



# City of Colorado Springs

City Hall  
107 N. Nevada Avenue  
Colorado Springs, CO  
80903

## Meeting Minutes City Council

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Tuesday, January 25, 2022

10:00 AM

Council Chambers

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### 1. Call to Order and Roll Call

**Present:** 9 - Councilmember Yolanda Avila, Councilmember Dave Donelson, Councilmember Stephannie Fortune, President Pro Tem Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, Councilmember Mike O'Malley, President Tom Strand, and Councilmember Wayne Williams

Councilmember Murray and Councilmember Williams attended the meeting virtually.

### 2. Invocation and Pledge of Allegiance

The Invocation was made by Colorado Springs Police Department Chaplain Kevin Ballard from the Pikes Peak Church of Christ.

President Strand led the Pledge of Allegiance.

### 3. Changes to Agenda/Postponements

President Strand stated the appellants for items 12.A. and 12.B. have requested the items be withdrawn from January 25, 2022 City Council Agenda.

Consensus of Council agreed to these changes on the agenda.

- 12.A.** [CPC AP 21-00157](#) An appeal of the Planning Commission's decision to uphold the administrative denial of the Short Term Rental permits for 116 South Fourteenth Street for an ownership change, pursuant to City Code Section 7.5.1702.B and 7.5.1704.C, and that the appellant has not substantiated that the appeal satisfies the review criteria outlined in City Code Section 7.5.906.B.

(Quasi-Judicial)

Presenter:

Carli Hiben, Program Coordinator

Peter Wysocki, Director of Planning and Community Development

**Attachments:** [Postponement Confirmation 116 S 14th St](#)  
[Staff Report - 116 S 14th St STR](#)  
[Ueland Appeal Statement](#)  
[116 S 14th Street - 500' Buffer](#)  
[PlanCOS Vision Map](#)  
[116 S 14th St STR Appeal Public Comments](#)  
[CPC Minutes 116 S Fourteenth St](#)  
[7.5.1702.B ShortTermRentalPermitRequired](#)  
[7.5.1704.C ShortTermRentalPermitReviewCriteria](#)  
[7.5.906 \(A\)\(4\) Administrative Appeal](#)

**Motion by Councilmember Donelson, seconded by Councilmember O'Malley, that the appeal of the Planning Commission's decision to uphold the administrative denial of the Short-Term Rental permits for 116 South Fourteenth Street for an ownership change, pursuant to City Code Section 7.5.1702.B and 7.5.1704.C, and that the appellant has not substantiated that the appeal satisfies the review criteria outlined in City Code Section 7.5.906.B be withdrawn. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Donelson, Helms, Fortune, Henjum, Murray, O'Malley, Strand, and Williams

- 12.B.** [CPC PUD 20-00109](#) An appeal of the Planning Commission's decision to approve a PUD development plan for Creekside at Rockrimmon, subdividing 17.47 acres into 43 single-family residential lots and open space areas, located at 252 Heavy Stone View.

(Quasi-Judicial)

Presenter:

Kerri Schott, Planner II, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

**Attachments:** [Appeal statement](#)  
[Appeal statement supplement](#)  
[CPC Minutes CreeksideAtRockrimmon draft](#)  
[CC Creekside at Rockrimmon Presentation-KLS](#)  
[CPC Report Creekside at Rockrimmon](#)  
[PUD Development Plan](#)  
[Project Statement](#)  
[Physical Characteristics](#)  
[Public Comments](#)  
[CreeksideAtRockrimmon Re-review Public Comments](#)  
[Context Map](#)  
[Emergency Evacuation Letter](#)  
[Auckland Environmental Analysis for ACOE](#)  
[Wetland Mapping](#)  
[NWP 29 Verification](#)  
[Approved Jurisdictional Determination](#)  
[CGS Final Review Letter GeoHazard](#)  
[Environmental Consultant Letter](#)  
[Plan COS Vibrant Neighborhood Map](#)  
[7.3.606 PUD Development Plan](#)  
[7.5.502.E Development Plan Review](#)  
[Postponment Request](#)

