



City of Colorado Springs

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

Meeting Minutes - Final 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, November 23, 2015

1:00 PM

Council Chambers

Meeting will begin at 2:30 p.m. upon conclusion of Item. 5.B.A., 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

There were no changes to the agenda.

3. Regular Meeting Comments

Councilmember Knight will pull 4.B.C. from the Consent Calendar.

Council President Bennett stated one of the Councilmembers will be leaving the meeting early tomorrow and may miss the public hearing depending on the length of the meeting.

4. Review of Previous Meeting Minutes

4.A. [15-00724](#) City Council Work Session Meeting Minutes November 9, 2015

The meeting minutes were approved as presented.

5. Executive Session

A) Open

There was not an Open Executive Session.

B) Closed

B)A. [15-00694](#) Closed Executive Session

David Andrews, Legislative Counsel, stated the issues to be discussed

involve: (1) legal advice, consultation, and negotiation strategy discussion with the City Attorney related to the resolution of a regulatory matter; and (2) legal advice, consultation, and negotiation strategy discussion with the City Attorney related to a franchise matter.

Council President Bennett polled Council regarding the desire to proceed with the discussions in a closed executive Session. Consensus of Council agreed to proceed with the discussions in a closed executive session.

6. Staff and Appointee Reports

6.A. [15-00340](#) Financial Report - Memorial Health System Enterprise

There were no questions or comments on the Memorial Health System Enterprise financial report.

6.B. [15-00392](#) Financial Report - City of Colorado Springs

Kara Skinner, CFO, provided an overview of the City's financial report.

6.C. [15-00494](#) Agenda Planner Review

Eileen Gonzalez, City Council Administrator, stated the agenda planners are in the Council Packets and reminded Council there are no meetings planned for the week of December 21, 2015.

7. Presentations for General Information

7.A. [15-00513](#) Colorado Springs Convention & Visitors Bureau (CVB) - Q3 2015 Performance Measures

Doug Price, President & CEO of the CVB provided a summary of the report.

Councilmember Strand asked about the reduced number of trade shows. Mr. Price stated staff turnover resulted in the reduced number of trade shows this year.

Councilmember Knight clarified the number of trade shows refers to shows attended by CVB staff to market the Colorado Springs area. Mr. Price confirmed this. Councilmember Knight asked about the estimated 4% LART increase indicated in the report. Mr. Price stated the organization expects 2015 to have a larger increase than expected.

Mr. Price stated traffic on the website has increased over 53% from last year and they are working to better accommodate mobile device friendliness.

8. Items for Introduction

- 8.A.** [15-00688](#) A Resolution of Acceptance Supporting the Agreement Between the City of Colorado Springs and the State Board of the Great Outdoors Colorado Trust Fund for the Inspire Initiative “Out the Door Pikes Peak!”

Res/Ord Number: 136-15

Tilah Larson with Parks, Recreation and Cultural Services provided an explanation of this grant opportunity which will focus on the underserved and under privileged in our community. Ms. Larson explained the department has been awarded an initial \$75,000, which will be combined with additional funding from several sources in the community, to be used for planning purposes. Once the planning process is complete, the department will be eligible to apply for over a million dollars in implementation grants for the projects. Ms. Larson stated the goal of these projects will be to encourage kids to experience nature.

Councilmember Knight requested the language be changed to authorize the Mayor to approve and accept the grant, to be consistent with previous grant applications. Ms. Larson explained GOCO has recently changed the application process, she will research this suggestion and follow-up with Council.

- 8.B.** [15-00596](#) An ordinance adding Section 210 of Part 2 (Other Dangerous Weapons and Substances) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the possession of marijuana paraphernalia by persons under the age of eighteen (18), and providing penalties for the violation thereof

Res/Ord Number: 15-100

Council President Pro Tem Gaebler explained this is intended to be a tool to keep marijuana away from our kids.

Police Chief Peter Carey presented the details of this proposal.

Councilmember Murray expressed concern about the number of City and State laws governing marijuana and the inclusion of cultivation tools

in this ordinance. Chief Carey stated the decision to make an arrest based on the tools included in this ordinance will sometimes require additional investigation by the officers involved to determine the intended or actual use of the tools.

Councilmember Strand questioned the difficulty of enforcing this law. Chief Carey explained this is a tool for officers to use to identify and address those under 18 years of age using marijuana. Chief Carey explained items must be deemed associated with marijuana use. Police Officers carry field test kits used to indicate the presence of drugs on items in question. Chief Carey explained officers are trained to use these kits if drug use is suspected.

Councilmember Strand asked if there are other communities in Colorado initiating similar ordinances. Frederick Stein with the City Attorney's Office stated he has not researched this, but will follow-up with Council on this question.

Councilmember King asked what the penalty for violating this ordinance will be. Chief Carey stated the penalties will include possible fines, incarceration and probation.

- 8.C.** [15-00705](#) Authorization for Gold Hill Mesa Metropolitan District No. 2 to issue up to \$6,360,000 in Debt as a Limited Tax General Obligation Loan
(Legislative Matter)

Res/Ord Number: 146-15

Carl Schueler, Comprehensive Planning Manager, provided a summary of this debt issuance request to achieve better fiscal efficiency in this development.

