



# 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 26, 2018

1:00 PM

Council Chambers

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### 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 Avila arrived at approximately 1:28 PM.

President Pro Tem Gaebler arrived at approximately 2:46 PM.

Councilmember Bennett was excused at approximately 4:06 PM.

### 2. Changes to Agenda

There were no changes to the Agenda.

### 3. Regular Meeting Comments

Councilmember Knight requested items 4B.R and 4B.S related to the Flying Horse concept plan and zone change be removed from the November 27, 2018 City Council meeting Consent Calendar because he has concerns that the concept plan does not guarantee what will be built in that area and therefore there is no traffic or financial study completed to support the zone change.

Consensus of Council agreed to this change on the agenda.

### 4. Review of Previous Meeting Minutes

4.A. [18-0611](#) City Council Work Session Meeting Minutes November 13, 2018

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [11-13-18 City Council Work Session Meeting Minutes Final.pdf](#)

The minutes of the November 13, 2018 Work Session meeting were approved by Consensus of Council.

## **5. Executive Session**

### **5A. Open**

There was no Open Executive Session.

### **5B. Closed**

There was no Closed Executive Session.

## **6. Staff and Appointee Reports**

### **6.A. [18-0609](#) Agenda Planner Review**

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [Agenda Planner Review 11-26-18.pdf](#)

Councilmember Knight commented there are two items scheduled for the December 11, 2018 City Council meeting which have not previously been presented at work session, the Resolution for an Intergovernmental Agreement (IGA) with Colorado Department of Transportation (CDOT) for Metro Mountain Transit improvement projects and an Ordinance for a supplemental appropriation for \$41,555 for the Capital Projects Fund. He also asked why the Resolution for Special District Fees scheduled for the January 7, 2019 Work Session requires a back-to-back. Charae McDaniel, Chief Financial Officer, stated the supplemental appropriation for the Capital Projects Fund will be postponed to a later meeting and the Resolution for Special District Fees does not need to be back-to-back.

Councilmember Murray requested the items for the Urban Renewal Plan for the Museum and Park Urban Renewal Area be postponed to the January 22, 2019 City Council meeting because of their complexity. Jeff Greene, Chief of Staff, stated it is pertinent these items be considered by City Council this year.

## **7. Presentations for General Information**

### **7.A. [18-0071](#) Colorado Springs Convention & Visitors Bureau (CVB) - Q3 2018 Performance Measures**

Presenter:

Jim Cassidy, Chief Financial Officer, Colorado Springs Convention & Visitors Bureau

**Attachments:** [Q3 2018 VCOS KPI Report 103118.pdf](#)

Jim Cassidy, Chief Financial Officer, Colorado Springs Convention and Visitors Bureau (CVB), stated the CVB has changed their name to Visit Colorado Springs and presented the 2018 third quarter Performance Measures report which reflected results through September 2018. He stated the Lodgers and Automobile Rental Tax (LART) revenue and revenue per available room (RevPAR) was up and gave a brief overview of their meeting planner resources, the number of trade shows attended, and the number of destination site visits. Mr. Cassidy stated the group leads were higher than 2017, but the estimated room nights booked for group travel were down. He said the CVB utilized an economic impact calculator to determine impact to the community. Mr. Cassidy identified the KPIs of the VisitCOS.com website, lengths of visits to the electronic Official Visitor Guide, top referring sites, advertising efforts, and partnership revenues.

Councilmember Strand asked when the name was changed from CVB to Visit Colorado Springs. Mr. Cassidy stated it occurred in October 2018.

Councilmember Geislinger requested a monthly breakdown of hotel room and rental car contracts for visitors. Mr. Cassidy stated he will provide that information. Councilmember Geislinger asked if the CVB could partner with some of the ski areas as an alternative access to Summit County. Mr. Cassidy stated their partnerships are limited to the three nearby counties, El Paso County, Teller County, and Fremont County, but they will continue to work towards that.

