



# City of Colorado Springs

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

## Meeting Minutes Council Work Session

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Monday, March 7, 2022

10:00 AM

Council Chambers

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- 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

### 2. Changes to Agenda

Councilmember Henjum asked when the discussion on impact fees will be coming before City Council. Jeff Greene, Chief of Staff stated it will be presented in May 2022 to allow more time for stakeholder review.

Sarah B. Johnson, City Clerk, stated items 6.A. and 6.B. will be taken at 1:00 PM.

### 3. Regular Meeting Comments

There were no Regular Meeting Comments.

### 4. Review of Previous Meeting Minutes

- 4.A. [22-138](#) City Council Work Session Meeting Minutes February 22, 2022

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [2-22-22 City Council Work Session Meeting Minutes Final](#)

The minutes of the February 22, 2022 Work Session were approved by Consensus of City Council.

## **5. Staff and Appointee Reports**

### **5.A. [22-123](#) ConnectCOS-Colorado Springs Transportation Master Plan Update**

**Presenter:**

Tim Roberts, Transportation Planning Program Manager, Public Works Department

Todd Frisbie, P.E., P.T.O.E, City Traffic Engineer, Public Works Department

Ted Ritschard, Olsson

**Attachments:** [Council Work Session 03072022](#)

Tim Roberts, Transportation Planning Program Manager, Public Works Department introduced Ted Ritschard, Olsson, representing the contractor, who presented the presented an update for the ConnectCOS-Colorado Springs Transportation Master Plan. He provided an overview of the plan purpose, integrated planning process, status, public engagement, multimodal outreach, priority rankings, and tradeoffs. Mr. Frisbie identified the project development, corrido evaluation of needs, technical process, potential projects summary, ConnectCOS plan development, and travel choices. He went over project prioritization, ConnectCOS project relevancy, Pikes Peak Rural Transportation Authority (PPRTA) versus ConnectCOS, and next steps.

Councilmember Williams asked where mobility is identified in the transportation list of goals. Mr. Ritschard stated in a large extent, it is incorporated in the efficiently reliable goal, and they will provide additional information regarding the detailed analysis.

President Pro Tem Helms asked if the evaluations went into details such as building overpasses on major corridors. Mr. Ritschard stated they did not discuss particular corridors at that time, but as projects are developed, they will get public input regarding it.

Councilmember Henjum asked if the growth and the development of the community was factored into the plan. Mr. Ritschard confirmed it was.

Councilmember Henjum requested additional information on how policy would be applied. Mr. Ritschard stated there are policies which affect transportation investments such as zoning and parking requirements which impact what kind of travel choices people make.

Councilmember Henjum asked what the City's vision for ConnectCOS is. Mr. Ritschard stated people want an efficient system to get them where they need to go so it is a reduction of wasted time. Travis Easton, Director,

Public Works, stated they not only want to move vehicles more efficiently, but also people.

Councilmember Murray stated the maps presented do not take into consideration the amount of expansion the City is experiencing. Mr. Easton stated potential annexations were taken into consideration. Mr. Ritschard stated a twenty-year outlook was also taken into account. Gayle Sturdivant, City Engineer/Deputy Public Works Director, Public Works Department, stated one of the outcomes which will be produced by this plan is the Major Thoroughfare Plan in which large developers will have the responsibility to build the large corridors.

Councilmember Williams stated this does not only address time, but environment, air quality, pollution, and safety.

Councilmember Donelson asked what percentage of citizens travel by private automobile. Mr. Ritschard stated they will provide that information but know that a large majority of the population drive their own cars. Mr. Roberts stated within the Pikes Peak Area Council of Governments (PPACG) modeling, they predict a large number of private vehicles as the major transportation mode. Todd Frisbie, City Traffic Engineer, Public Works Department, stated that information can be obtained through the Census data and believes the percentage is in the high eighties. Councilmember Williams stated many people are also currently working from home.

Councilmember Henjum stated there needs to be a balance between what people want and what the City needs for the future and believes people are under using the transit system.

President Strand asked if this project started in 2019 and when it will conclude. Mr. Ritschard confirmed it did. Ms. Sturdivant stated they foresee it being finished in the fourth quarter of 2022.

