



CITY OF COLORADO SPRINGS

# **PARKS, RECREATION AND CULTURAL SERVICES (PRCS) ADVISORY BOARD MINUTES**

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Location: 1401 Recreation Way Colorado Springs, CO 80905

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Date: October 10, 2024

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Time: 7:30 a.m. – 11:18 a.m.

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## **I. MEETING ATTENDANCE**

Members Present: Sarah Bryarly, Andrea Perry, Amandla Atilano-Roque, Larry Bogue, Greg Thornton, Julia Sands de Melendez, Steve Harris, Steve Lenzo, Abby Simpson

Members Absent:

Alternates Present: Debbie Swanson, Kimberley Sherwood (arrived at 10 :00 a.m.), Mike Sullivan

Staff Present: Eric Becker, Lonna Thelen, Anna Bingman, Britt Haley, Kim King, Matt Mayberry, Scott Abbott,

## **II. CALLED TO ORDER**

Board Chair, Sarah Bryarly, brought the meeting to order at 7:32 a.m.

## **III. CITIZEN DISCUSSION**

- a. Nancy Bernard and Sondra Meagher, members of the Pioneer Museum Foundation Board, discussed the completion of the Museum's HVAC project. They noted that the Foundation raised \$450,000 to contribute to the project. There was an additional \$1,658,055 raised through grants and donations including funds provided through Lyda Hill Philanthropies and LART.
- b. Carol Beckman, citizen, discussed the need for sustainable Parks Department funding. Ms. Beckman stated that this topic has been ongoing, and it is time to talk about park impact fees.
- c. Kent Obee, citizen, stated that he has served on the Parks Advisory Board and the TOPS Working Committee. Mr. Obee said that TOPS is the best thing that Colorado Springs has done for the city. Over the years, its funding has provided many natural resource gems for the city. As a voter-approved ordinance, he believes that

whenever TOPS is suggested to be modified or changed, it should always be put to a vote of the people.

- d. Matthew Hadley, a representative with the Rocky Mountain Parkour League, presented a video showing people engaged in parkour and explained some of the elements of the activity.
- e. Cory Sutela, Executive Director for Medicine Wheel Trail Advocates, expressed thanks to all who participated in the Colorado League memorial bike race. There were 800 participants at this race with great feedback regarding the course.

#### **IV. APPROVAL OF MINUTES**

Motion to approve the September 12, 2024, meeting minutes.

First: Steve Lenzo

Second: Larry Bogue

Approved, unanimously with Abby Simpson abstaining

#### **V. ACTION ITEMS**

There were no action items on this agenda.

#### **VI. PRESENTATIONS**

- a. Park Land Dedication Ordinance (PLDO) Acreage and Fee Update (Presented by Caroline Miller, Senior Program Administrator)
  - 1. Caroline Miller, Senior Program Administrator, recapped the last four (4) years of PLDO and the proposed fee update. This is the first review of PLDO requirements since the ordinance was updated. This presentation included History & Review of Requirements; 7.4.307.H.1 – Census & Land Dedication; Land Dedication Obligation; 7.4.307.H.2 – Background Appraisal Neighborhood Park Land; 7.4.307.H.2 – Background Appraisal Community Park Land; Fees in Lieu of Land Dedication Equation – Base Rate; Proposed Fees in Lieu; Additional Applicable Fees Related To Platting; and finally, Timeline & Process.
  - 2. Board Member Amandla Atilano-Roque requested a better understanding of the preference from developers between fees and land, who funds the construction of the park, and how platting fees apply. Staff noted that the City's first preference is to attain land and, if the development does not allow the acquisition of land, fees may be more appropriate. The funding for the park development could be either metro-district funded, or City funded. For platting, the fees are either being taken in as part of the platting process for the land or are being taken in as part of the fee process when fees are applied.

