



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, February 7, 2022

10:00 AM

Council Chambers

How to Watch the Meeting

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Facebook Page @coscity Council | SPRINGS TV - Comcast Channel 18 / 880 (HD)
- Stratus IQ Channel 76 / 99 (Streaming)

1. Call to Order and Roll Call

Present 8 - Councilmember Yolanda Avila, Councilmember Dave Donelson, Councilmember Stephannie Fortune, President Pro Tem Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, President Tom Strand, and Councilmember Wayne Williams

Excused 1 - Councilmember Mike O'Malley

Councilmember Murray attended the meeting virtually.

2. Changes to Agenda

There were no Changes to Agenda.

3. Regular Meeting Comments

There were no Regular Meeting Comments.

4. Review of Previous Meeting Minutes

4.A. [22-099](#) City Council Work Session Meeting Minutes January 24, 2022

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [1-24-22 City Council Work Session Meeting Minutes Final](#)

Councilmember Henjum requested her comment for item 10.
Councilmember Reports and Open Discussion of the January 24, 2022
City Council Work Session minutes be corrected to "The Church of Jesus
Christ of Latter-day Saints". Sarah B. Johnson, City Clerk, agreed to make
that correction and stated the spelling of Willie Breazell's name will also be

corrected for the January 25, 2022 City Council meeting minutes.

The minutes of the January 24, 2022 Work Session were approved as amended by Consensus of City Council.

5. Staff and Appointee Reports

- 5.A. [22-018](#) Update from the Office of Innovation on the Smart Streetlights pilot project

Presenter:

Joshua Pace, Senior Contracting Specialist, Office of Innovation

Attachments: [Smart Streetlights Pilot Project - Final Report 2.2022](#)
[SmartCOS - Smart Streetlights 2.7.22](#)

Joshua Pace, Senior Contracting Specialist, Office of Innovation, provided an update from the Office of Innovation on the Smart Streetlights pilot project. He gave an overview of the over 27,000 existing streetlights, benefits of converting to light-emitting diode (LED), entry point for smart city applications, benefits of streetlight controllers, benefits of weather sensors, and streetlight controller pilot programs for Verizon and Landis+Gyr. He went over dimming schedules, weather sensor pilot programs for Campbell Scientific, snow depth history data, issues identified, and next steps.

President Strand asked how citizens could report an issue with a streetlight. Mr. Pace stated they can report it to askus@csu.org or the GoCOS! app. Councilmember Avila explained that each streetlight has a specific number on them which makes it easier for to identify the particular streetlight.

President Strand asked how streetlight controllers could assist in the reduction of crime. Mr. Pace stated it could provide additional brightness in certain areas.

Councilmember Donelson asked if Colorado Springs Utilities (CSU) was involved in this project and asked who would control the lights. Mr. Pace confirmed CSU was heavily involved, the City would control the lights with a priority on safety over dark sky, and CSU would install them.

Councilmember Henjum asked if the City will also implement capabilities such as gunshot detection and a speaker broadcast system. Mr. Pace stated they are they looking at the possibility of implementing air quality monitoring, public wi-fi equipment, and multi-modal counters.

Councilmember Donelson requested the yearly amount of potential cost savings. Mr. Pace stated that amount is difficult to calculate due to the way the streetlight fee is assessed by CSU. Tristan Gearhart, Chief Financial Officer, CSU, stated he will provide that information.

Councilmember Henjum asked if there are options for light poles where the light is directed more downward than upward. Mr. Pace stated the LED lights do direct the light more downward.

Councilmember Murray commented that this system not only results in energy savings but is also beneficial in the data it could provide.

President Strand asked how someone would go about putting advertisements on the light poles. Mr. Pace stated the request would need to go through the CSU Standards Department.

President Strand asked if there was more current data regarding snow depth totals. Mr. Pace stated the City would have to renew their access to the Kemble Scientific data portal in order to obtain that information.

5.B. [22-097](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 2-7-22](#)

Sarah B. Johnson, City Clerk, stated the next City Council Work Session and regular City Council meeting will both be held on February 22, 2022 due to the holiday. She stated the Work Session will begin at 9:00 AM and the regular meeting will begin at the conclusion of the Work Session.

