



# City of Colorado Springs

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

## Meeting Minutes Council Work Session

*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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Monday, March 9, 2020

10:00 AM

Council Chambers

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### 1. Call to Order

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

Councilmember Gaebler was excused approximately 11:30 AM and returned at 1:00 PM.

Councilmember Geislinger was excused at approximately 3:08 PM.

### 2. Changes to Agenda

There were no Changes to Agenda.

### 3. Regular Meeting Comments

Councilmember Avila requested items 4B.I., 4B.J., and 4B.K. be removed from the March 10, 2020 City Council Meeting Consent Calendar.

Consensus of City Council agreed to this change.

### 4. Review of Previous Meeting Minutes

**4.A.** [20-106](#) City Council Work Session Meeting Minutes February 19, 2020

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [2-19-20 City Council Work Session Meeting Minutes Final.pdf](#)

The minutes of the February 19, 2020 Work Session meeting were approved by Consensus of City Council.

**4.B.** [20-108](#) City Council Work Session Meeting Minutes February 24, 2020

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [2-24-20 City Council Work Session Meeting Minutes Final.pdf](#)

The minutes of the February 24, 2020 Work Session meeting were approved by Consensus of City Council.

President Pro Tem Strand requested an update regarding whether the HomeCOS Reboot Camp included people who are leaving the military, but remaining in the community. Jeff Greene, Chief of Staff, agreed to follow up on that information.

## **5. Executive Session**

### **5A. Open**

5A.A. [20-099](#) Michael Sexton v. Officer Matthew Anderson / City of Colorado Springs 20-CV-00108

Presenter:  
Wynetta Massey, City Attorney

**Attachments:** [Council Memorandum with facts](#)

Marc Smith, Corporate Division Chief, Office of the City Attorney, stated with the recommendation of the Civil Action Investigation Committee, the City is requesting authorization to defend the Officer.

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

### **5B. Closed**

There was no Closed Executive Session.

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

6.A. [20-107](#) Agenda Planner Review

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [Agenda Planner Review 3-9-20.pdf](#)

Sarah B. Johnson, City Clerk, stated the 2020 Census Proclamation will be presented at the March 24, 2020 City Council meeting and requested Councilmembers wear their 2020 Census lapel pins in honor of it.

There were no comments on this item.

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

**7.A. [20-054](#) Children's Hospital, Southern Colorado Annual Update**

Presenter:

Margaret Sabin, President,  
Children's Hospital Colorado, Southern Colorado

**Attachments:** [Children's Hospital2020 City Council vpacket](#)

Margaret Sabin, President, Children's Hospital Colorado, Southern Colorado, presented an annual update on Children's Hospital, Southern Colorado. She gave an overview of their southern Colorado footprint, the market, catchment area, their locations, and proposed 2020-2021 expansions. Ms. Sabin went over the market awareness, market strategy, their services, cost-saving innovation, individual impact, and the percentage of patient services by payer. She also provided information on respiratory season, COVID-19 readiness, community needs assessment, resiliency research project, community partners, injury prevention, community partnerships in action and their major donations.

Councilmember Geislinger asked when the results from the Resiliency Project be received. Ms. Sabin stated they will receive the results in approximately two weeks and published in June. Councilmember Geislinger requested a copy of the results. Ms. Sabin agreed to provide that information.

Councilmember Avila asked what partnerships have been established in the Southeast. Ms. Sabin stated they are currently in the study phase and they are coordinating with Peak Vista as a partner in the community.

**7.B. [20-069](#) UCHHealth: Memorial Hospital Annual Report to City Council**

Presenter:

Joel Yuhas, President and CEO, UCH Southern Colorado

**Attachments:** [UCHCity Council Presentation 03.09.20](#)

Joel P. Yuhas, President and Chief Executive Officer, University of Colorado Health (UCH) Memorial Hospital, presented an update on UCH Memorial Hospital. He identified their mission, Vizient quality percentiles, workforce, number of patient visits to the facilities, comprehensive stroke care, emergency and trauma service, cancer care, and cardiovascular services. Mr. Yuhas gave an overview of how they are reducing the cost of care, their financial contributions to the community, how they are addressing the crisis in behavioral health, their military collaboration, and their priorities moving forward.

