



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, November 27, 2023

10:00 AM

Council Chambers

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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 10:03 AM.

Present 9 - Councilmember Yolanda Avila, President Pro Tem Lynette Crow-Iverson, Councilmember Dave Donelson, President Randy Helms, Councilmember Nancy Henjum, Councilmember David Leinweber, Councilmember Mike O'Malley, Councilmember Brian Risley, and Councilmember Michelle Talarico

Councilmember Henjum and Councilmember O'Malley attended the meeting virtually.

2. Changes to Agenda

There were no Changes to Agenda.

3. Regular Meeting Comments

Councilmember Donelson requested item 4B.J. and 4B.K. be removed from the November 28, 2023 City Council meeting Consent Calendar. Consensus of City Council agreed to these changes.

4. Review of Previous Meeting Minutes

4.A. [23-619](#) City Council Work Session Meeting Minutes November 13, 2023

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [11-13-23 City Council Work Session Meeting Minutes Final](#)

The minutes of the November 13, 2023 Work Session were approved by Consensus of City Council.

5. Executive Session

5A. Open

- 5A.A.** [23-636](#) Jacqueline Armendariz and Chinook Center v. City of Colorado Springs, Daniel Summey, B.K. Steckler, Jason S. Otero, Roy A. Ditzler, Federal Bureau of Investigation, No. 23-cv-01951-CNS-MDB, United States District Court, District of Colorado

Presenter:

Wynetta Massey, City Attorney

Attachments: [23-636 City Council Representation Memo](#)

Ben Bolinger, Legislative Counsel, City Attorney's Office, stated with the recommendation of the Civil Action Investigation Committee, the City is requesting authorization to defend the City employees.

President Helms polled City Council regarding authorizing the City to represent the Officer. Consensus of City Council agreed.

- 5A.B.** [23-638](#) Appointment of Outside Counsel or a Secretary of the Commission pursuant to City Code § 1.3.103(G)

Presenter:

Wynetta Massey, City Attorney

Attachments: [23-638 City Council Representation Memo](#)

Wynetta Massey, City Attorney, City Attorney's Office, presented the appointment of outside counsel or a secretary of the Independent Ethics Commission (IEC) pursuant to City Code § 1.3.103(G) and provided an overview of the agreement and scope of work related to the appointment of outside counsel to represent the IEC regarding a complaint against the City Attorney.

Councilmember Leinweber asked how the legal fees would be paid. Ms. Massey stated it would be paid out of the City's Legal Defense Fund which currently has a balance of approximately \$50,000.00.

Councilmember Risley asked what the timeline is for this process and if there is a deadline for this matter. Ms. Massey stated it would depend on if the selected counsel already has a retention agreement process for this type of matter, and the Request for Proposal (RFP) usually allows

approximately thirty days for the selection process.

Councilmember Henjum requested additional information regarding the IEC. Councilmember Donelson stated the Council appointed liaisons do not even attend IEC meetings but are involved in the interview process for members.

President Helms polled City Council regarding authorizing the City to appoint outside counsel. Consensus of City Council agreed.

5B. Closed

There was no Closed Executive Session.

6. Presentations for General Information

- 6.A. [23-621](#) TESSA collaboration with Colorado Springs Police Department related to domestic violence

Presenter:

Anne Markley, Chief Executive Officer, TESSA of Colorado Springs
Heather Manzanilla, Victim's Advocacy Coordinator, Colorado Springs Police Department

Attachments: [City Council DV Presentation with TESSA](#)

Ann Markley, CEO, TESSA of Colorado Springs, Heather Manzanilla, Victim's Advocacy Coordinator, Colorado Springs Police Department (CSPD), provided a brief overview of domestic violence. TESSA's collaboration CSPD related to domestic violence, advocate roles, 2023 year to date domestic violence victims served, age demographics, gender identification, and race identification.

Councilmember Talarico asked if there was a length of stay limit at the safe house. Ms. Markley stated they conduct weekly evaluations and generally the maximum length of stay is seven weeks.

Councilmember Henjum requested the rate of domestic violence compared to the national rates. Ms. Markley stated she will provide that information.

- 6.B. [23-622](#) Update from Home Front Military Network

Presenter:

Kate Hatten, Executive Director, Home Front Military Network

Attachments: [City of Colorado Springs Presentation \(November 2023\)](#)

Kate Hatten, Executive Director, Home Front Military Network (HFMN), gave an overview of HFMN, their services, ways to connect for help, community, pandemic impact, collective impact, collaborative impact, direct assistance impact, long-term impact, and testimonials.

