



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, August 10, 2015

1:00 PM

Council Chambers

Meeting will begin at 2:00 p.m. upon conclusion of Closed Executive Session

1. Call to Order

Present 9 - Councilmember Larry Bagley, President Merv Bennett, Councilmember Helen Collins, President Pro Tem Jill Gaebler, Councilmember Keith King, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, and Councilmember Tom Strand

2. Changes to Agenda

Council President Bennett stated the Closed Executive Session will take place at the beginning of the meeting and the remainder of the meeting will begin at 2pm.

Council President Bennett stated agenda item 9.A., the Memorial Health System Ordinance Revisions, will be heard immediately following the closed executive session and agenda items 8.A. and 8.B., the resolution for a proposed sales tax increase and the resolution for retaining the TABOR excess revenues will take place immediately following the Memorial Health System discussion.

3. Regular Meeting Comments

Council President Pro Tem Gaebler stated she may pull agenda item 4.B.B. off the Consent Calendar tomorrow.

Council President Bennett reminded everyone the Comcast Cable Franchise public hearing will start at 6pm.

4. Review of Previous Meeting Minutes

4.A. [15-00423](#) City Council Work Session Meeting Minutes July 13, 2015

The July 13, 2015 meeting minutes were approved as presented.

4.B. [15-00485](#) City Council Work Session Meeting Minutes July 27, 2015

The July 27, 2015 meeting minutes were approved as presented.

5. Executive Session

A) Open

There was not an Open Executive Session.

B) Closed

B)A. [15-00434](#) Closed Executive Session

David Andrews, Legislative Counsel stated Council will received legal advice from the City Attorney regarding the Memorial Health System lease and advice and consultation regarding pending litigation and claims.

Council President Bennett polled Council regarding the closed executive session. Consensus of Council agreed to continue with both discussions in a closed executive session.

6. Staff and Appointee Reports

6.A. [15-00487](#) Agenda Planner Review

Eileen Gonzalez, City Council Administrator, stated the agenda planner memo is included in the Council packets; she received a request from the Colorado Springs Fire Department and Springs TV to present in the September 8, 2015 work session regarding their needs under the cable franchise.

7. Presentations for General Information

7.A. [15-00429](#) Briefing by Southern Colorado Educational Television Consortium (SCETC)

Kelsey Hunt, President, Southern SCETC & Director , Media Services, UCCS, provided a brief explanation of the role of the organization in the community and how they interface with the franchised cable companies. Ms. Hunt provided information about five educational channels run by the organization for the community. SCETC also allows students to learn the broadcast industry through production and development of the programming.

Councilmember King asked if charter schools are included in the programming, Mr. Wilson stated public charter schools are included and

they are considering adding private charter schools.

Councilmember Murray asked how Council can help meet the needs of the organization. Ms. Hunt stated the organization receives a portion of the cable franchise agreement fees and one of the current goals is to upgrade to high definition programming.

Councilmember Knight requested clarification on the cable franchise fees supporting this organization. Ms. Hunt stated they received 20% of the Comcast fees and 10% of the Falcon Broadband fees.

7.B. [15-00403](#) Colorado Springs Science Center Project Update

Steve Rothstein, President, Colorado Springs Science Center, presented an update on the planned Colorado Springs Science Center, activities conducted by the organization and connections with other entities in the City, stating the planned groundbreaking for the science center is in 2018, with opening in April 2020. Mr. Rothstein requested assistance with a sponsor or champion for the organization, a potential location and some funding assistance.

Councilmember Strand asked if Mr. Rothstein is requesting City funding. Mr. Rothstein explained how the organizations' business plan is working to achieve a financially stable environment, but they will accept public assistance if available.

Council President Pro Tem Gaebler requested information about the K-T Boundary exposure found on the Banning Lewis Ranch. Mr. Rothstein explained the geographic evidence exposed on this piece of land just east of town is attracting global attention from the science community and could potentially have a major impact on the local science community.