Councilmember Williams asked if the Public Hearing for the appeal of the Planning Commission's decision to uphold the Notice and Order to Abate for violation of a carport in the 25-foot front yard setback will still be heard at the February 22, 2022 City Council meeting. Peter Wysocki, Director of Planning and Community Development stated the Administration will be presenting an interpretation policy to City Council which may resolve the Carport and Short-Term Rental issues.

6. Presentations for General Information

6.A. [22-031](#) Pikes Peak Area Council of Governments

Presenter:

Andrew Gunning, Executive Director

Attachments: [COS PPACG Member Outreach - January 10 2022](#)

Andrew Gunning, Executive Director, Pikes Peak Area Council of Governments (PPACG), provided a member outreach presentation for the PPACG. He gave an overview of the PPACG, members, strategic plan goals, Pikes Peak Area Agency on Aging, 2022 priorities, environmental quality/planning, water/air quality, military planning program, transportation planning/projects, administration of the Pikes Peak Rural Transportation Authority (PPRTA), and legislative advocacy.

Councilmember Fortune asked if the PPACG is also working on workforce issues within senior care facilities. Mr. Gunner stated he will provide that information.

President Pro Tem Helms asked if the wildfire smoke coming in from the west are causing more air pollutants than automobile emissions. Mr. Gunning stated the fires exacerbate the issue, but the primary source of regional air pollution is from automobile emissions.

Councilmember Fortune asked what people can do to prevent nonattainment. Mr. Gunning spoke about educating employers regarding different travel options and work from home options.

Councilmember Williams asked how much of the ozone is natural versus man-made. Mr. Gunning stated human generated emissions is roughly thirty percent.

Councilmember Williams asked if the City would receive additional Federal transportation funding if they were in nonattainment. Mr. Gunning confirmed they would receive a little more in order to assist in rectify the issues, but it is a slippery slope to be in non-attainment.

Councilmember Henjum asked what City Council could do to support better air quality in the region. Mr. Gunning stated they could implement a voluntary trade-in voucher program for highly polluting gas-powered lawn mowers or leaf blowers, turning the City's fleet into lower pollutant emitting transportation, and encouraging trip reduction such as carpools and vanpools.

Councilmember Williams requested a list of the environmentally cleared projects and the current cost estimates for them. Mr. Gunning stated they will provide that information.

Councilmember Avila stated everyone is contributing to global warming, are very auto centric, and the City needs to invest more in multi-modal types of transportation.

Jessica McMullen, Policy and Communication Manager, PPACG, identified the Citizen Advisory Committee for PPACG has two vacancies.

President Strand requested the population totals for each of the members of PPACG. Mr. Gunning stated they will provide that information.

President Strand asked how many citizens are currently in long term care facilities. Mr. Gunning stated they will provide that information.

7. Items for Introduction

- 7.A. [22-073](#) A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of debt by the Freestyle Metropolitan District No. 2 in the form of either Limited Tax General Obligation Cash Flow Bonds or a combination of Senior Limited Tax General Obligation Capital Appreciation and Subordinate General Obligation Bonds in an aggregate amount not to exceed \$53,600,000

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Director of Planning & Community Development

Attachments: [Resolution](#)

[Freestyle Staff PowerPoint](#)

[Norwood MDs \(Freestyle, Meadoworks\) - Budget Committee](#)

[Presentation 01.20.2022](#)

[Bond Issuance Cover Letter - Freestyle](#)

[FMD#2-4 Financial Plan, A\(3\) CFB, Jan20](#)

[Freestyle MD#2-4 Financial Plan, A1A2B\(3\), Jan20](#)

[Senior 2022A-1, 2022A-2 and Subordinate Series 2022B\(3\) Freestyle](#)

[GC Opinion Form](#)

[Authorizing Resolution \(Cashflow Bonds\) - Freestyle](#)

[Authorizing Resolution \(Seniors and Subs\)- Freestyle](#)

[Resolution \(Pledge Agreement\) - Freestyle](#)

[Bond Counsel Opinion \(GO Subordinate\) - Freestyle](#)

[Bond Counsel Opinion \(Cashflow Bonds\) - Freestyle](#)

[Bond Counsel Opinion \(GO Senior\) - Freestyle](#)

[Series 2022\(3\) Cashflow GC Form Opinion - Meadoworks](#)

[Freestyle MD - D.A Davidson Letter - 01.13.2022](#)