Councilmember Henjum asked if their revenue has been enough to keep up with the increase in requests for ser. Ms. Hatten stated they do special fundraising events and most of their funding is received from grants, foundations, corporate, sponsorships and individual donations.

7. Staff and Appointee Reports

7.A. [23-618](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 11-27-23.pdf](#)

Councilmember Donelson stated he looks forward to the discussion on the first and second reading of the zone change items at the December 11, 2023 Work Session meeting.

8. Items for Introduction

8.A. [23-505](#) A Resolution Approving the 2024 Budget for Pikes Peak Regional Building Department

Presenter:

Charae McDaniel, Chief Financial Officer

Roger Lovell, Building Official, Pikes Peak Regional Building Department

Erin Garcia, Finance Director, Pikes Peak Regional Building Department

Attachments: [2024 Budget Presentation - City Council Work Session](#)

[2024 Final Budget](#)

[2024 PPRBD Budget Resolution-11.27.23](#)

[Signed Resolution No. 204-23.pdf](#)

Roger Lovell, Building Official, Pikes Peak Regional Building Department (PPRBD) presented the Resolution approving the 2024 budget for the PPRBD and provided an overview of 2023, accomplishments, strategic goals, twenty-year inspection/permit trend, budget process, building permit/plan review fees, and 2024 budget highlights. He identified the summary of revenue/expenditures, revenue trend, and expenses.

President Helms requested additional information regarding the results of the reduced staffing for 2023. Mr. Lovell explained they are adequately staffed and are prepared to hire additional staff if needed.

President Helms asked what the reserve capacity is. Mr. Lovell stated it is sixty-nine percent cash as percent of budget.

- 8.B.** [23-570](#) A Resolution of the City Council of the City of Colorado Springs, Colorado approving the First Amendment to the Amended and Restated Consolidated Service Plan for the Bradley Heights Metropolitan District, Nos. 1, 2, and 3, for a district located in the Vicinity of Bradley Road and Marksheffel Road in Southeastern Colorado Springs.

Presenter:

Mike Tassi, Assistant Director, Planning + Neighborhood Services
Peter Wysocki, Director, Planning + Neighborhood Services

Attachments: [Bradley Heights Resolution](#)

[Cover Letter First Amendment to Amended Service Plan Bradley Heights Metro 1-3](#)

[First Amendment to the Amended and Restated Service Plan for Bradley Heights MDs 1-3 August 2023 vf - TDG 11.8.2023 Staff PowerPoint Bradley Heights](#)

[Exhibit 1 - Amended & Restated Splan Bradley Hgts April 2010.doc](#)

Mike Tassi, Assistant Director, Planning and Neighborhood Services, presented the Resolution approving the First Amendment to the Amended and Restated Consolidated Service Plan for the Bradley Heights Metropolitan District, Nos. 1, 2, and 3, for a district located in the vicinity of Bradley Road and Marksheffel Road. He provided an overview of the request, district policy, service plan status, location, project area, district locations, questions at Budget meeting, and next step.

There were no comments on this item.

- 8.C.** [23-627](#) A Resolution Authorizing the Acquisition of Easements from Capital Corona II, LP And MTCOR, LLC for the Academy Boulevard - Fountain To Jet Wing Drive Project

Presenter:

Gayle Sturdivant, PE, PMP, Acting Public Works Director/City Engineer
Darlene Kennedy, Real Estate Services Manager

Attachments: [2 Capital Corona - Resolution](#)

[3 Resolution - Exhibit A - Permanent Easements](#)

[4 Resolution - Exhibit B - Temporary Easements](#)

[5 Academy - Corona Capital Presentation 20231114](#)

Gayle Sturdivant, Acting Public Works Director/City Engineer, presented the Resolution authorizing the acquisition of easements from Capital Corona II, LP And MTCOR, LLC for the Academy Boulevard - Fountain to Jet Wing Drive Project. She provided an overview of location map, project site, permanent easements, temporary easements, and procedure manual information.

There were no comments on this item.

- 8.D. [23-609](#) A Resolution approving the Intergovernmental Agreement between the City of Colorado Springs and El Paso County, Colorado, for the administration, operation and maintenance of traffic signals owned by El Paso County

Presenter:

Gayle Sturdivant, PE, PMP, Acting Public Works Director/City Engineer
Todd Frisbie, PE, PTOE, City Traffic Engineer, Public Works
Department

Attachments: [COS EPC Signal System IGA 11102023](#)
[RES_IGA EPC-City Traffic Signal_11062023](#)
[Traffic Signal IGA](#)

Gayle Sturdivant, Acting Public Works Director/City Engineer, presented the Resolution approving the Intergovernmental Agreement (IGA) between the City and El Paso County for the administration, operation and maintenance of traffic signals owned by El Paso County. He provided an overview of the responsibilities of both entities, background, and financial implications.