Motion by Councilmember Donelson, seconded by Councilmember O'Malley, that the appeal of the Planning Commission's decision to approve a PUD development plan for Creekside at Rockrimmon, subdividing 17.47 acres into 43 single-family residential lots and open space areas, located at 252 Heavy Stone View be withdrawn. The motion passed by a vote of 9-0-0

**Aye:** 9 - Avila, Donelson, Helms, Fortune, Henjum, Murray, O'Malley, Strand, and Williams

#### **4. Consent Calendar**

**These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council. (Any items called up for separate consideration shall be acted upon following the Mayor's Business.)**

#### **4A. Second Presentation:**

- 4A.A.** [CPC V  
21-00170](#) Ordinance No. 22-01 vacating portions of a public right-of-way described as Tract B, Blackwood Crossing, a replat of lots 1 and 2 of Glover Subdivision consisting of 0.093 acres located southwest of East

Woodmen Road and Black Forest Road.  
(Legislative)

Related Files: CPC MP 03-00279-A2MJ21, CPC ZC 21-00135, CPC  
CP 21-00136

Presenter:  
Katie Carleo, Land Use Planning Manager, Planning & Community  
Development Department  
Peter Wysocki, Planning Director, Planning & Community Development  
Department

**Attachments:** [ORD ROW Vacation Avanterra](#)  
[Exhibit A - Avanterra ROW Vacation LegalDescription](#)  
[Exhibit B - BLACKWOOD CROSSING VACATION PLAT](#)  
[Signed Ordinance 22-01](#)

**This Ordinance was finally passed on the Consent Calendar.**

- 4A.B.** [CPC ZC  
21-00135](#) Ordinance No. 22-02 amending the zoning map of the City of Colorado  
Springs relating to 11.7 acres located southwest of East Woodmen  
Road and Black Forest Road from A/AO (Agricultural with Airport  
Overlay) to PBC/AO (Planned Business Center with Airport Overlay)  
(Quasi-judicial)

Related Files: CPC MP 03-00279-A2MJ21, CPC V 21-00170, CPC  
CP 21-00136

Presenter:  
Katie Carleo, Land Use Planning Manager, Planning & Community  
Development Department  
Peter Wysocki, Planning Director, Planning & Community Development  
Department

**Attachments:** [ORD AvanterraZoneChange](#)  
[Exhibit A - Avanterra ZoneChange LegalDescription](#)  
[Exhibit B - Avanterra REZONE](#)  
[Signed Ordinance 22-02](#)

**This Ordinance was finally passed on the Consent Calendar.**

#### **4B. First Presentation:**

- 4B.A.** [22-061](#) City Council Special Meeting Minutes January 10, 2022

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [1-10-22 Special City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

**4B.B.** [22-066](#) City Council Regular Meeting Minutes January 11, 2022

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [1-11-2022 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

**4B.C.** [22-081](#) City Council Special Meeting Minutes January 14, 2022

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [1-14-22 Special City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

**4B.D.** [22-068](#) Appointments to Boards, Commissions, and Committees

Presenter:  
Michael Montgomery, Deputy City Council Administrator

**Attachments:** [012522 Boards Commissions and Committee Appointments](#)

This Item was approved on the Consent Calendar.

**4B.E.** [21-762](#) Ordinance No. 22-03 amending Ordinance No. 20-92 (2021 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$2,261,331 for a transfer to the Capital Improvement Program Fund, and to the Capital Improvement Program Fund in the amount of \$2,261,331 for a capital transportation infrastructure project, the funding being the result of one-time American Rescue Plan Act (ARPA) funding distributed through the Highway Users Tax Fund

Presenter:  
Charae McDaniel, Chief Financial Officer  
Travis Easton, Public Works Director

**Attachment:** [Supplemental Approp Ordinance for addl HUTF funding-2021](#)

This Ordinance was approved on first reading on the Consent Calendar.