3. Board Member Amandla Atilano-Roque also asked about whether a discussion has been raised to see if a park impact fee would be appropriate and if this discussion is still underway. Britt Haley, Director, noted that the City Council President's Commission was created to look at sustainable park funding. They identified park impact fees as one of the items to look at by the commission. This item is still under discussion.
4. Board Member Larry Bogue requested clarification on why community parks and neighborhood parks had a different percentage of increase and how much money is in the service area funds currently. Caroline Miller, Senior Program Administrator, explained that neighborhood parks were reviewed on a 5-acre standard per the geographic service areas averaged across the city and community parks were reviewed on a 35-acre standard on a whole city basis. For the current PLDO accounts, Ms. Miller reviewed the costs available in the specific counts.
5. Board Member Simpson asked if there is the ability to dedicate land and pay fees to meet the PLDO requirement. Caroline Miller, Senior Program Administrator, explained that this can happen and typically shows up if they dedicate land for neighborhood requirements but pay fees for community requirements.
6. Board Member Steve Lenzo asked if the fees in lieu have been used to purchase park land and, in areas that have little land left to purchase, what approach is taken by staff. He is in favor of opening the discussion on park impact fees. Caroline Miller, Senior Program Administrator, responded that while we have not used the fees to purchase to date, it is a possibility in the future. Britt Haley, Director, explained that even in the downtown area there are still properties available to purchase, for example the former Drake Power Plant facility.
7. Board Member Greg Thorton asked if we were also receiving the update for acreage requirement in this presentation. Caroline Miller, Senior Program Administrator, pointed to the new land dedication number in the presentation as an acreage obligation per unit type.
8. Board Chair Sarah Bryarly clarified that master plans are approved prior to funds coming in at the building permit stage. She also noted that most fees are changed at the beginning of the year, but this one is in July and asked if we should align with the beginning of the year update. Caroline Miller, Senior Program Administrator, responded that we would take the alignment into consideration for the next update.

9. Board Chair Sarah Bryarly requested an understanding of the impact of the apartment complexes and usage of our parks system and how we look at that as an overall impact to maintenance of our parks. Eric Becker, Park Maintenance and Operations Manager, stated that the increase in park usage is department wide. This could be included in the Parks System Master Plan update discussion.
  
  10. Cory Sutela, Executive Director for Medicine Wheel Trail Advocates, stated that with more development, there is a need to expand the trails network to have safe non-motorized transportation to and from areas.
  
  11. Carol Beckman, citizen, stated that with the 31% increase (in land value per square foot) over the four (4) year period, waiting for the new appraisal has proved that parks has lost 31% of its value. This is the nature of the appraisal land fee increases. Are metro districts the best way to get a neighborhood park built?
- b. E-Bike Policy (Presented by Lonna Thelen, Design and Development Manager and Scott Abbott, Regional Parks Trails and Open Space Manager)

1. Lonna Thelen, Design and Development Manager and Scott Abbott, Regional Parks Trails and Open Space Manager, presented the Board with a presentation proposing a policy recommendation regarding E-bikes. This presentation included presentation topics; the E-bike policy; reasons for the approach; implementation of policy; implementation process; the draft ordinance; additional considerations; survey results recap; survey results detail; further reading, and finally, the implementation process again.
2. Board Member Greg Thornton commented that he had the opportunity to ride a class 1 E-bike. He said it was eye opening, and his opinion is that it is motorized. He expressed concerns about going downhill on a single trail while someone else was coming up. Mr. Thornton suggested to staff that we have more downhill only trails. While he doesn't like overstepping TOPS, he feels something needs to be done to address the use.
3. Board Member Steve Lenzo expressed concerns with the TOPS Ordinance. He thinks moving forward with an ordinance versus a vote of the people encourages the public to not trust the government. He thinks proposing the ordinance change first and then developing the educational enforcement aspect is problematic. Mr. Lenzo feels there should be informational slides or ideas about what the challenges are going to be and how to handle them. Mr. Lenzo asked if the city attorney changed its mind about allowing E-bikes for a short period of time and monitoring them and their impact? Will conservationists sue the city? Caitlin Moldenhauer, Associate Attorney, stated that the options presented have always been options and the approach proposed is permissible.
4. Board Vice Chair Abby Simpson asked if motorized use is defined in City Code Chapter 4. Britt Haley, Director, stated that this is one of the challenges in the TOPS ordinance as it was written to prohibit motorized use with no definition of what motorized use is and no penalty or enforcement mechanism identified.
5. Board Member Greg Thornton asked if the entire ordinance is being vetted prior to being passed. He stated that he wanted staff to feel comfortable that they aren't opening the door to many different lawsuits for different reasons. In response, Caitlin Moldenhauer, Associate Attorney, stated that the City Attorney's Office drafts the ordinance. Once a voter-initiated ballot question, such as the TOPS ordinance, is passed and put into code, but ambiguities remain, the City's staff is permitted to provide definitional structure. Ms. Moldenhauer stated that she is confident in the ordinance as proposed.