[Public Improvements Summary- Freestyle](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development Department, presented the Resolutions authorizing the issuance of debt by the Freestyle Metropolitan District (MD)

No. 2 in the form of either Limited Tax General Obligation Cash Flow Bonds or a combination of Senior Limited Tax General Obligation Capital Appreciation and Subordinate General Obligation Bonds in an aggregate amount not to exceed \$53,600,000 and the Meadowworks MD No. 2 in the form of either Limited Tax General Obligation Cash Flow Bonds or a combination of Senior Limited Tax General Obligation Capital Appreciation and Subordinate General Obligation Bonds in an aggregate amount not to exceed \$43,000,000 located east in the southern part of Banning Lewis Ranch (BLR). He provided a summary, context map of the BLR Districts, debt service caps, development approval status, questions/comments from the Budget Committee, and next steps.

Kyle Thomas, DA Davidson, representing the applicant, gave an overview of the summary of the bond structure, district tax boundaries, development summary projection, bond structure/parameters, map of public improvements, and schedule of events.

Councilmember Henjum requested the board structure for the districts. Mr. Thomas stated each of the districts will have its own independently operated board.

Councilmember Donelson asked what the benefit is for having three separate residential districts. Russ Dykstra, Spencer Fane, representing the district, stated it allows the infrastructure to be phased in if necessary and allows each of the districts residents to determine how they want their individual district to be ran.

Councilmember Murray asked if there was a review by the Metropolitan District Committee regarding the availability of affordable housing in districts. Councilmember Williams stated they are continuing to proceed with the discussion regarding issues.

Mike Taylor, Chief Financial Officer, Nor'Wood, representing the developer, stated they are in negotiations with builders regarding different product types to provide more affordability and potentially introducing auxiliary dwelling units.

7.B. [22-074](#)

A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of debt by the Meadowworks Metropolitan District No. 2 in the form of either Limited Tax General Obligation Cash Flow Bonds or a combination of Senior Limited Tax

General Obligation Capital Appreciation and Subordinate General Obligation Bonds in an aggregate amount not to exceed \$43,000,000 located east in the southern part of Banning Lewis Ranch

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Director of Planning & Community Development

Attachments: [Resolution](#)

[Bond Issuance Cover Letter - Meadoworks](#)

[F.1 Meadoworks MD#2 Financial Plan, NR A3 Snr CF, Jan25](#)

[F.2 Meadoworks MD#2 Financial Plan, NRLF+B3, Jan25](#)

[Authorizing Resolution \(Cashflow Bonds\) - Meadoworks](#)

[Authorizing Resolution \(Seniors and Subs\)- Meadoworks](#)

[Bond Counsel Opinion \(GO Subordinate\) - Meadoworks](#)

[Bond Counsel Opinion \(Cashflow Bonds\) - Meadoworks](#)

[Bond Counsel Opinion \(GO Senior\) - Meadoworks](#)

[Cashflow GC Opinion - Meadoworks](#)

[General Counsel Bond Opinion Letter - Updated](#)

[Meadoworks MD - D.A Davidson Letter - 01.13.2022](#)

[Meadoworks - District Budget 6.3.21](#)

Please see comments in Agenda item 7.A.

7.C. [22-078](#)

A resolution of the City of Colorado Springs approving a Service Plan for the Mountain Vista No. 2 Metropolitan District located east of Marksheffel Road and split by Barnes Road

(Legislative)

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Development Department

Peter Wysocki, Director of Planning and Community Development

Attachments: [Resolution](#)

[Exhibit 1 - Mountain Vista No. 2 Service Plan](#)

[Presentation](#)

[Redlined Model Service Plan for Mountain Vista No. 2 MD](#)

[Estimated Public Improvements Cost](#)

[Financial Plan](#)

Hannah Van Nimwegen, Senior Planner, Planning & Development

Department, presented the Resolution approving a Service Plan for the Mountain Vista No. 2 Metropolitan District located east of Marksheffel Road and split by Barnes Road. She provided an overview of the vicinity map, summary, district boundaries, improvement costs, operations, maintenance, authorized debt, history of the district, questions/comments from the Budget Committee, and next steps.

