



City of Colorado Springs

Plaza of the Rockies
South Tower, 5th Floor
Blue River Board Room
121 S Tejon St
Colorado Springs, CO
80901

Meeting Minutes Council Work Session

City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Monday, June 7, 2021

9:00 AM

Blue River Board Room

How to Watch the Meeting

Coloradosprings.gov/springstv | Facebook Live: Colorado Springs City Council
Facebook Page @coscity Council | SPRINGS TV - Comcast Channel 18 / 880 (HD)
- CenturyLink Channel 18

1. Call to Order

- Present** 8 - Councilmember Yolanda Avila, Councilmember Dave Donelson, Councilmember Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, President Pro Tem Richard Skorman, President Tom Strand, and Councilmember Wayne Williams
- Excused** 1 - Councilmember Mike O'Malley

Councilmember Murray and Councilmember Williams attended the meeting virtually.

2. Changes to Agenda

Sarah B. Johnson, City Clerk, stated item 7.A. will be postponed to another City Council meeting.

3. Regular Meeting Comments

Sarah B. Johnson, City Clerk, stated the Ordinances for items 8.E., 8.F., and 8.G. will need to be updated prior to the June 8, 2021 City Council meeting and will be distributed and published once they become available.

4. Review of Previous Meeting Minutes

- 4.A. [21-296](#) City Council Work Session Meeting Minutes May 24, 2021

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [5-24-21 City Council Work Session Meeting Minutes Final](#)

Councilmember Donelson requested roll call be identified on future meeting minutes by which Councilmembers attended virtually and which

attended physically. Sarah B. Johnson, City Clerk, stated she will include that information.

The minutes of the May 24, 2021 Work Session meeting were approved by Consensus of City Council.

5. Executive Session

5A. Open

There was no Open Executive Session.

5B. Closed

5B.A. [21-250](#)

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 City Council, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issues to be discussed involve: (1) financial matters required to be kept confidential by C.R.S. § 24-72-204(3)(a)(IV); (2) consultation with the City Attorney for the purpose of receiving legal advice on eminent domain issues and the purchase and acquisition of property for a Public Works project; (3) consultation with the City Attorney and City staff for the purpose of the lease, transfer or sale of property and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding an Airport development project; and (4) consultation with the City Attorney and City staff for the purpose of the lease, transfer or sale of property and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding a public facilities project.

The President of Council shall poll the City Councilmembers, and, upon consent of two-thirds of the members present, may conduct an electronic Closed Executive Session. Each City Councilmember participating in the electronic Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the electronic Closed Executive Session is present or able to hear the matters discussed as part of the electronic Closed Executive Session. If consent to the electronic Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Presenter:
Wynetta Massey - City Attorney

Attachments: [6072021CCClosed](#)

Marc Smith, Corporate Division Chief, Office of the City Attorney, 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)(b) and (e), the City Council, in Open Session, is to determine whether it will hold a Closed Executive Session. The issues to be discussed involve: (1) consultation with the City Attorney for the purpose of receiving legal advice on eminent domain issues and the purchase and acquisition of property for a Public Works project; (2) consultation with the City Attorney and City staff for the purpose of the lease, transfer or sale of property and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding an Airport development project; (3) consultation with the City Attorney and City staff for the purpose of the lease, transfer or sale of property and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding a public facilities project and (4) consultation with the City Attorney and City staff for the purpose of the lease, transfer or sale of property and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding a public facilities project.

President Strand polled City Council regarding the desire to proceed with a Closed Executive Session. At least two-thirds of City Council agreed to proceed in Closed Executive Session.

6. Staff and Appointee Reports

6.A. [21-295](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 6-7-21](#)

There were no comments on this item.

7. Presentations for General Information

7.A. [21-293](#) 2020 Annual Coroner's Report, Youth Suicide Prevention & Behavioral Health

Presenter:

Dr. Leon Kelley, El Paso County Coroner

Susan Wheelan, El Paso County Public Health Director

Attachments: [2020 El Paso County Coroner's Office](#)

This item was postponed.

8. Items for Introduction

- 8.A. [21-277](#) A Resolution authorizing issuance of debt by the Greenways Metropolitan District No. 1 in an issued principal amount not to exceed \$17,500,000. (This project is located in Springs Ranch area east of the intersection of Powers Boulevard and North Carefree Circle)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development Department

Peter Wysocki, Planning and Community Development Director

Attachments: [Resolution GreenwaysMDNo1](#)

[powerpoint](#)

[District Budget Committee Presentation 5.25.21](#)

[1- Bond Issuance Cover Letter - Greenways MD Nos. 1-3](#)

[2- Greenways MD#1-3 Financial Plan, May18](#)

[3- Greenways District Cost Assumptions 5-18-20](#)

[4- Draft Bond Resolution - 05-18-21](#)

[5- Draft Indenture Greenways MD- 05-18-21](#)

[6- Draft Capital Pledge Agreement \(05-18-21\)](#)

[7- Draft Form Bond Counsel Opinion](#)

[8- DRAFT Greenways MD Nos. 1-3 GC Opinion](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development Department, presented the Resolution authorizing the Greenways Metropolitan District No. 1 to issue debt not to exceed \$17.5M. He provided a summary, district background, area and district map, Resolution limits, costs being reimbursed, questions/comments from the Budget Committee, and next steps.