**5.B.**     [22-124](#)

Pikes Peak Rural Transportation Authority (PPRTA) Capital Improvements Extension from 2025 to 2034 Potential Project List for the City of Colorado Springs

Presenter:

Gayle Sturdivant, P.E., City Engineer/Deputy Public Works Director,  
Public Works Department

Tim Roberts, Transportation Planning Program Manager, Public Works  
Department

**Attachments:** [2004-PPRTA-Ballot-Language](#)  
[2012-Ballot-Question-5A-Text](#)  
[1\\_PPRTA3 CTAB Scoring Criteria](#)  
[PPRTA All Projects Map](#)  
[PPRTA3 Projects by Category-rev1](#)  
[PPRTA3 Projects for Colorado Springs-no Fiscal Constraint-rev1](#)  
[Resolution 109-12](#)  
[Resolution 227-04](#)

Gayle Sturdivant, City Engineer/Deputy Public Works Director, Public Works Department presented the Pikes Peak Rural Transportation Authority (PPRTA) Capital Improvements Extension from 2025 to 2034 Potential Project List for the City. She provided an overview of the PPRTA, schedule and process, capital project list development, link to ConnectCOS, project prioritization, project categories/scoring, safety, modernization, and preservation. Ms. Sturdivant identified the expansion, enhancement, non-motorized trips, projects considered by category, supplemental input on prioritization, A-list and B-list project prioritization process, projected fiscal constraints, and next steps.

Councilmember Avila asked what the tax would be if it was not renewed by the voters. Councilmember Williams stated it would drop from the current \$.01 to \$.0045.

Councilmember Williams asked for additional information regarding the ballot language. Ms. Sturdivant explained that a Resolution will be brought to City Council with the proposed ballot language that is approved by the PPRTA board for the November 2022 Election.

Councilmember Williams identified that they have been working on this for more than a year and held numerous workshops regarding this.

President Strand asked how many bridges there are located within the City limits. Ms. Sturdivant stated 434.

Councilmember Murray asked why the City is not asking for \$.02 or using another program within the City to accelerate resolving the debt and the issues that have been identified. Councilmember Avila stated not knowing the backlog of project, the people may shut it down altogether if the City asked for double.

Councilmember Henjum asked what percentage of PPRTA revenue is generated from the City. Ms. Sturdivant stated she does not know that number, but the City receives approximately seventy percent back from PPRTA revenue.

Councilmember Henjum asked if the ballot language could be amended to reflect eleven percent for transit projects as a commitment to the region. Ms. Sturdivant stated transit has many more federally funded opportunities which capture even more additional federal funding beyond their allocations.

Councilmember Williams stated it is important to have the projects identified and the maintenance money is distributed based on a population and the transit revenue goes completely to the City.

Councilmember Avila stated the City is very auto centric because it is so spread out and requested an overlay of the A-list and B-list projects for the Southeast. She stated she is also very concerned with the destruction of wetlands in the area.

**5.C.**    [22-137](#)            Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:**    [Agenda Planner Review 3-7-22](#)

Councilmember Williams asked when the briefing for the plans for the Jimmy Camp Creek property will be presented. Jeff Greene, Chief of Staff, stated they will provide that information.

Councilmember Williams asked if a Work Session will be held concerning the Westside Community Center. President Strand stated it will be scheduled soon.

## **6. Presentations for General Information**

**6.A.**    [22-087](#)            Pikes Peak Regional Building Department Annual Report

Presenter:

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

**Attachments:**    [Colorado Springs Permit Numbers - 2021](#)

Roger Lovell, Building Official, Pikes Peak Regional Building Department (PPRBD), introduced the Annual Report for the PPRBD. Greg Dingrando, Public Information Officer, PPRBD, gave a brief overview of the 2021 highlights, permits, plan reviews, inspections, City numbers, homes by jurisdiction, future projects, single family home fees, commercial building fees, and new satellite office.

President Pro Tem Helms asked if the units indicated on the report were completed or just started. Mr. Lovell stated it was just the number of permits obtained.

President Pro Tem Helms asked what area these reports reflected. Mr. Dingrando stated it includes all eight jurisdictions within El Paso County.

Councilmember Williams asked if valuation is of the construction or property value. Mr. Dingrando stated it is the construction valuation. Councilmember Williams asked if it includes various fees charged by the government. Mr. Dingrando stated it does not.

President Strand asked how the new satellite office was funded. Mr. Lovell stated it was funded solely by the PPRBD.

Councilmember Henjum asked if there are any other efficiencies that could be used toward affordable housing. Mr. Lovell stated they are looking at improving electronic inspections, increased technology for inspectors in the field, electronic plan review and the new satellite office will allow inspectors to get their day started earlier which will result in two to four more inspections per day.

Dean Wimmer, Chief Electrical Inspector, PPRBD, provided an overview regarding the National Electrical Code (NEC) changes.

