



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.

Monday, March 22, 2021

10:00 AM

Council Chambers

How to Watch the Meeting

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Facebook Page @coscity Council | SPRINGS TV - Comcast Channel 18 / 880 (HD)
- CenturyLink Channel 18

1. Call to Order

Present 9 - Councilmember Mike O'Malley, 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

2. Changes to Agenda

There were no Changes to Agenda.

3. Regular Meeting Comments

Sarah B. Johnson, City Clerk, stated items 8.A. and 8.C. will be back-to-back at the March 23, 2021 City Council meeting.

Councilmember Knight requested items 4B.O. and 4B.P be removed from the March 23, 2021 City Council meeting Consent Calendar. Consensus of City Council agreed to this change.

4. Review of Previous Meeting Minutes

4.A. [21-174](#) City Council Work Session Meeting Minutes March 8, 2021

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [3-8-21 City Council Work Session Meeting Minutes Final](#)

The minutes of the March 8, 2021 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

6.A. [21-173](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 3-22-21](#)

Councilmember Knight asked when the 2424 Garden of the Gods project will be coming before City Council. Peter Wysocki, AICP, Planning and Community Development Director, stated they anticipate it will be May 2021 and explained the video and public call-in capacity issues experienced during the March 18, 2021 City Planning Commission meeting. Councilmember Knight requested additional information regarding whether the proposed zoning change will pass if City Council's vote is split 4-4. Marc Smith, Corporate Division Chief, Office of the City Attorney, stated it will take a majority vote for it to be approved.

7. Presentations for General Information

7.A. [21-197](#) El Paso County Public Health Update

Presenter:

Susan Wheelan, Director, El Paso County Public Health

Susan Wheelan, Director, El Paso County Public provided an update regarding El Paso County Public Health's response to COVID-19. She identified the number of vaccines administered is 220,000, available number of vaccine supplies, triple action plan which uses existing infrastructure, equity clinics, and partnerships.

President Pro Tem Strand asked if El Paso County received proportional supplies of the vaccine. Ms. Wheelan stated once the State became aware of the discrepancy, they have committed to sending increased vaccine supplies.

President Pro Tem Strand asked how to address individuals who are

reluctant to get vaccinated. Ms. Wheelan recommended encouraging they get educated from credible sources regarding it. Dr. Robin Johnson, Medical Director, El Paso County Public Health, stated the most important reason for getting the vaccine is to suppress the spread of the virus.

Councilmember Geislinger requested additional information regarding the cost of the vaccine. Ms. Wheelan stated the vaccine is free and there is no cost.

Councilmember Geislinger asked if people who are vaccinated are now able to attend large gatherings. Dr. Johnson stated the Center for Disease Control (CDC) recommends they do not due to the pressure of multiple exposure would still be present.

Councilmember Geislinger asked if there is risk of additional spikes. Dr. Johnson stated as more people are vaccinated the risk is decreasing, but it is still there.

Councilmember Geislinger requested additional information regarding side effects from the vaccine. Dr. Johnson stated there have been very few allergic reactions, but because the immune system is being presented with a photocopy of the virus, a person may have swollen glands, low grade fever, and feel achy.

Councilmember Murray asked if El Paso County has enough resources for testing and contact tracing. Ms. Wheelan confirmed they do.

Councilmember Murray and Councilmember Avila asked if people who have already had COVID-19 should still get vaccinated. Ms. Wheelan stated they should. Dr. Johnson stated they are still learning about reinfection and there is more stability in immune response from the vaccine.

Councilmember Williams asked if businesses who achieve 5-star certification will have the ability to be open on a greater basis than those within the Governor's Dial 3.0. Ms. Wheelan stated there will be incentives for 5-star certification, but she is not certain what those will be.

Councilmember Williams asked what the local control will look like in April. Ms. Wheelan stated she will first need to understand what the Governor's definition of local control is. Councilmember Williams requested another update to City Council once that is determined. Ms. Wheelan agreed to that request.

Councilmember Knight asked if acetaminophen or ibuprofen is

recommended for individuals receiving the vaccine. Dr. Johnson stated because of the prostaglandin interference of acetaminophen and ibuprofen, they may interfere with certain individual's immune response and there is no evidence to support it, but she will reach out to Dr. David Steinbrenner, Chief Medical Officer, UCHealth, to confirm.

Councilmember Avila asked if El Paso County has met the threshold of seventy percent of seniors age 70 years plus have been vaccinated. Ms. Wheelen confirmed they had.

