



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.

Tuesday, February 27, 2018

1:00 PM

Council Chambers

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

Councilmember Pico arrived at approximately 1:18 PM.

2. Invocation and Pledge of Allegiance

The Invocation was made by Pastor Victoria Heim from Crossroads Ministry and Councilmember Bennett.

President Skorman led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

Eileen Krauth, City Council Administrator, stated that the appellant requested items 12.A. and 12.B. relating to The Ridge development be postponed to the March 13, 2018 City Council meeting. She also stated that staff has requested items 11.A. and 11.B. relating to the Canyon Creek Metropolitan District Nos. 2 and 3 be postponed to the March 13, 2018 City Council meeting. Ms. Krauth requested these items be addressed under item 3. Changes to Agenda/Postponements on the agenda.

Consensus of Council agreed to these changes on the agenda.

4. Consent Calendar

These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council. (Any items called up for separate consideration shall be acted upon following the Mayor's Business.)

4A. Second Presentation:

4A.A. [18-0016](#) Ordinance No. 18-6 amending Ordinance No. 17-116 (2018 Budget Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the amount of \$4,207,756 for transfer to the Colorado Springs Health Foundation

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Supplemental Approp Ord for MHS Distribution from MSHRRG](#)
[Signed Ordinance 18-6](#)

This Ordinance was finally passed on the Consent Calendar.

4A.B. [18-0018](#) Ordinance No. 18-7 amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a Supplemental Appropriation to the General Fund in the amount of \$1,100,000 for the purchase of fleet vehicles for the Police Department

Presenter:
Charae McDaniel, Chief Financial Officer
Pete Carey, Police Chief

Attachments: [Supplemental Approp Ord for PD Fleet Vehicles](#)
[Signed Ordinance 18-7](#)

This Ordinance was finally passed on the Consent Calendar.

4A.C. [CPC LUM](#)
[17-00143](#) Ordinance No. 18-8 amending the Comprehensive Plan 2020 Land Use Map reflecting changes from July 1, 2015 through June 30, 2017.

(Legislative)

Presenter:
Conrad Olmedo, Comprehensive Planner II, Planning and Community Development
Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

- Attachments:** [Figure 1 - Ordinance](#)
[Figure 2 - 2020LUM](#)
[Figure 3 - 2020 LUM Matrix](#)
[Figure 4.1 - Index Map 2020 LUM](#)
[Figure 4.2 - Inset A](#)
[Figure 4.3 - Inset B](#)
[Figure 4.4 - Inset C](#)
[Figure 4.5 - Inset D](#)
[Figure 4.6 - Inset E](#)
[Figure 4.7 - Inset F](#)
[Figure 5 - 2020 LUM Parcel List](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.D.** [17-1388](#) Ordinance No. 18-10 repealing Ordinance No. 17-119 and including certain property into the Creekwalk Marketplace Business Improvement District

(Legislative)

Presenter:
Conrad Olmedo, Comprehensive Planner II, Planning & Community Development
Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

- Attachments:** [ORD_CreekwalkMarketplaceBID](#)
[Exhibit A CMBID - Petition](#)
[Exhibit B CMBID Notice of Inclusion](#)
[Signed Ordinance 18-10](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.E.** [CPC CA 17-00138-A2](#) Ordinance No. 18-11 amending Section 501 (Purpose) and creating Section 509 of Part 5 (Overlay Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to a North Nevada Avenue Overlay District.

(Legislative)

Related files: CPC MPA 02-00101-A8MJ17, CPC CA 17-00138-A1, CPC CA 17-00138-B

Presenter:

Peter Wysocki, Director Planning and Community Development
Nina Vetter, Strategic Plan and Performance Administrator

Attachments: [NorthNevadaOverlayZoneCreating-Art3ORD-2018-02-15.doc](#)

[Signed Ordinance 18-11](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.F.** [CPC MPA
02-00101-A8
MJ17](#) Ordinance No. 18-12 adopting a major master plan amendment to the intermodal transportation plan by approving and incorporating the North Nevada Avenue Transportation Sub-Plan. (City File: CPC MPA 02-00101-A8MJ17)

(Legislative)

Related Files: CPC CA 17-00138-A1, CPC CA 17-00138-A2, CPC CA 17-00138-B

Presenter:

Peter Wysocki, Director Planning and Community Development
Nina Vetter, Strategic Plan and Performance Administrator