Councilmember Collins asked about the government limiting the size of telescope on Pikes Peak. Mr. Rothstein stated they are working with the government to expand the allowed telescope size.

7.C. [15-00415](#) Regional Pickleball Tournament Debrief

Steve and Ramona Boone, Regional Directors, USA Pickleball Association, Great Plains Region, provided additional information about this growing sport and the association. Colorado Springs was selected as the location for the inaugural pickleball tournament for the Great Plains Region. Ms. Boone spoke about the benefits of pickleball

attracting players to the area.

8. Items for Introduction

- 8.A.** [15-00431](#) A resolution submitting to the registered qualified electors of the City of Colorado Springs, Colorado, at the coordinated election conducted by mail ballot to be held on Tuesday, November 3, 2015, the question of temporarily increasing sales and use taxes by 0.62% for road repairs and improvements for a period of five (5) years and constituting a voter approved revenue change exempt from spending and revenue limitations; providing for the form of the ballot title and text; providing for certain matters with respect to the election; and providing the effective date of this resolution.

Res/Ord Number: 78-15

Mayor John Suthers and City Staff members provided an overview of the request to place a proposed .62% sales tax increase on the November ballot for the purpose of completing road improvement projects. This included additional information about the condition of the city streets, the requirements to perform needed improvements and maintenance.

Councilmember King asked how the list of roads to be resurfaced was developed, and how the paving will be prioritized. Cory Farkas, Streets Division Manager, stated the list was generated using road inspection reports and street maintenance records. Mr. Farkas also stated they are working with CSU to coordinate efforts. Mr. Farkas stated the city is usually divided into four districts with road work rotating through the districts. This plan will be adjusted to facilitate transportation through the districts and the streets identified through inspections as needing the most attention will take priority.

Councilmember Strand asked, based on the 2014 PMA, if a certain area of town has a larger concentration of “bad” roads. Mr. Farkas stated the worst roads are spread throughout the city, but if an area was to be selected as having the largest concentration of “bad” road, he would say southcentral or downtown. Councilmember Strand asked how concrete and asphalt costs have outpaced inflation. Councilmember Pico stated the improved economic conditions have led to increased construction work and caused price to increase. Mayor Suthers stated this trend is affecting cities across the nation.

Mayor Suthers noted the five year plan includes streets that run through Garden of the Gods, Palmer Park and North Cheyenne Canyon parks.

Tom Florczak with the City Attorney's Office provided the latest version of the proposed ballot language to Council and explained how the question was written to balance the legal requirements and the wishes of Council. Mr. Florczak also provided an overview of the changes made to the resolution since the previous meeting.

Councilmember Strand asked how much it will cost to include this on the ballot. Sarah Johnson, City Clerk, stated an IGA between El Paso County and the City will be included on the August 24th work session and the August 25th regular meeting agendas. This IGA will include the estimated cost of the election.

Councilmember King expressed appreciation to the Mayor for the inclusion of Council in this process and asked how the inclusion of PPRTA funds for these projects will be coordinated to assure projects are completed as fast as possible and that all available funds are used. Kara Skinner, CFO, explained the PPRTA funds will not be included in the maintenance of effort. The general budget will include the maintenance of effort funds. Mr. Farkas stated his department is already working to secure contractors and make other necessary preparation to begin work as soon as possible. The plan is to start work in January 2016 if the measure is approved on the November ballot.

Councilmember King asked if this will be done on a reimbursement basis. Mr. Farkas explained the contract billing process and stating contractors are not reimbursed until an inspection to make sure the work has been properly done is completed.

Ms. Skinner reviewed the maintenance of effort plan included in the resolution. The resolution includes resurfacing and pothole repair over the next three years. Councilmember Pico stated the funds received from the County have been decreased, asked if there is any chance of getting those funds increased. Ms. Skinner stated this would require discussion with the County.