Jeff Greene, Chief of Staff, spoke about the collaboration between the City, the hospital systems, El Paso County Public Health, and the Governor. Ms. Wheelen expressed appreciation for all the support from the City, City Council, and El Paso County Commissioners.

8. Items for Introduction

- 8.A.** [21-181](#) A Resolution Expressing The City Of Colorado Springs City Council's Strong Support Of The Colorado General Assembly's Proposed 2021 Military Family Open Enrollment In Public Schools House Bill

Presenter:

Don Knight, Councilmember District 1

Attachments: [A RESOLUTION EXPRESSING THE CITY OF COLORADO SPRINGS CITY COUNCIL'S STRONG SUPPORT OF THE COLORADO GENERAL ASSEMBLY'S PROPOSED 2021 MILITARY FAMILY OPEN ENROLLMENT IN PUBLIC SCHOOLS HOUSE BILL](#)
[Signed Resolution 52-21](#)

Councilmember Knight presented the Resolution expressing City Council's strong support of the Colorado General Assembly's proposed 2021 Military Family Open Enrollment In Public Schools House Bill which concerns active duty military family enrollment in public schools and requires a school district, a district charter school, and an institute charter school to accept the school liaison address for the military installation for purposes of demonstrating residency for inbound active duty military members enrolling their children in schools and schools would need to keep ten percent of their openings reserved for military families. He stated it was recommended to him by Representative for House District 16 and former Councilmember Andres Pico and Mayor Suthers have also expressed support of the bill.

President Skorman expressed support of the proposed Resolution.

- 8.B.** [21-184](#) A resolution of the City Council of the City of Colorado Springs,

Colorado adopting an intergovernmental agreement between the City of Colorado Springs and El Paso County to establish mutually binding procedures for municipal annexations

Presenter:

Peter Wysocki, AICP, Planning and Community Development Director
Travis Easton, P.E., Public Works Director

Attachments: [RES Annex IGA](#)
[Exhibit A City-County IGA FINAL](#)

Peter Wysocki, AICP, Planning and Community Development Director, presented the Resolution adopting an Intergovernmental Agreement (IGA) with El Paso County to establish mutually binding procedures for municipal annexations. He stated the proposed (IGA) is recommended by the City and El Paso County to promote well-planned and orderly extension of municipal infrastructure and services and to further improve the planning and coordination of annexations and the equitable transfer of the ownership and maintenance responsibility of associated public improvements. Mr. Wysocki stated the IGA establishes six primary objectives: 1. The City to adopt an updated annexation plan; 2. the annexation plan to include maps containing the following information: (a) an area of planning interest outside of the City's current exterior City limits in which the City and County would coordinate urban-level development; (b) a map showing County enclaves and near enclaves within current City limits; (c) a map of City owned land within the County likely to be annexed; and (d) a map of County-owned/maintained infrastructure that serves current or future significant City population; 3 .A process by which El Paso County agrees to adopt (in whole or in part) the City's annexation plan; 4. procedures for review of urban-level development within unincorporated areas of the County and within the area of planning interest; 5. procedures for review of annexation petitions filed with the City; and 6. procedures for the City to request urban-level development within unincorporated areas of the County and within the area of planning interest to comply with the City's engineering standards.

President Skorman asked how Urban Level Development is defined. Mr. Wysocki stated it is usually less than 2.5 acres. Councilmember Williams asked how the 2.5 acre limit was determined. Mr. Wysocki stated it was to be consistent with well and septic type situations.

Councilmember Williams stated paragraphs fifteen and seventeen are

contradictory. Ben Bolinger, Senior Attorney, City Attorney's Office, stated paragraph fifteen is the correct clause and most likely paragraph seventeen will be deleted.

Councilmember Williams and Councilmember Geislinger expressed support of the proposed Resolution.

Councilmember Williams asked how the annexation of El Paso County infrastructure will be distinguished between City responsibility for roads, drainage facilities, etc. Mr. Wysocki stated the City is not currently contemplating taking over maintenance of Regional parks which are currently under El Paso County.

Councilmember Williams asked how the alternative engineering design standards as jointly agreed upon by the City and County engineer will be determined. Travis Easton, Public Works Director, stated if there is an area being contemplated for annexation, it needs to meet City standards prior to the annexation. Councilmember Williams asked what the response will be to a developer who wishes to be exempt from the City's standards. Mr. Easton stated that area would not be considered for annexation into the City.

Mr. Wysocki stated the City will not proactively seek annexing the planning area of interest map is intended to engage in dialogue if there is urban level development proposed.