Attachments: [NorthNevadaAveTransportationSub-PlanORD-23017-12-12](#)

[Exhibit A northnevadaave-report-dec1-small](#)

[Signed Ordinance 18-12](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.G.** [CPC CA
17-00138-B](#) Ordinance No. 18-13 adopting the North Nevada Avenue Zoning Overlay Design Guidelines
(Legislative)

Related Files: CPC MPA 02-00101-A8MJ17, CPC CA 17-00138-A1, CPC CA 17-00138-A2

Presenter:

Peter Wysocki, Director Planning and Community Development
Nina Vetter, Strategic Plan and Performance Administrator

Attachments: [NorthNevadaAveZoningOverlayDesignGuidelinesORD-2017-12-12](#)

[Exhibit A_NNA Design Guidelines](#)

[Signed Ordinance 18-13](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.H.** [CPC CA
17-00138-A1](#) Ordinance No. 18-14 amending Section 105 (Establishment of Zone Districts) of Part 1 (Basic Provisions) of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications) of the Code of the

City of Colorado Springs 2001, as Amended, Pertaining to a North Nevada Avenue Overlay District. (City File: CPC CA 17-00138-A1)

(Legislative)

Related Files: CPC MPA 02-00101-A8MJ17, CPC CA 17-00138-A2, CPC CA 17-00138-B

Presenter:

Peter Wysocki, Director Planning and Community Development
Nina Vetter, Strategic Plan and Performance Administrator

Attachments: [North Nevada Ave Basic Provision-Pt1Art2-ORD-2017-12-12](#)
[Signed Ordinance 18-14](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.I.** [17-1289](#) Ordinance No. 18-15 amending Part 1 (General Provisions) of Article 10 (Building Code Administration) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the adoption of the Pikes Peak Regional Building Code, 2017 Edition, and to the adoption of the penalties for the violation of the Regional Building Code

(Legislative)

Presenter:

Roger Lovell, Building Official, Regional Building Department
Jina Koulchitzka, Regional Building Counsel, Regional Building Department
John Welton, Deputy Building Official/Inspections, Regional Building Department
Jay Eenhuis, Deputy Building Official/Plans, Regional Building Department

Attachments: [RBD-2017CodeAdoptedByReference-2018-01-17 \(3\)](#)
[Signed Ordinance 18-15](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

- 4B.A.** [18-0104](#) City Council Regular Meeting Minutes February 13, 2018

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [2-13-2018 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

4B.B. [18-0122](#) City Council Special Meeting Minutes February 21, 2018

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [2-21-2018 City Council Special Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

4B.C. [18-0114](#) Appointments to Boards and Commissions

Presenter:
Jacquelyn Puett, Assistant to Council

Attachments: [022718 Boards and Commissions](#)

This Item was approved on the Consent Calendar.

4B.D. [18-0078](#) A resolution amending resolution No. 153-17 authorizing the acquisition of property utilizing the use of possession and use agreements, for the West Colorado Avenue Reconstruction Project (Westside Avenue Action Plan)

Presenter:
Mike Chaves, Engineering Programs Manager

Attachments: [West Co Ave -Res- Attachment A-Feb 1](#)
[RES 153-17](#)
[WestsideActionPlanAmendingRES-2018-02-05](#)

This Resolution was adopted on the Consent Calendar.

4B.E. [CPC ZC](#)
[17-00135](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 2.36 acres located southeast of Issaquah Drive and Sonesta Drive from R-1 6000/AO/DFOZ (Single-Family Residential with Airport and Design Flexibility Overlay Zone) to PK (Public Park).

(Quasi-Judicial)

Presenter:
Peter Wysocki, Director Planning and Community Development
Mike Schultz, Principal Planner, Planning and Community Development

Attachments: [ZC ORD-Indigo Ranch](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Zone Exhibit](#)
[Vicinity Map](#)

This Ordinance was approved on first reading on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember Bennett, seconded by Councilmember Strand, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 8-0-1-0

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

Excused: 1 - Pico

5. Recognitions

There were no Recognitions.

6. Citizen Discussion

Citizen Gerald Miller spoke regarding witnessing illegal weapon sales and crime in his neighborhood.