- 8.B.** [15-00432](#) A resolution submitting to the registered qualified electors of the City of Colorado Springs, Colorado, at the coordinated election conducted by mail ballot to be held on Tuesday, November 3, 2015, the question of retaining and spending up to \$2,100,000, the

estimated 2014 fiscal year revenue above the 2014 fiscal year revenue and spending limitations, as a voter approved revenue change; providing for the form of the ballot title and text; providing for certain matters with respect to the election; and providing the effective date of this resolution.

Res/Ord Number: 79-15

Ms. Skinner provided an explanation of the TABOR limits and how the estimated excess amount is calculated. Ms. Skinner stated the estimated refund amount, if the citizens deny this request, is about \$11 per household.

Chris Lieber, Parks Development Manager, provided an overview of the specific projects included in the plan if the ballot measure is approved. Mr. Lieber explained how projects were prioritized for this potential opportunity using a community survey, the Parks Master Plan and citizen comments.

Tom Florczak with the City Attorney's Office provided the latest version of the proposed ballot language to Council and explained how the question was written to balance the legal requirements and the wishes of Council. Mr. Florczak also provided an overview of the changes made to the resolution since the previous meeting.

- 8.C.** [15-00436](#) An ordinance amending Ordinance No. 14-101 (2015 Appropriation Ordinance) for a \$35,000 supplemental appropriation increasing expenditures in the Lodgers and Automobile Rental Tax (LART) fund for the purpose of providing 2015 funding to the Regional Business Alliance

Councilmember Knight presented an overview of the proposed ordinance. Mr. Knight spoke about the importance of the RBA to the economic development of the City. Mr. Knight stated his campaign was not endorsed by the RBA as previously suggested in a City Council meeting.

Jeff Greene, Chief of Staff, spoke about the importance of the Regional Business Alliance to economic development and the return on investment of associated with this organization.

9. Items Under Study

- 9.A.** [15-00496](#) Memorial Health System Ordinance Revisions

Wynetta Massey, City Attorney, introduced this discussion regarding the Memorial Health System lease and operating agreement with University of Colorado Health.

Jim Wiehl, outside legal counsel, provided an overview of the necessary changes to City Code regarding the Memorial Health System lease agreement and board of trustees.

Joseph Keillor, outside legal counsel, stated the majority of the changes can be characterized as updating the language to meet current standards. Mr. Keillor summarized the changes to the agreement intended to streamline and increase efficiency with the agreement.

Councilmember Knight stated he feels this is more complex than necessary, adding City Code is structured to allow the City to run the hospital and added it might be simpler to re-write the bylaws instead of changing City Code. Councilmember Knight suggested making City Council a default board of trustees for the hospital in the event of a lease termination. Mr. Wiehl stated this option was considered but the group felt the proposed option was preferable.

9.B. [15-00483](#) Council discussion of options relating to the provision of broadband internet service within the City of Colorado Springs

Council President Bennett reminded everyone the cable franchise public listening session this evening is not intended to be a dialogue, but a public listening session. The length of time citizens are allowed to speak will depend on the number of citizens in attendance.

Councilmember Murray provided a brief history of the Telecommunications Policy Advisory Committee (TPAC) which self-dissolved to form a Citizens Telecommunications Advisory Committee (CTAC), which was never initiated. Councilmember Murray would like present a plan for the reformation of CTAC to City Council in the next work session. This would be an organization to assist Council with studying communication and other technical items.

Consensus of Councilmembers requested a progress report in two weeks with a possible appropriate time estimate for formation of the group. Mr. Murray requested help from Council with historical information on why the transition was never completed.

Jeff Greene, Chief of Staff, stated he has discussed this concept with

the Mayor and he is interested in the idea and would like to move forward with the process.

10. Councilmember Reports and Open Discussion

Council President Bennett stated a resolution proclaiming August to be Science, Technology, Engineering and Math month will be included on the agenda for tomorrow.

11. Adjourn