Councilmember Gaebler asked if Colorado Springs Utilities (CSU) and the Parks, Recreation, and Cultural Services Department will be included in the determination of annexation. Mr. Wysocki stated they would as well as the Colorado Springs Airport.

Councilmember Geislinger asked if there were any commitments by the City in order to support overall Regional health regarding annexing urban developments if there are sections which do not meet City standards. Mr. Bolinger stated this agreement requires cooperation between the City and the County and developers will not be permitted to develop urban density with rural standards. Councilmember Geislinger requested an affirmation from the County regarding the cooperation requirement.

Jeff Greene, Chief of Staff, stated the City wants to promote greater

densities and water conservancy and this IGA helps define entities requesting greater density so they can be added to incorporated areas. Councilmember Geislinger asked if developers had been involved in the discussion of the proposed IGA. Mr. Greene confirmed they had.

Councilmember Geislinger asked if the County would have an obligation regarding adjacent properties regarding fire mitigation or flood control standards. Mr. Bolinger stated they will look into that.

President Skorman asked if the City could be more proactive with voicing their position regarding parcels that effect the City's infrastructure. Mr. Greene stated confirmed it will.

8.C. [21-192](#)

An Ordinance amending Ordinance No. 20-92 (2021 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$1,309,315 for additional projects and events recommended by the LART Citizen Advisory Committee

Presenter:

Charae McDaniel, Chief Financial Officer

PK McPherson, Chair, LART Citizen Advisory Committee

Attachments: [Ordinance for LART 2021 Additional Events-Mar 2021 with Ex A](#)

Charae McDaniel, Chief Financial Officer, presented the Ordinance for a supplemental appropriation of \$1,309,315 to the Lodgers and Automobile Rental Tax (LART) fund for additional projects and events as recommended by the LART Citizen Advisory Committee. She stated at the November 2020 coordinated election, the City requested, and the voters approved, the retention and spending of all revenues above the Taxpayer Bill of Rights (TABOR) limit received in 2019 and 2020 which impacted the LART Fund. Ms. McDaniel stated due to the passage of the ballot item, an amount of \$1.175 million that had previously been set aside and reserved as unspendable due to TABOR revenue and spending limitations is now available for appropriation in 2021.

Councilmember Williams stated many of these projects and events supports the expansion of Colorado Springs Airport services which is critical.

Councilmember Murray stated he will support this item due to the recommendation of the LART Citizen Advisory Committee and requested

three Request for Proposals (RFP) in order to see the rate of return in order to demonstrate the value in these projects. PK McPherson, Chair, LART Citizen Advisory Committee, stated they will receive reports on all the projects and they are also audited.

Jeff Greene, Chief of Staff, stated there are very stringent processes and performance standards in place with the LART Citizen Advisory Committee and Administration.

Councilmember Murray asked if the City agreed to advertise for Southwest Airlines. Mr. Greene stated there was a written request to the LART Citizen Advisory Committee for funding which would be provided to Southwest Airlines for promotion and marketing. Councilmember Murray requested a copy of the request be sent to him. Greg Phillips, Director of Aviation, Colorado Springs Airport, stated the \$300,000 application to LART for funding is to help ensure the success of Southwest Airlines.

- 8.D.** [21-084](#) A Resolution adopting the City Council's Annual Report to the Citizens for April 1, 2020 to March 31, 2021

Presenter:

Emily Evans, City Council Administrator

Alex Ryden, City Council Communications Specialist

Attachments: [A Resolution Adopting City Council's Annual Report to the Citizens Council Annual Report 2020-21_FINALweb](#)

Alex Ryden, City Council Communications Specialist, gave a brief background and the process for creating the City Council annual report to the Citizens for April 1, 2020 to March 31, 2021. He identified some of the highlights for this report which include the COVID-19 pandemic response, Law Enforcement Transparency and Accountability Commission (LETAC), land use advancements, affordable housing, and other accomplishments. He requested feedback regarding any additions or changes from City Council.

Councilmember Gaebler recommended including the update to the Parkland Dedication Ordinance (PDLO).

Councilmember Avila suggested adding the Peak Innovation and Amazon facility.

President Skorman recommended Southwest Airlines and the

Intergovernmental Agreement (IGA) with El Paso County be included.

Councilmember Williams proposed highlighting major Open Space acquisitions and other significant park improvements.

Councilmember Geislinger suggested addressing the approved sales tax rebates for assisting businesses, curbside pickups, and outside dining in response to COVID-19.

Jeff Greene, Chief of Staff, recommended added the collaboration between City Council and the Administration regarding the revision of the Real Estate Manual.

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

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

Sarah B. Johnson, City Clerk