



Legislation Details (With Text)

File #: 18-0368 **Version:** 2 **Name:**

Type: Ordinance **Status:** Mayor's Office

File created: 8/1/2018 **In control:** City Council

On agenda: 9/11/2018 **Final action:** 9/11/2018

Title: Ordinance No. 18-89 amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a Supplemental Appropriation in the amount of \$778,500 to the Trails, Open Space and Parks Fund for acquisition of 64.033 acres of property for the purpose of Public Open Space and Trails as an addition to the Blodgett Open Space Property

Presenter:
Karen Palus, Director of Parks, Recreation and Cultural Services
Britt Haley, Parks Development Manager/TOPS Program Manager

Sponsors:

Indexes:

Code sections:

Attachments: 1. 8-28-18 - Supplemental Approp Ord for BlodgettOpenSpaceRevised - Final, 2. Signed Ordinance 18-89

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------------|---------------------------|--------|
| 9/11/2018 | 1 | City Council | finally passed | Pass |
| 8/28/2018 | 1 | City Council | approved on first reading | Pass |
| 8/13/2018 | 1 | City Council Work Session | referred | |

Ordinance No. 18-89 amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a Supplemental Appropriation in the amount of \$778,500 to the Trails, Open Space and Parks Fund for acquisition of 64.033 acres of property for the purpose of Public Open Space and Trails as an addition to the Blodgett Open Space Property

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Summary:

The Trails, Open Space and Parks (TOPS) program is coordinating with Trust for Public Land to acquire three parcels located directly south of the existing Blodgett Open Space property for the TOPS program. These properties are identified by the 2014 Park System Master Plan as candidate open space properties. They offer beautiful mountain terrain with panoramic views of the City and would expand the Blodgett Open Space property by just over one third of its current size. An acquisition through the TOPS program would further protect the City's mountain backdrop. Acquisition of the property requires a supplemental appropriation in the amount of \$778,500 from TOPS Open Space category revenue to purchase the property, and to pay for the City's portion of the costs associated with the real estate transaction costs.

Previous Council Action:

N/A

Background:

The 2014 Park System Master Plan (“Park Master Plan”) identifies preservation of the mountain backdrop on the west side of Colorado Springs as a priority consideration for the TOPS program and open space acquisitions. The three parcels are depicted on the attached map as Parcels A, B & C. They are located just west of the existing Oak Valley Ranch subdivision and directly south of the Blodgett Open Space which is currently 167 acres. The access to the parcels is on the west side of Woodmen Road and south of Blodgett Ranch Trail. As with the neighboring Blodgett Open Space, this property shares a boundary with the Pike National Forest.

The Park Master Plan includes several additional goals that are supported by this proposal. First, it provides an enhanced open space opportunity on the City’s western boundary and within the Park Master Plan’s candidate open space area. Second, acquisition of this property will fill in a gap in the open space network on the City’s west side. It will also provide an important addition to the Blodgett Open Space property which is site constrained. Finally, it highlights another successful project with Trust for Public Land thus meeting the Park Master Plan goal of formulating strong and broad partnerships.

In May of 2018, the seller signed an option agreement with Trust for Public Land with the intent that the City would engage in its standard real estate process and Trust for Public Land would secure the property to allow for a TOPS program purchase of the property for Colorado Springs. Trust for Public Land has agreed to divide the real estate transaction costs evenly for this transaction. Pursuant to TOPS, TPL and City real estate acquisition procedures, an appraisal was completed for the property. It was performed by Muegge and Associates on June 15, 2017 and updated on July 24, 2018. It concluded the updated value is \$768,500.

The property features terrain similar in character to the Blodgett Open Space terrain with oak brush, drainage ways and grassland species on a rolling uphill orientation. There is one dirt access road to the property that winds uphill to the top portion. Parcel B features a small barn structure of about 834 square feet with stalls and a garage door to a main bay. Parcel C features a flat buildable site for an estate home and accompanying out buildings.

There are several easements on the three parcels. Each parcel has water and utility easements. Each parcel also has a conservation easement that is held by El Paso County. Additionally, Parcel C has an exclusive easement permitting a telecommunications site which is camouflaged by a nice looking barn structure which houses telecommunications equipment. It is fenced and access is provided to this site via the only road access into the three parcels. As part of this transaction, the seller wished to retain the lease value of the cell tower facilities housed within the barn structure.

During negotiations, the seller decided to sell the revenue stream from that facility to a telecommunications company and to agree to an easement for that use where the telecommunications facility/barn is located along with an access easement to that site.

This item supports the City’s strategic goal relating to investing in infrastructure by increasing the green infrastructure within the community.

Financial Implications:

The City will enter into a contract to acquire the three parcels from Trust for Public Land, contingent on the City's standard real estate due diligence review and City Council approval, for the updated appraised value of \$768,500. Acquisition of the property requires an appropriation in the amount of up to \$778,500 from TOPS Open Space category revenue to purchase the property, to pay for the City's portion of the costs associated with the ALTA survey, property appraisals, Phase I environmental survey, closing costs and recording fees.

Board/Commission Recommendation:

The TOPS Working Committee approved this proposed acquisition by unanimous vote at its July 11, 2018 meeting. The Parks, Recreation and Cultural Services Advisory Board (Board) unanimously recommended approval of the acquisition at its August 9, 2018 meeting.

Stakeholder Process:

Both the TOPS meetings and Parks, Recreation and Cultural Services Advisory Board meetings serve as opportunities for public input.

Alternatives:

Do not approve the acquisition of 64.033 acres of additional property for the Blodgett Open Space or suggest that staff pursue an alternative.

Proposed Motion:

Move approval of a supplemental appropriation for up to \$778,500 which is the amount associated with the updated appraised value of the three parcels proposed for acquisition along with the City's portion of the real estate transaction costs from the TOPS Open Space category revenue.

An Ordinance Amending Ordinance No. 17-116 (2018 Appropriation Ordinance) For a Supplemental Appropriation in the Amount of \$778,500 to the Trails, Open Space And Parks Fund For Acquisition of 64.033 Acres of Property for the Purpose of Public Open Space and Trails as an Addition to the Blodgett Open Space Property