



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

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Monday, July 26, 2021

10:00 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 9 - Councilmember Yolanda Avila, Councilmember Dave Donelson, Councilmember Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, Councilmember Mike O'Malley, President Pro Tem Richard Skorman, President Tom Strand, and Councilmember Wayne Williams

Councilmember Murray attended the meeting virtually and left the meeting at approximately 2:28 PM.

2. Changes to Agenda

There were no Changes to Agenda.

3. Regular Meeting Comments

Councilmember O'Malley requested item 4A.B. be removed from the July 27, 2021 City Council meeting Consent Calendar. Consensus of City Council agreed to this change.

4. Review of Previous Meeting Minutes

4.A. [21-437](#) City Council Work Session Meeting Minutes July 12, 2021

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [7-12-21 City Council Work Session Meeting Minutes Final](#)

Councilmember Henjum requested her comment regarding the American Rescue Plan Act (ARPA) funds in regards to the City Auditorium be revised to state that if the City decides to approve the proposal from the Community Cultural Collective, it should consider more funding towards it

than what is currently proposed. She also requested the language for her comments regarding Mitchell High School on Councilmember Reports and Open Discussion be amended to read that it was a community conversation in which school board members, the superintendent, representatives, and parents were in attendance.

The minutes of the July 12, 2021 Work Session meeting were approved by Consensus of City Council as amended.

5. Executive Session

5A. Open

There was no Open Executive Session.

5B. Closed

There was no Closed Executive Session.

6. Staff and Appointee Reports

6.A. [21-436](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 7-26-21](#)

Sarah B. Johnson, City Clerk, stated the proposed ballot questions will be on the upcoming agendas listed on the Agenda Planner. Councilmember Henjum asked what date will City Council be voting on them. Ms. Johnson stated at the August 10, 2021 City Council meeting.

Councilmember Helms asked if 2424 Garden of the Gods will be ready for the August 24, 2021 City Council meeting. President Strand stated due to the recent closure of Garden of the Gods Road, a request for postponement may need to be made at that meeting.

6.B. [21-365](#) Parks Maintenance: Irrigation and Management of City Water in Parks

Presenter:

Eric Becker, SIMD Unit Administrator

Parks, Recreation & Cultural Services - Parks Maintenance

Attachments: [2021 Parks Irrigation Update.Final](#)
[2020 Water Conservation Annual Report FINAL](#)

Kurt Schroeder, Park Operations and Development Manager, Parks, Recreation, and Cultural Services, introduced Eric Becker, Special Improvement Maintenance District (SIMD) Unit Administrator, who provided an overview of the Parks, Recreation and Cultural Services Department Water Conservation Program, comprehensive irrigation water management, irrigation allocation, technologies to improve efficiency of water use, weather-based controllers, flow sensors, master valves, turf management, staff training, and certification. He identified ongoing system maintenance, replacements, irrigation system life cycle, new park design, development, non-potable water conversion, and water footprint reduction summary from 2012 through 2020.

Councilmember Donelson asked why some parks do not use the full allocated amount of twenty-four inches of water. Mr. Becker stated some parks do not require as much water due to the type of grass, and the amount of shade and rain.

Councilmember Helms asked if the City is moving away from bluegrass in parks. Mr. Becker confirmed they are in order to reduce their water footprint.

President Strand asked how to encourage the installation of native grasses or synthetic turf rather than blue grass. Mr. Becker stated the Colorado Springs Utilities Conservation is a resource for educating the community. Councilmember Henjum stated native grasses also assists with the reduction of weeds.

President Skorman recommended the City look into the retrofitting of parks.

Councilmember O'Malley gave an overview of the findings of the Jacob's Study and requested three commitments prior to any additional land purchases: 1. Reduce the amount of irrigated turf owned by the City to a maximum of ten percent, 2. Irrigation will use non-potable water, and 3. All new construction will be xeriscaped with indigenous grasses.

Councilmember Williams asked how the irrigation and type of grass used in parks is determined. Mr. Schroeder stated it depends on what the park is used for, growing season, availability of non-potable water, amount of use, and the age of the irrigation system.