Councilmember Knight asked how the three hospital systems were differentiated from each other. Mr. Yuhas stated all of their more quaternary programming such as level I trauma, comprehensive stroke, and surgical oncology is at Memorial Central, Memorial North is continuing to evolve with robotic surgery, orthopedics, and spine, Grandview specializes in orthopedics, and Pikes Peak Regional provides improved access to care for the community.

Councilmember Murray asked how the nurse training programs can be expanded. Mr. Yuhas stated they have been collaborating with Pikes Peak Community College and University of Colorado at Colorado Springs to expand their nurse training programs to meet the demand for healthcare services. Councilmember Geislinger stated it is not just about training and recruiting nurses, it is about retaining nursing which includes access to affordable housing.

- 7.C. [19-731](#) Discussion on raising the minimum age to purchase tobacco to 21 and a potential Tobacco Retailers Business License

Presenter:

Susan Wheelan, El Paso County Public Health

Dr. Edward Maynard MD, FAAP, Vice President, Colorado Chapter,  
America Academy of Pediatrics

Joshua Sprague, Absolute Vapor

**Attachments:** [EPCH Colorado Springs City Council Presentation 3.9.20 FINAL](#)

[Why TRL Matters, one page](#)

[Minor-in-Possession-Brief](#)

[Dr. Maynard's Colorado Springs City Council Presentation 2.10.20](#)

Susan Wheelan, Public Health Director, El Paso County, introduced the discussion on youth tobacco prevention, raising the minimum age to purchase tobacco to 21 years, and a potential tobacco retailers' business license.

Jennifer Lang, Prevention and Policy Specialist, El Paso County Public Health, gave a presentation regarding emerging trends, e-cigarettes, and prevention strategies concerning youth vaping and tobacco use.

Councilmember Geislinger asked if the increase in youth tobacco use is due to the new vaping mechanisms. Ms. Lang confirmed it is.

A.J. Nelson, a member of the Meadows Park Community Action Coalition, spoke about her experiences with youth vaping in school.

Dr. Edward Maynard MD, FAAP, Vice President, Colorado Chapter, America Academy of Pediatrics, gave an overview of the proposed Ordinance for tobacco retail licensing and tobacco 21 which would increase the age of legal sales of tobacco products to twenty-one years.

Councilmember Pico asked if vaping or tobacco use is the primary concern. Dr. Maynard said it is both because kids are getting addicted to nicotine products due to the appeal of vaping technology and flavors.

Councilmember Williams asked if City Council were to pass both proposed initiatives what percentage of youth tobacco use would be reduced. Dr. Maynard stated he does not have the exact percentage, but it would de-normalize the use of tobacco products.

Councilmember Gaebler commented that the funding for the compliance checks required by the state bill could originate from local licensing fees and add additional controls regarding the placement of tobacco products.

Dr. Robin Johnson, Medical Director of El Paso County Public Health, stated the top three killers in El Paso County are related to tobacco related cardiac disease and this would be one small step toward facing this issue.

President Pro Tem Strand asked why the City should license tobacco retailers. Dr. Maynard stated the state law would not be enacted until 2021 and local government could enact an Ordinance faster.

Joshua Sprague, Absolute Vapor, gave an overview of his company, their safety standards, and said they believe the best public policy would be to establish tobacco licensing, penalties for selling to minors, and age-restricted stores for 21+ only. He stated he does not support the prohibition of flavored products.

Councilmember Williams asked if tobacco products had restricted access behind a retailer's counter, would that have the same results as the 21+ age restricted stores. Mr. Sprague stated he does not believe so because he believes youth would still be able to obtain the behind counter products.

Councilmember Murray stated he having difficulty with the concept of a 21+ age restricted store having a monopoly on nicotine products. Mr. Sprague stated a 21+ age restricted store would prevent youth from having access to it.

Sarah B. Johnson, City Clerk, stated the state bill is expected to pass which would require retailers to obtain a license and two inspections. She stated local licensing requirement cannot be any less restrictive than the

state requirement and the state bill contains broad requirements which allows the new department to enact rules to establish the details of the law. Ms. Johnson explained that the City Clerk's Office experience with LED and MED have shown the rules are a very important part of how the state will implement the new requirement and there are many times the state will push down the enforcement to the locals. She stated staff recommends waiting to see what the state bill and rules looks like before any local regulation is passed. Ms. Johnson stated they estimate there are four hundred to six hundred establishments currently selling tobacco products, this would be the largest number of licensees in the City and would require additional staff in the City Clerk's Office to process and enforce the license requirements.