President Strand asked if both districts currently exist. Mr. Schueler confirmed they do and stated the issuing District 1 is the commercial district.

President Strand asked if any of the districts are able to change the management and operations in the future. Russ Dykstra, Spencer Fane,

LLC., representing the district stated the intergovernmental agreement (IGA) is structured so that any time in the future, when the residents go onto the boards of Districts 2 and 3, they can change or terminate the IGA regarding operation and maintenance functions.

- 8.B. [21-265](#) A Resolution extending the effective date of Resolution #8-20 to January 31, 2022 for Draper Commons

Presenter:

Steve Posey, Community Development Division Manager

John Bales, Fred Marienthal, Kutak Rock LLP

Peter Wysocki, Director of Planning and Community Development

Attachments: [Resolution Colorado Springs Draper Commons-2021 Amendment to Inducement Prelim DC 6 7 2021](#)

Steve Posey, HUD Program Manager, Planning and Community Development, presented the amendment to a preliminary inducement Resolution extending the effective date to January 31, 2022 for Draper Commons. He provided a brief background of the Resolution, Admin Reg 2020-04, site location, project description, available Private Activity Bonds (PAB), and Resolution specifics.

President Strand asked how much a household of four people could earn in order to be eligible for these units. Mr. Posey stated these apartments are designed for three or less occupants with approximately \$40,000 or less per year income.

President Strand asked if the City could receive more PAB for 2021. Mr. Posey stated the next allocation will be in January 2022.

President Strand asked if the City could utilize any unused PAB from other entities. Mr. Posey stated they could from El Paso County or Colorado Housing and Finance Authority (CHFA).

Councilmember Donelson asked if the Legacy Loop Trail goes through this property. Mr. Posey confirmed it would if the proposed alignment for the Legacy Loop Trail is completed, but this financing package is not part of the trail completion.

- 8.C. [21-294](#) A Resolution Approving an Economic Development Agreement Between the City of Colorado Springs and Entegris, Inc.

Presenter:

Bob Cope, Economic Development Officer

Chelsea Gaylord, Senior Economic Development Specialist

Attachments: [Entegris Economic Development Agreement](#)
[Entegris EDA Presentation](#)

Bob Cope, Economic Development Officer, presented a Resolution approving an economic development agreement with Jaxon Engineering Maintenance LLC. He gave an overview of Entegris, Inc., the proposed economic development agreement, the financial implications, financial safeguards, and staff recommendation.

Councilmember Donelson asked how many jobs would need to be created in order to receive an incentive from the City. Mr. Cope stated the criteria is ten new jobs and a minimum investment of one million dollars.

Councilmember Avila asked why the City does not just let the market decide whether a business comes in rather than offering an incentive. Mr. Cope stated the inducement is in order to achieve a great business climate, a great community to invest in, and create jobs. He stated all proposed economic development agreements have the same criteria regardless of where they will be located within the City.

Jeff Greene, Chief of Staff, requested additional information regarding companies incentivized in the past which grew the City's job base. Mr. Cope identified Ball Seal Engineering, Inc., Keysight Technologies, and Entegris, Inc. who had a modest investment with a huge rate of return on investment (ROI).

Councilmember Helms requested a future discussion on what other kinds of investments the City can offer to businesses who do not meet the minimum criteria on economic development agreements.

President Strand asked how long the City has been offering economic development incentives. Mr. Cope stated over thirteen years.

President Strand asked if there has been follow up analysis or audits to ensure the City is receiving what was agreed upon. Mr. Cope stated in order for the incentive to be processed, the businesses documentation must show their investment and job creation.

8.D. [21-244](#)

An Ordinance amending Ordinance No. 20-92 (2021 Appropriation Ordinance) for a supplemental appropriation to the General Fund, Airport Enterprise Fund, and the Stormwater Enterprise Fund, for staffing reorganization, classification adjustments, removal of the hiring delay, removal of operating budget reductions, and Airport marketing

Presenter:

Charae McDaniel, Chief Financial Officer
Mike Sullivan, Chief Human Resources and Risk Officer
Chris Wheeler, Budget Manager

Attachments: [Ordinance for Supplemental - 2021 Staffing Reorg, removal of hiring delay and operating reductions](#)
[EXHIBIT A-Staffing re-org and release of operating reductions](#)

Charae McDaniel, Chief Financial Officer, presented the Ordinance for a supplemental appropriation to the General Fund of \$6.27M, Airport Enterprise Fund of \$1.5M, and the Stormwater Enterprise Fund of \$306,000, for staffing reorganization, classification adjustments, removal of the hiring delay, removal of operating budget reductions, and Airport marketing as well as the Ordinances prescribing the salary of the City Attorney, City Auditor, and City Council Administrator. She stated the economy is doing very well, there will be a three percent market movement and pay for performance adjustment of approximately 1.8 percent wage increase for civilian personnel, and a two percent wage increase for sworn personnel effective June 27, 2021. Ms. McDaniel identified the position classification adjustments, positions which will be added, Airport Enterprise marketing budget amendment to provide a broad marketing campaign for all carriers and specific route incentives, the hiring delay will be lifted as of July 1, 2021, and the twenty percent operating reductions for departments will be restored.