Citizens Becky Fuller, Mary Beth Blake, Jane Morgan, Rick Villa, David Swint, and Bill Helt spoke in opposition of the proposed Old North End pedestrian and safety plan and the narrowing of Cascade Avenue near Colorado College. Councilmember Knight said the plan was discussed at the Code Review meeting and said that he did not believe that City Council would have the authority to override the plan. Councilmember Knight stated that in his research, he could not find proof of previous City Council requiring that any changes made to this section of Cascade Avenue needed to be approved by City Council.

Citizen Jerry White spoke in favor of the proposed Old North End pedestrian and safety plan.

Citizen Carl Strow spoke regarding the Broadmoor and the Strawberry Fields land swap.

Citizen John Edward Hawk spoke regarding the proposed Banning Lewis Ranch (BLR) agreement and stated that the low number of emergency

response stations proposed for the area will create an increase in response time to emergency situations. Councilmember Pico said that the developers would be required to provide and fund a sufficient number of stations.

Citizen Tim Hoiles spoke regarding the City selling water outside the City limits and against the negotiation process for BLR.

Citizen Kevin Bright expressed appreciation for the publicity regarding her beekeeper project and displayed a flag she intends to donate to City Council.

Citizen Darryl Kuiper stated that he is opposition of the proposed building of a sports stadium downtown.

Citizen Betty Kelso spoke in opposition of the design of the new Mountain Metropolitan Transit buses due to the lack of space available for wheelchairs and walkers. Bret Waters stated that staff will follow up regarding her concerns.

Citizen Elizabeth Walters gave a brief history of her background and spoke against the closing of the Dab Lounge.

Citizen Rob Blanken stated he would prefer open transparency regarding the BLR negotiations.

Citizen Ryan Jones spoke regarding increasing citations and the enforcement of no camping on public property. Councilmember Geislinger stated that there have been several nights where public shelters have been over capacity.

7. Mayor's Business

There was no Mayor's Business.

8. Items Called Off Consent Calendar

There were no items called off the Consent Calendar.

9. Utilities Business

There was no Utilities Business.

10. Unfinished Business

- 10.A. [18-0031](#) Ordinance No. 18-9 amending ordinance 14-20, section 3, prescribing the salary of the City Attorney

Presenter:
Mayor John Suthers

Attachments: [MasseySalaryOrd2018](#)
[Signed Ordinance 18-9](#)

There were no comments on this item.

Motion by Councilmember Bennett, seconded by Councilmember Geislinger, that the Ordinance amending ordinance 14-20, section 3, prescribing the salary of the City Attorney be finally passed. The motion passed by a vote of 7-2-0-0

Aye: 7 - Avila, Bennett, Gaebler, Geislinger, Pico, Skorman, and Strand

No: 2 - Knight, and Murray

11. New Business

- 11.A. [18-0081](#) A Resolution Authorizing the Issuance of Debt by Canyon Creek Metropolitan District Nos. 2 and 3 in the Form of Capital Pledge Agreement

Presenter:
Carl Schueler, Comprehensive Planning Manager, Planning & Community Development Department

Attachments: [1.a- Canyon Creek Pledge Agreement PowerPoint3-13-18](#)
[2- Resolution Canyon Creek Pledge Agreement](#)
[3- CSURA 2018 Canyon Creek Pledge Agreement](#)
[4- CSURA Canyon Creek Term Sheet \(1.18.18\)](#)
[5-Canyon Creek Public Improvement Costs Summary](#)
[6- T CSURA-Canyon Creek Project NR LF Fin Plan, Split Mills, +CF Subs, Dist mls+PT TIF+PIF, wRA, Jan17](#)
[7- MMD - 3 Month History](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development Department, stated that the petitioner has requested a postponement to the March 13, 2018 City Council meeting for the issuance of debt by Canyon Creek Metropolitan District Nos. 2 and 3 in the form of a capital pledge agreement to ensure all the information is available to City Council so that they can make a fully informed decision.

There were no comments on this item.

Motion by Councilmember Bennett, seconded by Councilmember Geislinger, that

the Resolution authorizing issuance of debt by the Canyon Creek Metropolitan District Nos 2 and 3 in the form of a capital pledge agreement be postponed to the March 13, 2018 City Council meeting. The motion passed by a vote of 8-0-1-0

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

Excused: 1 - Pico

- 11.B.** [18-0097](#) A Resolution Consenting to Inclusion of Property into Canyon Creek Metropolitan District Nos. 1-3

Presenter:

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

Attachments: [RES Canyon Creek Consent to-Include Properties](#)

[Exhibit A Resolution- Letter re Consent to Inclusion of Properties, 2018-02-09](#)
[Map with Current Boundaries, Initial Boundaries, and Inclusion Area, 201...](#)
[south-nevada-boundry-ura-map-080217](#)

Please see comments in Agenda item 11.A.