**7.B.**     [18-0578](#)           City for Champions and Colorado Sports and Event Center Update

Presenter:

Bob Cope, Economic Development Officer

Attachments:   [CSEC City Council Update 11-26-18](#)

Bob Cope, Economic Development Officer, presented the City for Champions (C4C) and Colorado Sports and Event Center (CSEC) update. He gave a brief overview of the Regional Tourism Act, the SCEC, Robson Arena, Weidner Stadium, United States Olympic Museum and Hall of Fame (USOM), William J. Hybl Sports Medicine and Performance Center, and United States Air Force Academy (USAFA) Gateway Visitor Center. Mr. Cope identified the CSEC potential events and supporting organizations.

Councilmember Knight asked if Colorado College was requesting an Urban Renewal Authority in order to be tax exempt from the City. Mr. Cope stated they were not.

Councilmember Geislinger asked how the proposed stadium and arena will impact the Broadmoor World Arena and Sky Sox Stadium. Mr. Cope

stated they are anticipating this will grow tourism and open up other event opportunities.

Councilmember Murray asked when City Council will receive the details of what is being spent on infrastructure. Mr. Cope explained the flexible funding by the state was authorized at ten of the sixteen percent which added approximately \$9M to the Olympic Museum bond issue and will primarily go towards the pedestrian bridge and the Sierra Madre Street and Vermijo Avenue improvements.

Councilmember Pico asked how the downtown parking issue will be addressed with the addition of the Colorado College facilities. Mr. Cope said parking will be addressed through the entitlement process and Colorado College has done a robust parking study and will demonstrate their strategy in the land use planning process.

Councilmember Knight asked when the commencement of substantial work will begin. Mr. Cope stated they anticipate December 7, 2018 otherwise it will be in January or February 2019. Councilmember Knight requested staff provide City Council a road map for the commencement of substantial work and City Council's role in it. Mr. Cope agreed to provide that information.

Councilmember Knight asked when the USAFA annexation will be presented to City Council. Sarah B. Johnson, City Clerk, stated the item was previously referred back to staff for review at the October 23, 2018 City Council meeting. Catherine Carleo, Principal Planner, Planning and Community Development, gave a brief overview of the project timeline.

Councilmember Murray and Councilmember Avila expressed that City Council should not be rushed in making these decisions without more information on the projects. Mr. Cope explained in order for the state funding to be one-hundred percent committed, many requirements have to be met and staff will continue to be completely transparent about the design process.

## **8. Items for Introduction**

- 8.A.**     [18-0544](#)     Resolution Approving a Second Amendment to the Service Plan for the Colorado Crossing Metropolitan District Nos. 1-3 Allowing Street Maintenance as an Operations and Maintenance Function.

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

**Attachments:** [Resolution Colorado Crossing Amendment](#)  
[Exhibit 1 - Second Amendment to the Service Plan](#)  
[Figure 1 - Second Amendment Petition](#)  
[Figure 2 - Victory Ridge Road Exhibit](#)  
[Figure 3 - 2006 Colorado Crossing Metro Districts Service Plan and Resolution](#)  
[Figure 4 - First Amendment of Service Plan- Resolution 111-16](#)

Carl Schueler, Planning Manager, Comprehensive Planning, Planning and Development Department, presented the Resolution approving a second amendment to the service plan for the Colorado Crossing Metropolitan District Nos. 1-3 allowing street maintenance as an operations and maintenance function. He gave a brief summary and background of the project and presented area and district maps.

Catherine Carleo, Principal Planner, Planning and Community Development, gave an update of the concept plan amendment for the Victory Ridge site.

Otis Moore, District/Project Representative, stated they anticipate a closing with In-N-Out within a couple of weeks and expect to open mid to third quarter 2020. He identified the other retail buildings in the area, a theater expansion, and several medical offices.

Councilmember Murray asked who is responsible for the planned sports complex. Mr. Moore stated it had been put on hold due to a potential Preble's meadow jumping mouse habitat issue which has been resolved and they are now working on the land exchange agreement. He said the land will be owned by the City and the sports complex will be operated and funded by third party funds through the Scott Hall Foundation, a 501(c)(3) company.