**4B.F.** [21-756](#) Ordinance No. 22-04 Amending Ordinance No. 21-112 (2022 Appropriation Ordinance) for a Supplemental Appropriation to the

Memorial Health System Enterprise Fund in the Amount of \$1,634,877 to Transfer UC Health Margin Share Proceeds to the Colorado Springs Health Foundation

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:** [Supplemental Approp Ord for MHS Revenue Share-2022](#)

**This Ordinance was approved on first reading on the Consent Calendar.**

**4B.G. [22-021](#)**

Ordinance No. 22-05 amending the cable franchise agreement between Falcon Broadband, LLC doing business as StratusIQ and the City of Colorado Springs to expand the Service Area in which StratusIQ may provide cable television services.

Presenter:

Joshua Pace, Senior Contracting Specialist, Office of Innovation

**Attachments:** [ORD CableFranchise StratusIQ](#)  
[Falcon Broadband Amended and Reinstated Cable Franchise Agreement - 12.6.21](#)  
[StratusIQ Existing and Proposed Service Area 1.18.22](#)

**This Ordinance was approved on first reading on the Consent Calendar.**

**4B.H. [21-766](#)**

A Resolution of the City of Colorado Springs extending the effective date of resolution No. 96-21 to June 30, 2022 to issue the City's multi-family housing revenue bonds in an aggregate principal amount not to exceed \$21,500,000.

Presenter:

Steve Posey, HUD Program Manager, Planning & Community Development

John Bales, Fred Marienthal, Kutak Rock LLP

Peter Wysocki, Director of Planning and Community Development

**Attachments:** [RES - Copper Rose - 2022 Amendment to Inducement Extension Copper Rose](#)  
[Signed Resolution 08-22](#)

**This Resolution was adopted on the Consent Calendar.**

**4B.I. [22-032](#)**

A Resolution establishing development application fees for the Land Use Review Division of the Planning and Development Department specifically adding a fee for carport permits and minor amendments to the fee schedule.

(Legislative)

Presenter:

Mike Tassi, Assistant Director of Planning and Community Development  
Peter Wysocki, Director of Planning and Community Development

**Attachments:** [Resolution](#)  
[Exhibit A - Fee Schedule](#)  
[2 - Staff Presentation Carport Permit Fee](#)  
[Fee Schedule - Redline of Changes](#)  
[Signed Resolution 09-22](#)

**This Resolution was adopted on the Consent Calendar.**

- 4B.J.** [CPC MP 87-00381-A2 9MJ21](#) A resolution of the City Council of the City of Colorado Springs, Colorado approving a major amendment to the Banning Lewis Ranch Master Plan changing the land use designation from Industrial to Commercial and Residential located southeast of the future Marksheffel Road and Barnes Road intersection.

(Legislative)

Related Files: CPC PUZ 21-00128 and CPC PUP 21-00129

Presenter:  
Daniel Sexton, Planning Supervisor, Planning & Community Development  
Peter Wysocki, Director, Planning & Community Development

**Attachments:** [RES\\_MPA\\_BanningLewisRanch](#)  
[Exhibit A - Master Plan Amendment](#)  
[Vicinity Map](#)  
[CC\\_FalconTrucking\\_DJS](#)  
[CPC Report\\_FalconTrucking](#)  
[PUD Zone Change](#)  
[PUD Concept Plan](#)  
[Project Statement](#)  
[Vision Map](#)  
[Public Comments](#)  
[Fiscal Impact Analysis](#)  
[Context Map](#)  
[7.5.408 Master Plan](#)  
[Signed Resolution 10-22](#)

**This Resolution was adopted on the Consent Calendar.**

- 4B.K.** [CPC PUZ 21-00128](#) Ordinance No. 22-06 amending the zoning map of the City of Colorado Springs relating to 35.727 acres located southeast of the future