Councilmember Williams asked what prevents someone from turning off the alarm system and motion detector power in the house with the emergency disconnect since the panel is located outside the house. Mr. Wimmer stated those devices generally have battery backup and a homeowner can put a lock on the panel.

Councilmember Williams requested the amount of cost increase these changes will create. Mr. Wimmer provided the details included in the increase.

Councilmember Donelson asked where the new requirements are originating from. Mr. Wimmer stated the 2020 National Electrical Code and it is required to follow these national guidelines.

## **7. Items for Introduction**

- 7.A. [22-096](#) Resolution approving a First Amendment to the Service Plan for the North Meadow Metropolitan District Nos. 1-5 to allow for a Maximum Combined Debt Authorization of \$200,000,000 and for the Removal of District-specific Debt Authorizations

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department

Peter Wysocki, Planning and Community Development Director

**Attachments:** [Resolution](#)

[Exhibit 1- First Amendment to Service Plan - North Meadow MD Nos.](#)

[1-5](#)

[Staff PowerPoint](#)

[Developer Presentation North Meadow SP Amendment](#)

[Service Plan Amendment Cover Letter - North Meadow MD Nos. 1-5](#)

[Original Service Plan - North Meadow MD Nos. 1-5](#)

[Petition for Approval of First Amdt of SP2](#)

[Projected Improvement Costs](#)

[Example 2022 and 2032 Bond Runs](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development Department, presented the Resolution approving the first amendment to the service plan for the North Meadow Metropolitan District Nos. 1-5 to allow for a maximum combined debt authorization of \$200,000,000 and for the removal of district-specific debt authorizations. He provided an overview of the map of the districts, summary, district background, questions/comments from the Budget Committee, and next steps.

Mr. Schueler also presented the Resolution approving the issuance of debt by the North Meadow Metropolitan District No. 5 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 \$110,000,000 in an area located along East Woodmen Road.

Russ Dykstra, Spencer Fane, LLC, representing the district, went over the details of the request for amendment to the Service Plan for North Meadow Metropolitan District Nos. 1-5.

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

President Strand asked why the cash flow bond is preferable. Mr. Thomas stated it is efficient, they do not have to fund interest payments with project

proceeds, and they do not require a reserve fund which makes them more efficient and more aggressive from an underwriting perspective.

Councilmember Murray asked if there will be a Regional Park included with this project. Tim Siebert, representing the applicant, stated the Master Plan includes a 120-acre sports complex.

Councilmember Murray asked if the property tax revenue will be combined into both residential and commercial. Mr. Siebert stated there will be simultaneous development of both and the improvements will be shared by both. Councilmember Murray asked if this has been done before within the City. Mr. Schueler confirmed it has.

Councilmember Murray asked what a thirty-three percent mill on a \$500,000 house would be per year. Mr. Dykstra stated it is \$1,200 per year.

Councilmember Henjum asked what the Public Improvement Fee (PIF) revenue will go toward. Mr. Siebert stated the PIF is only assessed on nonresidential portions of the districts, and it would go toward the improvements within the districts.

Councilmember Murray asked if there will be a development fee imposed on these properties. Mr. Siebert stated based on the annexation agreement, they are subject to any amendments to City Code, but this request does not take into consideration any future impact fees imposed by the City. Jeff Greene, Chief of Staff, stated the Public Safety Impact Fee will address any building permit type as density is increased.

**7.B.**     [22-075](#)

A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of debt by the North Meadow Metropolitan District No. 5 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 \$110,000,000 in an area located along East Woodmen Road.

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Director of Planning & Community Development



**Attachments:** [Resolution](#)  
[North Meadow MD - Applicant Presentation](#)  
[Bond Issuance Cover Letter - North Meadow \(Updated\)](#)  
[Public Improvements Costs](#)  
[F.2 North Meadow MD#3-2 Financial Plan, NRLF+B3, Feb1](#)  
[F.3 North Meadow MD#3-5 Financial Plan, NR A3 Snr CF, Feb1](#)  
[Authorizing Resolution \(Cashflow Bonds\) - North Meadow](#)  
[Authorizing Resolution \(Seniors and Subs\)- North Meadow](#)  
[62326534 v 3 Bond Counsel Opinion \(Cashflow Bonds\) - D5 Issuer](#)  
[62326644 v 3 Bond Counsel Opinion \( GO Subordinate\) - North Meadow D3 Issuer](#)  
[62326675 v 3 Bond Counsel Opinion \(GO Senior\) - North Meadow, D3 Issuer](#)  
[Cashflow GC Opinion - North Meadow, D5 Issuer](#)  
[Senior and Subordinate North Meadow GC Opinion Form](#)  
[North Meadow MD - D.A Davidson Letter](#)

Please see comments in Agenda item 7.A.

