



# 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 9, 2020

10:00 AM

Council Chambers

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### 1. Call to Order

- Present** 8 - Councilmember Yolanda Avila, Councilmember Jill Gaebler, Councilmember David Geislinger, Councilmember Don Knight, Councilmember Bill Murray, President Richard Skorman, President Pro Tem Tom Strand, and Councilmember Wayne Williams
- Excused** 1 - Councilmember Andy Pico

### 2. Changes to Agenda

There were no Changes to Agenda.

### 3. Regular Meeting Comments

There were no Regular Meeting Comments.

### 4. Review of Previous Meeting Minutes

- 4.A. [20-616](#) City Council Work Session Meeting Minutes October 26, 2020

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [10-26-20 City Council Work Session Meeting Minutes Final.pdf](#)

The minutes of the October 26, 2020 Work Session meeting were approved by Consensus of City 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**

There were no Staff and Appointee Reports.

**7. Presentations for General Information**

- 7.A. [20-626](#) University of Colorado - Colorado Springs GRIT (Greater Resilience Information Toolkit)

Presenter:

Dr. Charles Benight, Professor Psychology, University of Colorado - Colorado Springs

**Attachments:** [GRIT presentation v7.1\\_11.2.20](#)

Dr. Charles Benight, Professor Psychology, University of Colorado, Colorado Springs (UCCS), gave an overview of the UCCS Greater Resilience Information Toolkit (GRIT). He identified the results from an August 2020 survey of 2,275 Coloradans, GRIT program, El Paso County method, desired outcomes, and mental health resources.

President Pro Tem Strand asked if this course is similar to the course, Mental Health 101, which was previously offered eight to ten years ago. Dr. Benight stated there is some overlap, but this training focuses on disaster stress, pandemic stress, how to reach out to their own social network, how to engage in conversation, how to discuss strength and resilience, and how to obtain resources.

President Pro Tem Strand asked how much funding has gone into the GRIT program for 2020. Dr. Benight stated \$150,000 has been granted through Coronavirus Aid, Relief, and Economic Security (CARES) Act funding.

Councilmember Geislinger requested the website where they can refer people. Dr. Benight agreed to provide that information.

Councilmember Geislinger asked if the GRIT program is directed toward specific areas such as long-term care facilities and caregivers. Dr. Benight gave an overview of the variety of areas addressed in the program.

Councilmember Geislinger asked if the GRIT program will be involved when a vaccine is released. Dr. Benight stated they will be.

- 7.B. [20-615](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [Agenda Planner Review 11-9-20.pdf](#)

President Pro Tem Strand requested the misspelling regarding Carlos Perez be corrected. Sarah B. Johnson, City Clerk, stated she will make that correction.

## **8. Items for Introduction**

### **8.A. [20-371](#)**

An ordinance amending Part 1 (Medical Marijuana License Code) of Article 2 (Marijuana) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Marijuana Code

Presenter:

Lee McRae, License Enforcement Officer, Office of the City Clerk

**Attachments:** [MMJ Code Updates 2020-11-02](#)  
[11-2-2020-Clerk-MMJ License Code](#)

Lee McRae, License Enforcement Officer II, City Clerk's Office, gave an overview of Ordinance amending the Medical Marijuana (MMJ) City Code to align with State Marijuana Code and Rules as a result of recent changes to the State code. He stated these changes include the elimination of late renewal beyond license expiration, and allowance of industrial hemp derived Cannabidiol (CBD) sales by MMJ centers to patients with the same regulations for tested MMJ products, terminology, and definitions to the Colorado Marijuana Code and Rules.

Councilmember Gaebler asked if CBD products are regulated in retail markets. Mr. McRae stated there are no regulatory processes at this time for retail sellers with the exception of the MMJ market due to the state requiring the testing regulations.

