



# 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. 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.*

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Wednesday, August 22, 2018

1:00 PM 121 S. Tejon St, 5th Floor, Colorado Springs Utilities

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### Special Meeting

#### 1. Call to Order

**Present:** 9 - Councilmember Yolanda Avila, Councilmember Merv Bennett, President Pro Tem Jill Gaebler, Councilmember David Geislinger, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, President Richard Skorman, and Councilmember Tom Strand

#### 2. New Business

- 2A. [18-0413](#) An Emergency Ordinance amending Section 407 (Title Board; meetings; petition title) of Part 4 (title setting and petition procedures) of Article 1 (General Municipal Elections) of Chapter 5 (Elections) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the appointment of temporary replacement members to serve on the Title Board in the event any member of the title board is unable to participate in a meeting

Presenter:

Tracy Lessig, Employment Division Chief, Office of the City Attorney

**Attachments:** [Emerg TitleBoardORD-2018-08-16-Final.docx](#)

[Signed Emergency Ordinance 18-85](#)

Tracy Lessig, Employment Division Chief, Office of the City Attorney, presented the Emergency Ordinance amending City Code Section 5.1.407 for Title Board meetings. She stated the Title Board consists of the City Attorney, the presiding judge of the municipal court, and the City Clerk. Ms. Lessig explained that there are no provisions in City Code to appoint any temporary members or alternates if there is an emergency situation or a conflict of interest for one of the Title Board members. She said there has been a proposed Charter initiative presented to the Initiative Review Committee which all three members believe they have a conflict of interest. Ms. Lessig said this proposed Emergency Ordinance would give the Mayor authority to appoint temporary replacement members which must

include an attorney and no elected officials, and would also allow two extra days to the timeline to schedule a Title Board meeting.

Councilmember Knight said he endorses the replacements being Mayor appointed, but would like an additional Ordinance created in the future that states the Mayor is not able to delegate the appointment responsibility.

Councilmember Geislinger stated he supports the proposed Emergency Ordinance because two-thirds of the Title Board are attorneys and the Attorney Code of Ethics requires the attorney to make the determination if they have a conflict of interest.

Councilmember Pico commented that City Council would also have a conflict of interest with the current petitioner's request.

Councilmember Strand asked if an acting Mayor could appoint the temporary replacements. Councilmember Knight said in that case, there is a succession plan in Charter, but he is referencing that the Mayor would not be able to delegate just because he is unavailable.

Councilmember Murray asked if this would be a one-time only solution or a policy change. Ms. Lessig stated it would be a long-term change. Councilmember Murray stated he does not agree with Emergency Ordinances determining long-term policy change.

**Motion by Councilmember Strand, seconded by Councilmember Geislinger, that this Ordinance be finally passed Proposed Motion: <br />Move to adopt an emergency ordinance amending Section 407 (Title Board; Meetings; Petition Title) of Part 4 (Title Setting and Petition Procedures) of Article 1 (General Municipal Elections) of Chapter 5 (Elections) of the Code of the City of Colorado Springs 2001, as amended, pertaining to temporary replacement members on the Title Board.. The motion passed by a vote of**

**Aye:** 8 - Avila, Bennett, Gaebler, Geislinger, Knight, Pico, Skorman, and Strand

**No:** 1 - Murray

### **3. Adjourn**

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

Sarah B. Johnson, City Clerk