7. Presentations for General Information

- 7.A. [21-446](#) Presentation of Recommendation from the Law Enforcement Transparency and Accountability Commission (LETAC)

Presenter:

Janice Frazier, Chair, LETAC

Steve Kern, Vice Chair, LETAC

Yolanda Avila, Councilmember District 4

Randy Helms, Councilmember District 2

Wayne Williams, Councilmember At-Large

Attachments: [LETAC Crisis Response Team Recommendation ADOPTED 7.6.2021](#)

[LETAC CRT Presentation for City Council version 3](#)

Steve Kern, Vice Chair, Law Enforcement Transparency and Accountability Commission (LETAC) presented the recommendation from LETAC for expansion of Crisis Response services in Colorado Springs. He went over the four topics for initial exploration, listening/learning phase, process, LETAC questions regarding Crisis Response, and their recommendation.

Councilmember Williams stated he fully supports this recommendation and requested the Administration include it in the budget proposal to City Council and if it is not, he would like an explanation as to why it was not included.

Jeff Greene, Chief of Staff, stated the Mayor and himself are very supportive of this recommendation and they will incorporate this recommendation in the budget prioritization process.

Councilmember Helms and Councilmember Avila stated they fully support LETAC's recommendation as well.

Councilmember Murray asked for the current state of the transparency and accountability in the Police Department. Mr. Kerns stated the Police and Fire Department have been very responsive in providing data in regard to budget and other requests and there is a very extensive ongoing audit being conducted by Transparency, LLC in regard to use of force.

Councilmember Donelson asked if the CSPD would be a good source in determining how to meet the needs of the recommendation for Crisis Response. Mr. Kerns confirmed they would be, but it would also require a collaborative partnership with the Colorado Springs Fire Department (CSFD).

7.B. [21-351](#) Civic Engagement Program

Presenter:

Eric Phillips, Founder, Civic Engagement Program

Daunte Davis, Civic Engagement Program

Attachments: [Resolution 30-14](#)

Eric E. Phillips, Civic Engagement Program, introduced Daunte Davis, Civic Engagement Program, gave a brief history, and provided an update of the City Council Community Engagement Program.

Councilmember Henjum spoke about the importance of representation across the City and civic engagement and stated the Colorado Springs Health Foundation Board is looking for qualified members.

Councilmember Avila stated it is very important to get people prepared to apply for commissions and the need for diversity on the commissions. Mr. Davis identified some of the challenges citizens face with applying for certain boards and commissions.

Councilmember Williams asked how the City can promote engagement for people under the age of forty. Mr. Phillips stated it is all in expressing how important the process of helping to make decisions for the City is.

President Pro Tem Skorman asked if there is way for City Council to identify candidates which have come through the Civic Engagement Program. Mr. Phillips stated there is a box on the boards and commissions application which indicates whether they have gone through it and they host two mixers a year where City Council and the Mayor have the opportunity to meet the candidates.

8. Items for Introduction

- 8.A.** [21-348](#) An ordinance amending Ordinance 07-15 to redescribe the boundaries of the Colorado Springs Downtown Development Authority so as to include additional property.

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Director, Planning & Community Development

Attachments: [ORD_DDA Inclusion](#)
[Exhibit A- DDA Boundary Petition - 345 Rio Grande. 7.1.21](#)
[Exhibit B- Legal Description](#)
[Exhibit C- 07.13.21 CSDDA resolution](#)
[DDA Powerpoint](#)
[Overall DDA Housing Status and Strategy](#)
[CSDDA - Lowell Metro District - RHD - Cooperation Agreement](#)
[Lowell Metro District E-mail](#)
[Ordinance 07-15 Creating the DDA](#)

Peter Wysocki, Director, Planning and Community Development, presented the Ordinance to redescribe the boundaries of the Colorado Springs Downtown Development Authority (CSDDA) so as to include a single parcel of property east of Nevada Avenue and South of Rio Grande Street in the Lowell redevelopment project. He stated the property is vacant and is approved for approximately 62 multi-family units. Mr. Wysocki provided an overview of the summary of the CSDDA, vicinity/context map, property, project, unique aspects of DDA's, rationale for inclusion, and updates since original 2020 request. He identified the Experience Downtown Plan, DDA housing status/strategy, comments from the Budget Committee, and stated there will be a future presentation on the current/future downtown projects, and parking plan.

