



# 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 12, 2024

10:00 AM

Council Chambers

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### How to Watch the Meeting

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- Stratus IQ Channel 76 / 99 (Streaming)

Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

### 1. Call to Order and Roll Call

President Helms called the meeting to order at 10:02 AM.

**Present** 8 - Councilmember Yolanda Avila, President Pro Tem Lynette Crow-Iverson, Councilmember Dave Donelson, President Randy Helms, Councilmember Nancy Henjum, Councilmember David Leinweber, Councilmember Brian Risley, and Councilmember Michelle Talarico

**Excused** 1 - Councilmember Mike O'Malley

### 2. Changes to Agenda

There were no Changes to Agenda.

### 3. Regular Meeting Comments

President Helms requested item 4B.N. and Councilmember Donelson requested items 4B.J., 4B.K., 4B.O., and 4B.P. be removed from the February 13, 2024 City Council meeting Consent Calendar. Consensus of City Council agreed to these changes.

### 4. Review of Previous Meeting Minutes

4.A. [24-058](#) City Council Work Session Meeting Minutes January 22, 2024

Presenter:  
Sarah B. Johnson, City Clerk

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

Councilmember Donelson stated he had not received the information he requested from Catherine Duarte, HUD Programs Manager, Housing and Community Vitality Department, at the January 22, 2024 Work Session meeting regarding a breakdown of the organizations which receive grant funding in relation to the 2024 Annual Action Plan. Council Administration stated they will follow up on this request.

The minutes of the January 22, 2024 Work Session were approved by Consensus of City Council.

## **5. Presentations for General Information**

### **5.A. [24-078](#) Pikes Peak Regional Building Department Annual Report**

Presenter:

Roger Lovell, Chief Building Official, Pikes Peak Regional Building Department

**Attachments:** [Colorado Springs - 2023 Numbers and Maps](#)

Greg Dingrando, Public Information Officer, Pikes Peak Regional Building Department (PPRBD), provided a brief overview of the 2023 PPRBD, number of permits, plan reviews, inspections, reroof permits, City permit numbers, homes by jurisdiction, breakdown by neighborhood, new commercial buildings, new multi-family buildings, GIS mapping tool for future projects, and single-family home fees.

Councilmember Henjum asked if the percentage of plan reviews decreases, if it affects the amount of time it takes to process permits and conduct inspections. Mr. Dingrando confirmed it does.

President Helms asked if there is an upward trend for both commercial and multi-family plans for 2024. Mr. Dingrando confirmed there is.

Councilmember Leinweber asked why there is not always an upward trend in housing permits since there is such a demand for housing units. Mr. Dingrando stated that is a question for builders and a majority of homes being built have already been sold before they are built.

Councilmember Donelson asked if the builders need to factor in the expected demand for multi-family units before they build otherwise, they are left with the expense if the economy turns. Mr. Dingrando confirmed they do.

### **5.B. [24-050](#) Presentation from Pikes Peak Housing Network**

Presenter:

Jill Gaebler, Executive Director, Pikes Peak Housing Network

**Attachments:** [City Council Presentation - Feb 13](#)

Jill Gaebler, Executive Director, Pikes Peak Housing Network (PPHN), provided an overview of the PPHN mission and the three areas they work in to increase the numbers of all types of housing in the region.

Councilmember Leinweber asked if they have been collaborating with the Housing and Building Association (HBA). Ms. Gaebler confirmed they have.

Councilmember Henjum recognized how this Council and the previous Council have been very supportive of the PPHN.

Councilmember Talarico expressed appreciation for the work done by PPHN.

Councilmember Donelson stated there are approximately 5,500 apartment units available today and asked how many more need to be available. Ms. Gaebler stated they have not seen a significant difference to the cost of rent and the City is still 11,000 housing units behind compared to the number of people moving to Colorado Springs each year.

## **6. Staff and Appointee Reports**

### **6.A. [24-079](#) Historic Resource Survey Plan**

Presenter:

William Gray, Senior Planner, Planning + Neighborhood Services Department

Peter Wysocki, Planning Director, Planning + Neighborhood Services Department

William Gray, Senior Planner, Planning and Neighborhood Services Department, introduced Ron Sladek, Tatanka Historical Associates, Inc., the consultant hired to complete the City of Colorado Springs Historic Resource Survey Plan, and described the purpose of the Survey Plan.

Mr. Sladek provided an overview of his organization, the Historic Resource Survey Plan, their approach to obtaining data, and meetings with stakeholders in the community.

Councilmember Henjum asked how this survey will benefit the City. Mr. Sladek explained it will define what is of significant importance regarding historic preservation and streamline building permits within the City.

Councilmember Talarico asked where people could submit recommendations for neighborhood historic preservation and asked how long the survey will take. Mr. Sladek stated the best way to provide recommendations for the survey is to submit the information to Mr. Gray and the survey is expected to take approximately nine months to complete.