Councilmember Donelson requested the questions from the Budget Committee be addressed. Kevin Walker, Walker Schooler District Managers, representing the district, explained the circumstances concerning the 2006 vote in which the Service Plan authorized \$25M of debt, the vote was only for \$12M which was the amount the developer needed at the time with the expectation that there would be a second vote for the remaining amount, but the developer was never able to reissue those bonds and identified the proposed changes to the Service Plan since that time. He stated the request for the additional five mills for covenant enforcement and other operations and maintenance needs is because the ten mills have proven to not be adequate in the current district for trash service, maintaining parks, landscaping, and storm water facilities.

- 7.D. [22-083](#) A resolution of the City of Colorado Springs approving a Service Plan for the Rock Metropolitan District located east of Rangewood Drive and south of Lee Vance Drive

(Legislative)

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Development Department

Peter Wysocki, Director of Planning and Community Development

Attachments: [Resolution - Rock MD](#)
[Presentation](#)
[Exhibit 1 - Rock Service Plan](#)
[Redline of Model Service Plan for Rock MD](#)
[Financial Plan](#)
[Public Improvement Cost Estimate](#)

Hannah Van Nimwegen, Senior Planner, Planning and Development Department, presented the Resolution approving a Service Plan for the Rock Metropolitan District located east of Rangewood Drive and south of Lee Vance Drive. She provided an overview of the vicinity map, summary, district boundaries, district exhibit, improvement costs, operations,

maintenance, proposed authorized debt, questions/comments from the Budget Committee, and next steps.

There were no comments on this item.

- 7.E. [22-090](#) A resolution of the City Council of Colorado Springs approving the Intergovernmental Agreements concerning the funding, implementation and administration of programs involving police officers in schools.

Presenter:

Vince Niski, Chief of Police

Lt. Patrick David

Attachments: [SRO IGA-CSPD District 20](#)
[SRO IGAs Council Resolution FINAL-2022](#)
[District11-IGA Final-notsigned](#)
[SRO IGA D49 -FINAL](#)
[SRO IGA District 12](#)
[SRO IGA Harrison School District](#)

Commander Mary Rosenoff, Stetson Hills Division, Colorado Springs Police Department (CSPD), introduced Lieutenant Patrick David, CSPD, presented the Resolution of the City Council of Colorado Springs approving the Intergovernmental Agreements (IGA) concerning the funding, implementation, and administration of programs involving police officers in schools. Lt. David provided a brief overview of the duties and functions of the twenty-one School Resource Officers (SRO).

President Strand asked how long the IGA with the School Districts have been in place. Lt. David stated approximately twenty years.

Councilmember Henjum asked why these Officers chose to become SRO. Lt. David stated the SRO have a special gift for working with the juvenile population within the community. Commander Rosenoff stated the Administration from each school district is also present for the selection of SRO for their school.

President Pro Tem Helms commented that seventy-five percent of the SRO salary is paid by the school district.

President Strand asked if the City has ever requested the school districts pay more than seventy-five percent of the SRO salaries. Lt. David stated

they will look into that.

Councilmember Avila recommended a specialized team be implemented in the schools instead of criminalizing the students and asked how many have been incarcerated. Lt. David stated often times the school handles the misdemeanor offenses without arrest or they have students go to Teen Court.

- 7.F. [22-101](#) A Resolution Authorizing the Acquisition of 0.850 Acres of Land and Easements from Woodmen Land Development, L.L.C. Using PPRTA Funds for the Black Forest Road Improvements: Woodmen Road to Research Parkway Project

Presenter:

Gayle Sturdivant, City Engineer/Deputy Public Works Director

Mike Chaves, Engineering Manager

Darlene Kennedy, Real Estate Services Manager

Attachments: [Resolution](#)

[Woodmen Land Development Council Presentation](#)

[Signed Resolution 17 22](#)

Gayle Sturdivant, City Engineer/Deputy Public Works Director, presented the Resolution authorizing the acquisition of 0.850 Acres of Land and easements from Woodmen Land Development, LLC using Pikes Peak Rural Transportation Authority (PPRTA) funds for the Black Forest Road Improvements: Woodmen Road to Research Parkway Project. She provided an overview of the project limits and a map of the Woodmen Land Development, LLC property.

President Strand asked if the purchase price of this property is \$134,600.00. Ms. Sturdivant confirmed it is.