The following citizen comments concerned with or opposed to the proposed ordinance were shared following the presentation and Board discussion:

1. Jim Lockhart, Conservation Chair of the Pikes Peak Sierra Club, expressed his concerns that the proposal circumvents the definition of a motorized vehicle. He believes electric bikes are motorized vehicles and cannot support the proposal. He also felt the survey results were questionable in that 60% in support is not that high and does not believe it's an accurate reflection. He lacks confidence that voters would support it and hopes the proposal is rejected.
2. Kent Obee, citizen, acknowledges this is a complicated topic and definitions mean a lot. He feels defining E-bikes as non-motorized denies the reality of what they are. He does not agree with E-bikes on the trails and has had issues before with them. He urges the committee to look at this closely and if it is determined that policy needs to change, then it should go to the voters for a decision.
3. Len (last name indistinguishable), citizen, recognized the great discussion and acknowledged its complexity. Definitions mean a lot and E-bikes have integrated electrical motors. Thus, if you want a straight read from the citizens, you should have a vote. Many people were under the impression this was votable. In response, Britt Haley, Director, reiterated that there are alternatives to a ballot measure.
4. Carol Beckman, citizen, believes that E-bikes make sense on urban trails. She also suggested that other models, including 1-wheels and electric scooters, can be used for commuting purposes. She does have reservations about E-bikes on natural surfaces and single-track trails. Just because an approach is legally allowed doesn't always mean it is the best approach. If the survey is correct, then take it to a vote. She would advocate that they must yield. Regular bikes should not have to yield uphill. She is distressed by the number of requests for hiking only trails. Having single use trails cuts in half the opportunities for everyone and hopes the Parks Department does not go to more single use trails.
5. Cory Sutela, Executive Director for Medicine Wheel Trail Advocates, thanked staff for the work on this topic. He stated that Medicine Wheel supports the expansion of E-bikes. His board has consistently encouraged a thoughtful expansion, thus Mr. Sutela suggested starting with one park to do data collection on the impact of E-bikes. Mr. Sutela did express his concerns about the TOPS Ordinance and moving forward with the proposed ordinance could allow future changes to sidestep voter approval. The alignment with surrounding jurisdictions isn't there either. The E-bike task force asked for enforcement and education to be part of this effort, so the policy should not move ahead until these elements are in place as well.

6. Jerry White with Bike COS stated that it is important to take a system-wide approach, which is the City, not just the Parks Department. He stated that it is essential that the City address the issue in ordinance and it's important to include other vehicles as well. He is concerned that defining vehicles with a motor as non-motorized is illegal fiction.
7. Daniel Bowan, citizen, stated that the timeline for this process is very quick. Mr. Bowan suggested the Board take a pause or say no right now as he feels this effort is very politically driven. The Board was created to have a board independent of politics. He doesn't agree with the definitions and believes introducing motors into our open spaces is an issue. However, he feels E-bikes provide some opportunities around accessibility and increasing exemptions should be considered.

The following citizen comments generally in favor of the proposed ordinance were shared following the presentation and Board discussion:

1. Ron Ramsey, citizen, thanked the staff for the presentation. He stated that he is very happy with the proposed policy. He believes solidly in the study conducted. So much of the public is not informed, either way, it is a lopsided opinion if we go to the voters. Definitions are changing quickly, and interpretation makes a difference. He is glad scooters fall into the definitions and would be good to reevaluate scooters/one wheels. He feels enforcement or peer pressure works very well in managing usage.
2. Dave Leinweber, City Council Member, commented that when you are older it is tough to reach calm and peaceful places. E-bikes have changed his life, giving him access to be able to reach new places. He stated that a key consideration regarding E-bikes is that the motor doesn't turn the wheel, it just helps a person pedal and gain access to more places.
3. Keith Thompson, Executive Director of the Colorado Springs Mountain Bike Association, believes the proposed ordinance does work. He stated that a lot of federal agencies are already making similar determinations. He asked who gets to define the lens on definitions? Staff is looking into state and federal statutes and codes regarding the definition of motorized use. This is a parliamentary approach and is the easiest way forward. If there is concern about trail conflict, then look to other counties for their impacts. He believes they aren't seeing any significant conflicts; however, education is critical.

4. Allen Beauchamp, Trails and Open Space Community Engagement, thanked staff for their work on this topic. From the TOSC perspective, he is looking forward to additional emphasis on education and trail etiquette as E-bikes have been around for several years.
5. Mike Hassle, citizen, has watched the evolution of the trails and education is a huge need. He rarely sees issues on the trail and believes people can learn and will be willing to mesh. He owns a class 1 E-bike and believes you should use a motor to maintain what is comfortable for you.

