible with this land as open space?

b) Would commercial or residential development of this land be incompatible with adjacent park or open space?

c) Will this land significantly enhance the use of the adjacent park or open space?

d) Will this land provide access to adjacent public land to which access does not now exist or is problematic?

e) Is the land free from foreseeable future impacts associated with adjacent property development?

f) Does adjacent landuse provide opportunities for public access.

Spatial definition and separation of developed areas:

a) Will a buffer in this location be beneficial to the region? City? Neighborhood?

b) Is this land sufficient to provide a buffer or is it a key link in a plan to provide a buffer between developed or developing areas?

c) Is the land already zoned for development or is development likely in the near future?

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d) Is there reasonable potential for commercial or residential development of the land separating the areas?

e) If commercial or residential development potential exists, is it feasible to preserve a buffer through the development process?

f) Will acquisition of the parcel protect a sufficient amount of the resource, amenity or land form?

g) Is the land sufficient size and shape to provide or protect habitat?

Preservation of agricultural activities:

a) Does the agricultural activity protect or enhance natural resources found on the land?

b) Does the agricultural activity provide or preserve views to significant land features?

c) Does the agricultural activity provide spatial definition or buffer which benefits the region? City? Neighborhood?

d) Is there reasonable potential for development in the near future?

e) Is the agricultural activity an important cultural resource within the community.

III. Priority:

Identified for conservation in the Colorado Springs ~~Open Space Plan~~Park System Master Plan:

a) Is the land identified as a candidate area for conservation in the Colorado Springs ~~Open Space~~Park System Master Plan or other regional plans?

Meets goals of potential open space system:

a) Will principles of environmental conservation be used to plan the land? Will a large, contiguous area of native vegetation be conserved? Will rare landscape elements and significant features be protected? Will acquisition maintain connections between open space areas by identifying and protecting corridors for wildlife movement?

b) Will obtaining the land conserve areas representative of the Pikes Peak Region's main natural area types?

c) Does the land provide public access and recreational opportunities, particularly trail corridors?

d) Will obtaining the land result in conservation of areas that reflect community values for open space that may not be tied directly to the protection of natural areas, such as historic resources?

e) Will the land have long-term community value or significance?

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f) Will obtaining the land maximize the efficient use of financial and administrative resources while conserving public open space.

Serves multiple purposes:

a) Will the land support multiple purposes ~~such~~? (~~I~~i.e. protection of wildlife, preservation of ecosystems, passive recreation, etc.)

Representative of one or more natural area types:

a) Are one or more natural area types found on the land? (~~I~~.e. grasslands, riparian corridors, foothills, bluffs)

Long-term, regional significance:

a) Does the land contain resources that are significant regionally? Locally?

b) Has the land been valued as open space by the community in the past? Will this continue?

Accessible to the public:

a) Is the land accessible from major arterials? Minor arterials? Collector streets? Neighborhoods? Pedestrian trails or walks?

b) Is the land suitable for trailhead or parking if necessary?

c) Is the land visually accessible from public areas or can be enjoyed from a distance?

High and immediate development potential:

a) Has the land been zoned for development or is development likely in the near future?

b) Is there reasonable potential for development in the near future?

c) Is the land free from topographic, geographic, geological, or other developmental constraints?

Land/easement rights available:

a) Is the land being proposed for acquisition by the owner or representative?

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b) If the land is being proposed is presented by other than the owner, is the owner aware of, and in concurrence with the proposal?

Favorable terms and conditions:

a) Is the land owner supportive of the proposal?

b) Are the terms and conditions reasonable and equitable?

c) Are the owner's terms and conditions flexible or negotiable?

Community support/partnerships:

a) Is the land valued by a significant population in the community?

b) Is acquisition of the land supported by community based advocacy groups?

c) Does opportunity exist for acquisition through partnerships or trusts?

d) Will the community support the acquisition and long--term care of the land through stewardship programs such as "adopt a trail" or "adopt a park"?

Ability to combine acquisition with other conservation tools:

a) Is there an opportunity to preserve the land via conservation easement(s)? The development process? Land exchange? Or other acquisition method?

b) Is the land a likely candidate for grants? Dedications? or Donation?

Maintenance and management:

a) Will the community share in the long--term care of the land through stewardship programs such as "adopt a trail" or "adopt a park "?

b) Will the land have minimal long--term maintenance and management expenses?

c) Is the land free from weeds, insect problems, diseases, refuse, or other environmental problems?

d) Does the land have ecological diversity necessary to sustain the native communities without extensive management programs.

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PART VIII.
APPENDIX

PART VIII APPENDIX

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AN INITIATED ORDINANCE SUBMITTED TO THE ELECTORS OF THE CITY AT THE REGULAR ELECTION ON APRIL 1, 1997 RELATING TO THE CREATION OF A TRAILS, OPEN SPACE AND PARKS PROGRAM THROUGH A SALES AND USE TAX

That there is hereby submitted and referred to the vote of the electors of the City at the regular general election to be held on Tuesday, April 1, 1997 the following proposed ordinance.

AN ORDINANCE ESTABLISHING A TRAILS, OPEN SPACE AND PARKS PROGRAM FOR THE CITY OF COLORADO SPRINGS.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF COLORADO SPRINGS:

WHEREAS, Section 29-2-102, Colorado Revised Statues and Chapter 7 of the Code of the City of Colorado Springs 1980, As Amended ("City Code"), authorize the City of Colorado Springs ("City") to levy a sales or use tax, or both, upon the approval of a majority of the registered electors of the city voting on such proposal; and

WHEREAS, the City Code provides that a proposal for a citywide sales and use tax may be referred to the registered electors of the City upon initiation by registered electors pursuant to requirements under the City Code; and

WHEREAS, there is a critical need for the preservation of open spice lands and for the provision of trails and parks within the City of Colorado Springs, (the "City") and areas within the immediate vicinity of the City, and it is in the best interests of the present and future citizens of the City to establish a sales tax and use tax of one tenth of one percent (0.10 %) to finance the foregoing; and

WHEREAS, it is the intent of this Resolution to encourage, foster and promote public-private partnerships in the preservation of open space lands, trails and parks in the City and surrounding areas; and

WHEREAS, registered electors within the City desire to submit this proposal to all registered electors of the City;

NOW, THEREFORE, BE IT RESOLVED that the Code of the City of Colorado Springs l980 As Amended, shall be amended to reflect the following provisions:

Section 1) An ordinance amending those sections of Article 2, Chapter 7 of the Code of the City of Colorado Springs 1980 As Amended which reflect the tax rate are hereby amended to reflect an increase of .1%.

~~**GENERAL PROVISIONS**~~

~~1. Purpose. The general purposes of this ordinance are as follows:~~

~~a. To establish a trails, open space and parks program to acquire real property in the City and El Paso County by various types of actions when determined by the City Council, acting pursuant to authority set forth in this ordinance to be necessary to preserve such areas;~~

~~b. To acquire water rights and water storage rights for use in preserving fragile ecosystems, natural areas, scenic vistas and areas, fish and wildlife habitats and corridors, or important areas that support bio-diversity, natural resources and landmarks, and cultural, historical and archeological areas;~~

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c. To acquire mineral and fuel resource rights in order to protect the visual, geological and biological surface features of open space lands and trails;

d. To acquire rights-of-way and easements for access to open space lands and for trails and to build and improve such access ways and trails;

e. To acquire options related to these acquisitions;

f. Conservation of new open. space lands shall be related to resource management including but not limited to water improvements (irrigation, domestic use and recreational use), preservation enhancements (fences, wetlands and wildlife habitat improvements), and passive recreational uses, such as trails, trailhead parking and other access improvements, and restrooms;

g. To manage, patrol, improve and maintain all new open space lands and trails acquired with revenues generated by a sales and use tax approved by the electorate pursuant to this ordinance in accordance with the purposes set forth in this ordinance;

h. To improve new park lands acquired with revenues generated by a sales tax and use tax approved by the electorate pursuant to this ordinance in accordance with this ordinance;

i. To permit the use of the funds generated by the approved sales and use tax for the joint acquisition of new open space lands between the City and the County of El Paso and neighboring counties, recreational districts or with other governmental entities or land trusts, or with private individuals, corporations or entities, as would benefit the citizens of the City;

j. To permit the use of the funds generated by the approved sales and use tax for repaying bonds issued for trails, open space and park capital purchases;

k. Open space for the purposes of this ordinance, are generally described as those lands that are, or which may be in the future, in the public interest to protect and preserve, and which fulfill one or more of the functions described in this ordinance. The interest acquired may include fee simple ownership, leases, easements, including conservation easements, or development rights. All open space lands purchases in fee simple shall require the payment of fair market value as just compensation. The City shall be authorized, but shall not be obligated, to accept lands donated as trails, open space or park lands which are consistent with the functions or which fulfill the purposes described herein.

l. Open space lands shall serve one or more of the following functions:

1) linkages and trails, access to public lakes, streams, and other suitable open space lands, stream corridors and scenic corridors along existing highways;

2) preservation of fragile ecosystems, natural areas, scenic vistas and areas, fish and wildlife habitats and corridors, or important areas that support bio-diversity, natural resources, significant land formations and landmarks. and cultural, historical and archeological areas;

3) creating spatial definition of and between urban areas;

4) areas of environmental preservation, designated as areas of concern, Generally in multiple ownership, where several different preservation methods (including other governmental bodies' participation or private ownership) may need to be used;

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5) conservation of natural and visual resources, including but not limited to forest lands, range lands, agricultural land, aquifer recharge areas, and. surface water;

6) lands within or adjacent to a park or public open lands whose development potential is clearly incompatible with those lands;

7) preservation of land for educational opportunities and outdoor recreation areas limited to passive recreational use, including but not limited to hiking, photography or nature studies, and if specifically designated, bicycling, horseback riding or fishing.

m. Park lands shall serve one or more of the following functions:

1) Irrigated multi-purpose turf playing areas for both youth and adult baseball, softball, soccer, football, etc.

2) Individual picnic areas and group picnic pavilions;

3) Playgrounds;

4) On site parking; and

5) Restrooms, drinking water fountains and storage areas.

n. Trails are defined as public thoroughfares within and connecting open space lands for non-motorized use, often located in or near natural waterways, and which shall serve one or more of the following functions:

1) Hiking, walking or jogging;

2) Recreational or commuter bicycling; and

3) Horseback riding.

o. No motorized vehicles, other than those necessary for maintenance, emergencies or safety, shall be permitted on trails, open space or parks supported by this ordinance. No right-of-way for new roadways or utility corridors shall be assumed in areas obtained pursuant to this ordinance.

p. When public improvements are located in urban trail corridors, maximum effort will be undertaken to restore the land to its state while also providing for efficient maintenance of the constructed facilities.

2. City Code Definitions Incorporated. For purposes of this ordinance, the definitions of the word contained herein shall be as defined in Chapter 7 of the City Code concerning Sales and Use Taxes which definitions are incorporated herein by this reference.