Councilmember Knight asked if this will affect other CBD sellers. Mr. McRae stated CBD sold in MMJ dispensaries will only be available to patients, not the general public. Councilmember Knight requested the effect of this proposal on non-MMJ industries. Bret Waters, Deputy Chief of Staff, stated the difference is the product available at non-MMJ industries is non-regulated and it would be very difficult to determine if any of those businesses sell regulated CBD products, but they will look into it.

Sarah Johnson, City Clerk, stated a caregiver within the MMJ working group stated they would be more comfortable purchasing a regulated CBD product.

Tom Scudder, member of the MMJ Working Group and representative in the MMJ industry, stated the selling of CBD products is a very competitive market and by regulating the product in a MMJ dispensary will ensure potency and regulate hemp's ability to leach heavy metals.

Councilmember Murray stated the standards should be the same for both MMJ dispensaries and other retailers. President Skorman stated in some ways, the regulation may give MMJ dispensaries an advantage.

Councilmember Geislinger stated other retailers have the option to regulate their CBD products as well and he supports this item.

**8.B.**     [20-596](#)     A Resolution Adopting and Approving the Pikes Peak Regional Multi-Hazard Mitigation Plan Updated for 2020

Presenter:

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

**Attachments:**   [HMP Overview - EPC and COS](#)  
[CouncilResolution-Multi-Hazard Mitigation Plan-Updated2020](#)  
[PPROEM HMP Oct 2020 Draft.pdf](#)

Jim Reid, Regional Director, Pikes Peak Regional Office of Emergency Management, introduced the Resolution adopting and approving the Pikes Peak Regional Multi-Hazard Mitigation Plan (HMP) updated for 2020.

Mike Shaw, Emergency Management Coordinator, Pikes Peak Regional Office of Emergency Management, provided an overview of why an HMP is needed, the Emergency Management Accreditation Program (EMAP), the plan history, plan basics, and wildfires. Mr. Shaw went over the key plan takeaways, hazard risk ratings, mitigation strategies, approval timeline, and merged plan benefits.

Councilmember Geislinger asked how the hazard risk ratings were determined. Mr. Shaw stated twenty-five percent of the weighting was probability, twenty-five percent was severity/catastrophic, eighteen percent was spatial extent, eighteen percent was warning time, and fourteen percent was environmental damage. Councilmember Geislinger asked if Colorado Springs Utilities (CSU) was a stakeholder in determining the hazard risk ratings. Mr. Shaw confirmed they were.

Councilmember Geislinger requested additional information regarding

water risk and long-term drought and CSU's input on it. Mr. Shaw agreed to research that information.

President Pro Tem Strand asked if there are areas within the City that are severe regarding land/rockfall. Mr. Shaw confirmed there are some geospatial land/rock fall threats and Bret Waters, Deputy Chief of Staff, stated the mud or debris flow threat is categorized as high.

President Pro Tem Strand where the highest wildfire risk is located. Mr. Shaw explained how it depends on the wildland/urban interface, the amount of pavement/concrete, and the United States Forestry Service assessment.

Councilmember Geislinger asked when the deadline for approving this plan is. Mr. Shaw stated it must be approved by January 26, 2021 in order for it to be eligible for certain grant applications.

- 8.C.**     [20-618](#)           A Resolution approving the Restated Intergovernmental Agreement for Joint Professional Firefighter Certification.

Presenter:  
Ted Collas, Fire Chief

**Attachments:**   [RESOLUTION Restated Intergovernmental Agreement for Joint Professional Firefighter Certification \(FINAL 7-22-20\)](#)  
[EXHIBIT A Restated Intergovernmental Agreement for Joint Professional Firefighter Certification \(REVISED FINAL 2020 10 28\)](#)  
[IGA Joint Professional Firefighter Certification 1996](#)

Ted Collas, Fire Chief, Colorado Springs Fire Department (CSFD), introduced the Resolution approving the restated Intergovernmental Agreement (IGA) for joint professional firefighter certification.