- 7.G. [22-024](#) An Ordinance Repealing Ordinance No.15-22, Dissolving the Food Policy Advisory Board.

Presenter:

Dave Donelson, City Councilmember District 1

Samantha Bailey, Innovations & Sustainability Coordinator

Attachments: [Ord. Dissolving FPAB 1-13-22](#)

Samantha Bailey, Innovations and Sustainability Coordinator, presented the Ordinances repealing Ordinance No.15-22, dissolving the Food Policy Advisory Board (FPAB), and establishing a Sustainability Advisory Board (SAB). She explained it was determined the best path forward was to

dissolve the FPAB and create the SAB housed in the Innovations and Sustainability Department. Councilmember Donelson stated there was consensus from the FPAB to dissolve it.

President Strand asked how many members were on the FPAB. Councilmember Donelson stated nine and they will have to reapply to be on the SAB. Ms. Bailey stated those appointments will be done by City Council.

President Strand requested additional information on the FPAB. Ms. Bailey stated they have been in existence since 2015 and gave an overview of their accomplishments.

President Strand asked what the mission of the SAB is. Ms. Bailey stated air quality, water quality, agriculture, land use, and economic development. She stated the outside consultant, Lotus Consulting, is located in Denver, CO will be working on the Sustainability Action Plan so would be beneficial for the SAB to be comprised of citizens in order to provide local insight.

Councilmember Avila asked if the FPAB worked on addressing food deserts and improving food quality in communities. Ms. Bailey stated it did not, but the Sustainability Action Plan will.

Jeff Greene, Chief of Staff, stated former Councilmember Gaebler recommended the FPAB be a subcomponent of the SAB and to recognize the need for sustainable food growth in the community.

- 7.H. [22-104](#) An Ordinance Establishing a Sustainability Advisory Board to the City of Colorado Springs

Presenter:

Dave Donelson, City Councilmember District 1

Samantha Bailey, Innovations & Sustainability Coordinator

Attachments: [SustainabilityAdvisoryBoardORD-2022-1-31-22 FINAL](#)

Please see comments in Agenda item 7.G.

- 7.I. [22-044](#) A Resolution Authorizing a Land Exchange Between the City of Colorado Springs and Sky Sox Stadium, Inc.

Presenter:

Karen Palus, Director, Parks, Recreation & Cultural Services
Department

David Deitemeyer, Senior Landscape Architect

Attachments: [Encroachment Correction Exhibit A](#)
[Encroachment Correction Exhibit B](#)
[Encroachment Land Exchange Resolution](#)
[Coleman Park Encroachment Corrections CCWS](#)

David Deitemeyer, Senior Landscape Architect, Parks, Recreation and Cultural Services Department, introduced the proposed land exchange between the City and Sky Sox Stadium, Inc., which he indicated would correct the park land encroachments at Coleman Community Park (CCP) by the neighboring Sky Sox Stadium, Inc., which is located within the park property. He gave an overview of the CCP Project elements, CCP Encroachment Project, property to be transferred to the Sky Sox (Vibes) organization, and property to be transferred from the Sky Sox (Vibes) organization to the City.

President Strand asked if this encroachment has been occurring since 1988. Mr. Deitemeyer confirmed it has been.

Mayor Suthers asked if there have been arrangements made regarding the parking at Sky Sox Stadium, Inc. Kurt Schroeder, Park Operations and Development Manager, Parks, Recreation and Cultural Services Department, stated the Stadium owns the main parking lot, the City owns the VIP parking property and leases it to the Stadium and additional agreements for parking have not reached a conclusion yet.

Councilmember Williams requested a report of the voter-approved projects which have been completed. Mr. Schroeder agreed to provide that information.

Councilmember Henjum asked what was learned from discovering this encroachment. Mr. Schroeder stated because park land has a very large footprint in the City, they need to stay aware of the possibility of encroachment. Mayor Suthers stated it is his understanding that the City did not want to build a stadium and at the time the Lou family bought and built the stadium, the City did everything it could to accommodate the project.