DEPOSIT AND EXPENDITURE OF REVENUES

3. The sales tax and other revenue source funding collected pursuant to this ordinance shall be deposited in a special fund, to be known as the "Colorado Springs Trails, Open Space and Parks Fund" (the "Fund") and all revenue derived from said sales and revenues received from other sources shall be allocated and expended only in the following amounts, and for the following purposes:

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a. Of the proceeds collected pursuant to this ordinance, a maximum of two percent (2%) may be deposited into an account identified as a Trails, Open Space and Parks Administration, Planning and Maintenance Fund as may be allocated for use by the City Council as recommended by the new Trails, Open Space and Parks Advisory Committee ("Advisory Committee") established by this ordinance for planning purposes as concerning trails, open space and parks.

b. For purposes of Article X, Section 20 of the Colorado Constitution and City Charter Section 7-90, the receipt and expenditure of revenues of the sales and use tax shall be accounted for, budgeted and appropriated separately from other revenues and expenditures of the City and outside of the fiscal year spending of the City as calculated under Article X, Section 20 and City Charter Section 7-90, and nothing, in Article X, Section 20 and City Charter Section 7-90 shall Limit the receipt and expenditure in each fiscal year of the full amount of such revenues of the sales and use tax, nor shall receipt and expenditure of such revenues affect or limit the receipt or expenditure of any and all other revenues of the City for any fiscal year; nor shall Article X, Section 20, or City Charter Section 7-90 limit the receipt and expenditure of revenues received from sources outside of the sales and use tax described by this ordinance, regardless of the source, and specifically including, but not limited to, any revenues received from the Great Outdoors Colorado Fund or private donations.

c. Private individuals, corporations or entities may form public-private partnerships with the City and the respective municipalities to advance the purposes described in Section I of this ordinance, including the of private donations for such purposes. This ordinance shall not be construed to limit any tax credits or deductions that may be afforded to private individuals, corporations or entities for charitable donations made hereunder and which are permitted by the Internal Revenue Code, as amended.

d. The City may issue bonds as approved by the voters in future elections to advance the capital acquisition purposes of this ordinance.

e. Interest generated from the revenues of the sales and use tax or other revenues received pursuant to this ordinance shall be used for the purposes set forth above in this ordinance.

f. Open Space Lands Account. Of the revenues distributed hereunder, after deductions for planning as described in Section 3.a. above, a minimum of sixty per cent (60%) shall be used only for the acquisition and stewardship of new open space lands as provided herein.

1) The funds allocated for new open space lands shall be expended by the City only for the purposes set forth in Section 1 of this ordinance.

2) Excepting land leases for the growing of agricultural crops, no new open space land acquired through the revenue provided by these sales taxes or other revenue sources as described in this ordinance may be sold, traded or otherwise conveyed, nor may any exclusive license or permit with respect to such open space land be given, until approval is given by a majority vote of the electors of the City in a regular election after referral from the City Council or through a citizen initiative. Prior to such referral to the electors of the City, the proposal shall be reviewed by the Advisory Committee established by this or which shall make a recommendation to the City Council.

3) If the new open space land or any interest acquired in real property by use of proceeds of said sales and use tax generated pursuant to this ordinance be ever sold, exchanged, transferred or otherwise disposed of, the consideration for such sale, exchange, transfer or

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~~disposition shall be subject to the same expenditure and use restrictions as those set forth herein for the original proceeds of said sales and use tax and other revenue source, including restrictions set forth in this paragraph; and if such consideration is by its nature incapable of being so subject, then the proposed sale, exchange, transfer or disposition shall be unlawful and shall not be made.~~

~~4) Revenue collected by the city that is generated from activities on open space lands acquired with funds generated by this ordinance must be used to acquire, manage, patrol, improve and maintain open space lands consistent with this ordinance.~~

~~g. Use for Trails. Of the revenues received from the sales and use tax and other revenue sources, after deductions for planning as described in Section 3.a. above, a maximum of twenty per cent (20%) of the revenues may be used to acquire an interest in new open space land for new trails within the City, including the construction, acquisition and maintenance of new trails, and to join in partnerships with El Paso County, neighboring counties and municipalities incorporated therein, recreational districts or other Governmental entities or land trusts, or with private individuals, corporations or entities, as would benefit the City residents by completing trail plans as they exist as of the passage of this ordinance. Such recreational capital improvements shall be limited to the purposes described in Section 1.m. of this ordinance.~~

~~Use for parks. Of the revenues received from the sales and use tax and other revenue sources, after deductions for planning as described in Section 3.a. above, a maximum of twenty per cent (20%) of the revenues may be used to acquire an interest in new open space land for new park areas, including the construction and acquisition (but not maintenance) of new park area recreational capital improvements for the use and benefit of the public. Such recreational improvements shall be limited to the purposes described in Section l.m. of this ordinance. Any funds or other revenue received pursuant to this ordinance that is spent on existing, lands owned by the City may be spent only to establish new parks and related facilities thereon as are described in Section l.m. of this ordinance.~~

~~CITIZENS ADVISORY COMMITTEE~~

~~4. If said sales tax is approved, the City Council shall establish and appoint a Trails, Open Space and Parks Advisory Committee which shall be charged with the following duties and responsibilities:~~

~~a. To make recommendations to the City Council regarding disbursements of funds from the Colorado Springs Trails, Open Space and Parks Fund, and the selection of open space land to be acquired, maintained, developed or preserved, and establishment of priorities therefor; and may by separate and additional resolutions promulgate such rules and regulations as may be required to implement this proposal for the best interests and preservation of the public peace, health, safety and welfare of the citizens of the City, including without limiting the generality of the foregoing, all rules and regulations designed to assure that all proceeds from said taxes and other revenue sources, reimbursements, rebates or refunds thereof shall be used for the purposes set forth herein.~~

~~b. To make recommendations to the City Council concerning the Trails, Open Space and Parks program, to periodically review the open space elements of the comprehensive land use plans for both the City and the County of El Paso, to review the City Manager's budget as it relates to open space matters and to submit its recommendations concerning this budget to the City Council, and it may prepare and submit to the City Council, the City Manager, the Parks Department, the Utility Department or any other City department recommendations on any other matter relating to or affecting the open space program, and it may request and obtain from the City Manager, the Parks Department, the Utility Department or any other City department information relating thereto.~~

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5. To assist the Advisory Committee in carrying out its functions in an efficient manner, the Advisory Committee shall be authorized to recommend to City Council the expenditure of up to two percent (2%) of the revenues collected by the City to retain outside professional services to the extent necessary or appropriate. Such expenses shall be considered part of and count against the administration expenses described in Section 3.a. of this ordinance, and abject to the limitations set forth therein.

6. The members of said Advisory Committee shall all be residents of the City, shall not hold elected public office, shall serve without pay and shall be appointed by the City Council. At a minimum, said Advisory Committee shall include at least one member from each of the following:

   a. one (1) representative appointed at large selected from lists of nominees submitted by non-profit groups whose mission includes promoting and protecting open space lands;

   b. one (1) representative appointed at large selected from lists of nominees submitted by non-profit neighborhood groups; and

   c. one (1) representative appointed at large selected from lists of nominees submitted by non-profit groups whose mission includes promoting and protecting trails.

7. In the year 2009, the Advisory Committee shall draft language for and recommend to the City Council a ballot measure which shall be referred to the electors of the City in November 2010 concerning renewal of this ordinance.

BIENNIAL REVIEW

8. The City Council shall adopt regulations requiring biennial review by the City Council, with City and Advisory Committee participation, of the expenditures of all of the net proceeds from said sales tax and other revenue sources made for the preceda two (2) years, and of the proposed expenditures to be made during the next succeeding two (2) years when appropriate, with a view to establishing priorities therefor; and for such purpose the relevant official City audit reports shall be made available to the Advisory Committee and to the City Council.

EFFECTIVE DATE - EXPIRATION DATE

9. Upon adoption by the electorate at the election on April 1, 1997, of the sales and use tax to fund the trails, open space and parks program described in this ordinance, this ordinance shall become effective and in force at 12:01 a.m. on July 1, 1997, and shall expire at 12:00 a.m. on April 30, 2009, unless renewed by a vote of the electors of the City; and upon said expiration all moneys remaining in any of the Funds created hereunder may continue to be expended for the purposes set forth herein until completely exhausted.

MISCELLANEOUS

10. Severability. If any section, paragraph, clause, or provision of this ordinance, or the ballot question submitted to the registered electors at the election shall be adjudged to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause or provision shall not affect any of the remaining sections, paragraphs, clauses' or provisions of this ordinance or said ballot question. It is the intention of the City Council that the various parts of this ordinance and said ballot question are severable.

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~~11. Repeal and Amendment. If this ordinance is approved by a majority of the registered electors of the City at the election to be held on April 1, 1997, its provisions shall not be repealed or amended except by a vote of the registered electorate of the City.~~

~~Section 2) If passed by the electorate, this ordinance shall be in full force and effect on July 1, 1997.~~

Article 6
TRAILS, OPEN SPACE AND PARKS PROGRAM

4.6.101: PURPOSE:

The general purposes of this article are as follows:

A. To establish a trails, open space and parks program to acquire real property in the City and El Paso County by various types of transactions when determined by the City Council, acting pursuant to authority set forth in this article, to be necessary to preserve the area.

B. To acquire water rights and water storage rights for use in preserving fragile ecosystems, natural areas, scenic vistas and areas, fish and wildlife habitats and corridors, or important areas that support biodiversity, natural resources and landmarks, and cultural, historical and archeological areas.

C. To acquire mineral and fuel resource rights in order to protect the visual, geological and biological surface features of open space lands and trails.

D. To acquire rights of way and easements for access to open space lands and for trails and to build and improve the accessways and trails.

E. To acquire options related to these acquisitions.

F. Conservation of new open space lands shall be related to resource management including, but not limited to, water improvements (irrigation, domestic use and recreational use), preservation enhancements (fences, wetlands and wildlife habitat improvements), and passive recreational uses, such as trail, trailhead parking and other access improvements, and restrooms.

G. To manage, patrol, improve and maintain all new open space lands and trails acquired with revenues generated by a sales and use tax approved by the electorate pursuant to this article, in accord with the purposes set forth in this article.

H. To improve new park lands acquired with revenues generated by a sales and use tax approved by the electorate pursuant to this article, in accord with this article.

I. To permit the use of the funds generated by the approved sales and use tax for the joint acquisition of new open space lands between the City and the County of El Paso and neighboring counties, recreational districts or with other governmental entities or land trusts, or with private individuals, corporations or entities, as would benefit the citizens of the City.

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J. To permit the use of the funds generated by the approved sales and use tax for repaying bonds issued for trails, open space and park capital purchases.

K. Open space lands, for the purposes of this article, are generally described as those lands that are, or which may be in the future, in the public interest to protect and preserve, and which fulfill one or more of the functions described in this article. The interest acquired may include fee simple ownership, leases, easements, including conservation easements, or development rights. All open space land purchases in fee simple shall require the payment of fair market value as just compensation. The City shall be authorized, but shall not be obligated, to accept lands donated as trails, open space or park lands which are consistent with the functions or which fulfill the purposes described herein.

L. Open space lands shall serve one or more of the following functions:

1. Linkages and trails, access to public lakes, streams, and other suitable open space lands, stream corridors and scenic corridors along existing highways;

2. Preservation of fragile ecosystems, natural areas, scenic vistas and areas, fish and wildlife habitats and corridors, or important areas that support biodiversity, natural resources, significant land formations and landmarks, and cultural, historical and archeological areas;

3. Creating spatial definition of and between urban areas;

4. Areas of environmental preservation, designated as areas of concern, generally in multiple ownership, where several different preservation methods (including other governmental bodies' participation or private ownership) may need to be used;

5. Conservation of natural and visual resources, including, but not limited to, forest lands, range lands, agricultural land, aquifer recharge areas, and surface water;

6. Lands within or adjacent to a park or public open lands whose development potential is clearly incompatible with those lands; and

7. Preservation of land for educational opportunities and outdoor recreation areas limited to passive recreational use, including, but not limited to, hiking, photography or nature studies, and if specifically designated, bicycling, horseback riding, or fishing.

M. Park lands shall serve one or more of the following functions:

1. Irrigated multipurpose turf playing areas for both youth and adult baseball, softball, soccer, football, etc.;

2. New neighborhood parks;

3. Individual picnic areas and group picnic pavilions;

4. Playgrounds;

5. On site parking; and

6. Restrooms, drinking water fountains and storage areas.

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N. "Trails" are defined as public thoroughfares within and connecting open space lands and greenways for nonmotorized use, often located in or near natural waterways, and which shall serve one or more of the following functions:

1. Hiking, walking or jogging;

2. Recreational or commuter bicycling; and

3. Horseback riding.

O. No motorized vehicles, other than those necessary for maintenance, emergencies or safety, shall be permitted on trails, open space or parks supported by this article. No right of way for new roadways or utility corridors shall be assumed in areas obtained pursuant to this article.

