



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, April 10, 2017

1:00 PM

Council Chambers

1. Call to Order

- Present** 8 - Councilmember Larry Bagley, Councilmember Merv Bennett, Councilmember Helen Collins, President Pro Tem Jill Gaebler, Councilmember Keith King, Councilmember Bill Murray, Councilmember Andy Pico, and Councilmember Tom Strand
- Excused** 1 - Councilmember Don Knight

2. Changes to Agenda

The Executive Session has been moved to the end of the meeting.

3. Regular Meeting Comments

There were no Regular Meeting Comments.

4. Review of Previous Meeting Minutes

- 4.A. [17-918](#) March 27, 2017 Meeting Minutes

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [3-27-2017 Work Session Final](#)

The Minutes of the previous meeting were approved by Consensus of Council.

5. Executive Session

5A. Open

5B. Closed

- 5B.A. [17-925](#) In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(a), (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: (1) legal advice and negotiation consultation with the City Attorney to

determine positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and instructing negotiators regarding an exchange of real property.

Presenter:

Wynetta Massey, City Attorney

Wynetta Massey presented the issues to be discussed involve: (1) legal advice and negotiation consultation with the City Attorney to determine positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and instructing negotiators regarding an exchange of real property; and (2) legal advice and consultation regarding confidential utilities and customer information relating to an economic agreement.

Council President Bennett polled Council regarding the desire to proceed with a Closed Session. At least two-thirds of Council agreed to proceed in closed executive session.

6. Staff and Appointee Reports

6.A. [16-687](#) Agenda Planner Review

Presenter:

Eileen Lynch Gonzalez, City Council Administrator

Attachments: [041017 Agenda Planner Review MEMO](#)

There were no comments on the Agenda Planner Review.

6.B. [16-747](#) Fair Labor Standards Act (FLSA) Cycle Change Analysis Results

Presenter:

Michael Sullivan, Chief Human Resources Officer, Human Resources Department

Mike Brink, BKD LLP, CPAs & Advisors

Attachments: [041017 CSFD Presentation_Council v6 \(3\)](#)

Michael Sullivan reported that BKD LLP completed their analysis of the impact of removing vacation from hours worked when calculating overtime for firefighters, and of changing the FLSA period from 27 to 18 days. They also looked at changing the FLSA period from 18 to 9 days. Upon analysis, the shorter FLSA period does not benefit employees; the recommendation from staff, then, is to continue with the 18 day FLSA period which went into effect on 1/1/17.

Mike Brink presented the independent review conducted by BKD, and explained that 5 years worth of data from the City was analyzed and used to

model the impacts. The data was also compared to other cities. The likely impact of removing vacation from hours worked when calculating overtime is a reduction of wages in aggregate of about \$237,000 over the last 5 years. The likely impact of switching FLSA cycles to 18 days is a slight reduction in the amount of overtime paid out to employees.

Council President Bennett asked how they had arrived at a 27 day cycle in the first place. Mr. Sullivan explained that it's the most common FLSA cycle for firefighters, and has been the cycle used for at least 20 years.

Councilmember Murray asked if there has been a response from the Fire Department to this report. Mr. Sullivan said the Local 5 leadership will get the report in even more detail to review.

Councilmember Strand invited Colorado Springs Professional Firefighters Local 5 to comment on the report. Dave Noblitt, President of Local 5 said he was looking forward to hearing more about the analysis and that they would like to study it before making a determination to support it. This year's vacation hours were planned without reflecting on the change from 27 to 18 days, so there is some concern and reluctance about the changes and their effect on wages. Mr. Noblitt confirmed that Local 5 asked Council to look into these changes as it was thought they might benefit the employees.

Council President Bennett asked that the matter not come before Council until the Firefighters have had a chance to be a part of the dialogue. Mr. Sullivan gave his commitment to this request.

Deputy Chief Randolph Royal updated Council that he had briefly met with BKD and has been in conversation with Local 5, and all have agreed that more study is needed.

7. Presentations for General Information

7.A. [17-922](#) Gallagher Amendment and Property Assessments Briefing

Presenter:

Kara Skinner, Chief Financial Officer

Steve Schleiker, El Paso County Assessor

Kara Skinner presented an overview of the Gallagher Amendment to the Colorado Constitution, and its impact on property value assessments. She also showed a video by the Colorado Fiscal Institute on the subject. For the 2017 period, the residential assessment rate is projected to decline again, therefore property tax revenue will decline. We are unable to increase the residential assessment rate due to TABOR, as it will require a vote of the electors.

Steve Schleiker, El Paso County Assessor, reviewed the assessment process.

Councilmember Pico asked what the impact overall to total property tax revenues would be. Mr. Schleiker said that in Colorado Springs, because we

have had an increase in non-residential assessments, they will be going up, but other counties could be hurt.

Councilmember Strand asked what the success rate is for people who appeal an assessment for a reduction in tax. Mr. Schleiker estimated that about 50% are approved.

7.B. [17-905](#) Proposed Rail-Served Industrial Park, Southern El Paso County - Project Preview

Presenter:

Kevin Butcher, CameronButcher

Gary Barber, Consultant

Attachments: [041017 Rail-Served dev slides](#)

Council President Bennett explained that he asked for this project preview of a proposed rail-served industrial park that would be outside of the City of Colorado Springs, but be an important addition to the region's economy. The Council's role in reviewing this project is related to utilities.

Hannah Parsons, Chief Economic Development Officer of the Colorado Springs Chamber of Commerce & EDC, told Council they see it as a high priority because of much business interest; already they have had to turn away 37 proposed projects because we have no rail-served industrial yard. These are many potential jobs.

Consultant Gary Barber said the next step is to move forward into feasibility studies, and working with teams.

Council President Bennett asked if rate payers would be responsible for maintaining the rail service tracks not relevant to the Ray Nixon Power Plant. Mr. Barber said they would not.

Councilmember Murray asked if the County had accepted this project. Mr. Barber said the county has not entered into a Memorandum of Understanding, as they don't want to give the appearance of approval for zoning at this stage. But the community and the property owner have shown cooperation and commitment.

President Pro Tem Gaebler asked for clarification of the Council's role in this project. Mr. Barber said the City is the regional economic engine for bringing jobs to the project, but their role is only as a Utility Board.

Councilmember Pico noted that Utility Board representatives have already been engaged.

Councilmember Strand asked Bill Cherrier, Chief Planning and Finance Officer for Colorado Springs Utilities, to comment on this project. Mr. Cherrier has reviewed the project and believes there are modifications that can be made; details have not yet been worked through.

President Bennett asked that Council be engaged in the process, as it wants to be proactive.

8. Items for Introduction

There were no Items for Introduction.

9. Items Under Study

There were no Items Under Study.

10. Councilmember Reports and Open Discussion

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

11. Adjourn

The meeting was adjourned.