Justin White, Battalion Chief, Training, CSFD, explained how this agreement assists the municipal fire departments with certifications through the Colorado Metropolitan Certification Board (CMCB) and the IGA addresses the addition of two administrative employees to the CMCB which they did not have in 1996.

There were no comments on this item.

- 8.D.**     [20-560](#)           A Resolution Approving the City of Colorado Springs Public Art Master Plan

Presenter:

Matt Mayberry, Cultural Services Director  
Karen Palus, Director - Parks, Recreation and Cultural Services

**Attachments:** [Public Art Master Plan - Review Copy Final](#)  
[Letter of Support - Parks and Recreation Advisory Board](#)  
[Letter of Support - Colorado Springs Pioneers Museum Board](#)  
[Public Arts Master Plan Resolution - file ID 20\\_560](#)  
[11-9-2020 - Public Art Master Plan - PowerPoint](#)  
[Letter of Support - Public Art Commission](#)

Matt Mayberry, Cultural Services Director, Parks, Recreation and Cultural Services, presented the Resolution approving the City's Public Art Master Plan. He gave an overview of the public engagement process, summary of key findings, recommended goals, and Public Art Commission (PAC) representatives.

Councilmember Geislinger requested the enacted Ordinance for the PAC be revisited so it could take a more active role in the Public Art Master Plan. Mr. Mayberry stated the challenge has been getting participants for particular designated parts of the art community.

Sandy Friedman, member of the PAC, stated the PAC unanimously supports the Public Art Master Plan.

Councilmember Knight requested additional information regarding an art incentive that would permit the zone allowance building height to be exceeded if there is public art on it. Mr. Mayberry agreed to provide that information.

President Pro Tem Strand request the cost of the creation of the Public Art Master Plan. Mr. Mayberry stated \$49,600.00 and a majority of it was funded by private donors including the Cultural Office, Bee Vradenburg Foundation, and Ralph Giddings Charitable Trust.

- 8.E.** [20-602](#) A Resolution Authorizing the Acquisition of Approximately Forty Acres of Property as an Addition to the Corral Bluffs Open Space Through the Trails, Open Space and Parks (TOPS) Program.

Presenter: Britt Haley, TOPS Program Manager, Parks, Recreation and Cultural Services Department

**Attachments:** [CorralBluffs40Acre AdditionCityCouncilSlides](#)

Britt Haley, Trails, Open Space and Parks (TOPS) Program Manager, Parks, Recreation and Cultural Services Department, presented the Resolution and Ordinance approving a supplemental appropriation to the TOPS fund in the Amount of \$478,000 for acquisition of approximately forty acres of property for the purpose of public open space and trails for the Corral Bluffs Open Space addition. She presented a map of the property and gave an overview of the fossil discoveries, details of the project, 2020 TOPS estimated fund balance summary, and stated the TOPS Working Committee unanimously supported this acquisition.

Councilmember Geislinger requested additional information regarding potential museum partnerships. Ms. Haley gave an overview of the interest of the discoveries from this site from the Smithsonian, Denver Museum of Nature and Science and Public Broadcasting Service (PBS).

- 8.F.**     [20-603](#)     An Ordinance Amending Ordinance No. 19-87 (2020 Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$478,000 for Acquisition of Approximately Forty (40) Acres of Property for the Purpose of Public Open Space and Trails

Presenter: Britt Haley, TOPS Program Manager, Parks, Recreation and Cultural Services Department

**Attachments:** [Appropriation Ordinance.40AcreCorralBluffsExpansion](#)

Please see comments in Agenda item 8.E.