P. When public improvements are located in urban trail corridors, maximum effort will be undertaken to restore the land to its natural state while also providing for efficient maintenance of the constructed facilities. (Ord. 97-96; Ord. 01-42; Ord. 03-69)

4.6.102: DEFINITIONS:

A. City Code Definitions Incorporated: For purposes of this article, the definitions of the words contained herein shall be as defined in chapter 2 of this Code concerning sales and use taxes. (Ord. 97-96; Ord. 01-42)

4.6.103: CITIZENS ADVISORY COMMITTEE:

A. The City Council shall establish and appoint a Trails, Open Space and Parks Advisory Committee which shall be charged with the following duties and responsibilities:

1. To make recommendations to the City Council regarding disbursements of funds from the Colorado Springs trails, open space and parks fund, and the selection of open space land to be acquired, maintained, developed or preserved, and establishment of priorities therefor; and may by separate and additional resolutions promulgate the rules and regulations as may be required to implement this proposal for the best interests and preservation of the public peace, health, safety and welfare of the citizens of the City, including, without limiting the generality of the foregoing, all rules and regulations designed to assure that all proceeds from the taxes and other revenue sources, reimbursements, rebates or refunds thereof shall be used for the purposes set forth herein.

2. To make recommendation to the City Council concerning the trails, open space and parks program, to periodically review the open space elements of the comprehensive land use plans for both the City and the County of El Paso, to review the Mayor's budget as it relates to open space matters and to submit its recommendations concerning this budget to the City Council, and it may prepare and submit to the City Council, the Mayor, the Parks Department, the Utility Department or any other City department, recommendations on any other matter relating to or affecting the trails, open space and parks program, and it may request and obtain from the Mayor, the Parks Department, the Utility Department or any other City department, information relating thereto.

B. To assist the advisory committee in carrying out its functions in an efficient manner, the advisory committee shall be authorized to recommend to City Council the expenditure of up to two percent (2%) of the revenues collected by the City to retain outside professional services to the extent necessary or appropriate. The expenses shall be considered part of and count against the administration expenses described in subsection 4.6.202A of this article, and subject to the limitations set forth therein.

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C. The members of the advisory committee shall all be residents of the City, shall not hold elected public office, shall serve without pay and shall be appointed by the City Council. At a minimum, the advisory committee shall include at least one member from each of the following:

1. One representative appointed at large selected from lists of nominees submitted by nonprofit groups whose mission includes promoting and protecting open space lands;

2. One representative appointed at large selected from lists of nominees submitted by nonprofit neighborhood groups; and

3. One representative appointed at large selected from lists of nominees submitted by nonprofit groups whose mission includes promoting and protecting trails.

D. No later than the year 2025, the advisory committee shall draft language for and recommend to the City Council a ballot measure which shall be referred to the electors of the City concerning renewal of this article. (Ord. 97-96; Ord. 01-42; Ord. 03-69; Ord. 11-19)

PART 2 DEPOSIT AND EXPENDITURE OF REVENUES

4.6.201: SALES TAX:

Those sections of chapter 2 of this Code which establish the tax rate shall reflect an increase of 0.1 percent for the purpose of funding the City's trails, open space and parks program as described in part 1 of this article. (Ord. 97-96; Ord. 01-42)

4.6.202: DEPOSIT AND EXPENDITURE OF REVENUES:

The sales tax and other revenue source funding collected pursuant to this part shall be deposited in a special fund, to be known as the "Colorado Springs trails, open space and parks fund" (the "fund") and all revenue derived from sales tax and revenues received from other sources shall be allocated and expended only in the following amounts, and for the following purposes:

A. Maximum Deposit:

1. Of the proceeds collected pursuant to this part, a maximum of three percent (3%) may be deposited into an account identified as a trails, open space and parks administration, planning and management fund as may be allocated for use by the City Council as recommended by the Trails, Open Space and Parks Advisory Committee ("advisory committee") established by this article for planning purposes as concerning trails, open space and parks.

2. Of the proceeds collected pursuant to this part, a maximum of six percent (6%) may be deposited into an account identified as a trails, open space and parks stewardship and maintenance fund as may be allocated for use by the City Council, as recommended by the Trails, Open Space and Parks Advisory Committee ("advisory committee") established by this article, for stewardship and maintenance purposes related to trails, open space and parks acquired with sales tax and other revenue source funding collected pursuant to this part.

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B. Funds Separate: For purposes of Colorado Constitution, article X, section 20 and City Charter section 7-90, the receipt and expenditure of revenues of the sales and use tax shall be accounted for, budgeted and appropriated separately from other revenues and expenditures of the City and outside of the fiscal year spending of the City as calculated under Colorado Constitution, article X, section 20 and City Charter section 7-90. Nothing in Colorado Constitution, article X, section 20 and City Charter section 7-90 shall limit the receipt and expenditure in each fiscal year of the full amount of the revenues of the sales and use tax, nor shall receipt and expenditure of the revenues affect or limit the receipt or expenditure of any and all other revenues of the City for any fiscal year; nor shall Colorado Constitution, article X, section 20, or City Charter section 7-90 limit the receipt and expenditure of revenues received from sources outside of the sales and use tax described by this part, regardless of the source, and specifically including, but not limited to, any revenues received from the great outdoors Colorado fund or private donations.

C. Public-Private Partnerships: Private individuals, corporations or entities may form public-private partnerships with the City and the respective municipalities to advance the purposes described in section 4.6.101 of this article, including the making of private donations for those purposes. This article shall not be construed to limit any tax credits or deductions that may be afforded to private individuals, corporations or entities for charitable donations made hereunder and which are permitted by the Internal Revenue Code, as amended.

D. Bonds: The City may issue bonds as approved by the voters in future elections to advance the capital acquisition purposes of this article.

E. Interest: Interest generated from the revenues of the sales and use tax or other revenues received pursuant to this article shall be used for the purposes set forth above in this article.

F. Open Space Lands Account: Of the revenues distributed hereunder, after deductions for planning as described in subsection A of this section, a minimum of sixty percent (60%) shall be used only for the acquisition and stewardship of new open space lands as provided herein.

1. The funds allocated for new open space lands shall be expended by the City only for the purposes set forth in section 4.6.101 of this article.

2. Excepting land leases for the growing of agricultural crops, no new open space land acquired through the revenue provided by these sales taxes or other revenue sources as described in this article may be sold, traded or otherwise conveyed, nor may any exclusive license or permit with respect to open space land be given, until approval is given by a majority vote of the electors of the City in a regular election after referral from the City Council or through a citizen initiative. Prior to referral to the electors of the City, the proposal shall be reviewed by the advisory committee established by this article which shall make a recommendation to the City Council.

3. If the new open space land or any interest acquired in real property by use of proceeds of the sales and use tax generated pursuant to this article be ever sold, exchanged, transferred or otherwise disposed of, the consideration for the sale, exchange, transfer or disposition shall be subject to the same expenditure and use restrictions as those set forth herein for the original proceeds of the sales and use tax and other revenue sources, including restrictions set forth in this subsection F. If the consideration is by its nature incapable of being so subject, then the proposed sale, exchange, transfer or disposition shall be unlawful and shall not be made.

4. Revenue collected by the City that is generated from activities on open space lands acquired with funds generated by this article must be used to acquire, manage, patrol, improve and maintain open space lands consistent with this article.

G. Use For Trails: Of the revenues received from the sales and use tax and other revenue sources, after deductions for planning as described in subsection A of this section, a maximum of twenty percent (20%) of the revenues may be used to acquire an interest in new open space land for new trails within the City, including the construction,

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acquisition and maintenance of new trails, and to join in partnerships with El Paso County, neighboring counties and municipalities incorporated therein, recreational districts or other governmental entities or land trusts, or with private individuals, corporations or entities, as would benefit the City residents by completing trail plans as they exist as of the passage of this article. Recreational capital improvements shall be limited to the purposes described in section 4.6.101 of this article.

H. Use For Parks: Of the revenues received from the sales and use tax and other revenue sources, after deductions for planning as described in subsection A of this section, a maximum of twenty percent (20%) of the revenues may be used to acquire an interest in new open space land for new park areas, including the construction and acquisition (but not maintenance) of new park area recreational capital improvements for the use and benefit of the public. Recreational improvements shall be limited to the purposes described in section 4.6.101 of this article. Any funds or other revenue received pursuant to this article that is spent on existing lands owned by the City may be spent to acquire, construct, establish and maintain new parks and related facilities thereon as described in section 4.6.101 of this article and to maintain and renovate all City Parks. -

4.6.203: BIENNIAL INDEPENDENT AUDIT:

The City shall adopt regulations requiring an independent biennial audit of the expenditures of all of the net proceeds from the sales tax and other revenue. The City Council, with City and advisory committee participation, shall regularly review the audits with a view to establishing expenditure priorities. (Ord. 97-96; Ord. 01-42; Ord. 03-69; Ord. 15-92)

4.6.204: EFFECTIVE DATE; EXPIRATION DATE:

This article shall become effective and in force at one minute past midnight (12:01) A.M. on July 1, 1997, and shall expire at twelve o'clock (12:00) midnight on December 31, 2025, unless renewed by a vote of the electors of the City; and upon expiration, all monies remaining in any of the funds created hereunder may continue to be expended for the purposes set forth until completely exhausted. (Ord. 97-96; Ord. 01-42; Ord. 03-69)

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OPEN MEETINGS - CITY BOARDS AND COMMISSIONS - SENATE BILL 91-33

11 June 91 rev.0

On April 29, 199 1, Governor Romer signed Senate Bill 91-3 3 concerning the open meetings provisions of the "Colorado Sunshine Act of 1972." The Sunshine Act is the State law which requires that meetings of the State Government be open to the public.

One of the purposes of S.B. 91-33 is to make the open meetings provisions of the state law applicable to local public bodies such as the Colorado Springs City Boards, Commissions, Task Forces and Committees. I will refer to all of these City groups collectively as "Boards" in this presentation.

The Sunshine Act, as amended by S.B. 91-33, may or may not be applicable to the City of Colorado Springs. Colorado Springs is a home rule City under Article XX of the Colorado Constitution, and has the sole right to legislate on matters of local concern. 'Me Colorado Supreme Court will ultimately have to decide this issue. However, Senate Bill 91-33 has little effect on the City's open meeting provision for its boards.

The City Attorney has reviewed S.B. 91-33. He has determined that compliance with the provisions of S.B. 91-33 by City Boards can be easily accomplished. In fact, our own City rules are more stringent than S.B. 91-33. Therefore, boards will be expected to comply with S.B. 91-33 as part of the City Open Meetings Policy. The City Attorney has charged attorneys which advise City Boards to review board practices to ensure that they are in compliance with City policy. That is why I am speaking to you today.

S.B. 91-33 states that all meetings of a quorum or three or more members of any board, whichever is less, at which any public business is discussed or any action is taken, is a public meeting open to the public.

Public business is not defined in S.B. 91-33. It should be interpreted broadly to cover any aspect of board business.

S.B. 91-33 exempts from public meetings any chance meeting or social gathering at which the discussion of public business is not the central purpose. Also, the law only applies to meetings between members of the same board.

For example, three members of your board, meeting to discuss a matter of interest to the board or which appears on your agenda, is a public meeting. However, two or fewer members of your board, meeting with two or fewer members of a different City Board, is not a public meeting.

The practical method for compliance with this open meetings rule is to avoid making site visits, or discussions of board business, with two or more of your fellow board members. Remember, a chance or social meeting between two or more board members does not count as a public meeting if you refrain from discussing board business.

A second provision of S.B. 91-33 is the public meeting notice requirement. If there is going to be a meeting of your board at which the adoption of any proposed policy, position, resolution, rule, regulation or other formal action occurs, or at which a majority or quorum attends or is expected to attend, then the meeting may only be held after full and timely notice to the public is given.

Under the statute, fall and timely notice is given if posted in a designated public place along with specific agenda information at least 24 hours before the meeting. This is the minimum notice required. In your board rules you can require more notice to the public.

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An example of sufficient notice would be a newspaper notice several days before your meeting, which announces the meeting time and place, and states that the agenda is posted and available for inspection in the City Clerk's office. You may also list the agenda in the newspaper, or post it in another public location.

Minutes must be kept of meetings at which any proposed policy, position, resolution, rule, regulation, or formal action occurs. Generally, your board already does this. Unless required by specific ordinance, you need not keep verbatim minutes of the meetings.

