



City of Colorado Springs

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

Meeting Minutes City Council

City Council meetings are broadcast live on Channel 18.

Monday, June 8, 2015

9:00 AM

Council Chambers

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. Executive Session

2.A. [15-00327](#) Closed Executive Session

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), the City Council, in Open Session, is to determine whether it will hold a Closed Executive Session. The issues to be discussed involve legal advice and consultation with City Council's retained attorney regarding an Independent Ethics Commission recommendation.

Council President Bennett explained the purpose of this Closed Executive Session is to receive legal advice from independent counsel, Suzanne Dugan, regarding an Independent Ethics Commission (IEC) recommendation.

Ms. Dugan explained the process of considering the results of the IEC investigation, explained the document to be reviewed is confidential and since a member of Council is the focus of the investigation, the Councilmember should recuse herself from the Closed Executive Session.

Councilmember Collins refused to recuse herself from the Closed Executive Session and stated she was not provided a copy of the IEC findings.

Council President Bennett reminded Ms. Collins this is not a hearing, but an opportunity for Council to discuss with legal counsel how they want to proceed based on the IEC findings.

Ms. Collins stated she is not legally required to recuse herself. Ms.

Dugan cited Council Rules of Conduct requiring Councilmembers recuse themselves from discussions in which they have a personal interest and stated Councilmember Collins should recuse herself from this discussion as she is the focus of the investigation. Ms. Dugan stated the City Attorney voluntarily recused herself from this meeting.

Councilmember Collins refused to recuse herself from the Closed Executive Session discussion.

Council President Bennett stated the alternative is to schedule individual meetings with Councilmembers and Ms. Dugan to receive legal advice about the IEP findings.

Councilmember Knight stated in a previous similar situation, Council heard the IEC findings in a Closed Executive Session and then released and dismissed the findings. He suggested Council make the findings of the IEC investigation public based on Councilmember Collins' request, as she is the subject of the investigation.

Councilmember Pico agreed the legal advice needs to be provided in a closed session and requested Councilmember Collins recuse herself. Councilmember Collins declined this request.

Councilmember Murray discussed the importance of accuracy and expressed his opinion that the private discussion will allow Council to ask questions and develop an accurate understanding of the process to be followed.

Councilmember Collins asked if any Councilmember had contacted Ms. Dugan since her appointment to represent Council in this situation. Ms. Dugan stated she had not been contacted by any Councilmembers.

Council President Bennett again requested Councilmember Collins recuse herself from the Closed Executive Session. Councilmember Collins declined this request.

Council President Bennett stated the information is confidential and Council should follow the process as outlined in the Council Rules of Conduct. Ms. Dugan stated the information in the report is confidential and any questions Councilmembers have should be discussed in private. Council President Bennett requested Ms. Gonzalez schedule

meetings between Ms. Dugan and the Councilmembers prior to the 1pm Work Session today.

3. Adjourn