- 8.G.**     [20-608](#)     A Resolution to Amend Resolution No. 49-14 Adopting a 2020 Revision to the 2014 City of Colorado Springs Drainage Criteria Manual

Presenter:

Richard Mulledy, P.E., Stormwater Enterprise Manager, Stormwater Enterprise

Erin Powers, P.E., Senior Technical Engineer, Stormwater Enterprise

**Attachments:** [RES\\_DCM Amendment 10\\_22\\_20](#)

[Exhibit A\\_2020 Revised DCM](#)

[Exhibit B\\_2014 DCM Resolution](#)

[Exhibit C\\_DCM Volume 1 Redlines](#)

Richard Mulledy, P.E., Stormwater Enterprise Manager, Stormwater Enterprise, presented the Resolution adopting a revision to the 2014 Drainage Criteria Manual to allow for continued compliance with the City's MS4 Permit and to alleviate current and future conflicts with other City and

State criteria.

Councilmember Geislinger asked if these revisions were in response to the obligations of the dissent decree. Mr. Mulledy confirmed they were.

- 8.H.**     [20-576](#)     Consideration of a Resolution Setting Natural Gas Rates Within the Service Area of Colorado Springs Utilities and Certain Other Changes to the Natural Gas Rate Schedules

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division  
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

**Attachments:**   [2021 D&O Gas 10-28-20](#)  
                          [Natural Gas Resolution](#)  
                          [11-10-2020 CC D&O-Natural Gas Resolutions & Tariffs](#)

Chris Bidlack, City Attorney's Office, Utilities Division, presented the review of the draft decision and order and draft Resolutions setting natural gas rates, electric rates, water rate for augmentation (W1G), and wastewater rates within the service area of Colorado Springs Utilities. He stated City Council will vote on these items at the November 10, 2020 City Council meeting.

City Council had no changes to the draft documents.

- 8.I.**     [20-619](#)     Consideration of a Resolution Setting Electric Rates Within the Service Area of Colorado Springs Utilities and Certain Other Changes to the Electric Rate Schedules

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division  
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

**Attachments:**   [2021 D&O Electric 10-28-20](#)  
                          [Electric Resolution](#)  
                          [11-10-2020 CC D&O-Electric Resolutions & Tariffs](#)

Please see comments in Agenda item 8.H.

- 8.J.**     [20-620](#)     Consideration of a Resolution Setting the Water Rate for Augmentation (W1G) Service of Colorado Springs Utilities

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division  
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities



**Attachments:** [2021 D&O Water 10-28-20](#)  
[Water Resolution](#)  
[11-10-2020 CC D&O-Water Resolutions & Tariffs](#)

Please see comments in Agenda item 8.H.

- 8.K.** [20-575](#) Consideration of a Resolution Setting the Wastewater Rate for Contract Service - Outside City Limits (S9C) Service of Colorado Springs Utilities

Presenter:  
Chris Bidlack, City Attorney's Office-Utilities Division  
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [2021 D&O Wastewater 10-28-20](#)  
[Wastewater Resolution](#)  
[11-10-2020 CC D&O-Wastewater Resolutions & Tariffs](#)

Please see comments in Agenda item 8.H.

- 8.L.** [20-351](#) A Resolution Making and Certifying a Zero (0.00) Mill Levy for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the 2021 Budget Year

Presenter:  
Charae McDaniel, Chief Financial Officer

**Attachments:** [01\\_Res to Set Mill Levy for Spring Creek GID\\_11 24 20](#)

Charae McDaniel, Chief Financial Officer, gave an overview of the Spring Creek, Marketplace at Austin Bluffs, and Briargate General Improvement Districts (GID) proposed mill levies, budgets, and appropriations of the funding for 2021. Ms. McDaniel stated the Colorado Springs Spring Creek GID will be lowered from 4.0 to 0.0 mills because it is paid off in 2020, and the Briargate GID and Marketplace at Austin Bluffs GID mill levies will remain the same as 2020.

There were no comments on this item.