You should also note that, if a meeting does not involve any proposed policy, position, resolution, rule, regulation, or formal action occurring, then minutes need not be kept, and full and timely notice to the public is not necessary. It is always a good idea to provide notice of all public meetings. Notice allows increased public observation of City government functions and increases citizen awareness.

Public observation does not mean public participation. For example, you can hold a workshop, for your board or for several boards. The workshop would be a public meeting. The public could observe, but the audience need not be permitted to make comments or participate in the meeting.

The public can be excluded form Executive sessions of your public meetings. S.B. 91-33 states that Executive sessions may be called by a vote of two-thirds of a quorum and may be held only to consider the following matters:

1 . Property matters;
2. legal matters;
3. matters required to be. kept confidential by state or federal law;
4. security matters;
5. negotiation matters;
6. and personnel matters, unless an employee who is the subject of the discussion requests that the meeting be open to the public.

Before a meeting is closed, the Chairperson must announce the general topic or topics to be discussed (i.e. legal and personnel matters), and the minutes of. the open public meeting must reflect that your board went into executive session to discuss those topics.

The State law sanction for failing to follow the law is that any formal action taken is not valid. Also, if a court finds a violation of the law, the citizen prevailing will receive costs of court and attorney's fees.

The City policy on executive sessions, which applies to your board, is more restrictive than S.B. 91-33. Under the City Council Policy, all informal and formal meetings of City Boards are open to the public and to the press for observation and reporting. Executive or Legal Sessions may be held only to consider the following matters:

a. Land acquisition or sales: where the disclosure of negotiations would endanger the City of Colorado Spring's bargaining position.

b. Personnel Matters: The discussion of hiring, dismissal or salary arrangements or individuals or organizations.

c. Legal Matters: whereby contracts, litigation or other sensitive legal items are to be discussed.

Under the City Council Policy, the purpose of closed executive or legal sessions is to deliberate over legal, personnel, or property acquisition matters. During these sessions, no resolution, rule, regulation or formal action may be adopted or approved. Only deliberations can be undertaken. Any formal action or position flowing from those closed deliberations must be discussed and undertaken in open session.

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In conclusion, it is the policy of the City that City Boards will comply with the provisions of S.B. 91-33 until otherwise directed. The issue of whether S.B. 91-33 applies to the City will be left to the Courts.

Meetings of three or more members of a board, or of a quorum of the board, whichever is less, for the purpose of discussing board business, constitutes a public meeting. Chance or social meetings at which the primary purpose is not the discussion of board business are not public meetings.

Minutes must be kept of all public meetings at which any proposed policy, position, resolution, rule, regulation or other formal action is taken or adopted. Minutes need not be kept for other public meetings unless otherwise required by a City or Board rule.

Public notice, including specific agenda information, must be posted in a designated public place at least 24 hours prior to a public meeting at which the adoption of any proposed policy, position, resolution, rule, regulation or formal action occurs or at which a majority of a quorum attends or is expected to attend.

The Board may hold executive sessions to deliberate Legal, Personnel, and property acquisition matters, but any formal action must be done in an open public meeting session.

Last, please remember that your board has a Legal Advisor assigned by the City Attorney. Part of your legal advisor's job is to assist you in reaching a determination on open meetings issues. Should you or your board have a question about open meetings, either procedurally or otherwise. Call your legal advisor. If your advisor is unavailable, you may speak to any Attorney in the city Attorney's Office. The telephone number is AC (719) 578-6670.

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"Board Responsibilities and Considerations"
presented by
Mr. James Colvin City Attorney for the City of Colorado Springs

Sale of Park Property procedures and the intricate complexities surrounding that process (including stipulations, conditions, circumstances and restrictions) was presented to the Board by City Attorney James Colvin. Citing examples, he stated:

1) Covenants or restrictions in deeds by which a property is accepted are binding, often with a provision covering non-compliance of the original intent that the land be used for park purposes. If a breach of the deed restrictions occurred, the City could face loss of the land and it would then revert back to the heirs (Palmer Park is such an example).

   The City acts as Trustee to carry out deed mandates for use solely as parkland and park purposes. These covenants must be followed. Certainly times change -- the Trusteeship includes monitoring exceptions that are needed because of technological advances and public needs (utility lines would be an example).

2) Another restriction on the sale of parkland is a State statute that indicates before parkland can be sold, a vote of the people is needed. (In the late 1970's, approval through a vote of the people resulted in the sale of parkland in west Colorado Springs

   There is an alternative method to this procedure that would enable sale of park property in which the City Council, through a public hearing, declares the property is no longer a park. However, it is rare a City will sell any park property -- rather, it is taken for municipal purposes which provides a broader flexibility for usage and management by future City administrations and councils.

3) Jimmy Camp Creek Master Plan approval is a City Council Agenda item which opens the door for the City to pursue acquisition in accord with the annexation agreement of Jimmy Camp Creek Park. Discussion followed. Martha Mattoon commented on the legislative session of NRPA's national convention referencing the R.T.C. -- created by the Financial Institutions Reform, Recovery and Enforcement Act of 1989. It is "... required to identify properties with natural, cultural, recreational or scientific values of special significance (a catalog of land is available). The Federal Property Act permits discounted transfer of excess and surplus federal lands with recreation or conservation value to federal, state or local governments."

   Referencing this ruling, Mrs. Mattoon asked if more land can be obtained; and, Chairperson Rice-Jones asked if City Council would have any leeway to make changes to the Master Plan. Mr. Colvin's responses centered on determinations of such depended on dedication of property stipulations -- an annexation agreement is a binding contract with specific terms and conditions between involved parties. He added the Aries Annexation Agreement is detailed and restrictive as to zones, types of development and locations of development; and does not represent a burden to the City or tax and rate payers.

Conflicts of Interest - In keeping with procedure that the City Attorney review guidelines pertaining to conflicts of interest to approximately 50 Colorado Springs' Boards and Commissions, Mr. Colvin stated serving on an appointed Board of City Council, members are subject to provisions of the City Charter. The main conflict of interest is financial and is covered in a direct, frank statement clearly stated in Section 141 as follows: "Any City officer, employee or appointee who has a substantial financial interest, direct or indirect, or by reason of ownership of stock in any corporation, or any contract with the City, or in the sale of any land, materials, supplies or services to the City, or to a contractor supplying the City, shall make known that interest and shall refrain from voting upon, or otherwise participating in, his capacity as a City officer, employee or appointee in the making of such sale or in the making of performance of such contract.

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“Any City officer, employee or appointee who willfully conceals such substantial financial interests, or willfully violates the requirements of this Section, shall be guilty of malfeasance in office or position, and shall forfeit his/her office or position. Violation of this Section with the express or implied knowledge of the person or corporation contracting with or making the sale to the City shall render the contract or sale voidable by the City Manager’.”

Mr. Colvin described possible scenarios, clarifying that the intent of the language stresses disclosure aspects – “...make known, disclose and shall not participate in an official capacity the carrying out of that sale, that contract." Should a financial conflict of interest occur, it is provided as well in the City Charter that the individual "absent himself from the room.”

Where members participate as a legislative body, policy bias is for seen, appropriate and expected to occur; and, expression of such is encouraged in the decision-making process. Should any questions arise, Mr. Colvin advised the Board to come to the Legal Department or the Board's department administrative staff for clarification. Where members participate in a quasi-judicial body, the entire case must be heard, considering all and fair aspects, before decisions occur. Trust and credibility of government by public interest must be upheld. Should contact from interest groups occur, Mr. Colvin advised as follows: 1) ask that the inquiry be put in writing; or, 2) ask that the group bring their inquiry to a public hearing.

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TOPS ORGANIZATION CHART

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COLORADO SPRINGS PARKS AND RECREATION DEPARTMENT

PARKS AND RECREATION ADVISORY BOARD

Date: June 9, 2016

Item Number: Action Item# _____4___

Item Name: 2017 Capital Improvement Project Budget

Summary:
Parks, Recreation and Cultural Services staff requests approval of the proposed 2017 Capital Improvement Project Budget (CIP). The Budget has been developed based upon the Parks System Master Plan, a needs assessment, community input, and Parks and Recreation Advisory Board and TOPS Working Committee discussion.

Previous TOPS Working Committee and Parks Board Action:
The TOPS Working Committee had a preliminary review of the budget during the May 4, 2016 meeting. The Parks and Recreation Board had a preliminary review of the budget during their May 12, 2016 Board meeting. The TOPS Working Committee recommended approval of the proposed 2017 TOPS funded projects on June 1, 2016.

Background:
Each year the Parks, Recreation and Cultural Services Department conducts a process to assist in establishing priorities for the annual Capital Improvement Program (CIP) Budget. As part of the 2017 CIP budget process, the Parks, Recreation and Cultural Services Department staff has prepared projected estimates on available funding and is seeking public input as part of the CIP budget process. The Parks and Recreation Advisory Board is responsible for recommending priority projects to City Council for all park system related capital projects.

Stakeholder process:
The TOPS Working Committee Meetings and Parks and Recreation Advisory Board Meetings provide opportunity for public comment. The Preliminary Budget was presented to the TOPS Working Committee on May 4, 2016. The Preliminary Budget was presented to the Parks and Recreation Advisory Board on May 12, 2016.

Alternative:
The Parks and Recreation Advisory Board can recommend approval, disapproval, or modification of the recommended 2017 CIP Budget.

Recommendation:
Staff recommends approval of the proposed 2017 CIP Budget.

Proposed Motion:
Move to approve the 2017 CIP Budget as presented.

Conservation Trust Fund

Estimated 2017 Revenue:	**$**	**4,070,800**

2016 Budget

Maintenance		
Maintenance and Operations	$	3,595,849
Forestry	$	124,161
Maintenance Total	$	3,720,010
CTF Projects:		
Red Rock Canyon Landfill	$	75,000
Skyview COP Payment	$	174,300
Red Rock Canyon COP Payment	$	112,238
Maintenance of Outdoor Sculpture	$	15,000
CIP Total	$	376,538
CTF Total	**$**	**4,096,548**

2017 Proposed Budget

Maintenance		
Maintenance and Operations	$	3,573,518
Forestry	$	125,000
Maintenance Total	$	3,698,518
Proposed CTF Projects:		
Red Rock Canyon Landfill	$	75,000
Skyview COP Payment	$	169,900
Red Rock Canyon COP Payment	$	112,382
Maintenance of Outdoor Sculpture	$	15,000
CIP Total	$	372,282
	$	**4,070,800**

Parkland Dedication Fund (PLDO)

Estimated 2017 Revenue:	**$**	**1,200,000**

2016 Budget

Proposed PLDO Projects:		
Venezia Community Park	$	800,000

2017 Proposed Budget

Proposed PLDO Projects:		
Venezia Community Park - Final Phase	$	822,000

PPRTA

2016 Budget

Proposed PPRTA Projects:		
Cottonwood Trail - Academy U.P.	$	600,000
Pikes Peak Greenway	$	1,021,000
Total	**$**	**1,621,000**

2017 Proposed Budget

Proposed PPRTA Projects:		
Rock Island Trail	$	540,000
Total	**$**	**540,000**

Trails, Open Space and Parks (TOPS)

			Total Estimated 2017 TOPS Revenue:	**$**	**8,008,000**
2016 Trails Category Fund Balance	$	322,935	**20% Trails Category Revenue**	$	1,457,456
2016 Parks Category Fund Balance	$	65,914	**20% Parks Category Revenue**	$	1,457,456
2016 Open Space Category Fund Balance	$	5,780,706	**60% Open Space Category Revenue**	$	4,372,368

