



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, August 8, 2022

10:00 AM

Council Chambers

How to Watch the Meeting

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Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

1. Call to Order and Roll Call

President Strand requested a moment of silence for El Paso County Sheriff Deputy Andrew Peery who was killed in the line of duty.

Present 8 - Councilmember Yolanda Avila, Councilmember Dave Donelson, Councilmember Stephannie Fortune, President Pro Tem Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, President Tom Strand, and Councilmember Wayne Williams

Excused 1 - Councilmember Mike O'Malley

Councilmember Murray attended the meeting virtually.

Councilmember Williams left the meeting at approximately 12:30 PM and

then

attended the meeting virtually.

2. Changes to Agenda

Sarah B. Johnson, City Clerk stated the Annual Coroner's Report will be rescheduled for a later date.

Consensus of City Council agreed to this change on the agenda.

3. Regular Meeting Comments

There were no Regular Meeting Comments.

4. Review of Previous Meeting Minutes

4.A. [22-519](#) City Council Work Session Meeting Minutes July 25, 2022

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [7-25-22 City Council Work Session Meeting Minutes Final](#)

The minutes of the July 25, 2022 Work Session were approved by Consensus of City Council.

5. Executive Session

5A. Open

5A.A. [22-506](#) Tara Hadam v. City of Colorado Springs; Christopher Pryor, Dale Peterson, Blake Evenson, David Brockman, Jason Reeser 22-cv-01349

The Civil Action Investigation Committee has recommended that the City represent the above-named officers as required by the Colorado Governmental Immunity Act and the Peace Officer's Liability Act. The officers were acting in the course and scope of their employment and were acting in good faith. As usual, it is recommended that the City reserve the right not to pay any award of punitive damages.

Presenter:

Wynetta Massey, City Attorney

Attachments: [Council memo 8-9-22](#)

Ben Bolinger, Assistant City Attorney, City Attorney's Office, stated with the recommendation of the Civil Action Investigation Committee, the City is requesting authorization to defend.

President Strand polled City Council regarding authorizing the City to represent the Officers. Consensus of City Council agreed.

5B. Closed

There was no Closed Executive Session.

6. Presentations for General Information

6.A. [22-470](#) 2021 Annual Coroner's Report

Presenter:

Dr. Leon Kelly, El Paso County Coroner

Attachments: [El Paso County Coroner's 2021-annual-report](#)

This item will be postponed to a later date.

6.B. [22-514](#) Zonehaven Overview and Update

Presenter:

Charlie Crocker, Co-Founder of Zonehaven, and SVP of SaaS Solutions at Genasys, Inc..

Stephen Sickler, VP of Field operations for the SaaS Solutions at Genasys, Inc.

Attachments: [City of Colorado Evacuation Management Clarifications](#)

Stephen Sickler, VP of Field operations for the SaaS Solutions at Genasys, Inc., provided an overview and update of Zonehaven. He went over the differences between Zonehaven and FLEET, old evacuation process, communication issues, new process, data-driven evacuations, multi-channel notifications, and evacuation maps. Mr. Crocker identified the Google Maps partnership, WAZE partnership, fires which have occurred in California, and other jurisdictions which utilize Zonehaven.

President Pro Tem Helms asked if artificial intelligence (AI) is currently being used. Mr. Sickler confirmed they were by utilizing algorithms.

Councilmember asked if the zones were created with topography in mind. Mr. Sickler stated they do if the factors effect evacuation.

Councilmember Henjum asked how they address connectivity or communication outages. Mr. Sickler stated they publish map books for emergency personnel and if no cell towers are operational the utilize long-range acoustical devices.

Councilmember Donelson asked if they could get the information out through television. Mr. Sickler confirmed they could.

President Strand asked if debris flow zones are more predictable or more of a challenge. Mr. Sickler stated they are more predictable due to the geographic nature of debris flow zones.

Councilmember Murray asked who is responsible for areas where large amounts of construction and development is occurring. Mr. Sickler stated they update the data from thirty different data sets annually to account for growth and changes.

Councilmember Murray asked if Zonehaven would have assisted with the evacuation of the Mountain Shadows neighborhood during the Waldo

Canyon fire. Randy Royal, Chief, Colorado Springs Fire Department, stated they would have notified the zones closest to the event and just put the areas near Interstate 25 on pre-evacuation notice.

Councilmember Fortune asked how they address the psychology of fear and the spreading of false information as facts. Mr. Sickler stated their UC Berkeley Open Source Traffic Model has a human behavioral element to it to recognize potential social biases.

Councilmember Fortune asked how the community can be assured that people are on top of the evacuation process. Adrian Vasquez, Chief, Colorado Springs Police Department, Chief Royal, and Jim Reid, Director, Pikes Peak Regional Office of Emergency Management (PPROEM), provided an overview of the forward-thinking nature of Zonehaven and how the City works with them, so Officers are utilized more effectively and efficiently.

7. Staff and Appointee Reports

- 7.A. [22-212](#) City Financial Report - 2021 Wrap-up, 2022 Update, 2023 Outlook

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [August Financial Report thru 6.30.22](#)

Charae McDaniel, Chief Financial Officer, presented the 2021 year-end review, 2022 monthly financial update, and 2023 budget outlook. Ms. McDaniel gave an overview of the 2021 General Fund (GF) summary, GF fund balance, and GF fund balance history. She provided the August 2022 financial update which included sales tax trends, 2022 GF revenue/expenses, and economic indicators. Ms. McDaniel outlined the 2023 budget regarding sales tax revenue, 2023 budget priorities, and 2023 budget approval.

Councilmember Williams requested additional information regarding Administrative authority for a Council approved project and the unrestricted fund balance. Ms. McDaniel provided an example when the bid is lower or higher than what the Administration authorizes.