Marksheffel Road and Barnes Road intersection, from PIP/cr/AO (Planned Industrial Park with Conditions of Record and Airport Overlay) to PUD/AO (Planned Unit Development: Single-Family Residential, 3.5-7.99du/ac, Maximum Building Height 35 feet; Multi-Family Residential, 12-24.99du/ac, Maximum Building Height 45 feet; and Commercial, 40,000 square footage, Maximum Building Height 45 feet; with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A29MJ21, CPC PUP 21-00129

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

**Attachments:** [ORD\\_ZC\\_FalconTrucking](#)

[Exhibit A - PUD Legal Description Exhibits](#)

[Exhibit B - PUD Zone Change](#)

[7.3.603 Establishment & Development of a PUD Zone](#)

[7.5.603.B Findings - ZC](#)

**This Ordinance was approved on first reading on the Consent Calendar.**

**4B.L.** [CPC PUP  
21-00129](#)

A Planned Unit Development Concept Plan for Falcon Trucking at Banning Lewis Ranch commercial and residential project, located southeast of the future Marksheffel Road and Barnes Road intersection.

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A29MJ21, CPC PUZ 21-00128

Presenter:

Daniel Sexton, Planning Supervisor, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

**Attachments:** [PUD Concept Plan](#)

[7.3.605 PUD Concept Plan](#)

[7.5.501.E Concept Plans](#)

**This Item was approved on the Consent Calendar.**

**4B.M.** [CPC MP  
19-00123-A1  
MJ21](#)

A resolution of the City Council of the City of Colorado Springs, Colorado approving a major amendment to the Percheron Master Plan, previously the Banning Lewis Ranch North Master Plan, located along

the north and south side of East Woodmen Road between Mohawk Road and Golden Sage Road

(Legislative)

Related Files: CPC PUP 19-00125-A1MJ21

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Peter Wysocki, Planning Director, Planning & Community Development

**Attachments:** [RES\\_PercheronMasterPlanAmendment](#)

[Exhibit A - Percheron MPA](#)

[Fiscal Impact Analysis.Percheron](#)

[CPC\\_Minutes\\_Percheron\\_draft](#)

[CPC Report\\_Percheron](#)

[Project Statement](#)

[Percheron CP](#)

[Vision Map](#)

[Context Map](#)

[7.5.408 Master Plan](#)

[Signed Resolution 11-22](#)

**This Resolution was adopted on the Consent Calendar.**

**4B.N.** [CPC PUP 19-00125-A1 MJ21](#)

A major amendment to the Percheron Concept Plan (previously known the Banning Lewis Ranch North Concept Plan) for future development of approximately 808 acres into a mix of residential, commercial and park/open space uses located along the north and south side of East Woodmen Road between Mohawk Road and Golden Sage Road

(Quasi-Judicial)

Related Files: CPC MP 19-00123-A1MJ21

Presenter:

Katelynn Wintz, Planning Supervisor, Planning & Community Development

Peter Wysocki, Planning Director, Planning & Community Development

**Attachments:** [Percheron CP](#)

[7.3.605 PUD Concept Plan](#)

[7.5.501.E Concept Plans](#)

This Item was approved on the Consent Calendar.

### Approval of the Consent Agenda

**Motion by Councilmember Henjum, seconded by Councilmember Avila, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Donelson, Helms, Fortune, Henjum, Murray, O'Malley, Strand, and Williams

## 5. Recognitions

5.A. [22-069](#) A Resolution recognizing February 2022 as Black History Month

Presenter:

Tom Strand, Council President & Councilmember At Large

**Attachments:** [Black History Month](#)  
[Signed Resolution 12-22](#)

President Strand introduced Willie Breazell and provided a brief background of his accomplishments.

Mr. Breazell expressed appreciation for Councilmember Williams and the rest of City Council regarding the efforts they have made toward a positive change in minority communities and gave an overview of Black History Month.