2016 Budget

Administration -3%	**$**	**240,240**
Maintenance - 6%	**$**	**480,480**
Trails - 20% max.	**$**	**1,925,421**
Cottonwood Trail - Woodmen Road and Powers	$	350,000
Rock Island Trail - Additional Funding at Powers	$	300,000
University Park Trail	$	300,000
Rock Island Trail - Corridor Acquisition and Cons	$	425,000
Foothills Trail at Garden of the Gods	$	295,000
Manitou Incline	$	255,421
Open Space - 60% min.	**$**	**2,119,137**
Red Rock Canyon Open Space annual payment	$	1,010,137
Open Space Acquisition Account	$	40,000
Ute Valley Master Plan Implementation	$	275,000
Bluestem OS Management Plan Implementation	$	70,000
University Park OS Management Plan Implemen	$	30,000
Stratton OS Management Plan Implementation	$	45,000
Stewardship - Education	$	100,000
Stewardship - Rangers	$	175,000
Stewardship - Land Management	$	95,000
Stewardship - Resource Management	$	279,000
Parks - 20% max.	**$**	**2,450,700**
Park Maintenance	$	750,700
Emergency Repair	$	40,000
Playground Renovation and Replacement	$	200,000
Water Footprint Reduction	$	150,000
Monument Valley Pickleball Courts	$	100,000
Venezia Community Park	$	450,000
Ute Valley Park MP Implementation (Regional Pa	$	160,000
Deerfield Hills Community Center Restrooms	$	130,000
Garden of the Gods Restrooms	$	470,000

2017 Proposed Budget

Administration -3%	**$**	**240,240**
Maintenance - 6%	**$**	**480,480**
Trails - 20% max.	**$**	**1,620,000**
Cottonwood Trail - Academy Blvd. Underpass	$	450,000
Sinton Trail - Chestnut Underpass	$	175,000
Midland Trail (west) - 8th St. to 21st St - Desig	$	110,000
Shooks Run Trail - Las Vegas Underpass	$	495,000
Briargate Trail	$	65,000
Cottonwood Trail - Austin Bluffs to Powers	$	325,000
Open Space - 60% min.	**$**	**2,544,000**
Red Rock Canyon Open Space annual payment	$	1,010,000
Open Space Acquisition Account	$	70,000
Red Rock Canyon Master Plan Implementatior	$	575,000
Ute Valley Master Plan Implementation	$	240,000
Stewardship - Education	$	100,000
Stewardship - Rangers	$	175,000
Stewardship - Land Management	$	95,000
Stewardship - Resource Management	$	279,000
Parks - 20% max.	**$**	**1,270,459**
Park Maintenance	$	830,459
Emergency Repair	$	40,000
Playground Renovation and Replacement	$	275,000
North Cheyenne Canon Park Master Plan Upd	$	125,000

Additional Priority Unfunded Projects: Capital Improvement Projects

Manitou Incline Phase III	$	1,200,000
Deerfield Hills Community Center Expansion – Phase II	$	1,900,000
Westside Community Center Improvements	$	350,000
Brush Chipper	$	125,000
Shooks Run Trail Crossings	$	500,000
Memorial Park Asphalt - Park Road Paving,	$	545,000
Memorial Park Asphalt – Parking Lots,	$	1,435,000
Memorial Park Asphalt - Walkway and Criterium Track,	$	262,000
Leon Young Sports Complex Asphalt – Parking Lots and Drive,	$	378,000
Cottonwood Park Asphalt – Parking Lots	$	540,000
Cottonwood Creek Park Artificial Turf	$	800,000
Goose Gossage Artificial Turf	$	750,000
Cottonwood Creek Recreation Center Pool Filter System	$	55,000
Playground Renovations	$	350,000
Panorama Park Improvements	$	515,000
Harlan Wolfe Park Utility Improvements	$	60,000
Pedestrian Bridge Maintenance and Rehab	$	125,000
Tennis Court Resurfacing/Reconstruction	$	750,000
Monument Valley Park Historic Wall Repairs	$	50,000
Irrigation Repair and Renovation	$	250,000

Additional Priority Unfunded Projects: facility Repair and Renovation

City Auditorium Roof Repairs	$	400,000
Cottonwood Creek Recreation Center Roof Repairs	$	250,000
Memorial Park Aquatic and Fitness Center Roof Replacement	$	128,000
Memorial Park Aquatic and Fitness Center HVAC	$	525,000
City Auditorium Exterior Window Replacement	$	175,000
Cottonwood Creek Rec Center Boiler Replacement	$	60,000
Memorial Park Aquatic and Fitness Center Lighting	$	115,000
City Auditorium HVAC	$	500,000
City Auditorium Lavatories/Sinks	$	250,000
City Auditorium Ceiling Replacement	$	180,000
Hillside Community Center HVAC	$	100,000
Hillside Community Center – ADA Improvements	$	80,000
Pioneers Museum / Alamo Park ADA Improvements	$	50,000
Starsmore Discovery Center Roof Replacement	$	75,000
Rock Ledge Ranch: Carriage, Caretaker, Blacksmith Roof	$	165,000

COLORADO SPRINGS PARKS AND RECREATION DEPARTMENT

PARKS AND RECREATION ADVISORY BOARD

Date: June 9, 2016

Item Number: Action - Item #5

Item Name: Proposed 2017 Fees and Charges for the Parks, Recreation and Cultural Services Department

SUMMARY: The City of Colorado Springs Parks, Recreation and Cultural Services Department is recommending fees and charges for the 2017 calendar year that pertain to the Department's programs and services. Proposed changes to General Fund fees and charges are highlighted in yellow in the attached Exhibit A. Proposed changes to Pikes Peak – America's Mountain (PPAM) are included in Attachments B and C. Additionally, the North Slope Recreation Area is also proposing changes in fees which are summarized in Attachment D.

PREVIOUS COUNCIL ACTION: City Council approved the 2016 Parks, Recreation and Cultural Services fees and charges through Ordinance No. 15-86 (2016 Appropriation Ordinance) as part of the 2016 City budget process. Fees for Pikes Peak – America's Mountain have not been revised since Council approved Resolution No. 186-09 on August 25, 2009, with rates becoming effective January 1, 2010. Finally the North Slope Recreation Area has not had an increase in fees since 2009 when City Council Resolution No. 57-09 raised fees to include an increase in the Recreation Area access fee to $4.00.

BACKGROUND: The Parks and Recreation Advisory Board and City Council approved the Parks and Recreation Revenue Policy in late 1995 that served as a basis for setting 1997 and subsequent fees and charges. The policy requires an annual evaluation of program costs in addition to the determination of fees and charges. Staff has performed this annual update and has proposed 2017 fees and charges to meet the projected revenue required as part of the Department's 2017 budget submittal.

General Fund Fees - Due to the significant number of programs and services offered by the Department, different pricing models are used within the Recreation Services Division. In the case of therapeutic recreation and community center programs, an effort has been made to recover approximately 50% of direct costs. We believe the resulting subsidy is required for these services which contribute to a greater social good and produce a benefit to the community as well as directly impact low income/underserved neighborhoods and populations. In the case of youth and adult sports, Sertich Ice Center, and the Historic City Auditorium, the goal is to recover 100% of direct costs. To determine these fees, an analysis of the demand for services, as well as a periodic comparison within the local market is made by staff to determine pricing levels. A revenue increase of approximately $32,000 is anticipated through the proposed revisions. The proposed fees and charges for 2017 are included in Attachment A. Revised fees are highlighted in yellow.

Pikes Peak – America's Mountain - PPAM has always tried to keep the Gateway fees very reasonable to support the regional tourism industry. In the past, our revenue and expenses have balanced based on our enterprise model of operation; however, the costs for the Pikes Peak Summit Complex Project will exceed our current finances. There is a projected $15-20 million gap in funds for this project. In addition to fundraising efforts, PPAM is proposing a toll increase for 2017 to help cover this gap. This proposal will increase fees during the peak travel

season while maintaining the off-season fees and expand the current discounts/coupons available for tourists. It will also modify the discounts on annual pass sales which will benefit our local residents as well as our out-of-town visitors. A revenue increase of approximately $900,000 annually is anticipated through the proposed revisions. Attachment B provides a fee schedule comparison of the current rates to the proposed rates and Attachment C provides a cost comparison of other attractions within the Pikes Peak region.

North Slope Recreation Area - The North Slope Recreation Area fee is currently $4.00 per person 16 years and older. Children under 16 are free. The fee allows use of the Pikes Peak Highway up to the recreation area as well as access to the area for fishing, hiking, boating and sightseeing. The fees are split between Pikes Peak – America's Mountain and the Park Maintenance General Fund to cover overhead and operation costs of collecting fees, area maintenance and ranger salaries. The proposed $1.00 per adult increase would generate an estimated additional $26,000 per year and would help cover increasing costs due to higher visitor volumes and the associated staffing needs and wear and tear on the area's amenities. Attachment D provides a fee schedule comparison of the current rates to the proposed rates for the North Slope as well as Pikes Peak – America's Mountain.

South Slope Recreation Area - The South Slope Recreation Area fee is currently $15.00 per vehicle with a proposed increase to $20.00 per vehicle in 2017. Again, with use comes the need for staffing and maintenance. The additional revenue, estimated $4,500, would help offset these expenses.

FINANCIAL IMPLICATIONS: The proposed 2017 fees and charges are necessary to support Parks, Recreation and Cultural Services programs, facilities and services at the level identified in the 2017 budget. The Department will continue to market and offer the Helping Hand Fund to assist youth who may otherwise not be able to participate in recreational programs.

BOARD/COMMISSION RECOMMENDATION: N/A

RECOMMENDATION: Staff recommends approval of the revised 2017 fees and charges as shown on Exhibits A, B and D.

PROPOSED MOTION: A motion recommending approval of the 2017 fees and charges as shown on Exhibits A, B and D.

EXHIBIT A - 2017 Fees and Charges (DRAFT)

		DESCRIPTION	2016 Fees	2017 Proposed Fees	Percentage Increase	Notes
I.	**RESERVED AREAS**					
	A.	**PAVILION RESERVATION: Small pavilion**	$75.00/event	$75.00/event		
	B.	**PAVILION RESERVATION: Large pavilion**	$125.00/event	$125.00/event		
	C.	**CITYWIDE SPECIAL EVENT PERMIT:** ***(Special events, festicals, etc requiring a Use Agreement)*** **An event is considered a Citywide Special Event when it involves road closures; takes place on public property other than a City park or open space; has alcohol; has attendance greater than 10,000; and/or includes high risk activities. A certificate of liability insurance is required.**	Refer to Chart A	Refer to Chart A		
	D.	**CITYWIDE SPECIAL EVENT APPLICATION FEE: Applied to all Citywide Special Event applications. Fee may be paid upon submission of the application or added to the final invoice.**	$50	$50		
	E.	**MAJOR PARK USE PERMIT:** ***(Special events, festivals, etc requiring a Use Agreement)*** **An event is considered a Major Park Use when the event is intended for public participation; the event requires an entry fee; the event requires exclusive use of the site; expected attendance exceeds 100 people; the event will impact public usage of the site; and/or the event includes at least on of the following: vendor booths, food and beverages, entertainment, electricity, sound system or minor equipment (tents, canopies, stages, barricades, etc). A certificate of liability insurance is required. Fees include a three-day park rental.**	Refer to Chart A	Refer to Chart A		
	F.	**MAJOR PARK USE APPLICATION FEE: Applied to all Major Park Use applications. Fee may be paid upon submission of the application or added to the final invoice.**	$25	$25		
	G.	**MINOR PARK USE:** ***(Primarily neighborhood picnics or gatherings. Tier B and C parks only.)*** **An event is considered a Minor Park Use when 100 or more participants are expected; the event is entirely contained within an area of a park site; only 10x10 tents are used; event has a minimum amplification of music or vocals; no admission fees are charged; nor are invitations issued ito the general public; and/or no vending or commercial activities will occur during the event. Final determination of the event as a Minor Park Use is at the discretion of the City.**	Refer to Chart A	Refer to Chart A		
	H.	**FILM PERMIT:** ***(Commercial Use)*** **Required for video or still photography when your production involves the use of, or has impact upon public property, traffic flow, pedestrian movement, public facilities, parks, sidewalks, street areas or the temporary use of private property in a manner that significantly varies from its current land use. A certificate of liability insurance is required.**	$250.00/event	$250.00/event		
	I.	**SCHOOL USAGE REQUEST:** ***(Use of a City park or open space for a school-sponsored function)*** **Usage must coincide with school hours; should be only for the students / staff / chaperones of the school; and have a minimal impact to the park and/or the neighborhood surrounding the park. Requests must be made at least two weeks in advance.**	No Fee	No Fee		
	J.	**ELECTRICITY: Not available at all parks. Associated with the use of electricity for sound systems, PA systems, vendor booths, etc.**	$50.00/event	$50.00/event		
	K.	**WATER: Not available at all parks. Associated with the use of water for weighting barrels, filling dunk tanks, etc.**	$100.00/event	$100.00/event		
	L.	**MAINTENANCE STAFF FEES: Maintenance staff may be requested to remain on site for setup, teardown, or during the operation of the event. Hourly cost is per staff member requested.**	$25.00/hr with a 2 hr minimum	$25.00/hr with a 2 hr minimum		
	M.	**LATE FEES: Citywide Special Event applications are due 90 days prior to the event date. Major Park Use applications are due 30 days prior to the event date. Applications submitted after the deadline will be subjected to a late fee. Minor Park Use and Film Permit requests ar exempt from late fee charges.**	$50.00 / City-wide application $25.00 / Park application	$50.00 / City-wide application $25.00 / Park application		
	N.	**VIOLATIONS & PENALTY FEES: Violation and penalty fees may apply for a violation of any park rule and/or when any of the following incidents occur: driving unauthorized vehicles on unapproved space (i.e. grass, athletic fields, trails, greenways or service roads); dumping or failure to remove trash; damage to any park property; misrepresentation of event; failure to sufficiently clean the venue; use of any paint or chalk to mark a paved surface or permanent structure; staking in any park; and/or smoking in non-designated areas or unapproved use of alcoholic beverages on park property.**	$100.00 / incident	$100.00 / incident		
	O.	**FEE WAIVERS / DISCOUNTS: Varies per application.**				
	P.	**CANCELLATION POLICY: No refunds will be issued for cancelled events made less than 72 hours prior to the event or rental. Refunds will not be issued due to weather conditions existing on your event date.**				
II.	**CULTURAL SERVICES**					
	A.	**ROCK LEDGE RANCH SCHOOL PROGRAMS**	$3.00/child (Leader is free)	$3.00/child (Leader is free)		
	B.	**ROCK LEDGE RANCH RENTAL**				
	a)	**Chapel (maximum of one rental per day, daylight hours)**	$200.00/day	$200.00/day		
	b)	**Site and Historical Interpretive Services provided for special events**	Negotiable	Negotiable		
	C.	**COLORADO SPRINGS PIONEERS MUSEUM**				
		Not-for profit use only. Events require a minimum of 2 staff members to be in attendance.	Direct costs only	Direct costs only		