- 7.C.** [22-107](#) Resolution approving the Second Amendment to the Service Plan for Peak Metropolitan District Nos. 1-3 to modify the Inclusion Area Boundaries and to allow for Limited Security Services as an Operations and Maintenance Function  
Presenter:  
Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [Resolution](#)  
[Draft Exhibit 1- 2022 Service Plan Amendment](#)  
[PowerPoint PeakMD 2022 SP Amendment](#)  
[2019 Service Plan Amendment- Resolution 22-19](#)  
[Original Service Plan - Resolution 95-18](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development Department, presented the Resolution approving the second Amendment to the Service Plan for Peak Metropolitan District Nos. 1-3 to modify the inclusion area boundaries and to allow for limited security services as an operations and maintenance function. He provided an overview of the summary, additional inclusion area property, district background, security services, questions/comments from the Budget Committee, and next steps.

- 7.D.** [22-111](#) A resolution of the City Council of the City of Colorado Springs,

Colorado approving the issuance of the Vistas at West Mesa Metropolitan Senior Cash-Flow Bonds in an amount not to exceed \$1,700,000 and related bond documents for a district located east of Centennial Boulevard and north of Fillmore Road.

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development Department  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [Resolution](#)

[Staff Powerpoint](#)

[Financial Plan & Projections](#)

[Vistas at West Mesa Cost Estimates 2-14-2022 v2](#)

[Draft Bond Resolution](#)

[Draft Indenture](#)

[Draft General Counsel Opinion Letter](#)

[Draft Bond Counsel Opinion Letter](#)

Hannah Van Nimwegen, Senior Planner, Planning and Community Development Department, presented the Resolution approving the issuance of the Vistas at West Mesa Metropolitan Senior Cash-Flow Bonds in an amount not to exceed \$1,700,000 and related bond documents for a district located east of Centennial Boulevard and north of Fillmore Road. She provided an overview of the vicinity map, summary, district boundaries, questions/comments from the Budget Committee, and next steps.

President Strand asked why the mill levy will increase after the residents take control of the district. Kevin Walker, representing the district, stated it allows residents to determine the level of service they want.

President Strand asked if 105 townhome units are planned for this development. Mr. Walker confirmed there was.

**7.E.** [22-125](#)

A Resolution Authorizing the Acquisition of 1.905 Acres of Land and Easements from Kendal Tatum Rota and Joseph D. Rota Using PPRTA Funds for the Black Forest Rd Improvements: Woodmen Rd to Research Pky Project

Presenter:

Gayle Sturdivant, P.E. City Engineer/Deputy Public Works Director  
Mike Chaves, P.E. Engineering Manager  
Darlene Kennedy, Real Estate Services Manager

**Attachments:** [Rota Draft Resolution](#)  
[Rota Property Council Presentation](#)

Gayle Sturdivant, City Engineer/Deputy Public Works Director, presented the Resolution authorizing the acquisition of 1.905 acres of land and easements from Kendal Tatum Rota and Joseph D. Rota 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 Kendal Tatum Rota and Joseph D. Rota property.

President Strand asked how many appraisals were obtained. Darlene Kennedy, Real Estate Services Manager, stated two, the City's at \$207,200 and the property owners at \$243,050.

- 7.F. [22-122](#) An Ordinance Amending Ordinance No. 21-112 (2022 Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$2,819,000 to Complete the Phase II Acquisition of up to 85 Acres of Property for the Purpose of Public Open Space and Trails

Presenter:

Britt Haley, Parks, Recreation & Cultural Services Department, Trails, Open Space and Parks Program Manager  
David Deitemeyer, Parks, Recreation & Cultural Services Department, Senior Landscape Architect

**Attachments:** [Appropriation Ordinance.FisherCanyonPhaseII](#)  
[CC Work Session Fisher Phase II](#)

Britt Haley, Parks, Recreation & Cultural Services Department, Trails, Open Space and Parks Program Manager, presented the Ordinances authorizing the Supplemental Appropriation to the Trails, Open Space and Parks (TOPS) fund in the Amount of \$2,819,000 to complete the Phase II acquisition of up to 85 acres of property for the purpose of public open space and trails and the Ordinance for a supplemental appropriation to the TOPS Fund in the Amount of \$1,475,000 to complete the Phase I acquisition of up to 260 acres of property. She gave an overview of the 2014 Park System Plan Guidance, acquisition phasing map, transaction, and proposed timeline.