- 7.J.** [22-091](#) An Ordinance Amending Ordinance No. 21-112 (2022 Appropriation Ordinance) for a Supplemental Appropriation to the Gift Trust Fund in the Amount of \$2,000,000 Related to an Executive Agreement with Colorado Springs Utilities for the Affordable Housing Fee Offset

Program Administered by the City

Presenter:

Chris Wheeler, Budget Manager

Charae McDaniel, Chief Financial Officer

Steve Posey, Community Development Manager

Peter Wysocki, Director, Planning & Community Development

Attachments: [Supplemental Approp Ordinance for City CSU Affordable Housing Fee Offset Program](#)

Chris Wheeler, Budget Manager, presented the Ordinance for a Supplemental appropriation to the Gift Trust Fund in the amount of \$2,000,000 related to an Executive Agreement with Colorado Springs Utilities (CSU) for the Affordable Housing Fee Offset Program Administered by the City. She stated the City's Community Development Division in the Planning and Community Development Department will be the administrator of the program, funds provided by CSU will be used to offset utility fees and infrastructure expenses incurred by qualified affordable and attainable housing developments.

Councilmember Williams asked if there will be an annual appropriation process for this. Ms. Wheeler explained it would be subject to appropriation in the Gift Trust Fund and not the General Fund so there would not be any Taxpayer Bill of Rights (TABOR) implications.

Councilmember Williams asked if any unused funds would roll forward into the next year. Ms. Wheeler stated that was her understanding.

Councilmember Williams asked if the allocation to the developer would be reviewed and approved by City Council or the Administration. Peter Wysocki, Director Planning and Development, stated it would be reviewed and approved Administratively. Councilmember Williams requested the criteria regarding the allocations. Mr. Wysocki agreed to provide that information at a Work Session.

President Pro Tem Helms asked what the cost to the rate payer will be. Tristan Gearhart, Chief Financial Officer, CSU, stated it equates to approximately .0016 percent of CSU's annual appropriation of \$1.2B which results in a \$.02 to \$.15 monthly increase for forest service industry utility bill.

Councilmember Donelson stated his concern is that CSU is a monopoly,

rate payers do not have a choice to not pay this offset, and he would prefer this \$2M go toward assisting rate payers.

Councilmember Avila recognized former Councilmember David Geislinger and his initiatives toward affordable housing.

8. Items Under Study

There were no Items Under Study.

9. Councilmember Reports and Open Discussion

President Pro Tem Helms stated he attended the Downtown Winter Fest event, visited the Research Parkway and Powers Boulevard Colorado Department of Transportation (CDOT) project, and the event held at the Golden Lotus Foundation Asian Heritage Center.

President Strand stated there will be a retirement ceremony for Colorado Springs Police Department Detective Mark Garcia on Friday, February 11, 2022 at 2:00 PM, he read an update from Ron Fitch, P.E., Chief Administrative Officer of the UCHealth Pikes Peak Regional Hospital and Vice President of Operations and Military Affairs for Southern Colorado, who identified that UCHealth has been awarded a grant to provide behavioral health and wrap around services to veterans and their families in El Paso County.

Councilmember Avila stated she is looking forward to the implementation of closed captioning for City Council meetings and the completion of the pedestrian bridge over Spring Creek.

Councilmember Henjum stated she also attended the open house for the Golden Lotus Foundation Asian Heritage Center, and they are campaigning to raise \$24M for the project.

Councilmember Murray requested additional information regarding President Strand's attendance on the Policing Panel. President Strand stated they discussed public safety, the increase in crime, vehicle theft, break in of vehicles, groups working with Colorado Springs Police Department, and Neighborhood Watch.

Mayor Suthers stated there was an estimated attendance of 7,000 to 7,500 at the Downtown Winter Fest event and 900 customers at the U.S. Olympic

and Paralympic Museum.

10. Executive Session

10A. Open

There was no Open Executive Session.

10B. Closed

10B.A. [22-106](#)

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), and City Code § 1.5.506(B), the City Council, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issue to be discussed involves consultation with the City Attorney and City staff for the purpose of receiving legal advice and providing instruction and negotiation consultation regarding a litigation settlement.

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: [02082022 Closed Session](#)

Ben Bolinger, Senior Attorney, City Attorney's Office, 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 an electronic Closed Executive Session. The issue to be discussed involves consultation with the City Attorney and City staff for the purpose of receiving legal advice and providing instruction and negotiation consultation regarding a litigation settlement.

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

11. Adjourn

Upon completion of the Closed Executive Session, there being no further business to come before City Council, Council adjourned.

Sarah B. Johnson, City Clerk