Motion by Councilmember Bennett, seconded by Councilmember Murray, that the Resolution consenting to inclusion of properties into the Canyon Creek Metropolitan District Nos 1-3 be postponed to the March 13, 2018 City Council meeting. The motion passed by a vote of 8-0-1-0

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

Excused: 1 - Pico

- 11.C.** [CPC MP 87-00381-A1 9MN17](#) Minor amendment to the Banning Lewis Ranch master plan changing the land use classification of 1.74 acres from RVL (Residential, Very Low) to PUB (Public/Institutional).

(QUASI-JUDICIAL)

Related Files: CPC ZC 17-00094, CPC DP 17-00095

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development

Peter Wysocki, Planning & Community Development Director

Attachments: [CPC Staff Report](#)[Figure 1 - Banning Lewis Ranch Master Plan Amendment](#)[Figure 2 - Falcon Park & Ride Development Plan](#)[Figure 3 - Applicant Narrative](#)[Figure 4 - New Meridian Road Alignment](#)[7.5.408 MASTER PLAN REVIEW CRITERIA](#)

Hannah Van Nimwegen, Senior Planner, Planning and Community Development, presented a vicinity map of the proposed site for the Falcon Park and Ride facility. She gave an overview of the site details and proposed development plan. Ms. Van Nimwegen identified the public notification and involvement process and the neighborhood opposition of a possible increase in crime for the area.

Elizabeth Staton, representing the applicant, presented the El Paso County project plan which would connect Old Meridian Road with New Meridian Road.

Citizen Carrie Bower spoke in opposition of the Falcon Park and Ride facility and stated that she has concerns with the lack of lighting proposed for the lot, the shortage of law enforcement in the area due to the distance involved and stated that people will not use the facility.

President Pro Tem Gaebler asked for El Paso County's vision for the facility. Jennifer Irvine, El Paso County Engineer, stated that the Pikes Peak Area Council of Governments (PPACG) conducted a study identifying the need for the project. She said the growth of Falcon necessitates the need for the park and ride and said that it is consistent with El Paso County's land use initiative. Ms. Irvine said that lighting will be provided and that citizens are currently using the Walmart parking lot as a park and ride. She stated that this a long term plan that is finally coming to fruition and that it is funded by federal funds through the PPACG and the Pikes Peak Rural Transportation Authority (PPRTA).

Councilmember Murray asked when transit services will be implemented and where people are traveling to. Ms. Irvine said the facility will be able to accommodate Mountain Metropolitan Transit when the City is ready to implement transit service and that riders are typically going to Colorado Springs, Pueblo and Denver.

Motion by Councilmember Murray, seconded by Councilmember Bennett, that the minor master plan amendment to the Banning Lewis Ranch Master Plan,

based upon the finding that the amendment meets the review criteria for granting a master plan amendment as set forth in City Code Section 7.5.408. be approved. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 11.D. [CPC ZC 17-00094](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 1.74 acres located south of the south corner of the Highway 24 and Meridian Road intersection from R/CR (Estate Residential with Conditions of Record) to PF (Public Facility).

(QUASI-JUDICIAL)

Related Files: CPC MP 87-00381-A19MN17, CPC DP 17-00095

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development

Peter Wysocki, Planning & Community Development Director

- Attachments:** [ZC ORD - Falcon Park & Ride](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Legal Description Map](#)

Please see comments in Agenda item 11.C.

Motion by Councilmember Bennett, seconded by Councilmember Murray, that the Ordinance changing the zoning of 1.74 acres located south of the south corner of the Highway 24 and Meridian Road intersection from R/CR (Estate Residential with Conditions of Record) to PF (Public Facility) be approved on first reading. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

- 11.E. [CPC DP 17-00095](#) Falcon Park and Ride development plan illustrating a 208 stall parking lot located south of the south corner of the Highway 24 and Meridian Road intersection.