Susan Edmundson, President and CEO of Downtown Partnership and Executive Director of the DDA, gave an overview of their discussions with the developer to petition into the DDA boundaries in order to leverage Tax Increment Financing (TIF) with the costs of the project and their agreement with the Lowell Metropolitan District to return the increment that would be generated from the mill levies from the metro district back to them.

Councilmember Avila asked if these units will be at market value. Ms. Edmundson confirmed they will be at Area Median Income (AMI).

- 8.B.** [21-440](#) A resolution approving amendments to the Rules of the Colorado Springs Civil Service Commission for the Municipal Police and Fire Forces.

Presenter:

Michael Sullivan, Secretary to the Civil Service Commission
Steve Dubay, Deputy Fire Chief, Colorado Springs Fire Department

Attachments: [Rule 5.3D Resolution - FINAL](#)
[Exhibit A - 5.3D Rule - FINAL](#)
[Exhibit B - 5.3D Rule Change - FINAL](#)

Steve Dubay, Deputy Fire Chief, Colorado Springs Fire Department, presented the Resolution approving amendments to the Rules of the Colorado Springs Civil Service Commission for the municipal police and fire forces. He informed City Council that this revision would add 5.3.D. which mirrors 5.3.C. for continuous promotional testing, but for the rank Driver.

There were no comments on this item.

- 8.C.** [21-151](#) An Ordinance Amending Article 5 (Police and Fire Alarm Systems) of Chapter 8 (Public Safety) of the Code of the City of Colorado Springs 2001, as amended.

Presenter:

Vince Niski, Chief of Police

Tish Olszewski, Commander Falcon Patrol Division

Attachments: [Alarm Ordinance Presentation City Council 06-29-21](#)
[CSPD-Alarm Ordinance-FINALDRAFT \(City Council\) 06-24-2021](#)

Jeff Jenson, Deputy Chief of Patrol, Colorado Springs Police Department (CSPD), introduced Tish Olszewski, Commander Falcon Patrol Division, CSPD, who introduced Sherry Baxter, Alarm Administrator, CSPD, and Jennifer Porter, Advanced Burglar and Fire Alarm Company and Secretary of the Colorado Burglar and Fire Association. Commander Olszewski gave an overview of the Ordinance amending the Police Burglar Alarms Ordinance to update City Code definitions, change the term license to registration, move the registrations systems from the City Clerk's Office to CSPD, and permits use of the CSPD's online portal. She provided a brief history, identified the stakeholder meetings, and details of the proposed changes.

President Strand asked how many false alarms are received. Commander Olszewski stated there were 6,480 in 2020, 8,164 received in 2019, and 8,198 in 2018.

Councilmember Donelson asked if a fee is assessed for residential false alarms. Commander Olszewski stated the first one is free, the second is \$30 which can be waived with the attendance of the on-line alarm management class, the third is \$75, fourth is \$100, and the fifth is \$200.

Sarah B. Johnson, City Clerk, explained that under the proposed changes,

the City Code which requires alarm companies to obtain a license and pay a fee to the City Clerk's office will be repealed and the alarm company will now register through CSPD.

Councilmember Donelson asked how many legitimate alarm calls are received. Ms. Baxter stated at the most, fifteen per month.

- 8.D.** [21-360](#) An Ordinance repealing Part 4 (Alarm Licenses and Registration) of Article 3 (Sales of Goods and Services) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to police and fire alarm systems

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Clerk-Alarm License Repeal Ordinance](#)

Please see comments in Agenda item 8.C.

- 8.E.** [21-162](#) A Resolution amending the fees for the general business licenses issued by the City Clerk's Office

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Clerk-Alarm License Fees Repeal Resolution](#)

Please see comments in Agenda item 8.C.