**8.B.**    [18-0608](#)    A resolution establishing 2019 Drainage Basin Fees, Bridge Fees, Detention Pond Facility and Land Fees

Presenter:

Richard Mulledy, P.E., Water Resources Engineering Division Manager  
Brian Kelley, P.E., Stormwater Capital Programs Manager

**Attachments:** [ResDrainageFeeIncrease2019](#)  
[Exhibit A 2019DrainageFeeScheduleProposed](#)  
[Exhibit B 2018 Drainage Fee Schedule](#)  
[Exhibit C DrainageBoardMemo](#)  
[Exhibit D HBALtr](#)  
[CC Drainage Fee Adjustment 2019](#)

Brian Kelley, P.E., Stormwater Capital Programs Manager, presented the Resolution establishing 2019 drainage basin fees, bridge fees, detention pond facility, and land fees. He identified how drainage fees are determined, past drainage fee increases, who pays drainage fees, who is owed reimbursement from the Basin Fund, and the process for the 2019 fee. Mr. Kelley stated staff recommends an increase of 6.7 percent over the 2018 drainage, bridge and detention pond facility fees.

Councilmember Pico asked for a comparison of line item costs as compared to last year. Mr. Kelley stated they will provide that information.

- 8.C. [18-0610](#) An ordinance amending Section 101 (Authority to Impound Vehicles) of Article 25 (Removal and Impoundment of Vehicles) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the authority to impound recreational vehicles and providing penalties for the violation thereof

Presenter:

Commander Sean Mandel, Colorado Springs Police Department  
Richard Skorman, City Council President  
Tom Strand, City Councilmember

**Attachments:** [Recreational Vehicles Tow 2018 11 14.docx](#)

Commander Sean Mandel, Colorado Springs Police Department (CSPD), presented the amendment to the Ordinance, pertaining to the authority to impound recreational vehicles and providing penalties for the violation thereof for vehicles parked for extended periods of time in any public right of way. He said the amendment removes the language “in a residential area” to include all public right of ways. Commander Mandel said the penalty fees would remain the same and identified the current issues impacting the community.

Councilmember Pico asked where the impounded recreational vehicles will be stored due to limited space in the impound lot. Commander Mandel stated with the fines associated with violations, they believe there will be

compliance from owners.

Councilmember Strand asked if the court could assess a fine up to \$500 for a fourth offense. Commander Mandel confirmed it could.

Councilmember Strand asked what option citizens have in regards to non-recreational vehicles parked in neighborhoods for extended periods of time. Commander Mandel stated citizens could report a parking complaint to the CSPD if the vehicle has not been moved within seventy-two hours.

Councilmember Geislinger said he does not support this Ordinance as it is written because he feels it criminalizes the homeless population by the penalties it contains. He said he would like it to avoid punitive damages and see this issue addressed in Homeless Court. He commented that the City needs to address where these people are authorized to park.

President Pro Tem Gaebler asked how this Ordinance will be enforced. Commander Mandel said this Ordinance would allow CSPD Officers to enforce no extended parking in all public right of ways, not only residential areas. President Pro Tem Gaebler said they need to provide alternative housing for these people.

Marc Smith, Corporate Division Chief, Office of the City Attorney, said this Ordinance does not address parking on private property and the penalty would result in a parking ticket, not a criminal offense. He said this violation would typically not require a court appearance until the fourth offense. Councilmember Geislinger commented that many of these people are financially burdened.

- 8.D. [18-0617](#) A resolution approving the Intergovernmental Agreement between the City of Colorado Springs and El Paso County, Colorado for the Joint Regional Crime Laboratory.

Presenter:

Peter Carey, Chief of Police

**Attachments:** [File #18-0617 Resolution - FINAL](#)

[File #18-0617 IGA - FINAL](#)

[File #18-0617 IGA - FINAL Ver. 2](#)

Peter Carey, Chief of Police, presented the Resolution approving the Intergovernmental Agreement (IGA) with El Paso County, for the joint regional crime laboratory which has been in place since 2009. He identified the minor changes in purchasing and ownership, positions

assigned in the lab, data regarding the lab's workload, and purchasing of capital equipment.

Councilmember Knight requested the red-lined version of the IGA. Chief Carey stated they will provide that.

Councilmember Strand asked if the new IGA will cost any additional money to the City. Chief Carey stated he did not believe it would.