Councilmember Knight requested a summary of the cost savings represented by this plan and the purpose of refinancing. Sam Sharp with D.A. Davidson explained the current series A and B bonds mature next year and require refinancing. The plan to pay down the series D bonds will result in a lower interest rate allowing reimbursement of some additional eligible expenses for filing number 4.

Councilmember King asked how this debt will be repaid. Mr. Schueler stated primarily through a debt service mill levy and the existing TIF.

- 8.D.** [15-00729](#) Resolution Approving a Cooperation Agreement Between the

Colorado Springs Urban Renewal Authority and the City of Colorado Springs to Promote Redevelopment and Assist With Financing of Public Improvements for the Gold Hill Mesa Commercial Area Urban Renewal Project and to Approve the Amount of Annual Sales Tax Increment Revenue Allocated Pursuant to Colorado Revised Statute § 31-25-107(9)(a)(II)

Res/Ord Number: 147-15

Jim Rees, Executive Director, Colorado Springs Urban Renewal Authority, provided an overview of the proposed agreement.

Councilmember King asked about the location of the planned bridge providing additional access to this property and the interest rate and bond rating on the bonds. Mr. Rees stated a new bridge across Highway 24 is planned in the vicinity of 14th Street and the bonds are not rated because they are urban renewal bonds. Ryland Hoffman with Golden Cycle Investments, owner of the Gold Hill Mesa development site, stated the developer intends to fund the new bridge and the improvements to the intersection at 21st Street.

Councilmember Strand asked how the storm pond and drainage improvements will work with the City stormwater plan. Mr. Hoffman stated this will be new infrastructure funded by the developer and improving the current drainage situation.

Council President Pro Tem Gaebler asked about the ability of the developer to meet the expected time-line for this development without further delays. Mr. Hoffman stated the developer is waiting to have the financial plan approved by Council to move forward with the details of the plan. The developer believes the demand for this planned retail space exists.

Mr. Cope provided additional information about the financial impact and return on investment of the plan, and stated the Mayor recommended the 1.5% tax share proposal.

Council President Pro Tem Gaebler asked about the possible encouragement of local companies leasing these properties. Mr. Hoffman stated it is still early in the development plan to be able to commit to this.

- 8.E.** [15-00696](#) Resolution Approving a Cooperation Agreement between the Colorado Springs Urban Renewal Authority and the City of

Colorado Springs to Promote Redevelopment and Assist With Financing of Public Improvements for the South Nevada Urban Renewal Project and to Approve the Amount of Annual Sales Tax Increment Revenue Allocated Pursuant to Colorado Revised Statute § 31-25-107(9)(a)(II)

Res/Ord Number: 148-15

Jim Rees, Executive Director, Colorado Springs Urban Renewal Authority, provided information about the redevelopment plan and how tax increment financing works.

Mr. Rees provided detailed information about the proposed redevelopment plan for this area and a list of the improvement projects included in the TIF financing.

Councilmember Murray requested additional information about the traffic flow plan for this area, including a traffic study to assist developers. Mr. Rees stated City Engineering has been included in the development planning process and traffic studies will be included later in the planning process.

Anne Ricker with Ricker Cunningham, the consultants, provided additional details of the development plan based on Council requests in the previous meeting. Ms. Ricker stated the area includes the I-25 corridor which is CDOT land and can be improved on using development funds. Ms. Ricker explained how the boundaries of the area are designed to accommodate the Ivywild redevelopment plan. The great majority of properties need for the development have been purchased or optioned.

Councilmember Murray asked about including the County in the TIF financing. Ms. Ricker stated El Paso County cannot be included by law; however, they do support this project.

Council President Pro Tem Gaebler expressed concern about hearing this in advance of approving the Urban Renewal Authority for the area and without knowing if the County supports this development plan. Mr. Rees stated he met with the County Administrator and the County did not express any objections to this this plan. Jeff Greene, Chief of Staff, stated his experience with the County would lead him to believe the County would support this and the previously discussed project.

Council President Pro Tem Gaebler asked about excess land costs and

why tax dollars would be used to purchase developer land. Mr. Rees explained excess land costs are the difference between the cost of purchasing property in the planned development area versus the cost of buying comparable property in another area and are an allowable expense per State statutes. Mr. Rees explained the developer has not included purchasing land in this manner in this plan.

Danny Mientka with The Equity Group provided additional information about the financial aspects of the redevelopment plan.

Councilmember Murray requested information about the time-frame of the four development phases. Mr. Mientka stated they estimate it will take about 36 to 48 months for the whole development to be completed. Rio Sullivan with Ivywild Development stated a portion of the development is planned to be completed in 2018.

Mr. Cope provided additional information about the financial impact and return on investment of the plan, and stated the Mayor recommended the 1.5% tax share proposal.

9. Items Under Study

There were no Items Under Study.

10. Councilmember Reports and Open Discussion

There were no Councilmember reports or open discussion.

11. Adjourn

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

Sarah Johnson
City Clerk