**6.B.**    [24-038](#)            The Ridge Affordable Housing Post-Occupancy Analysis

Presenter:

Katie Sunderlin, Senior Affordable Housing Coordinator, Housing and Community Vitality Department

Steve Posey, Chief Housing Officer, Housing and Community Vitality Department

Attachments:    [The Ridge Analysis 02122024.pptx](#)

Steve Posey, Chief Housing Officer, Housing and Community Vitality Department, introduced The Ridge Affordable Housing Post-Occupancy Analysis and provided a brief overview of the project data.

Katie Sunderlin, Senior Affordable Housing Coordinator, Housing and Community Vitality Department, provided an overview of the development's entitlement income, timeline, public comment, transportation, schools, property values, and crime statistics.

Councilmember Henjum requested additional information regarding the fire which occurred on May 3, 2023. Lee Patke, Greccio Housing, stated during construction, the third building of the project caught fire and had to be completely rebuilt. He stated there was an investigation conducted which confirmed it was arson, but there was never a report released to the public and they do not believe anyone from the neighborhood was involved.

Councilmember Risley stated the evidence presented today demonstrated the assumptions were not only accurate, but the projected disparities were even more conservative than what was anticipated.

Councilmember Henjum asked if the Planning Commission had any comments regarding the analysis. Ms. Sunderlin stated she will be presenting it to them on Wednesday, February 14, 2024.

Councilmember Henjum asked there will be any other properties analyzed. Ms. Sunderlin stated they are reviewing that.

Councilmember Leinweber asked what the average car ownership of this property is. Mr. Patke stated during the day their parking lots are approximately thirty to thirty-five percent full and evenings/weekends are approximately fifty percent full which are below the City's parking

requirements.

Councilmember Donelson asked how many calls for service there have been for this site. Ms. Sunderlin stated she will provide that information.

**6.C.**    [24-057](#)            Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:**    [Agenda Planner Review 2-12-24](#)

Sarah B. Johnson, City Clerk, stated the discussion pertaining to guidelines and other considerations for the Amara Annexation will not take place on February 26, 2024 and the City Homeless Response Update presentation will be held that day in its place.

President Helms highlighted there will also be a Special City Council meeting held on February 26, 2024 following the Work Session for the appeal of the Planning Commission decision to approve both The Market at Pine Creek Major Concept Plan Amendment and the Royal Pine Apartments Development Plan.

Councilmember Henjum requested there be a presentation from One Body Ent and Men of Influence on March 11, 2024. President Helms stated they will consider that request.

Councilmember Leinweber stated he and Councilmember Risley would like to pursue increasing school zone boundary areas in the near future.

Councilmember Henjum requested there also be a presentation regarding sheltering during cold weather for people experiencing homelessness.

## **7. Items for Introduction**

**7.A.**    [24-061](#)            A Resolution Authorizing The City Of Colorado Springs To Enter Into An Intergovernmental Agreement With The Pikes Peak Rural Transportation Authority Concerning Reimbursement For Future Project Costs

Presenter:

Gayle Sturdivant, PE, PMP, Acting Public Works Director/City Engineer

**Attachments:**    [1 RES PPRTA-IGA 2024-01-22](#)  
[2 PPRTA 3 Project Advancement Reimbursement IGA](#)  
[3 Presentation IGA Resolution rev](#)  
[Signed Resolution No. 17-24.pdf](#)

Gayle Sturdivant, Acting Public Works Director/City Engineer, presented the Resolution authorizing the City to enter into an Intergovernmental Agreement (IGA) with the Pikes Peak Rural Transportation Authority (PPRTA) concerning reimbursement for future project costs and identified the purpose, funding, and next steps.

Chris Fiandaca, Budget Manager, presented the Ordinance for a supplemental appropriation to the General Fund in an amount not to exceed \$2,600,000 in order to purchase real estate as part of the Nevada Avenue Reconstruction transportation projects, which will be fully reimbursed by the PPRTA in 2025, per the IGA.

Ms. Sturdivant provided an overview of Resolution authorizing the acquisition of approximately 11.962 acres of real property from BNSF Railway.

Councilmember Henjum asked if this project had any relation to the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program Grant. Ms. Sturdivant stated it did not.

- 7.B. [24-062](#) An ordinance amending Ordinance No. 23-65 (2024 Budget Appropriation Ordinance) for a supplemental appropriation to the General Fund in an amount not to exceed \$2,600,000 in order to purchase real estate as part of the Nevada Avenue Reconstruction transportation projects, which will be fully reimbursed by the Pikes Peak Rural Transportation Authority (PPRTA) in 2025, per the Intergovernmental Agreement (IGA)

Presenter:

Charae McDaniel, Chief Financial Officer  
Gayle Sturdivant, Acting Public Works Director  
Chris Fiandaca, City Budget Manager

**Attachments:** [FINAL-Ordinance-Supp Approp-Public Works land purchase Signed Ordinance No. 24-13.pdf](#)

Please see comments in Agenda item 7.A.

