



**TOPS Working Committee Meeting
Meeting Minutes
Wednesday, February 5, 2014**

Members Present: Jason Alwine, P.J. Anderson, Ian Kalmanowitz, Jeff Mohrmann, Jim Rees, Kirk Samelson, Leslie Thomas, Becky Wegner

Members Absent: Paul Franco

Parks and Recreation Advisory Board Liaison Present: Jackie Hilaire, Scot Hume, John Maynard

Alternates Present: Joe Lavorini

Alternates Absent: Emily Epstein

Staff Present: Sarah Bryarly, Tilah Larson, Chris Lieber, Karen Palus, Kelly Rajab, Kurt Schroeder

Ian Kalmanowitz brought the meeting to order at 7:36 a.m.

Agenda Preview

The action item regarding the donation of the 9-acre parcel adjacent to the Northgate Open Space will be postponed until the March meeting. A presentation on the Wedgewood Farms property will be added to the agenda after the Chamberlain Trail presentation.

Announcements

Chris Lieber announced that the playground renovations are underway. Two designs for each of six aging playgrounds have been designed and will be presented to the public in meetings beginning last night.

- Penstemon Park
- Shooks Run Park
- Fountain Park
- Fairfax Park
- Golden Hills Park
- North Monument Valley Park

Approval of Minutes

Motion – to approve the minutes of the December 4, 2013 meeting as written:

Jason Alwine/Leslie Thomas

Approved – Unanimous

Citizen Discussion

No Citizen Discussion

Staff Report

Discover Colorado Springs Calendar

Sarah Bryarly presented the 2014 Trails and Open Space Calendar. Over 200 photos were submitted by the public. A panel of judges reviewed all the photos and chose the best photos. Timberline Landscaping generously sponsored the publication of the calendar. They are looking forward to sponsoring next year's calendar as well. Next year's theme will be "Come Play in our Parks". Photographers will obtain a waiver from photo subjects so we will be able to use images of citizens in the calendar. Staff will begin accepting photos in September and the calendar will be ready for distribution in December.

Volunteerism in TOPS Open Spaces

Tilah Larson, Volunteer Coordinator, distributed informed consent forms to be signed by the members of the Working Committee. She thanked the Working Committee members for volunteering their time. She described the new volunteer tracking software called CERVIS which will allow tracking of hours worked by volunteers in our facilities and on our volunteer boards. There are two new Friends groups for TOPS properties: Friends of Blodgett Peak Open Space and Friends of Ute Valley Park. Both groups are regularly spending time in the properties doing work ranging from cleanup to trail work. Both groups plan to develop educational programs for the properties to help inform the public about invasive plant species, historical purposes of the areas and why the City has chosen to preserve these areas.

Parks, Recreation, Trails and Open Space Master Plan Update

Chris Lieber reported that the schedule for the Master Plan Update has been revised slightly and distributed new schedules to the Committee members. He encouraged Committee Members to visit the Master Plan website at www.springsgov.com/parksmasterplan. The website has links to the schedule as well as the comments generated by the round table meetings.

Jackie Hilaire asked if the revised schedule and website name could be sent to the Parks and Recreation Advisory Board.

Presentation Items

Chamberlain Trail Corridor Acquisition

Chris Lieber presented information about the proposed Chamberlain Trail extension. This is a new model of acquisition that uses a conservation easement in lieu of fee-title purchase. He introduced Scott Campbell and Kevin Lee of the Palmer Land Trust (PLT) to continue the presentation.

Mr. Scott Campbell, Palmer Land Trust, reminded the committee of the discussion about 18 months ago where the Committee discussed the idea of using conservation easements as a way to acquire open space without incurring the responsibility and cost of management and maintenance of the property. This approach for the Chamberlain Trail extension will allow TOPS and the PLT to work together to acquire a conservation easement rather than a fee-title acquisition as a way to help create an extension of the Chamberlain Trail and protect the land around the trail corridor.

Mr. Kevin Lee, Palmer Land Trust, presented a history of the PLT and their mission. The Protect the Peak initiative's goal is to protect a ring of land to buffer Pikes Peak. So far they have protected 12,000-acres around Pikes Peak. The PLT has partnered with TOPS on several acquisitions including Red Rock Canyon and Stratton Open Space. The Chamberlain Trail will extend above the Cheyenne Mountain Zoo to the south. TOPS funds would be used to purchase a conservation easement on the Zoo property. The easement will be co-held by the PLT and the City. The easement would prohibit sub-division and surface mining, would allow public access via the Chamberlain Trail and would protect the scenic view shed. The Zoo would use some of the funds from the easement purchase for fire mitigation efforts and the Colorado Springs Fire Department (CSFD) could leverage those funds against other grant dollars. The City would hold a real property interest in the zoo property at approximately 35%-50% of the cost compared to fee-title acquisition. The City would not incur the cost of managing the property. An important trail connection would be established. The CSFD would achieve strategic fire mitigation. He PLT would achieve a conservation easement that preserves the city's view shed, offers recreational access to the public, and protects life and property.