(QUASI-JUDICIAL)

Related Files: CPC MP 87-00381-A19MN17, CPC ZC 17-00094

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development

Peter Wysocki, Planning & Community Development Director

Attachments: [Figure 2 - Falcon Park & Ride Development Plan](#)
[Vicinity Map](#)
[7.5.502.E Development Plan Review](#)

Please see comments in Agenda item 11.C.

Motion by Councilmember Strand, seconded by Councilmember Murray, that the Falcon Park and Ride development plan based upon the findings that the development plan complies with the review criteria as set forth in City Code Section 7.5.502.E. be approved. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

12. Public Hearing

12.A. AR DP 17-00039

An appeal of Planning Commission's decision to uphold the administrative approval of the development plan for The Ridge illustrating a 60-unit multi-family development on 3.72 acres located at 4375 Broadmoor Bluffs Drive and zoned R-5/HS (Multi-Family Residential with a Hillside Overlay).

(Quasi-Judicial)

Related File: AR FP 17-00040

Presenter:
Hannah Van Nimwegen, Senior Planner, Planning & Community Development
Peter Wysocki, Planning & Community Development Director

- Attachments:** Exhibit A - Appeal Narrative & Postponement Request
 Exhibit B - Letters passed to the Planning Commission
 Exhibit C - Letters to the City Council
 The Ridge Presentation to City Council
 CPC Staff Report - The Ridge Appeal
 Figure 1 - Approved Development Plan
 Figure 2 - Approved Final Plat
 Figure 3 - Appeal Application & Narrative
 Figure 4 - Applicant Narrative
 Figure 5 - Neighborhood Comment Following 1.23.17 Meeting
 Figure 6 - Neighborhood Comment Following Public Notice
 Figure 7 - Neighborhood Comment Following 2.15.17 Meeting
 Figure 8 - Cheyenne Mountain Ranch Master Plan
 Figure 9 - Cheyenne Montana Lodges Development Plan
 Figure 10 - Pages 22, 23 of Hillside Development Design Manual
 Figure 11 - CHFA Walk Score
 Figure 12 - Colorado Geologic Survey Reviews
 7.5.502.E Development Plan Review
 7.5.906 (A)(4)
 CPC Minutes_The Ridge

There were no comments on this item.

Motion by Councilmember Bennett, seconded by Councilmember Strand, that the appeal hearing of the City Planning Commission’s decision to uphold the administrative of approval of the development plan for The Ridge illustrating a 60-unit multi-family development on 3.72 acres located at 4375 Broadmoor Bluffs Drive and zoned R-5/HS (Multi-Family Residential with a Hillside Overlay) be postponed to the March 13, 2018 City Council meeting. The motion passed by a vote of 8-0-1-0

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

Excused: 1 - Pico

**12.B. AR FP
17-00040**

An appeal of Planning Commission’s decision to uphold the administrative approval of the final plat for The Ridge illustrating a 60-unit multi-family development on 3.72 acres located at 4375 Broadmoor Bluffs Drive.

(Quasi-Judicial)

Related File: AR DP 17-00039

Presenter:

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

Attachments: Figure 2 - Approved Final Plat
7.7.102 Subdivision Plats Review Criteria
7.7.303 Final Plat Req - Subdivision Plats Review Criteria
7.5.906 (A)(4)

There were no comments on this item.

Motion by Councilmember Bennett, seconded by Councilmember Strand, that the appeal hearing of the City Planning Commission's decision to uphold the administrative of approval of the final plat for The Ridge illustrating a 60-unit multi-family development on 3.72 acres located at 4375 Broadmoor Bluffs Drive and zoned R-5/HS (Multi-Family Residential with a Hillside Overlay) be postponed to the March 13, 2018 City Council meeting. The motion passed by a vote of 8-0-1-0

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

Excused: 1 - Pico

13. Added Item Agenda

There were no items added to the Agenda.

14. Executive Session

- 14.A. [18-0118](#)** 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 a Closed Executive Session. The issue to be discussed involves legal advice and negotiation consultation with the City Attorney regarding an annexation matter.

Presenter:

Wynetta Massey, City Attorney

Marc Smith, Division Chief, Corporate Legislative Counsel, stated 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 a Closed Executive Session. The issue to be discussed involves legal advice and negotiation consultation with the City Attorney regarding an annexation matter.

Council President Skorman polled Council regarding the desire to proceed with a Closed Executive Session. At least two-thirds of Council agreed to proceed in Closed Executive Session.

15. 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