President Strand asked if the property would have been slated for seventy homes if this project had not occurred. Ms. Haley stated that is correct.

President Strand asked if the Broadmoor Heights was a neighboring property. Ms. Haley there are trail connections through easements next to the Broadmoor Resort Community.

- 7.G.**    [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](#)  
[Coleman Park Encroachment Corrections CCWSUpdated](#)  
[Coleman Park Encroachment Land Exchange ResolutionFINAL](#)

Britt Haley, Parks, Recreation & Cultural Services Department, Trails, Open Space and Parks Program Manager, presented the Resolution authorizing a land exchange between the City of Colorado Springs and Sky Sox Stadium, Inc. which was amended to include two additional whereas clauses. She went over the project elements, the Coleman Community Park Encroachment Project, and identified the properties to be transferred. Ms. Haley stated this land exchange would not be subject to the requirements of a voter approved land disposition due to its small size and the restrictive covenant requirement for PK zoning is being removed.

There were no comments on this item.

## **8 Items Under Study**

- 8A.**    **CPC CA**        Update on the amendment of City Code Chapter 7 (Zoning and  
**20-00005**        Subdivision Regulations)

Presenter:

Morgan Hester, Planning Supervisor

Peter Wysocki, Director of Planning and Community Development

**Attachments:**    ReToolCOS\_3-21-22  
Parking Reductions\_draft

Peter Wysocki, Director of Planning and Community Development, stated Clarion and Associates will be preparing the preliminary final draft the re-write of City Code Chapter 7 (Zoning and Subdivision Regulations),

RetoolCOS, which will be released in approximately a month for public input and presented to City Council in late summer 2022.

Morgan Hester, Principal Planner, Planning and Community Development, provided an overview of project, project scope, process, footnotes, Work Session discussion topics, landscaping, and green space.

Councilmember Donelson asked if there will be restrictions on the types of native grasses, trees, and shrubbery which can be used for landscaping if it covers more than twenty-five percent of the remaining lot. Ms. Hester stated the only restrictions would be on high-water use turf grass such as Kentucky Blue Grass.

President Pro Tem Helms asked if this would require citizens to adhere to these standards. Ms. Hester stated it will only apply to new development and will not be enforced retroactively. Mr. Wysocki explained that Colorado Springs Utilities identified that irrigating landscape is the highest usage of water in a residential area.

Councilmember Henjum stated she is very supportive of the water conservation efforts.

Councilmember Henjum asked if there has been a public meeting regarding landscaping and green space. Ms. Hester stated this proposed language was presented at the public open houses.

Councilmember Williams stated he believes it is appropriate for the City to regulate water usage and requested additional information regarding the formula used to see if what is allowed is enough for children to play on. Ms. Hester provide an overview of the types of alternative grasses which can be used.

Councilmember Williams asked what regulation would be used if someone wanted to expand the footprint of their home or driveway. Ms. Hester stated they would have to comply with City Code.

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

Councilmember Avila stated March is Women's History Month and recognized her mother, Angela Avila, who will be honored on a banner for Women's History Month.

President Strand stated he and several Councilmembers attended a retirement ceremony for two Colorado Springs Police Officers, Sergeant Jim Jeffcoat, and Chief Vince Niski.

Councilmember Henjum stated she was in Washington DC last week with the American Public Power Association on behalf of Colorado Springs Utilities and said on Saturday, March 12, 2022, at 2:00 PM, Leah Witherow will be doing a presentation on Women's History Month at the Pioneer's Museum.

Councilmember Williams spoke about the challenges Chief Niski faced as Chief of the Colorado Springs Police Department and expressed appreciation for his service and dedication. He also expressed his best wishes to the people of Ukraine.

## **10. Executive Session**

### **10A. Open**

There was no Open Executive Session.

### **10B. Closed**

#### **10B.A. [22-145](#)**

In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. §§ 24-6-402(4)(a), (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 issues to be discussed involve (i) a public works land exchange, and (ii) consultation with the City Attorney regarding a Litigation Settlement over \$100,000.

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:** [3-7-22ClosedSession - Settlement](#)

Ben Bolinger, Deputy City Attorney, 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 (i) a public works land exchange, and (ii) consultation with the City Attorney regarding a Litigation Settlement over \$100,000.

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.

Upon return from the Closed Executive Session, President Strand stated pursuant to the process for settlements in which City Council provides direction to the City Attorney, City Council will vote during the March 8, 2022 regular City Council meeting to approve or disapprove the settlement authority discussed in Closed Executive Session. The name of the parties, the matter, and the settlement authority given will not be disclosed.

## **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