EXHIBIT A - 2017 Fees and Charges (DRAFT)

				DESCRIPTION	2016 Fees	2017 Proposed Fees	Percentage Increase	Notes
III.	**RECREATION SERVICES**							
	A.	**SOFTBALL/BASEBALL**						
		a)	**Permit to reserve one field; no maintenance, lights or bases** (Skyview Sports Complex)		$40.00/hr/field	$40.00/hr/field		
		b)	**Permit to reserve one field; no maintenance, lights or bases** (Gossage, Leon Young, Memorial, Wasson, Rampart, Cottonwood, Ford Frick, Village Green, Monument Valley South)		$27.00/hr/field	$27.00/hr/field		
		c)	**Permit to reserve one field; no maintenance, lights or bases** (all fields not listed in a) or b) above)		$18.00/hr/field	$18.00/hr/field		
		d)	**Field Drag**		$25.00/field	$25.00/field		
		e)	**Field Line**		$22.00/hr/field	$22.00/hr/field		
		f)	**Field Lights**		$30.00/hr/field	$30.00/hr/field		
	B.	**SOCCER/FOOTBALL/LACROSSE/RUGBY**						
		a)	**Permit to reserve one field**					
			1)	Coleman Park (Sandcreek Soccer Field) - April thru October	$45.00/hr/field	$45.00/hr/field		
			2)	Size "A"&"C" Fields - April thru October	$30.00/hr/field	$30.00/hr/field		
			3)	Sizes "I", "E", & "3V3" Fields - April thru October	$20.00/hr/field	$20.00/hr/field		
			4)	Coleman Park (Sandcreek Soccer Field) - November thru March	$55.00/hr/field	$55.00/hr/field		
			5)	Size "A"&"C" Fields - November thru March	$40.00/hr/field	$40.00/hr/field		
			6)	Sizes "I", "E", & "3V3" Fields - November thru March	$30.00/hr/field	$30.00/hr/field		
		b)	**Field Installation "A" & "C" fields, including goals**		$180.00/field	$180.00/field		
		c)	**Field Installation "I", "E", & "3V3" fields, no goals**		$130.00/field	$130.00/field		
		d)	**Field Lining**		$35.00/field	$35.00/field		
		e)	**Soccer Goal Installation**		$160.00/hr/field	$160.00/hr/field		
	C.	**SUPERVISION**						
		a)	**Slow-pitch Scorekeepers**		$10.00/game	$10.00/game		
		b)	**Fast pitch Scorekeepers**		$10.00/game	$10.00/game		
		c)	**High School Fast pitch Scorekeepers**		$15.00/game	$15.00/game		
		d)	**Field Supervisor**		$15-$20/game	$15-$20/game		
		e)	**Tournament Capital Improvement Fee (per team)**		$12.50	$12.50		
	D.	**CLEANUP/DAMAGE DEPOSIT**						
		a)	**Non-refundable if cancelled or applied to maintenance**		$250.00	$250.00		
	E.	**ADULT LEAGUES (18 yrs & over) - per session**						
		a)	**Spring and Fall Softball Slow pitch**		$329.00	$329.00		
		b)	**Summer Softball**					
			1)	Recreational	$366.00	$366.00		
		c)	**Winter Softball**		$279.00	$279.00		
		d)	**Fall Volleyball**		$316.00	$316.00		
		e)	**Summer Volleyball**					
			1)	Four Person	$104.00	$104.00		
			2)	Six Person/Team	$183.00	$183.00		
		f)	**Spring Volleyball (4 person)**		$302.00	$302.00		
		g)	**Spring Volleyball (6 person)**		$314.00	$314.00		
		h)	**Winter Volleyball (4 person)**		$353.00	$353.00		
		i)	**Winter Volleyball (6 person)**		$365.00	$365.00		
		j)	**Fall Flag Football**		$305.00	$305.00		
		k)	**4-on-4 Spring Football**		$239.00	$239.00		
		l)	**Winter Basketball**		$427.00	$427.00		
		m)	**Spring/Fall Basketball**		$390.00	$390.00		
		n)	**3-on-3 Basketball**		$97.00	$97.00		
		o)	**Capital Improvement Player Fee (per player)**		$9.00	$9.00		
	F.	**YOUTH SPORTS PROGRAMS - per session**						
		a)	**Soccer (5-17 yrs)**		$71.00	$71.00		
		b)	**Baseball, Softball & T-Ball (5-17 Yrs)**		$63.00	$63.00		
		c)	**Fall Tackle Football (5-17 Yrs)**		$98.00	$98.00		
		d)	**Spring Tackle Football (5-17 Yrs)**		$70.00	$70.00		
		e)	**Flag Football (5-17 Yrs)**		$70.00	$70.00		
		f)	**Skyhawk Camps (5-17 yrs)**		$121.00	$121.00		
		g)	**Volleyball**		$58.00	$58.00		
		h)	**Late registration fee (applies to the above list of programs)**		$5.00	$5.00		
		i)	**Youth Boxing (ages 8 - 18)**		$30.00/month	$30.00/month		
		j)	**Fall Instructional Baseball (ages 7 - 13)**		$70.00	$70.00		

EXHIBIT A - 2017 Fees and Charges (DRAFT)

			DESCRIPTION	2016 Fees	2017 Proposed Fees	Percentage Increase	Notes
G.	**THERAPEUTIC RECREATION PROGRAMS - per session**						
	a)		**Mixed Emotions**	$120.00	$120.00		
	b)		**Adventures in Leisure**	$60.00	$60.00		
	c)		**Daytime Jaunts**	$25.00	$25.00		
	d)		**Aqua-Fitness**	$40.00	$40.00		
	e)		**Aqua-Rehab**	$40.00	$40.00		
	f)		**Friday Afternoon Club**	$74.00	$74.00		
	g)		**Out on the Town**	$5.00	$5.00		
	h)		**Cross Country Skiing/Snowshoeing**	$68.00	$68.00		
	i)		**Downhill Skiing**	$88.00	$88.00		
	j)		**Dog-sledding**	$48.00	$48.00		
	k)		**Discovery Camp**	$460.00	$460.00		
	l)		**Teen SCOPE Camp**	$360.00	$360.00		
	m)		**Rafting**	$60.00	$60.00		
	n)		**Adapted Water Skiing**	$10.00	$10.00		
	o)		**BBQ Hayride**	$20.00	$20.00		
	p)		**Fitness Activities**	$25.00	$25.00		
	q)		**Yoga**	$22.00	$25.00	13.64%	Increase due to instructor cost
	r)		**Golf 4 Fun**	$22.00	$22.00		
	s)		**Paralympic Swimming**	$90.00	$90.00		
	t)		**Paralympic Cycling Rides**	$9.00/date	$9.00/date		
	u)		**Paralympic Wheelchair Basketball**	$57.00	$25.00	-56.14%	Decrease due to shorter season
	v)		**Paralympic Boccia**	$36.00	$36.00		
	w)		**Healthy Cooking**		$60.00		Continuing program based on successful pilot
	x)		**Special Olympics Activities**		$30.00		Continuing program based on successful pilot
	y)		**Indoor Shooting**		$75.00		Continuing program based on successful pilot
	z)		**Archery**		$60.00		Continuing program based on successful pilot
	aa)		**Arts Classes (drama, painting, etc)**		$25.00		Continuing program based on successful pilot
	bb)		**Adaptive Kayaking**		$45.00		Continuing program based on successful pilot
	cc)		**Adaptive Sailing Series**		$150.00		Continuing program based on successful pilot
	dd)		**Overnight Trips**		Varies		Continuing program based on successful pilot
J.	**SERTICH ICE CENTER ARENA RENTAL**						
	a)		**Commercial - Filming, Photo Sessions (per hour)**	$280.00	$280.00		
	b)		**Contracted - 2 or more hours (per hour)**	Negotiable	Negotiable		
	c)		**Broomball Equipment (per hour)**	$25.00	$25.00		
	d)		**Hourly Rental**	$255.00	$255.00		
K.	**SERTICH ICE CENTER ADMISSIONS - per session**						
	a)		**Public Sessions** (90 MINUTES)				
		1)	**Youth (17 & under)**	$5.25	$5.25		
		2)	**Adult (18 & over)**	$6.25	$6.25		
		3)	**Group rate, 10 or more participants**	$5.00	$5.00		
	b)		**Stix-n-Pux Youth Admission**	$8.25	$8.25		
	c)		**Stix-n-Pux Adult Admission**	$9.25	$9.25		
	d)		**Pick-Up Hockey Adult Admission**	$10.50	$10.50		
	e)		**Pick-Up Hockey High School Admission**	$9.00	$9.00		
	f)		~~**Kids, Pucks and Parents Adult Admission**~~	~~$8.00~~	~~$8.00~~		Eliminated program
	g)		~~**Kids, Pucks and Parents Youth Admission**~~	~~$7.00~~	~~$7.00~~		Eliminated program
	h)		~~**Kids, Pucks and Parents Family Admission**~~	~~$15.00~~	~~$15.00~~		Eliminated program
	i)		**Polar Pals (one child, one adult and skate rentals)**		$5.00		Continuing program based on successful pilot
	j)		**Polar Pals (additional child, skate rental included)**		$4.00		Continuing program based on successful pilot
L.	**SERTICH ICE CENTER LEAGUES and CAMPS - per session**						
	a)		~~**Summer High School Hockey League**~~	~~$275.00~~	~~$275.00~~		Eliminated program
M.	**SERTICH ICE CENTER SKATING - per session**						
	a)						
		1)	~~**Baby Blades**~~	~~$105.00~~	~~$105.00~~		Eliminated program
		2)	**Mommy, Daddy & Me**	$105.00	$105.00		Being renamed "Tot & Me"
		3)	**Patch Classes**	$104.00	$104.00		
		4)	**Tots**	$105.00	$105.00		
		5)	**Youth Basic 1-6**	$105.00	$105.00		Being defined as Youth 1 - 8
		6)	**Adult Basic 1-6**	$120.00	$120.00		Being defined as Adult 1 - 6
	b)		**Freestyle (45 minutes)**	$110.00	$110.00		
	c)		**Coffee Club**	$116.00	$116.00		
		1)	**Single Day Instructor Fee (unlimited w/ policy restrictions)**	$6.00	$6.00		
		2)	**Weekly Instructor Fee (unlimited w/ policy restrictions)**	$32.00	$32.00		
		3)	**Monthly Instructor Fee (unlimited w/ policy restrictions)**	$90.00	$90.00		
N.	**SERTICH ICE CENTER SKATE RENTAL**						
	a)		**Regular**	$3.25	$3.25		
	b)		**Hockey**	$3.25	$3.25		
O.	**SERTICH ICE CENTER SKATE SHARPENING**						
	a)		**Regular Grind**	$6.00	$6.00		
P.	**SERTICH ICE CENTER FIGURE SKATING SESSIONS**						
	a)		**Adult Walk-On Patch and Freestyle** (45 minutes)	$15.00	$15.00		
	b)		**Adult 10 Admission Punch Pass (1 hour sessions)**	$107.50	$107.50		
	c)		**Youth Walk-On Patch and Freestyle** (45 minutes)	$12.00	$12.00		
	d)		**Youth 10 Admission Punch Pass (1 hour sessions)**	$90.00	$90.00		
	e)		**Walk-On Ice Dance Session** (1 hour)	$15.00	$15.00		
	f)		**Walk-On 10 Admission Ice Dance Punch Pass** (1 hour sessions)	$110.00	$110.00		