- 8.M.** [20-352](#) A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2021 and Ending on the Last Day of December 2021

Presenter:  
Charae McDaniel, Chief Financial Officer

**Attachments:** [Spring Creek GID 2021 Budget](#)  
[02\\_Res to Adopt Budget for Spring Creek GID\\_11 24 20](#)

Please see comments in Agenda item 8.L.

- 8.N.**    [20-353](#)        A Resolution Levying General Property Taxes to Help Defray the Cost of Debt Service on the General Obligation Refunding Bonds, Series 2014 of the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the 2020 Budget Year

Presenter:  
Charae McDaniel, Chief Financial Officer

**Attachments:** [01\\_Res to Set Mill Levy for Briargate GID\\_11 24 20](#)

Please see comments in Agenda item 8.L.

- 8.O.**    [20-354](#)        A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2021 and Ending on the Last Day of December 2021

Presenter:  
Charae McDaniel, Chief Financial Officer

**Attachments:** [Briargate GID 2021 Budget](#)  
[02\\_Res to Adopt Budget and Appropriate for Briargate GID\\_11 24 20](#)

Please see comments in Agenda item 8.L.

- 8.P.**    [20-355](#)        A Resolution Levying General Property Taxes to Help Defray the Cost of Debt Service on the General Obligation Bonds of the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the 2021 Budget Year

Presenter:  
Charae McDaniel, Chief Financial Officer

**Attachments:** [01\\_Res to Set Mill Levy for MAB GID\\_11 24 20](#)

Please see comments in Agenda item 8.L.

- 8.Q.**    [20-356](#)        A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2021 and Ending on the Last Day of December 2021

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:** [MAB GID 2021 Budget](#)

[02\\_Res to Adopt Budget for MAB GID\\_11 24 20](#)

Please see comments in Agenda item 8.L.

## **9. Items Under Study**

There were no Items Under Study.

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

President Pro Tem Strand stated Police Officer Nicholas Bayne was promoted to Sergeant.

### **10.A. [20-636](#) Interview of Candidates for the City Council District 6 Vacancy**

Presenter:

Richard Skorman, City Council President and District 3 Representative

Marc Smith, Corporate Division Chief and Legislative Counsel, Office of the City Attorney, read City Charter Section 2-30A regarding the vacancy of Councilmember Pico and stated City Council will need to appoint an eligible person to fulfill the vacancy within thirty days of that vacancy.

Councilmember Knight and Sarah B. Johnson, City Clerk, gave an overview of the process for appointment when a previous Councilmember resigned in 2014.

Councilmember Gaebler recommended the process begin as soon as possible so when the official resignation is received, the selection process has been completed and the person could be seated in January 2021.

Councilmember Geislinger asked when the deadline is for candidates applying for the April 2021 Municipal Election. Ms. Johnson stated the close of business, January 25, 2021. Councilmember Geislinger requested the selection process for the appointment begin after that filing deadline.

Councilmember Murray and Councilmember Avila stated there needs to be fair and adequate representation of the district throughout the entire period from the time Councilmember Pico leaves regardless of whether or not that person will run for office.

Councilmember Knight stated the person could be appointed the second meeting in January 2021 and Councilmember Pico should be a contributor to the applicant questions.

Councilmember Williams agreed with Councilmember Knight's comments and stated that applicants who intend to run for office should not be excluded because it does not make sense to invest only a couple months of training and ultimately the voters will make the decision of who will represent the district.

President Pro Tem Strand stated he does not believe the intent to run for office should be a factor and they should begin the process soon.

Councilmember Knight requested staff provide City Council, including Councilmember Pico, the list of interview questions used in 2014 and a deadline for any additional questions. He stated this item should be discussed at the December 7, 2020 Work Session.

Councilmember Geislinger asked what level of involvement Councilmember Pico is permitted to have in the selection process while he is still currently the District 6 representative. Mr. Smith stated he will research that information. President Skorman stated when he left City Council early, he was asked to recuse himself from the process.

## **11. Adjourn**

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

Sarah B. Johnson, City Clerk