There were no comments on this item.

- 8.E. [23-593](#) A Resolution Establishing 2024 Drainage Basin Fees, Bridge Fees, Detention Pond Facility and Land Fees

Presenter:

Richard Mulledy, P.E., Stormwater Enterprise Manager
Erin Powers, P.E., Stormwater Compliance Program Manager

Attachments: [SW-2024DrainageFeesRES-2023-11-13](#)
[Exhibit A - Proposed 2024 Fee Schedule](#)
[Exhibit B - Memo to Drainage Board for 2024 Fees](#)
[Exhibit C - Resolution 202-22](#)
[Exhibit D - HBA Letter of Support for 2024 Fees](#)
[2024 Drainage Fees Presentation Final](#)

Erin Powers, Senior Engineer, Stormwater Enterprise, presented the Resolution establishing 2024 drainage basin fees, bridge fees, detention pond facility, and land fees. She went over City Code 7.4.702, how drainage fees are determined, past drainage fee increases, fee increase analysis, and fee recommendation.

There were no comments on this on this item.

8.F. [23-594](#) A Resolution Establishing 2024 Stormwater Review Fees

Presenter:

Richard Mulledy, P.E., Stormwater Enterprise Manager

Erin Powers, P.E., Stormwater Compliance Program Manager

Attachments: [SW-ReviewFeesRES-2023-11-13](#)

[Exhibit A - Proposed 2024 Review Fee Schedule](#)

[Exhibit B - Resolution 128-19](#)

[Exhibit C - HBA Letter of Support for 2024 Fees](#)

[Exhibit D - Review Fee Comparison](#)

Richard Mulledy, Stormwater Enterprise Manager, Stormwater Enterprise, presented the Resolution establishing 2024 Stormwater Review fees. He stated as a result of recent inflation and regulatory commitments, Stormwater Review Fees paid by developers to the Stormwater Enterprise are insufficient to offset review program costs and the proposed fees are set forth in the 2024 Stormwater Review Fee Schedule.

Councilmember Risley requested additional information regarding the letter from the Housing and Building Association's (HBA) questions regarding the new variance category. Mr. Mulledy stated the stormwater Intergovernmental Agreement (IGA) with Pueblo County states if there are any variances from the criteria that are granted then they would have a chance to review and comment on those variances, Stormwater Enterprise is currently going through the process of updating the City's Drainage Criteria Manual (DCM) where those standard variances will be part of the criteria, so they spoke with the Drainage Board, industry, and the HBA regarding that change for which they agreed to.

Councilmember Henjum asked if since the City is growing, should the City be planning for anything regarding stormwater for the next five to ten years. Mr. Mulledy stated they have already built those steps into their consent decree and policies/procedures which they already have in place, and they will also be including a more robust public process regarding the DCM.

Councilmember Donelson asked what percentage is recovered with the proposed fee structure. Mr. Mulledy stated approximately seventy five percent.

9. Items Under Study

There were no Items Under Study.

10. Councilmember Reports and Open Discussion

Councilmember Donelson recognized a Colorado Springs Policeman and most likely a World War II veteran, Richard Stanley Birchfield, who died in the line of duty on Thanksgiving night, November 26, 1953. He stated Officer Birchfield was thirty-five years old, had been involved in investigating a series of armed robberies occurring in the City, had been checking an area of town for the robbery suspect, radioed dispatch that he would soon be in route to headquarters to meet with detectives, but shortly thereafter was found lying dead in his patrol car, shot seven times. Councilmember Donelson stated it is believed that Officer Burchfield had taken the robbery suspect into custody and was shot by the suspect while transporting him to headquarters, but no arrests were ever made in this case.

Councilmember Avila stated she, Councilmember Talarico, and former Mayor, John Suthers attended the Remembrance of Club Q shooting victims on November 19, 2023, November 20, 2023 was the Transgender Day of Remembrance, and she was invited by Storytime to tell her story as a person on Council and as a person with a disability.

Councilmember Risley he attended the Empty Stocking Fund campaign kickoff, and he hosted a group of high school students for their Civics class project featuring City Council which will be presented to students at Steele Elementary.

President Helms stated he attended the Christmas tree lighting ceremony and dedication to the skating rink in Acacia Park.

Councilmember Talarico stated the Pikes Peak Hospice and Palliative Care Foundation planted a tree Downtown as part of the Acacia Park tree lighting ceremony in honor of former Councilmember Stephannie Fortune.

11. Adjourn

There being no further business to come before City Council, President

Helms adjourned the meeting at 11:45 AM.

Sarah B. Johnson, City Clerk