Danielle Summerville, Community, City, Diversity, and Outreach Programs Manager, provided additional information regarding the origin of Black History Month and the theme for 2022 is "Black Health and Wellness".

President Strand read the Resolution recognizing February 2022 as Black History Month.

Councilmember O'Malley stated a black businessman named Garrett A. Morgan invented the traffic signal light in 1916 which continues to save lives today.

Councilmember Williams gave recognition to Commissioner and Senator Ed Jones for his contributions to the community.

Councilmember Helms expressed appreciation for the leadership of

Lieutenant General Richard Clark, the first African American Superintendent of the United States Air Force Academy.

Councilmember Avila spoke about the current culture wars and the books being removed from libraries, and the City needs to take more action in regard to conflicts.

**Motion by Councilmember O'Malley, seconded by Councilmember Henjum, that the Resolution recognizing February 2021 as Black History Month be adopted. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Donelson, Helms, Fortune, Henjum, Murray, O'Malley, Strand, and Williams

## **6. Citizen Discussion For Items Not On Today's Agenda**

Citizens Cathy Perry, and Chuck Lucas, members of Save the Westside Community Center, spoke about the third-party operator, Strategic Ministry, and requested Westside residents be included in discussions regarding the intentions for the WCC, and that it be funded by the City.

Citizen Lawrence Martinez identified there is an area at Circle and Fountain where chemicals and debris have been dumped and requested it be cleaned up.

Citizen Michelle Hurtado spoke about her Short-Term Rental permits being delayed since November 2021 due to the interpretation policy and feels the new policy has overreach and interpretation excessiveness regarding ownership and Limited Liability Companies (LLC).

Citizen Jaymen Johnson gave recognition to Rabbi Israel Dressner, a civil rights leader, who passed away on January 13, 2022 by highlighting his efforts for equality.

## **7. Mayor's Business**

There was no Mayor's Business.

## **8. Items Called Off Consent Calendar**

There were no items called off the Consent Calendar.

## **9. Utilities Business**

- 9.A.**     [22-036](#)     A Resolution Setting the Gas Cost Adjustment Effective February 1, 2022

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [01-25-2022 CC Mtg-GCA Resolution](#)

[G Sheet 2.4 Rate Tbl - Redline](#)

[G Sheet 2.4 Rate Tbl - Final](#)

[GCA Schedule 1](#)

[01-25-2022 CC ECA-GCA](#)

[Signed Resolution 13-22](#)

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities (CSU) presented the Resolutions setting the Gas Cost Adjustment (GCA) and Electric Cost Adjustment (ECA) effective February 1, 2022. He provided an overview of the rates decrease, natural gas prices as of December 31, 2021, ECA and GCA projections for January 2022, sample bill impact of the proposed February 2022 rate, sample total monthly bill reference, residential natural gas bill impacts, and how customers can receive assistance.

Councilmember Henjum asked for a comparison of CSU's previous increase to other utility companies. Mr. Gearhart explained Excel Energy had three increases of a total rate increase of sixty-two percent for natural gas which is typical.

Councilmember Henjum requested the results of the CSU audit. Jacquelyn Rowland, City Auditor, stated the rate change was found to be consistent with the tariff, the methodology applied was consistent, and the calculations were deemed accurate, so no concerns were identified.

Councilmember Williams stated they anticipate there will be another decrease in the future as well as a Taxpayer Bill of Rights (TABOR) refund on utility bills.

President Strand stated the sample monthly bill does depend on the size, age, and temperature of the house. Mr. Gearhart stated it also is dependent on the weather.

Citizen Jerima King stated COPE and LEAP assistance are not available to children born in the United States if their parts are undocumented

residents.

Citizen Jaymen Johnson asked if the closing of the Martin Drake Power Station impacted the rate adjustment. Mr. Gearhart explained they reviewed gas prices at several different levels and every analysis proved that by not having the fixed costs associated with the Martin Drake Power Station, the economics showed a reduced cost to CSU customers.

