

ORDINANCE NO. 16-\_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 15-86 (2016 APPROPRIATION ORDINANCE) FOR A SUPPLEMENTAL APPROPRIATION TO THE TRAILS, OPEN SPACE AND PARKS (TOPS) FUND IN THE AMOUNT OF \$980,000 FOR THE ACQUISITION OF APPROXIMATELY 200 ACRES OWNED BY JOANNE R. WATKINS FOR THE PURPOSE OF PUBLIC OPEN SPACE AND TRAILS

WHEREAS, on April 1, 1997, the citizens of Colorado Springs approved an ordinance implementing a sales tax for trails, open space and parks (the "TOPS Ordinance"), which went into effect on July 1, 1997 and is codified in City Code sections 4.6.101, *et seq.*; and

WHEREAS, in 2003 the TOPS Ordinance was amended to extend the Trails, Open Space and Parks sales tax through the year 2025; and

WHEREAS, pursuant to the TOPS Ordinance, the TOPS Working Committee is responsible for setting priorities and making recommendations for the expenditures of TOPS funds; and

WHEREAS, the TOPS Program has identified the 200-acre property owned by Joanne R. Watkins located adjacent to Cheyenne Mountain State Park and along Rock Creek ("Watkins Property") as having open space values that merit preservation; and

WHEREAS, acquisition of the Watkins Property would serve as an extension of Cheyenne Mountain State Park, provide future trail access for the Cheyenne Mountain Heritage Trail, and connect Cheyenne Mountain State Park to the Pike National Forest; and

WHEREAS, the acquisition of the Watkins Property with funds from the Trails, Open Space and Parks Fund for the purpose of public open space and trails comports with the requirements of the TOPS Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. That Ordinance No. 15-86 is hereby amended by increasing the Trails, Open Space and Parks (TOPS) Fund expenditure appropriation in the amount of \$980,000 for the acquisition of the Watkins Property for the purpose of public open space and trails. The source of funds is the available fund balance in the TOPS Fund.

Section 2. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 3. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2016.

**Finally passed:** \_\_\_\_\_

\_\_\_\_\_  
Council President

**Mayor's Action:**

- Approved on \_\_\_\_\_.
- Disapproved on \_\_\_\_\_, based on the following objections:

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\_\_\_\_\_  
Mayor

**Council Action After Disapproval:**

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_.
- Council action on \_\_\_\_\_ failed to override the Mayor's veto.

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
Sarah B. Johnson, City Clerk