- 7.C. [24-063](#) A Resolution Authorizing The Acquisition Of Approximately 11.962 Acres Of Real Property From BNSF Railway

Presenter:

Gayle Sturdivant, PE, PMP, Acting Public Works Director/City Engineer

**Attachments:** [1 Draft Resolution - BNSF Acquisition](#)  
[2 Resolution Exhibits A and B](#)  
[3 Presentation BNSF Acquisition](#)  
[Signed Resolution No. 18-24.pdf](#)

Please see comments in Agenda item 7.A.

## **8. Items Under Study**

## **9. Councilmember Reports and Open Discussion**

Councilmember Risley stated he and several other Councilmembers attended the Colorado Springs Chamber and EDC State of the City Address, and had a conversation last week with Michael Gall from District 11 regarding addressing transportation and safety around school sites concerning traffic and other criminal and drug activity

Councilmember Henjum stated she and several other Councilmembers attended the Bentley Commons groundbreaking ceremony for an affordable housing project, toured Precision Building Systems in Denver, CO last week to see their modular building process, she gave a training with the Suicide Prevention Group at Mitchell High School a couple weeks ago, and on February 14, 2024 from 7:00 AM to 9:00 AM, she and President Pro Tem Crow-Iverson will be attending the first meeting of the Opioid Abatement Council.

President Pro Tem Crow-Iverson stated she and several other Councilmembers attended the Mayor Civic Leaders Reception and she has been working on the Front Range Passenger Rail (FRPR).

Councilmember Avila stated she gave a welcome speech at the National Association for the Advancement of Colored People (NAACP) Rocky Mountain NAACP Conference/Gala on Saturday, February 10, 2024, hosted a town hall meeting, and attended the Bentley Commons ribbon cutting ceremony.

Councilmember Donelson stated he attended the Colorado Springs Police Department (CSPD) graduation on January 25, 2024 where there were thirty-two new Police Officers sworn in and attended the CSPD annual award ceremony on February 7, 2024. He stated February 22, 2024 will be the 18th anniversary of the death of Detective Jared Scott Jensen, brother of Commander Deputy Chief Jeff Jensen, and read the events which

occured on the date of his death on February 22, 2006.

Councilmember Talarico stated she attended the Bentley Commons groundbreaking ceremony, Precision Building Systems in Denver, CO tour, Trails, Open Space and Parks (TOPS) Program Advisory Committee meeting, and Parks Advisory Committee meeting, she stated she was able to assist, along with Colorado Springs Utilities, a downtown restaurateur who is still struggling from the effects of the Kiowa fire, find access to some funds that will help their business.

Councilmember Leinweber stated he was able to participate in a bear cub rescue/release on a Colorado Springs Utilities property located on Pikes Peak, America's Mountain, he hosted the Angler's Covey 16th Annual Fly-Fishing Film Tour at Stargazer's Theater, and he and Councilmember Henjum attended the HOPECOS meeting regarding housing for people experiencing homelessness during the cold temperatures and the challenges they faced regarding individuals in possession of drugs and weapons.

President Helms expressed appreciation for Britt Haley and her team in the Colorado Springs Parks, Recreation, and Cultural Services Department for their work in helping the Grey Hawk community develop a plan for a for a community park, he stated he attended the CSPD Training Academy Graduation for thirty-two new Police Officers, and he and several Councilmembers were on a panel to help United States Congressman Doug Lamborn in his Nomination Selection Committee to select-candidates for the four service academies.

## **10. Executive Session**

### **10A. Open**

**10A.A.** [24-055](#) Melons v. May, et al., 2023CV428

Presenter:  
Wynetta Massey, City Attorney

**Attachments:** [24-055-2024-02-12 CouncilRepresentationMemo](#)

Trevor Gloss, Attorney, City Attorney's Office, stated with the recommendation of the Civil Action Investigation Committee, the City is requesting authorization to defend the City employee.

President Helms polled City Council regarding authorizing the City to

represent the Officer. Consensus of City Council agreed.

## **10B. Closed**

### **10B.A. [24-076](#)**

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 a Closed Executive Session. The issues to be discussed involve (i) consultation with the City Attorney to discuss strategy for negotiations and instructing negotiators regarding an economic development and incentive agreement; and (ii) consultation with the City Attorney and Colorado Springs Utilities staff for the purpose of receiving legal advice and determining positions relative to negotiation of a settlement regarding a wastewater backup claim in excess of \$100,000.

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

Presenter:

Wynetta Massey, City Attorney

**Attachments:** [24-076--2-12-24 Executive Session](#)

Trevor Gloss, 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 issues to be discussed involve consultation with the City Attorney and discussing strategy for negotiations and instructing negotiators regarding The issues to be discussed involve (i) consultation with the City Attorney to discuss strategy for negotiations and instructing negotiators regarding an economic development and incentive agreement; and (ii) consultation with the City Attorney and Colorado Springs Utilities staff for the purpose of receiving legal advice and determining positions relative to negotiation of a settlement regarding a wastewater backup claim in excess of \$100,000.

President Helms 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**

There being no further business to come before City Council, President Helms adjourned the meeting at 2:05 PM.

Sarah B. Johnson, City Clerk