Mr. Scott Campbell added that the TOPS funds are not being used for the fire mitigation but for the acquisition of the property interest. This is a model that will show how the City is thinking strategically about how its work can provide more than a simple trail connection.

Jim Rees asked how the value of the property is determined for this model.

Mr. Scott Campbell replied that the value is determined by calculating the difference between an appraisal of the highest and best use before the easement and the value of the property with the easement in place. That calculation becomes the value of the easement itself.

Chris Lieber added that conservation easements may or may not allow public access to a property. Since this model allows public access changing the way we acquire interest in property will be an easier case to make. Also, requesting a trail easement from a property owner can be difficult because it's hard to establish benefit to the property owner who will have the threat of public access through private property. In this case, the other benefits outweigh the negative.

Mr. Lee Milner asked how this connection of the Chamberlain Trail fits into the context of the existing Trail and future Trail corridor.

Chris Lieber explained that the Chamberlain Trail is a master planned trail built through the Skyway area including Bear Creek Park. It goes south through North Cheyenne Canon and is planned to go as far south as Cheyenne Mountain State Park.

Ian Kalmanowitz asked what the staff is looking for from the Committee.

Chris Lieber replied that staff wants the Committee to be informed about the proposal options. A follow-up agenda item will go into more detail about the overall corridor and provide a better understanding of the context. An action item would follow when more work and more information is gathered.

Mr. Scott Campbell added that the Zoo has asked the PLT for a proposal that their board could review. The PLT doesn't want to move forward with the Zoo unless there is general support from the TOPS program to move forward with the idea.

The Committee Members generally agreed this method of acquisition is appealing to the Committee and the Chamberlain Trail extension is a long-term aim of the TOPS program.

Wedgewood Farm Preserve

Ms. Sarah Jack, representing the landowner, explained that the owner of the Wedgewood Farm Preserve has been attempting to sell his property and to assure the property is preserved for open space for the past decade. The owner applied for a Great Outdoors Colorado (GOCO) grant in the last cycle that was rejected. This application was competing with the Ute Valley Park acquisition and the Manitou Incline. Ms. Christine Burns, El Paso County, wrote the grant and submitted it. GOCO suggested that the owner join with a stronger partner in the next application cycle in April. The grant request is for \$519,750. El Paso County and the Fountain Creek Watershed District have pledged funds to match the grant and improve the property to

allow public access. They County would like another financial partner to share the cost of the conservation easement. The TOPS program is being asked for a financial partnership in the acquisition of the property by providing a portion of the \$156,500 in matching funds. The County has committed to a portion, the Fountain Creek Watershed District has committed to \$25,000.

Leslie Thomas asked if Colorado Springs Utilities was approached to acquire the property.

Ms. Sarah Jack replied that CSU wasn't interested in acquiring the property but did support the grant through their membership in the Fountain Creek Watershed District.

Ian Kalmanowitz asked who would be acquiring the property.

Ms. Sarah Jack replied that the County would hold ownership of the property and the PLT would hold the conservation easement. There is potential for TOPS and PLT to share ownership of the conservation easement.

Jackie Hilaire asked for the specific request amount from the TOPS program.

Ms. Christine Burns, El Paso County, replied that GOCO requested the owner find a partner to contribute at the same level as the Fountain Creek Watershed District (\$25,000) which would reduce the County's contribution. The request from TOPS would be a minimum of \$25,000.

Ian Kalmanowitz asked if the City of Fountain was approached to be a partner.

Ms. Sarah Jack replied that the City of Fountain provided a letter of support but no funding. She added that a letter from TOPS supporting the acquisition and indicating that the Committee will further discuss a monetary contribution would be helpful to include in their grant application.

Mr. Lee Milner commented that \$20,000 is one day's income to the TOPS program. He added that this is a great project and would add a lovely section to the Front Range Trail south of the Fountain Creek Nature Center.

Mr. Bill Koerner added that the Committee should see the bigger picture with all the potential train connections before making a decision.

Ian Kalmanowitz commented that the Committee has voiced its support for the Fountain Creek Watershed project in the past. Committee members have toured the property. This item can be added to the next agenda but no action could be taken before the March 5 meeting.

Chris Lieber added that to be in compliance with the TOPS ordinance, the TOPS program cannot be a granting agency. We cannot be a cash contributor to the process. TOPS must acquire an ownership interest. If the City's ownership interest was as co-owner of a conservation

easement, an appraisal of the conservation easement would need to equate to \$25,000 interest by the City in the conservation easement.

Ian Kalmanowitz added that fee title ownership of this property could pose liability issues because it is located in the creek/flood zone.

Citizen Discussion

No citizen discussion.

Adjournment

Motion – To enter a Closed Executive Session to discuss land acquisition and sensitive negotiation strategies.

P.J. Anderson/Jeff Mohrmann Approved – Unanimous

The Working Committee entered a Closed Executive Session at 9:14 a.m. and finished at 9:32 a.m.

There being no further business, the Working Committee adjourned at 9:32 a.m.