EXHIBIT A - 2017 Fees and Charges (DRAFT)

	DESCRIPTION	2016 Fees	2017 Proposed Fees	Percentage Increase	Notes
Q.	**SERTICH ICE CENTER ADVERTISING**				
a)	**Zamboni**	Negotiable	Negotiable		
b)	**Banners**	Negotiable	Negotiable		
c)	**Scoreboard**	Negotiable	Negotiable		
d)	**Dasher boards**				
1)	**Primary View**	$1,300.00	$1,300.00		
2)	**Secondary View**	$650.00	$650.00		
R.	**SERTICH ICE CENTER BIRTHDAY PARTY (FOR 15 PEOPLE OR LESS)**	$175.00	$175.00		
S.	**SERTICH ICE CENTER CONCESSIONS**	Negotiable	Negotiable		
T.	**CITY AUDITORIUM ARENA-MAIN STAGE**				
a)	**Commercial (for 12 hours)**	$2,800.00	$3,000.00	7.14%	Increase based on market and operational costs
b)	**Non-Profit (for 12 hours)**	$2,300.00	$2,500.00	8.70%	Increase based on market and operational costs
c)	**Local Non-Profit** (Tax exempt organizations chartered in the State of Colorado with principle offices in El Paso County for the express purpose of presenting public performances of entertainment for a specific ticket admission charge.)	Negotiable	Negotiable		
d)	**Multi-user rate**	2-5 Uses: 5% discount; 6 or more: 10% discount	2-5 Uses: 5% discount; 6 or more: 10% discount		
e)	**Non-Profit hourly rate under 5 hours**	$100.00/hr	$125.00/hr	25.00%	Increase based on market and operational costs
f)	**Commercial hourly rate under 5 hours**	$150.00/hr	$175.00/hr	16.67%	Increase based on market and operational costs
U.	**CITY AUDITORIUM - LON CHANEY THEATER (charged by the hour)**				
a)	**Use in Conjunction with Arena Event**	Negotiable	Negotiable		
b)	**Events**				
1)	Commercial hourly	$75.00	$85.00	13.33%	Increase based on market and operational costs
2)	Non-Profit hourly	$55.00	$65.00	18.18%	Increase based on market and operational costs
3)	Table Replacement Fund Fee (flat rate)	$25.00	$25.00		
4)	Chair Replacement Fund Fee (flat rate)	$25.00	$25.00		
V.	**CITY AUDITORIUM EVENT SUPPORT PERSONNEL**				
a)	**Auditorium Staff Person (no longer offer staff to provide technical/production support**				
b)	**Security**	Direct costs	Direct costs		
c)	**Stage Hands**	Direct costs	Direct costs		
d)	**Custodial fee (Lon Chaney flat rate)**	$100.00	$100.00		
e)	**Custodial fee (Main Arena flat rate)**	$350.00	$350.00		
e)	**Additional set-up (per hour beyond 12 hours)**	$125.00	$175.00	40.00%	Increase based on market and operational costs
W.	**CITY AUDITORIUM EQUIPMENT RENTAL**				
a)	**A/V Equipment (projector, DVD player, sound system)**		$25.00 to $75.00 per item		Increase based on market and operational costs
b)	**Ticket Booth**		$25.00		Increase based on market and operational costs
c)	**Pipe and Drape**		$100.00		Increase based on market and operational costs
d)	**Electricity/Data Lines/Phone Lines**		$15.00 per line		Increase based on market and operational costs
X.	**PROSPECT LAKE PRIVATE BOAT PERMITS (ANNUAL, EXPIRES 12/31)**				
a)	**Motorboat**	$5 (ID) + $120 (use) = $125	$5 (ID) + $120 (use) = $125		
b)	**Personal Watercraft**	$80.00	$80.00		
c)	**Sail Boat**	$5 (ID) + $45 (use) = $50	$5 (ID) + $45 (use) = $50		
d)	**Hand-Propelled**	$5 (ID) + $45 (use) = $50	$5 (ID) + $45 (use) = $50		
e)	**Dealer (Any vessel; per plate; plate interchangeable; three plates per dealer max.)**	$5 (ID) + $220 (use) = $225	$5 (ID) + $220 (use) = $225		

EXHIBIT A - 2017 Fees and Charges (DRAFT)

				DESCRIPTION	2016 Fees	2017 Proposed Fees	Percentage Increase	Notes
Y.	**HILLSIDE COMMUNITY CENTER - per session unless otherwise noted**							
	a)	**Rentals-For Profit (per hour)**						
		1)	Kitchen		$75.00	$75.00		
		2)	Room		$50.00	$50.00		
		3)	Gymnasium (non-sporting events) includes setup/staffing/tear down		$185.00	$185.00		
		4)	Gymnasium (sporting events)		$60.00	$60.00		
			i) Use of scoreboard during rental - one time cost		$10.00	$10.00		
		5)	Multi-purpose		$75.00	$75.00		
		6)	Entire facility (Hillside)		$140.00	$140.00		
		7)	Entire facility (Otis)		$60.00	$60.00		
	b)	**Rentals-Not For Profit (per hour)**						
		1)	Kitchen		$70.00	$70.00		
		2)	Room		$40.00	$40.00		
		3)	Gymnasium (non-sporting events) includes setup/staffing/tear down		$185.00	$185.00		
		4)	Gymnasium (sporting events)		$60.00	$60.00		
			i) Use of scoreboard during rental - one time cost		$10.00	$10.00		
		5)	Multi-purpose		$55.00	$55.00		
		6)	Entire facility (Hillside)		$100.00	$100.00		
		7)	Entire facility (Otis)		$50.00	$50.00		
	c)	**YESS M-F**			$60.00	$88.00	46.67%	$1.25/per hour of direct contact + required training. (1 hour per month) An increase in salaries, transportation costs, and rates not raised in over 3 years for youth programming. (70 hours direct contact + 1 hour training per month)
	d)	**Summer Camp Elementary**			$360.00	$400.00	11.11%	$1.25/per hour of direct contact + required training. (40 hours)
	e)	**Summer Camp Teen**			$295.00	$300.00	1.69%	$1.25/per hour of direct contact + required training. (40 hours)
	h)	**Late Child Pick Up Fee ($1.00 per minute after 5 minutes late)**			$1.00 per minute	$1.00 per minute		
	i)	**Spring Break Elementary/Teen**			$60.00	$63.00	5.00%	$1.25/per hour of direct contact.
	j)	**Full Day Features**			$12.00	$13.00	8.33%	$1.25/per hour of direct contact.
	k)	~~**Senior Ceramics**~~			~~$15.00~~			Eliminated program
	l)	**Senior Line Dancing (per person per session)**			$2.00	$2.00		
	m)	**Holiday Extravaganza / Holiday Teens**			$48.00	$50.00	4.17%	$1.25/per hour of direct contact.
	n)	**Pre-Teen Dances**			$5.00	$5.00		
	o)	**Friday Night Flights**			$5.00	$5.00		
Z.	**MEADOWS PARK COMMUNITY CENTER - per session unless otherwise noted**							
	a)	**Rentals-For Profit (per hour)**						
		1)	Kitchen		$50.00	$50.00		
		2)	Room		$45.00	$45.00		
		3)	Gymnasium		$50.00	$50.00		
		4)	Entire facility		$135.00	$135.00		
	b)	**Rentals-Not For Profit (per hour)**						
		1)	Kitchen		$45.00	$45.00		
		2)	Room		$40.00	$40.00		
		3)	Gymnasium		$45.00	$45.00		
		4)	Entire facility		$100.00	$100.00		
	c)	**Summer Camp Elementary**			$360.00	$400.00	11.11%	$1.25/per hour of direct contact + required training. (40 hours)
	d)	**CB Young Stars Outdoor Camp**			$325.00	$325.00		
	e)	**Teen Summer Camp (4 days)**			$360.00	$400.00	11.11%	$1.25/per hour of direct contact + required training. (40 hours)
	f)	**Afterschool Enrichment**			$60.00	$71.00	18.33%	$1.25/per hour of direct contact + required training. (1 hour per month) An increase in salaries, transportation costs, and rates not raised in over 3 years for youth programming. (56 hours direct contact + 1 hour training per month)
	g)	**Senior Ceramics**			$32.00	$40.00	25.00%	$1.25/direct contact program hour. An increase in salaries and supplies and first increase in over 3 years.
	h)	**Spring Break**			$60.00	$63.00	5.00%	$1.25/per hour of direct contact.
	i)	**Full Day Feature**			$12.00	$12.00		
	j)	**Holiday Break (per week)**			$48.00	$50.00	4.17%	$1.25/per hour of direct contact.
	k)	**Late Child Pick Up Fee ($1.00 per minute after 5 minutes late)**			$1.00 per minute	$1.00 per minute		
	l)	**Adult Exercise**			$36.00	$40.00	11.11%	$1.25/direct contact program hour. A modest increase to account for higher salary costs.
	m)	**Daddy/Daughter Dance (girls ages 1 - 15)**			$40.00	$40.00		
AA.	**DEERFIELD HILLS COMMUNITY CENTER - per session unless otherwise noted**							
	a)	**Rentals-For Profit (per hour)**						
		1)	Room		$45.00	$45.00		
		2)	Entire facility		$90.00	$90.00		
	b)	**Rentals-Not For Profit (per hour)**						
		1)	Room		$40.00	$40.00		
		2)	Entire facility		$75.00	$75.00		
	c)	**Summer Camp Deerfield**			$360.00	$400.00	11.11%	$1.25/per hour of direct contact + required training. (40 hours)
	d)	**After School M-F**			$60.00	$71.00	18.33%	$1.25/per hour of direct contact + required training. (1 hour per month) An increase in salaries, licensing and transportation costs, and rates not raised in over 3 years for youth programming. (56 hours direct contact + 1 hour training per month)
	e)	**Holiday Break (per week)**			$48.00	$50.00	4.17%	$1.25/per hour of direct contact.
	f)	**Spring Break**			$60.00	$63.00	5.00%	$1.25/per hour of direct contact.
	g)	**Full Day Features**			$12.00	$13.00	8.33%	$1.25/per hour of direct contact.
	h)	**Late Child Pick Up Fee ($1.00 per minute after 5 minutes late)**			$1.00 per minute	$1.00 per minute		
	i)	**Teens Outside (per trip)**			Varies	Varies		
	j)	**Teens Summer Camp (3 days)**				$300.00		$1.25/per hour of direct contact + required training.
	k)	**Sprayground**						
		1)	Group rate (15 individuals or more)		$2.00	$2.00		
		2)	Private Rental (per hour - 2 hour minimum)		$100.00	$100.00		
		3)	Birthday Party		$65.00	$65.00		
	l)	**Community Garden**						
		1)	Full Plot			$40.00		New addition to Fees Table, however, fees remain the same from prior year.
		2)	Raised Bed			$20.00		New addition to Fees Table, however, fees remain the same from prior year.
IV.	**MISCELLANEOUS**							