Vince Niski, Colorado Springs Police Chief, stated he is concerned with enacting a local law before the state bill is passed due to the requirements of compliance audits and enforcement which would require the addition of three to four detectives and a sergeant. He recommended if passed, there be a penalty for the user as well as the retailer. Councilmember Williams stated there should also a penalty to the clerk who sells to an underage customer.

Councilmember Geislinger stated he is concerned the costs associated with the City licensing will not be funded by the state. Councilmember Murray stated it should be a funded mandate because it is a community concern.

Councilmember Geislinger, Councilmember Murray, and Councilmember Williams stated they believe the enforcement of the 21+ age restriction and tobacco product placement regulation should happen sooner than later.

Councilmember Pico stated he would rather see what the state is going to do first.

President Skorman polled City Council regarding if they would like to move forward with staff first researching restricting the use of tobacco to 21+ years of age and tobacco product placement. A consensus of City Council agreed.

**7.D.**    [20-118](#)

Community Health Update: Preparations and Response Strategy for Potential Impacts of Coronavirus

Presenter:

Susan Wheelan, Public Health Director, El Paso County Public Health  
Ted Collas, Fire Chief, City of Colorado Springs  
Office of Emergency Management

Jim Reid, Director of the Pikes Peak Regional Office of Emergency

Management (OEM), provided a briefing concerning the City's responsibility, preparedness, strategy, and accomplishments regarding COVID-19.

Councilmember Geislinger asked what kind of assistance will citizens be able to receive if they choose to stay home when they are sick. Mr. Reid stated the clients of the Department of Human Services will remain clients and they can also call 211 for assistance.

Councilmember Knight stated the citizens will turn to the government for help and asked if the OEM has practiced any exercises for response to an outbreak. Mr. Reid stated the Health Department has a pandemic plan which includes mass health care and shelter. Susan Wheelan, Public Health Director, El Paso County Public Health, gave an overview of their trainings with law enforcement and first responders in regards to infectious diseases.

Councilmember Murray requested a specific list of resources needed to complete the mission as this progresses. Mr. Reid agreed to provide that information.

Dr. Robin Johnson, Medical Director of El Paso County Public Health, gave an overview of the coronavirus, its origin, signs, symptoms, the total confirmed cases, present testing, and management of patients. She spoke about self-isolation and the overall health concern for citizens, healthcare workers, and emergency technicians.

Councilmember Geislinger asked about the onset of allergies and the flu season and how a person would differentiate these from the COVID-19. Ms. Johnson stated COVID-19 will most likely have a fever accompanying it.

Councilmember Murray asked what type of precautions should be taken in regards to large gatherings. Jeff Greene, Chief of Staff, stated proper protocol will be taken in these matters. Ms. Johnson stated this will take a full community collaborative effort.

Councilmember Knight stated there will be 14,000 people coming in from all over for the Space Symposium and asked what precautions are being made for it. Mr. Greene stated the Administration is monitoring it closely and is coordinating with the Department of Health and the Department of Defense in regards to any changes that may be needed.

Councilmember Gaebler stated there needs to be a balance in regards to the events so it does not create chaos.

President Skorman asked about the precautions people could take. Ms. Johnson stated hand washing, sanitizing surfaces, and keeping a six-foot distance from people.

President Skorman asked how assisted living facilities will be addressed. Ms. Johnson stated they are working with agencies on aging to focus on that issue.

Councilmember Geislinger stated under reporting could also cause panic and requested where citizens could find the best source of information. Ms. Johnson provided a list of informational resources.

President Pro Tem Strand asked if the local lab could begin testing. Ms. Johnson stated they were looking to increase the state level testing hours to accommodate faster testing.

Councilmember Murray asked what is chance that a person will be infected by the virus. Marigny Klaber Epidemiologist, El Paso County Public Health, stated the reproductive rate from one person to another was greater than two which means one person could infect at least two other people.