**Motion by Councilmember Williams, seconded by Councilmember O'Malley, that the Resolution setting the Gas Cost Adjustment effective February 1, 2022 be adopted. The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Donelson, Helms, Fortune, Henjum, Murray, O'Malley, Strand, and Williams

- 9.B.** [22-037](#) A Resolution Setting the Electric Cost Adjustment Effective February 1, 2022

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [01-25-2022 CC Mtg-ECA Resolution](#)

[E Sheet 2.9 E Rate Tbl - Redline](#)

[E Sheet 2.9 E Rate Tbl - Final](#)

[ECA Schedule 1](#)

[Signed Resolution 14-22](#)

Please see comments in Agenda item 9.A.

**Motion by Councilmember Williams, seconded by Councilmember O'Malley, that the Resolution setting the Electric Cost Adjustment effective February 1, 2022 be adopted. The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Donelson, Helms, Fortune, Henjum, Murray, O'Malley, Strand, and Williams

## **10. Unfinished Business**

There was no Unfinished Business.

## **11. New Business**

- 11.A.** [22-020](#) Ordinance No. 22-07 amending Section 112 (Sitting or Lying in Commercial Districts) of Article 2 (Offenses Affecting Public Safety) of Chapter 9 (Public Offenses) of the City Code

Presenter:

Commander John Koch, Colorado Springs Police Department  
Anne Turner, Assistant City Attorney - Litigation/Employment

**Attachments:** [PAACommercialDistrictORD-2021-12-30](#)  
[Ordinance Letter - Switchbacks & Weidner](#)  
[Ordinance Letter - Downtown Partnership](#)  
[Ordinance Letter - O'Neill Group](#)  
[Ordinance Letter - Norwood Group](#)  
[Ordinance Letter - Danny Mientka](#)  
[2022 Pedestrian Access Act \(01-18-2022\)](#)

Anne Turner, Assistant City Attorney - Litigation/Employment, presented the Ordinance amending Section 112 (Sitting or Lying in Commercial Districts) of Article 2 (Offenses Affecting Public Safety) of Chapter 9 (Public Offenses) of the City Code also known as the Pedestrian Access Act. She gave an overview of the current City Code, definition of public right-of-way, affirmative defenses, map of Old Colorado City (OCC), and a map of downtown.

Commander John Koch, Colorado Springs Police Department (CSPD), identified why the conduct is unsafe, Mercurial Security Solutions, citations issued by CSPD, boundary expansion, new proposed boundary, north boundary, south boundary, background data, citizen generated calls for service, Officer initiated calls by area, proposed implementation, and cost.

Councilmember O'Malley asked why the proposed perimeter does not expand to the outer rim of the City. Commander Koch explained it is due to the hot spots being located primarily in high amounts of development, where there are restrictions to right-of-way, and the resources to effectively police the area.

Councilmember Henjum asked how many people have been arrested or gone to jail for lying on the sidewalk. Chantel Withrow, Interim Prosecution Division Chief, City Attorney's Office, stated they do not have those numbers because it has a staggered penalty offense, and they generally offer alternatives to incarceration. Councilmember Henjum requested this data be tracked going forward.

Councilmember Murray stated he will support this Ordinance, but the City needs to make a commitment to get individuals the help they need and not just through a program which is grant funded.

Citizens Reverend Claire Twomey, Co-Pastor with Vista Grande United

Church of Christ, Hettie McKing, Mike and Shawna Person with Springs Alliance, Betty Fields, Kristy Milligan, CEO Westside Cares, Melissa Hall, Deborah Dodd-Wynn, Shawn Walls, Jonathan Christiansen, spoke in opposition of the proposed Ordinance.

Citizens John Kim, Nick Xenos with the Vanguard School, Steve Mulliken, Jerry White with Bike Colorado Springs spoke in favor of expanding the proposed boundaries identified in the proposed Ordinance and requested a further expansion.