Additional comments from Parks Board following citizen discussion included the following:

1. Board Member Steve Lenzo appreciated the E-bike demonstration yesterday, but he still does not understand the definitions. E-bikes have the same motors, just the software is different, so how is one motorized and the other is not. It does not make sense and to present that to the public is wrong. He believes the issue should be voted on by the public.
2. Board Member Julia Sands de Melendez asked if the word engine versus motor means something and is that something staff can explore. Engines suggest a lot of power, while a motor does not. Perhaps staff can explore definitions of these terms which may help people understand what 450 watts does.

## **VII. STAFF UPDATES**

- a. Fishers Canyon Update (presented by Lonna Thelen, Design and Development Manager, and Amanda Jeter, with Studio Campo)

Lonna Thelen, Design and Development Manager, and Amanda Jeter with Studio Campo, gave an update on the Fishers Canyon Management Plan including an agenda; where are we now; approach and summary engagement results; field work updates; and finally, next steps.

There were delays due to the weather which has pushed back findings and the final product, thus there will be a formal presentation made to the Board in the spring. However, engagement focus groups, online surveys, and community meetings were all held. The consultant had youth engagement as well with 123 participants. They also visited different events at community centers. Concerns over parking and access to the open space were shared at the community meeting and in the survey. The consultant, with support from Parks staff, added a site tour for residents and had over 70 people attend. Both adult and youth surveys have said providing access to hiking and biking is a priority. The survey also showed that both adults and youth want connecting trails. A values survey has as the top concern the connection from



neighborhoods to trails. Feedback shows that citizens want a more enhanced trail system. The top concerns include the current single access point, the safety risk for potential fires, and homelessness. The consultant is currently analyzing three trail alternatives with low, medium and high trail enhancements. On November 19<sup>th</sup> there is a public meeting and on January 22<sup>nd</sup> there will be a public open house.

In response to the presentation, Board members requested a field visit before the next meeting.

b. 2025 Budget Update (presented by Britt Haley, Director, and Kim King, Assistant Director)

Britt Haley, Director, shared her excitement over the proposed addition of a general fund supported park maintenance technician for the Park Maintenance and Operations Division. This position will support, in part, the upcoming addition of Grey Hawk Park. Additional support for staff includes an average 2% pay increase based on performance

The next step in the process is presenting the proposed budget to City Council. There will be a budget town hall on October 21<sup>st</sup> from 5:30-7:00 p.m. City council is discontinuing its budget sub-committee and is changing the time they meet starting November 12<sup>th</sup> to 9:00 a.m. to better support citizens' desire to share their thoughts during citizens discussion portion of their meetings.

c. Connie Schmeisser has been reclassified to Senior Planner.

d. Timberline has been contracted to do the aeration project at Prospect Lake. The project will start this month and be completed no later than May 2025.

e. The City is in negotiation with a potential operator for the City Auditorium. They are planning on operating the venue primarily as a concert hall and space for community rentals.

f. Project Backboard – Terrell Brown, with Hillside Connections, received a grant to upgrade the courts at Memorial Park and Fountain Park (adjacent to Hillside Community Center). The ribbon cutting for Fountain Park is today and on Saturday, October 12<sup>th</sup>, for Memorial Park.

g. The 2025 Calendar Release was held last night. We had a great turnout and are excited for the kickoff of this TOPS fundraiser.

Comments following updates included the following:

1. Board Member Amandla Atilano-Roque asked if there are any special elements for Parkour? Staff are not aware of any.
2. Board Chair Sarah Bryarly complimented staff and the open space experienced during a recent School District 11 fieldtrip to Red Rock Canyon. She also highlighted the upcoming Acacia Park Ice Rink and Tree Lighting opening on November 15<sup>th</sup>.
3. Council Member Dave Leinweber noted concerns with sales tax. More than 25% of sales tax is collected from tourists. Tourists state that they come here for the outdoors. Council Member Leinweber suggested that the Board should think of this (parks) as a business. How do we support infrastructure? He suggested board members become aware of the Outdoor Pikes Peak Initiative (OPPI) process.

### **VIII. BOARD BUSINESS**

No Board Business to discuss

### **IX. ADJOURNMENT**

- a. Motion to adjourn the Parks, Recreation and Cultural Services Advisory Board Meeting at 11:18 a.m.
- b. 1<sup>st</sup> – Greg Thornton
- c. 2<sup>nd</sup> – Abby Simpson
- d. Approved, unanimously