- 8.F.** [21-426](#) 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 2, 2021, the Question of Increasing to 0.2% (Two Tenths Of A Cent) and Extending the Sales and Use Tax for the Trails, Open Space and Parks Program ("TOPS") for 20 Years and Modifying the Program for the Purpose of Reallocating the Expenditure Categories, and Allowing Revenue to be Used on all City Parks, Trails and Open Spaces, 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

Presenter:

Richard Skorman, President Pro-Tem City Council District 3
Karen Palus, Director, Parks, Recreation and Cultural Services
Department

Britt Haley, Design, Development and TOPS Program Manager, Parks,
Recreation and Cultural Service Department

Attachments: [TOPS Extension Ballot Question RES 7.23.2021](#)
[TOPS Program Ballot Question City Council 07262021](#)

Karen Palus, Director, Parks, Recreation and Cultural Services Department, provided an overview of the proposed Resolution submitting to the registered qualified electors of the City the ballot question increasing to 0.2 percent and extending the sales and use tax for the Trails, Open Space and Parks Program (TOPS) for twenty years and modifying the program for the purpose of reallocating the expenditure categories, and allowing revenue to be used on all City Parks, Trails and Open Spaces for City Council consideration for a referral to the November 2, 2021 Coordinated Election. She gave an overview of the TOPS program, TOPS ballot proposal, potential trail projects, potential open space projects, potential park projects, and decision timeline.

Councilmember Avila asked if the Maintenance of Effort (MOE) for new parks would include operational costs and if there would be funding for existing parks. Ms. Palus stated they would bring forward a plan which includes the operational expenditures for the maintenance of new parks and there will be forty percent of the funding going to the renovation of existing facilities.

Councilmember Williams stated he appreciates the combination of specificity and flexibility in the ballot language, and he believes the MOE provides the right balance and commitment.

President Strand read a statement provided by Councilmember Murray regarding the breakdown of the funding allocations and his concern regarding the open ended language outlining the possible uses of the money in each of the three categories of parks, open space and trails and there is no safeguard for any open space acquisition funds. Ms. Palus identified the process for the use of TOPS funding which requires approval by the TOPS Working Committee, the Parks Advisory Board, the Administration, and City Council and stated the same flexibility has been in place from the beginning.

Councilmember Murray requested a commitment from the City to increase funding to Parks outside of just sales tax. President Pro Tem Skorman stated he has been researching additional funding sources such as increasing the Lodgers and Automobile Rental Tax (LART) which would

take a vote of the people and potential open space and found the increase in TOPS is the best solution at this time.

Councilmember Henjum stated a conversation needs to be had with the citizens concerned about open space regarding the assurance that the money set aside for acquisition of open space will be used for acquisition of open space because there is a trust issue regarding it. President Pro Tem Skorman stated it is difficult to balance because there is still a need to provide access to open space regarding maintenance, parking lots, and trails, but the process for how the money is allocated is the safeguard.

President Strand stated Citizen Kent Obee, Protect Our Parks, is concerned with the language outlining the possible use of money for open space acquisitions. Councilmember Williams stated this ballot measure will not meet the exact needs of any particular group, but it does provide a balance for the whole City.

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 - CC Work Session 7-26](#)

Peter Wysocki, Director, Planning and Community Development, went over the process for drafting RetoolCOS and the feedback received regarding the proposed concept from Clarion Associates regarding modification of the appeal process.

Councilmember Henjum asked what the philosophical values are of the RetoolCOS Steering Committee. Mr. Wysocki stated they take their guidance from a number of long-range planning documents such as PlanCOS, they want to ensure it is clearly written, they are updating landscaping standards for water conservation, they have high standards, they are efficient, it is a hybrid approach of a mixed-use flex code based on performance standards and they work closely with Colorado Springs Utilities as well as other City departments.