Citizen Jaymen Johnson recommended this item be postponed in order to approach the issue in a different way.

Citizens Susan Edmondson, President and CEO with Downtown Partnership, and Jack Briggs, President of Springs Rescue Mission who gave an overview of the availability of space, services, and resources for individuals experiencing homelessness, spoke in support of the proposed Ordinance.

Councilmember Avila asked what the capacity of the Springs Rescue Mission is. Mr. Briggs stated they have bed space for 450 people, the Day Center Fire Code occupancy rate is listed at a 120 people, and there is also expandable space available if necessary.

Councilmember Murray asked if there is capacity at the Springs Rescue Mission for everyone who would be affected by this Ordinance. Mr. Briggs confirmed they do, but they do not believe the proposed Ordinance would create a flood of people to the facility.

Councilmember Murray stated the only resolution to this discussion would be to encircle the entire City with this proposed Ordinance.

Councilmember Fortune requested a list of programs the City is utilizing to help people experiencing homelessness.

Councilmember Henjum stated she believes everyone's intention is to provide security for pedestrians and business owners, the efficient use of taxpayer dollars, and resources, and the effective and humane treatment of individuals experiencing homelessness, but this Ordinance only addresses the first intention. She stated instead of calling CSPD to address this issue,

the City should expand a service-centered approach such as the Homeless Outreach Program (HOP).

Councilmember Henjum requested this item be postponed and prioritize the HOT being funded with City budget dollars instead of relying on unreliable grant funding.

Councilmember Avila stated she supports the request to postponement because she does not believe there has been enough public process on this item and wants the data regarding how many people have been incarcerated or fined because of the current law.

Councilmember Williams stated he believes the proposed eastern boundary should be examined but does not believe in delaying this effective tool for six months for the rest of the proposed boundary expansion because there is already sufficient space available at the Springs Rescue Mission if needed.

Councilmember Fortune asked about the public process for the current law. Ms. Turner stated the public process began in 2016 when the original Ordinance was presented.

Jeff Greene, Chief of Staff, stated the Administration has been very involved in providing support regarding outreach services, but this item addresses the ability to support the CSPD who work very closely with the individuals affected by the proposed Ordinance and give Police Officers effective tools to help all citizens in the community. He stated he and the Mayor support this item and urged City Council to do the same.

**Motion by Councilmember Henjum, seconded by Councilmember Avila, that the Ordinance amending Section 112 of Article 2 of Chapter 9 of the Code of the City of Colorado Springs 2001, as amended, pertaining to commercial districts be postponed for six months. The motion failed by a vote of 3-6-0-0**

**Aye:** 3 - Avila, Henjum, and Murray

**No:** 6 - Donelson, Helms, Fortune, O'Malley, Strand, and Williams

Councilmember Avila stated this Ordinance criminalizes and tries to hide or push away the poor citizens of the community and there are not enough services being offered to homeless people.

Councilmember Henjum requested the Administration work with City Council to fund the HOT Team through the City budget and service-oriented approaches to assist people experiencing homelessness.

**Motion by Councilmember O'Malley, seconded by Councilmember Donelson, that the Ordinance amending Section 112 of Article 2 of Chapter 9 of the Code of the City of Colorado Springs 2001, as amended, pertaining to commercial districts be approved on first reading. The motion passed by a vote of 7-2-0-0**

**Aye:** 7 - Donelson, Helms, Fortune, Murray, O'Malley, Strand, and Williams

**No:** 2 - Avila, and Henjum

## **12. Public Hearing**

There was no Public Hearing due to the items being withdrawn.

## **13. Added Item Agenda**

There were no items added to the Agenda.

## **14. Executive Session**

There was no Executive Session.

## **15. Adjourn**

There being no further business to come before City Council, Council adjourned.

Sarah B. Johnson, City Clerk