



**TOPS Working Committee Meeting
Meeting Minutes
Wednesday, December 7, 2022**

Members Present: Bob Falcone, Wendy Thomas, Blaze Panariso, Hank Scarangella, Paula Krantz, Jeff Davis, Bob Shafer, Ingrid Richter, Wendy Howe

Alternates Absent: Ellen Senf, Chelsea Gondeck

Parks Board Liaisons Present: Larry Bogue, Abby Simpson

Parks Board Liaisons Absent: Greg Thornton

Staff Present: Britt Haley, Kim King, Eric Becker, Anna White, David Deitemeyer

.....
TOPS Working Committee Chair Bob Falcone brought the meeting to order at 7:31 A.M.

Agenda Preview

Committee Chair Bob Falcone announced the agenda for the meeting.

Announcements

Britt Haley, Parks, Recreation, and Cultural Services Director, announced the following to the TOPS Working Committee:

- Britt welcomed Wendy Howe, the newest member of the Committee, as well as announced that Chelsea Gondeck and Ellen Senf would be serving as alternates.
- The annual Parks, Recreation and Cultural Services Advisory Board holiday party will be on Thursday, December 8 beginning at 8:00 am at 1401 Recreation Way. Britt encouraged everyone to join if they are able to.
- There will be no site tour in December.

Bob Falcone, Committee Chair of the TOPS working Committee, provided the following announcement:

- Chairman Falcone took a moment to honor the passing of Lee Milner, a former TOPS Working Committee member and one of the original founders of TOPS. Lee was well-known for his dedication to the TOPS Program. Any information about memorial services will be passed along to members once received.

Approval of Minutes – November 2, 2022 Meeting Minutes

Motion: To approve the minutes of the November 2, 2022, TOPS Working Committee meeting.

1st– Blaze Panariso, 2nd – Wendy Thomas, Approved, Unanimously.

Citizen Discussion

Cory Sutela, Executive Director of Medicine Wheel Trail Advocates, stated that his organization will be hosting an ugly sweater party later that night, and invited everyone to join. Mr. Sutela was slightly concerned that citizens may not have the option to make comments on the TOPS Ballot Measure ahead of it being read at City Council on January 10th. Britt Haley let Cory know that the TOPS Working Committee will see the proposed ballot measure as an action item next month, where citizens will be able to comment on the item. However, the Parks, Recreation and Cultural Services Advisory Board meeting falls after the January 10th Council meeting, so that meeting may be moved to allow for citizen comment on the same item ahead of City Council, which is where there might have been some confusion.

Presentation Items

Acquisition at Corral Bluffs (Presented by Britt Haley, Parks, Recreation and Cultural Services Director)

Britt Haley, Parks, Recreation and Cultural Services Director, presented the Board with a property map of a potential acquisition in Corral Bluffs Open Space. This property is a 5.74 acre area that has a cell phone tower on it. The appraised value of the property is \$195,000. Acquisition of the property requires an appropriation in the amount of up to \$200,000 from the TOPS Open Space category revenues. The TOPS fund balance currently shows a balance of over \$5,000,000 and can support this acquisition. Additionally, if purchased by TOPS, the property would be accompanied by a lease to Verizon Wireless that may be extended for up to six, five-year terms. Should either party choose to terminate this use on the property, the cell tower company is obligated to remove its equipment and restore the property to its native condition. However, with the current lease, rental payments of \$1,201.94 would be paid per month with an escalator for inflation resulting in a current income to the TOPS Program of approximately \$14,423.28 per year. This money will go back into the Open Space Category.

Comments on this item from the Committee were supportive of this acquisition.

TOPS (Trails, Open Space and Parks) Ballot Measure (Presented by Britt Haley, Parks, Recreation and Cultural Services Director)

Britt Haley, Parks, Recreation and Cultural Services Director, presented the Board with the TOPS (Trails, Open Space and Parks) Ballot Update. This verbal update included the proposed ballot language to extend the TOPS program for another twenty years and open up the remaining categories, to which Britt added, that the Mayor was comfortable with the proposed language. Britt recognized Committee Chair Bob Falcone and Committee Member Hank Scarangella for their work on the President's Commission for Sustainable Park Funding in 2021, and that recommendations from that Commission were factored into the previous ballot measure, as well as this one. Britt also detailed the time frame for this ballot measure, which will be voted

upon by City Council at the January 10th regular City Council meeting. At this point, there is not an expectation of a request for an increase in the sales tax rate.

Comments on this item from the Committee were supportive of the extension, but Committee members were looking forward to another chance to see the proposed language at the January meeting.

Citizen Discussion

There were no further comments at this time.

Executive Session

In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(a), (b) and (e), the TOPS Working Committee, in Open Session, is to determine whether it will hold a Closed Executive Session. The issue to be discussed involves consultation with the City Attorney, discussing strategy for negotiations and instructing negotiators regarding a potential Parks real estate acquisition. The Chair shall poll the TOPS Working Committee members, and, upon consent of two-thirds of the members present, may conduct a Closed Executive Session. In the event any Committee member is participating electronically or telephonically in the Closed Executive Session, each Committee member participating in the Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the Closed Executive Session is present or able to hear the matters discussed as part of the Closed Executive Session. If consent to the Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Renee Congdon, Corporate Division Chief Attorney of the City Attorney's Office, stated that in accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(a)(b) and (e), TOPS Working Committee, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issues to be discussed involve a potential Parks Department real estate acquisition.

Chairman Bob Falcone polled the TOPS Working Committee regarding the desire to proceed with an electronic Closed Executive Session. At least two-thirds of the TOPS Working Committee agreed to proceed in a Closed Executive Session.

Motion to adjourn

1st – Blaze Panariso, 2nd – Jeff Davis, Approved, Unanimously at 8:56 AM.