Councilmember Henjum asked if the proposed uses in R1 and R2 zoning

can be revisited. Mr. Wysocki confirmed it could and the currently proposed R-Flex zoning districts would only apply to new applications for rezoning which could be applied for by any residential landowners.

Councilmember Donelson asked if the proposed modification of the appeal process is still in the draft. Mr. Wysocki stated it is until the public comment period ends which is August 3, 2021. Ms. Hester stated the consolidated draft will be released late September 2021.

Several Councilmember requested the modification to the appeal process be removed and a draft of the module be made available to the public to reduce the number of inquiries to City Council regarding it. Jeff Greene, Chief of Staff, stated the Administration supports the appeal process to City Council remain in place. Mr. Wysocki stated he will clarify their outward facing communication on their website.

Ms. Hester presented the update on RetoolCOS by providing a summary of the project overview, drafting overview, RetoolCOS process, previous City Council discussion, overview of Module 3: Review and Approval Procedures, UDC Organization, Module 3 draft, footnotes, Article 5 overview, and next steps.

Councilmember O'Malley asked if an appeal can be filed by a property owner within 1,000 feet. Ms. Hester confirmed it can. Councilmember Donelson asked if that is reflected in the draft RetoolCOS. Ms. Hester stated 500 feet is reflected in the draft, but they have rejected that recommendation and they will annotate that on the website.

Councilmember Donelson and Councilmember Avila stated they believe the 1,000 feet public notification area should be increased. Mr. Wysocki stated they provide dual notification by sending a direct mailing as well as a posting the notice in the area in order to provide a broad area of notice.

President Pro Tem Skorman asked if there was a process which could be moved forward to jumpstart affordable housing such as amending the parking requirements. Morgan Hester, Principal Planner, Planning and Community Development, stated they are still in discussion with the working groups regarding the adoption of R-Flex Districts prior to the adoption of the Unified Development Code (UDC), but the adoption of Mixed Use Districts prior to the adoption of the UDC is a possibility. She

stated there will be a thirty-five percent reduction of required on-site parking for affordable housing and multiple parking reduction options can be utilized up to a forty percent reduction for senior affordable housing or developments near transit. President Pro Tem Skorman asked if a category could be added if the affordable housing is located in downtown or a pedestrian area. Ms. Hester confirmed it could.

Councilmember Helms advised that too much of a reduction in parking in multi-family units could cause issues. Ms. Hester stated guest parking will be included in the parking requirement.

Councilmember Donelson requested the source of data for the amount of reduced parking. Ms. Hester stated it was provided by Clarion Associates.

Councilmember Williams asked if a developer will be required to add parking if they decide at some point to no longer provide affordable housing units. Mr. Wysocki stated they will look into that.

Councilmember Donelson asked how the parking requirement is calculated. Mr. Wysocki stated it is based on the number of bedrooms.

10. Councilmember Reports and Open Discussion

Councilmember Williams requested permission for any interested City Councilmembers to attend the Colorado Springs Chamber of Commerce 2021 D.C. Fly-In event in Washington D.C. from September 20 through September 23, 2021. Consensus of City Council agreed to Councilmember Williams' request.

President Pro Tem Skorman stated he will need to leave the July 27, 2021 City Council meeting by 1:00 PM.

President Strand stated the 72nd Police Recruit Graduation will be held Thursday, July 29, 2021 from 3:00 to 5:00 PM at Village Seven Presbyterian Church.

Councilmember Avila stated the Colorado Springs 150th birthday celebration will be held on Saturday, July 31, 2021 in the downtown area. She stated she attended Then and Now photo exhibit at Library 21C, but was disappointed because the influence of Latinos, African-Americans, and other cultures in the City was not included in the photos.

Councilmember Henjum stated the third and final presentation of the Housing for All series will be held on Wednesday, July 28, 2021, from 9:00 AM to 12:00 PM at El Pomar.

Councilmember Helms stated the United States Air Force Academy (USAFA) class of 2025 Acceptance Day Parade will be held on Friday, August 6, 2021 at 8:30 AM at the USAFA Parade Field.

11. Adjourn

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

Sarah B. Johnson, City Clerk