**8.E.** [18-0619](#)

A resolution making certain legislative findings and approving a substantial modification to the Southwest Downtown Urban Renewal Plan.

Presenter:

Peter Wysocki, Director Planning and Community Development

Jariah Walker, CSURA Executive Director

Bob Cope, Economic Development Officer

**Attachments:** [Resolution\\_SW URA Substantial Modification](#)

[SWD Plan Amendment](#)

[Resolution 133-01](#)

Peter Wysocki, Director Planning and Community Development, introduced the modification to remove eighty-one acres of the Southwest Downtown Urban Renewal Plan in order to separate the Museum and Park Urban Renewal Area. He stated the Planning Commission found the proposed Urban Renewal Plan and area to be consistent with the City's Comprehensive Plan and Experience Downtown Master Plan.

Wynn Palermo, Chair-Colorado Springs Urban Renewal Authority (CSURA), stated the Urban Renewal Authority Board has reviewed this project thoroughly.

Jariah Walker, CSURA Executive Director, introduced the individuals presenting the plan.

Chris Jenkins, President, Nor'wood, gave a brief history of Southwest downtown, identified the purpose of the Urban Renewal Plan, the existing conditions, the public private partnerships and the designer, SOM. He listed the principles for growth and the vision for Southwest downtown

Carolyn White, Brownstein Law Firm, Public Finance and Land Use Counsel for the project, identified the variety of public finance tools to be



utilized for the public infrastructure of the project, the proposed district boundaries and proposed new URA boundary. She gave an overview of the mechanics of tax increment finance.

Jeff Finn, Vice President, Nor'wood Development, identified the estimated eligible improvements which will be built in four phases at a cost of \$216.5M, the existing tax base, the estimated \$164M of estimated property tax increment generated over 25 years, and the breakdown of the public infrastructure total cost per phase, funding, property tax, sales tax, and revenue.

Councilmember Knight asked for clarification on which properties will be included and excluded. Mr. Finn stated he will provide a clearer, colored map with a legend.

Councilmember Murray asked if the district money collected could be used to repay district expenditures. Mr. Finn stated the money spent on district formation is eligible for reimbursement. Ms. White said the only reimbursement would be for public improvements.

Councilmember Pico asked what the current base of sales tax is. Mr. Finn stated sales tax currently generates \$45,000 annually.

Mr. Jenkins stated this project would add 4,500 residential units downtown, 750,000 square feet of office space, have \$1.8B worth of private investment and \$216.5M worth of public investment toward infrastructure.

Councilmember Murray asked if there will be 10,000 residents added to downtown over twenty-five years who will not be paying property or sales tax. Councilmember Pico stated the economic multiplier effect will add revenue to the City.

Mr. Cope gave an overview of City invested public infrastructure of \$49.87M, the 6,651 jobs created, and \$136.2M net revenue generated.

Councilmember Murray asked where the jobs will be generated from. Mr. Cope said the number is based on the proforma for office space, retail space, and hotels. Councilmember Murray commented there is already vacant building space downtown. Mr. Cope stated the space will be built on a pre-lease and pre-sale basis.

Councilmember Knight asked what the average job salary would be. Mr. Cope stated they will provide that information.

President Skorman stated this kind of concentration has been successful for many other cities.

Councilmember Pico stated if the project does not meet the anticipated projections, the City will not be responsible for it, the developers and investors will be.

Councilmember Geislinger asked if affordable housing will be designated in this project. Mr. Jenkins agreed the community needs a healthy continuum of housing product, but inserting affordable housing into this project would cause a disconnect.

Councilmember Murray stated he believes at a minimum, the property and sales tax should be a fifty/fifty split between the City and the developer.

Councilmember Knight asked if the City is no longer required to give one hundred percent of the property tax if it establishes an URA. Mr. Smith confirmed it is not. Councilmember Knight said the cooperation agreement and the urban renewal plan do not reflect that and will need to be updated. Tom Florzak, Deputy City Attorney, stated the text of the cooperation agreement under section 3.A addresses that.