Ted Collas, Colorado Springs Fire Chief, stated they are making sure to keep first responders and the healthcare community protected, He said all City agencies are being updated and informed as they receive information.

Councilmember Murray stated the City has never stress-tested these types of processes and what the effect would be if the City's sales tax took a ten percent hit. Mayor Suthers stated he will make a budget recommendation based on the calculation of losses and City Council will either approve it or change it.

## **8. Items for Introduction**

- 8.A.**     [20-110](#)     A Resolution Approving an Intergovernmental Agreement between the City of Colorado Springs and El Paso County, Colorado, for the Purpose of Snow Removal and Snow and Ice Control on Roadway Segments

Presenter:

Corey Farkas, Operations and Maintenance Division Manager  
Travis Easton, P.E., Director of Public Works

**Attachments:**   [PW-2020\\_City CountySnowRemovalRES-2020-02-20](#)

[El Paso County - City of Colorado Springs Snow Plowing Agreement 8-12-19...](#)  
[CS&El Paso County Road Plowing List 8 2019](#)

Travis Easton, P.E., Director of Public Works, presented a Resolution approving an Intergovernmental Agreement (IGA) with El Paso County for the continuation of mutual support for snow removal and snow and ice control on roadway segments throughout the City and El Paso County.

There were no comments on this item.

**8.B.**     [20-079](#)           Resolution adopting the 2019 City Council Annual Report

Presenter:

Emily Evans, Council Administrator

Ted Skroback, City Council Communications Specialist

**Attachments:**   [Council Annual Report 2019-20 DRAFT](#)  
[Annual Report Resolution 2019-2020](#)  
[City Council Report to the Citizens 2019-2020 presentation](#)

Ted Skroback, City Council Communications Specialist, gave a brief background and the process for creating the 2019 City Council annual report. He identified some of the highlights for 2019 and requested feedback regarding any additions or changes from City Council.

Councilmember Knight asked if the Colorado Springs Utilities (CSU) Board's accomplishments were listed in the report. Mr. Skroback stated because CSU is a separate entity it would need to be reported by CSU. Councilmember Gaebler stated she does not mind it mentioned as another duty of City Council, but because it is a separate entity, she does not feel it needs its own section. Councilmember Pico and Councilmember Murray, and President Pro Tem Strand stated they would prefer it be included as a section.

Sarah B. Johnson, City Clerk, requested the webpage identifying each Councilmember's represented district be included on the back of the report.

## **9. Items Under Study**

**9.A.**     [CPC CA](#)           Discussion and update on RetoolCOS - amendment of City Code  
          [20-00005](#)           Chapter 7 (Zoning and Subdivision Regulations)

Presenter:

Morgan Hester, Principal Planner

Peter Wysocki, Director of Planning and Community Development

**Attachments:** [FIGURE 1 - RetoolCOS Timeline](#)  
[FIGURE 2 - RetoolCOS ProjectPlan](#)  
[FIGURE 3 - District Uses](#)  
[RetoolCOS](#)

This item was postponed to the April 13, 2020 City Council Work Session meeting.

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

President Skorman stated there are several nonprofits working towards providing assistance to individuals who may be affected if they have to take time off from work for illness due to the coronavirus.

Councilmember Avila stated she attended the Women, Wine, and Chocolate event and there will be one hundred women marching in the St. Patrick's Day parade to celebrate 100 years since the women's suffrage. She also attended the International Women's Day luncheon.

Councilmember Murray stated Dublin, Ireland has cancelled their St. Patrick's Day events due to COVID-19. He asked if unemployment benefits could be utilized for people sequestered due to the virus. President Skorman stated they are looking into that.

President Pro Tem Strand stated he and several Councilmembers attended the memorial service for Don Stratton, survivor of the USS Arizona. He stated he attended the retirement ceremony for Police Officer Jason Blanchett.

Councilmember Williams stated he attended the tour of the Sports Medicine Complex at UCCS, the opening of The New Promise family shelter, and the Frontier's Oversight conference in Austin, TX. He expressed appreciation for everyone who participated in the primary election and for the Daniel's Fund scholarship program.

Councilmember Pico stated he toured the operations center of the Office of Emergency Management.

## **11. Adjourn**

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

Sarah B. Johnson, City Clerk