EXHIBIT A - 2017 Fees and Charges (DRAFT)

	DESCRIPTION	2016 Fees	2017 Proposed Fees	Percentage Increase	Notes
A.	**SPECIAL CHARGES**				
	The Department periodically sets fees for events or discount promotions not defined in this resolution. These items include special rentals, promotions, for-profit tournaments, festivals, clinics, commercial uses, etc. When such an activity takes place, the Director will determine an appropriate fee. Minimally, an attempt to recover direct costs is necessary, including all materials, services, and staff time incurred by the City to prepare or facilitate the event or program.	Varies	Varies		
B.	**CO-SPONSORSHIP**				
	If the Department deems is appropriate to sponsor a community activity as is pertains to City and/or departmental goals, the Director may reduce or waive the established charges to the mutual benefit of the participants.	Varies	Varies		
C.	**STABLES**				
	Academy Riding Stables is in agreement with the City of Colorado Springs Parks, Recreation, and Cultural Services, will pay fees collected to conduct commercial equestrian rides on the trails through Garden of the Gods Park. A permit is issued to ARS on an annual basis for the privilege of using the park trails.	$2.75 per ride or equivalent	$2.75 per ride or equivalent		
D.	**SOUTH SLOPE**				
	Access fee associated with the South Slope Recreation Area (opened on a seasonal basis - typically June through September).	$15.00 per vehicle	$20.00 per vehicle	33.33%	Increase due to demand and anticipated maintenance needs.
E.	**STREET TREE ADMINISTRATION PROGRAM**				
	a) Damaged Public Trees (individual will be assessed a basic cleanup, inspection and appraisal fee).	Direct costs	Direct costs		
	b) Street Tree Removal Permit for a healthy tree	Appraisal value of tree + cost of removal and stumping	Appraisal value of tree + cost of removal and stumping		
	c) House Moving Services for time and materials	Direct costs	Direct costs		
F.	**TREE SERVICE LICENSING**				
	a) Licensing Packet	$25.00	$25.00		
	b) Tree Service licensing test	$150.00	$150.00		
G.	**PRIVATE TREE INSPECTION**	$50/Inspection	$50/Inspection		
	****Therapeutic Recreation Program and Community Centers Fees and Charges: subsidy is required for services which contribute to social good and produce a benefit to the community as well as directly impact low income/underserved neighborhoods and populations.**				

COLORADO SPRINGS PARKS AND RECREATION DEPARTMENT

PARKS AND RECREATION ADVISORY BOARD

Date: June 9, 2016

Item Number: Action Item #_____6_

Item Name: Request by NES, Inc, on behalf of Davis Company and Colorado Springs Utilities, to establish a public utility corridor across the Tutt Sports Complex Site

SUMMARY: The Parks and Recreation Department has received a request from NES, Inc, on behalf of Davis Company and Colorado Springs Utilities for a public utility corridor across the undeveloped Tutt Sports Complex site. The proposed public utility corridor is necessary for the construction of underground utilities to serve a private development located east of the Tutt Sports Complex Site. If approved by the Parks and Recreation Advisory Board, Park staff will pursue an Executive Agreement with Colorado Springs Utilities for use of this corridor.

PREVIOUS BOARD ACTION: None

BACKGROUND: Park Staff was approached by NES, Inc., Davis Company and Colorado Springs Utilities requesting a utility corridor to serve a future multi-family development located east of the Tutt Sports Complex. The proposed 50' wide utility corridor will parallel an existing drainage channel located within the sports complex site and connect to existing public utilities located within Tutt Blvd. The proposed location of the utility corridor will minimize possible impacts to future development of the sports complex.

The utility corridor will provide access to public utilities, including but not limited to, water and waste water. In addition to serving the adjacent private development, the utility corridor will also serve the future sports complex site. The proposed utilities will be sized to accommodate future sports complex development.

Park staff and CSU will establish an Executive Agreement for the utility corridor. All costs associated with the preparation of the Executive Agreement and the construction of the underground utilities will be the responsibility of the adjacent private developer.

FINANCIAL IMPLICATIONS: There will be no cost to the City or Parks Department. The Developer will be responsible for all costs associated with the establishment of the Executive Agreement and construction of the proposed utilities.

RECOMMENDATION:
Staff recommends approval of the proposed Utility Corridor.

ALTERNATIVE:
The Board may choose to approve, modify, or disapprove the proposed Utility Corridor

PROPOSED MOTION:
A motion to approve the proposed Utility Corridor

PARTIES NOTIFIED OF THIS MEETING:
NES, Inc.

EXHIBIT "A"

LEGAL DESCRIPTION:

Lot 1, Tutt Sports Complex in the City of Colorodo Springs, El Paso Cauny, Colorado as recorded at Reception No. 205058864 of the records of said El Paso County.

EXHIBIT "B"

LEGAL DESCRIPTION:

A tract af land being a portion of Lot 1, Tutt Sports Complex in the City of Colorado Springs, El Paso County, Calorado as recorded at Reception No. 205058864 of the records of soid El Paso Cauny, located in the Southeost quarter of the Northwest quarter (SE1/4NW1/4) of Section 31, Township 13 South, Ronge 65 West of the 6th P.M., being more porticularly described as follaws:

COMMENCING at the Northeast corner af said Lot 1; thence S00°04'11"E on the East line of said Lot 1, a distance af 157.31 feet to the POINT OF BEGINNING; thence continuing S00°04'11"E on said East line, a distance of 50.00 feet; thence S89°19'55"W a distance of 191.53 feet; thence N39°34'52"W a distance of 175.83 feet; thence N89°15'02"W a distance of 200.68 feet to a point of curve; thence on a curve to the right having a centrol angle of 11°32'21", a radius of 215.00 feet for an arc distance of 43.30 feet, whose chord bears N83°28'52"W; thence N77°42'41"W a distance of 63.51 feet; thence S11°45'18"W a distance of 93.20 feet; thence S89°55'02"W a distance of 22.86 feet to the East right-of-way line of Tutt Boulevard, dedicated to the public in Tutt Boulevard Subdivision Filing No. 2 as recorded at Reception No. 200122761 of the records of said El Paso County; thence N00°50'17"E on said East right-of-way line, a distance of 151.10 feet; thence S77°42'41"E a distance of 114.97 feet to a point of curve; thence on a curve to the left having a central angle of 11°32'21", a radius of 165.00 feet for an arc distance of 33.23 feet, whose chord bears S83°28'52"E; thence S89°15'02"E a distance of 223.82 feet; thence S39°34'52"E a distance of 175.08 feet; thence N89°19'55"E a distance of 168.15 feet to the POINT OF BEGINNING and containing 0.892 acre or 38,856 square feet of land, more or less.

See Exhibit "C" attached.

Prepared by:
John L. Bailey PLS #19586
for and on behalf of
Rockwell Consulting, Inc.
April 25, 2016

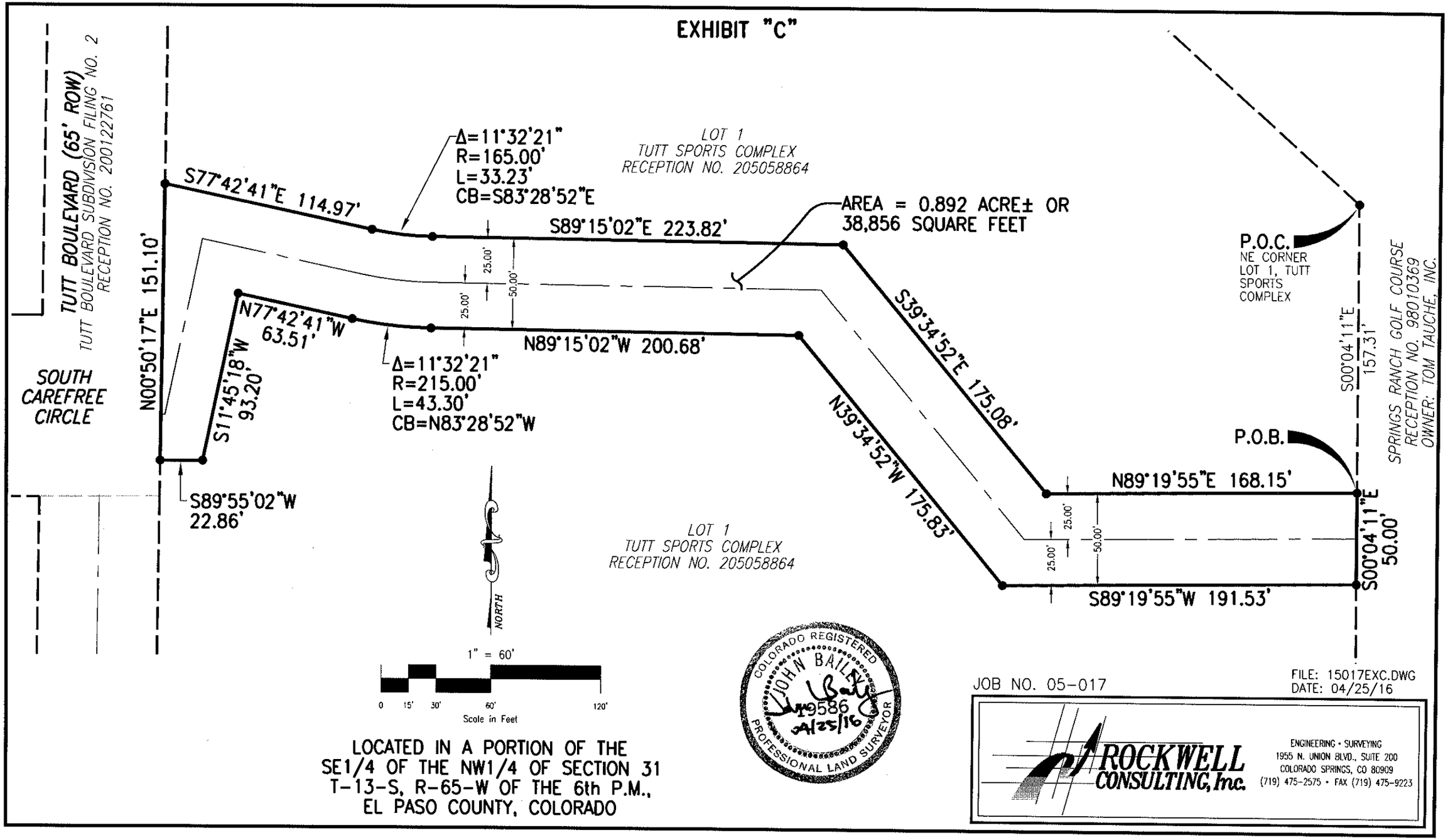
COLORADO REGISTERED
JOHN BAILEY
19586
04/25/16
PROFESSIONAL LAND SURVEYOR

JOB NO. 15-017

FILE: 15017EXC.DWG
DATE: 04/25/16

ROCKWELL CONSULTING, Inc.
ENGINEERING • SURVEYING
1955 N. UNION BLVD., SUITE 200
COLORADO SPRINGS, CO 80909
(719) 475-2575 • FAX (719) 475-9223

EXHIBIT "C"



LOCATED IN A PORTION OF THE
SE1/4 OF THE NW1/4 OF SECTION 31
T-13-S, R-65-W OF THE 6th P.M.,
EL PASO COUNTY, COLORADO

Springs Ranch Golf Club

Springs Ranch Golf Course
Proposed Utility Easement

May 2016

NES