Councilmember Knight asked for clarification on what is considered a minor change in the cooperation agreement. Tom Florzak, Deputy City Attorney, explained it would include inserting a date or a change of term, but would not be substantive.

Councilmember Knight asked why the sales tax and use tax were separate in the cooperation agreement. Mr. Florzak explained that use tax is not recognized by Urban Renewal statute, so in order to be legally safe, the use tax was made subject to annual appropriation.

Councilmember Knight requested clarification for what happens when the rate of the percentage of sales tax goes up or down. Ms. White stated if City Council approves 1.75 percent for the sales tax in the cooperation agreement, the URA would only receive 1.75 percent even if the sales tax goes up.

Councilmember Knight asked language to be included that states any money the URA has collected to date should be repaid to the taxing entities.

- 8.F. [CPC MP 01-00017-A2 MJ18](#) A resolution making certain legislative findings and approving the Urban Renewal Plan for the Museum and Park Urban Renewal Area.

Presenter:

Peter Wysocki, Director Planning and Community Development  
Jariah Walker, CSURA Executive Director  
Bob Cope, Economic Development Officer

**Attachments:** [RES\\_museum and park URA plan v3](#)  
[Urban Renewal Plan Museum & Park \(final - updated\)](#)  
[Museum & Park URA CPC staff report](#)  
[Museum & Park Tax Forecast and CIR](#)  
[BS Southwest Downtown Cos Spg 6-21-18 FINAL](#)  
[COS URA CC Presentation - 4 - CC Work Session](#)

Please see comments in Agenda item 8.E.

- 8.G. [18-0585](#) A resolution approving a Cooperation Agreement between the City of Colorado Springs and the Colorado Spring Urban Renewal Authority authorizing the Colorado Springs Urban Renewal Authority to use annual sales tax increments generated within Museum and Park Urban Renewal Area for a period of up to 25 years for qualifying public improvements.

Presenter:

Peter Wysocki, Director Planning and Community Development  
Jariah Walker, CSURA Executive Director  
Bob Cope, Economic Development Officer

**Attachments:** [Resolution Approving MP Cooperation Agmt-Revised-11-28-2018 \(clean\).docx](#)  
[Resolution Approving MP Cooperation Agmt-Revised-11-28-2018 \(redlined\).docx](#)  
[MP Cooperation Agreement between CSURA and City final-2-11-19-18](#)

Please see comments in Agenda item 8.E.

## **9. Items Under Study**

- 9.A. [CPC CA 18-00082](#) An Ordinance adopting PlanCOS as the City of Colorado Springs Comprehensive Plan

(Legislative Item)

Presenters:

Peter Wysocki, Planning and Development Director  
Carl Schueler, Comprehensive Planning Manager, Planning and  
Development Department

**Attachments:** [ORD PlanCOS](#)

[Exhibit A - PlanCOS Comprehensive Plan](#)

[Exhibit A - PlanCOS Appendices](#)

[PlanCOS\\_CPCStaffReport](#)

[Figure 1 - Ch. 1 Vision Map](#)

[Figure 4 - Downtown Typology - 9.24.18](#)

[Figure 5 - SC Endorsement Meeting Minutes and Comments  
Received](#)

[Figure 6 - Post SC Endorsement Changes](#)

[Figure 8 - Recently Received Public Comments](#)

[Figure 9 - PlanCOS\\_Changes Post-SC Endorsement](#)

[Figure 10 - Bike-Colorado-Springs-supports-PlanCOS-1](#)

President Skorman stated Consensus of Council agreed to postpone this item to the December 10, 2018 Work Session meeting.

**9.B.** [CPC CA  
18-00152](#)

An Ordinance Amending Multiple Sections under Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to the City's Comprehensive Plan

(Legislative Item)

Presenters:

Peter Wysocki, Planning and Development Director  
Carl Schueler, Comprehensive Planning Manager, Planning &  
Development Department

**Attachments:** [ORD PlanCOS CodeAmendments](#)

Please see comments in Agenda item 9.A.

## **10. Councilmember Reports and Open Discussion**

There were no Councilmember Reports and there was no Open Discussion.

## **11. Adjourn**

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

Sarah B. Johnson, City Clerk