Councilmember Murray asked if there is funding available for one hundred new Police Officers. Ms. McDaniel stated the amount for 27 Officers, which is the number that can be accommodated by the 2021 Police Academy, is included in the 2021 budget.

Councilmember Murray asked if the reserve funds are at twenty percent of the next year's budgeted expenditures. Ms. McDaniel stated it is at twenty-seven percent.

Councilmember Henjum asked why there is a need for five new positions within the City Attorney's Office. Ms. McDaniel stated it is due to a reorganization which is occurring.

Councilmember Donelson asked if there will be any tax rate changes to the citizens. Ms. McDaniel stated there will not be any tax rate changes to the citizens.

8.E. [21-306](#) An Ordinance repealing Ordinance no. 19-95 and amending Ordinance

14-20, section 3 prescribing the salary of the City Attorney

Presenter:

Mike Sullivan, Human Resources Director
Mayor John Suthers

Attachments: [MasseyOrd \(Mid Year\)-final Revised](#)

Please see comments in Agenda item 8.D.

- 8.F. [21-307](#) An Ordinance amending Section 3 of Ordinance no. 21-06 and prescribing the salary of the City Auditor

Presenter:

Tom Strand, City Council President

Attachments: [Rowland Ord \(mid-year 2021\) final revised](#)

Please see comments in Agenda item 8.D.

- 8.G. [21-308](#) An Ordinance repealing Ordinance No. 21-07, and amending Ordinance No. 18-120, Section 3, prescribing the salary of the City Council Administrator

Presenter:

Mike Sullivan, Human Resources Director
Tom Strand, City Council President

Attachments: [Evans ordinance \(mid-year 2021\) final revised](#)

Please see comments in Agenda item 8.D.

9. Items Under Study

- 9.A. [CPC CA](#)
[20-00005](#) Update on the amendment of City Code Chapter 7 (Zoning and Subdivision Regulations)

Presenter:

Morgan Hester, Planning Supervisor
Peter Wysocki, Director of Planning and Community Development

Attachments: [ReToolCOS_M1+2](#)

Morgan Hester, Principal Planner, Planning and Community Development, introduced the City's consultant, Don Elliott, Director, Clarion Associates, who provided the update on RetoolCOS. He gave a summary of the project overview, drafting overview, Unified Development Code (UDC) Organization, schedule update, changes in the revised public draft, changes to residential zoning districts, R-Flex Districts, housing mix

incentive, changes to use regulations, development standards, equity, and next steps.

President Pro Tem Skorman asked if there are any changes that can be made in the near future to help make a difference with the City's housing crisis. Ms. Hester stated she has heard from applicants regarding incorporating R-Flex Districts in developments which are in line with the proposed changes in RetoolCOS.

President Pro Tem Skorman asked how climate change is addressed in RetoolCOS. Ms. Hester stated there are options for lighter color and green roofs and staff is working with Colorado Springs Utilities regarding landscaping and water conservation.

President Pro Tem Skorman asked if the innovative housing types such as micro apartments, tiny homes, and office conversions are being considered. Ms. Hester confirmed they are as well as other housing options.

Councilmember Murray asked if the requirement for a percentage of affordable housing is included in the new Flex District developments. Ms. Hester stated by allowing the density bonus, the ability to provide more of mix of housing types is available. Mr. Elliott stated there would not be a requirement based on a percentage of Area Median Income (AMI). Peter Wysocki, Director of Planning and Community Development, stated the intent of flex zoning is to provide opportunities for a mix of housing types in order to reach housing attainability and income restricted affordable housing may be reached through different tools.

Councilmember Henjum asked if builders could be offered the flex zoning options before RetoolCOS is adopted. Ms. Hester stated with the builders knowing it is an option being written into City Code, they can propose it with the Planned Unit Development (PUD) development applications.

Councilmember Henjum volunteered to fill one of the vacancies on the RetoolCOS Advisory Board. Michael Montgomery, Deputy City Council Administrator, stated that item will be on the June 22, 2021 City Council meeting agenda.

Councilmember Williams stated he supports the acceleration and

availability of the flex zoning in the new development areas of Banning Lewis Ranch and other new non-infill developments but is not in favor of a government mandate regarding housing pricing.

10. Councilmember Reports and Open Discussion

Councilmember Henjum requested historic preservation be considered during the discussions for RetoolCOS.

Councilmember Donelson stated he and several other Councilmembers attended the Memorial Day ceremony at Memorial Park and recognized World War II U.S. Army Veteran Ed Beck and other veterans who have fought for our country.

President Strand stated he attended the Colorado Springs Police Department Annual Awards Ceremony and the Colorado Springs Western Street Breakfast will be held on June 16, 2021.

Councilmember Williams expressed gratitude for the men and women who serve the community as Police Officers.

11. Adjourn

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

Sarah B. Johnson, City Clerk