Councilmember Avila requested the dollar amounts for the Sales and Use tax. Ms. McDaniel stated she will provide that information.

Councilmember Donelson asked if the increased revenue reflects the increase of inflation. Ms. McDaniel stated it does and that the revenue is not inflation adjusted.

Councilmember Williams asked if the sales tax collection is based on the date of purchase or when sales tax is reported. Ms. McDaniel stated this report is based on five months of revenue.

Councilmember Donelson asked how many hotel rooms have been added between 2019 and 2022. Ms. McDaniel stated she does not have statistic.

Councilmember Williams asked if the City's low point of fifty-two percent hotel occupancy has ever been that high in previous years. Ms. McDaniel stated she will provide that information.

President Strand asked what is included in the "continuing public infrastructure commitment" 2023 Budget Priorities. Ms. McDaniel stated it includes roadways, grant match funding, and maintaining the City's infrastructure. President Strand stated there is a big concern from pedestrians regarding the condition of the City's sidewalks.

Councilmember Henjum asked how City Council can be involved in determining the City's 2023 Budget Priorities. Ms. McDaniel stated they welcome any input from Council regarding this.

Councilmember Henjum requested an update on how the Public Safety Sales Tax will cover the difference of the thirty percent that is not included in the cost recovery for development. Ms. McDaniel stated she will provide that information.

Councilmember Donelson requested information regarding the City's taxation of the State of Colorado's new \$.27 delivery fee. Ms. McDaniel stated home rule cities have included that fee in the total purchase price which is what the sales tax is applied to, but staff will be bringing forward an Ordinance which will exempt that fee from being taxed.

Councilmember Murray requested a presentation regarding the five-year Strategic Plan for Police and Fire Department infrastructure. President Strand stated they will make that request.

Councilmember Williams requested the City's sales tax process/standard be as harmonious as possible with the State's in order to simplify it for the smaller retailers.

Councilmember Avila requested the sales tax process be simplified into a story to explain it better to citizens. Ms. McDaniel stated she will be providing an example of how sales tax on a receipt is broken down.

7.B. [22-518](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 8-8-22](#)

Councilmember Henjum asked if a presentation for Suicide Prevention and Voices of Grief will be presented at the September 12, 2022 City Council meeting. President Pro Tem Helms stated Council staff will be scheduling that.

Councilmember Henjum asked if the Amara annexation will be coming before City Council in September. Sarah B. Johnson, City Clerk, stated it was pushed back because it will be going before the Planning Commission in September.

Councilmember Avila asked if Hispanic Heritage Month will be recognized at the September 12, 2022 City Council meeting. Emily Evans, City Council Administrator, stated it will be added.

8. Items for Introduction

- 8.A. [22-512](#) An ordinance repealing Part 18 (Acquisition and Disposition of Real Property Interests) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) and creating a new Part 5 (Acquisition of Real Property Interests) of article 2 (City Properties) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to acquisition and disposition of real property.

Presenter:

Ben Bolinger, Legislative Counsel, Office of the City Attorney
Darlene Kennedy, Real Estate Services Manager

Attachments: [Staff Memo for Real Estate Code Amendment](#)
[RES-AcquisitionORD-2022-07-28](#)

Ben Bolinger, Assistant City Attorney, Office of the City Attorney, presented the Ordinance pertaining to acquisition and disposition of real property and explained that the real estate code provisions are currently located within the Zoning and Subdivision Code, however, the majority of City real estate transactions are not related to development or subdivision platting. He stated this Ordinance will reorganize the real estate code provisions within Article 2 (City Properties) of Chapter 3 (Public Property and Public Works) of the City Code with two substantive changes: 1. It deletes provisions related to the disposition of real property because dispositions are governed pursuant to the Real Estate Manual, and 2. It codifies the

authority of the Mayor, in conjunction with the City Attorney, to resolve title disputes related to City property such as encroachments, erroneous surveys, pre-existing rights and similar matters.

Councilmember Donelson asked why the word disposition was removed from the title of the new Part 5 in City Code. Mr. Bolinger stated it is due to the paragraph which addressed dispositions being deleted because dispositions are covered by the Real Estate Manual but they do intend to add it back in because dispositions are referenced in City Code.

Councilmember Donelson requested a redlined copy of the proposed changes. Mr. Bolinger agreed to provide that document.

8.B. [22-301](#) Resolution Endorsing Extension of the Pikes Peak Rural Transportation Authority Capital Program

Gayle Sturdivant, P.E., City Engineer/Deputy Public Works Director,
Public Works Department

Todd Frisbie, P.E., P.T.O.E, City Traffic Engineer, Public Works
Department

Tim Roberts, Transportation Planning Program Manager, Public Works
Department

Attachments: [1 DRAFT Ballot Issue w All Projects 20220726](#)
 [2 RES PPRTANov2022Ballot-2022-05-23](#)
 [3 PPRTA3 Projects with Descriptions FINAL 20220728](#)
 [4 PPRTA3 COS Projects for Map](#)
 [PPRTA 3 Update - Council Work Session 20220808](#)

Gayle Sturdivant, City Engineer/Deputy Public Works Director, Public Works Department, presented the Resolution endorsing extension of the Pikes Peak Rural Transportation Authority (PPRTA) Capital Program. She provided an overview of the modifications to project lists, draft ballot language for the November 8, 2022, Coordinated Election to extend the fifty-five percent of the one-cent sale tax for transportation capital improvements for a period of ten years, and next steps.

Councilmember Fortune asked if the renaming of the 8thSt/Cheyenne Blvd Intersection Improvements is due to it no longer being pre-supposed for a roundabout. Ms. Sturdivant stated that solution will be evaluated at a later date to determine the best approach for that intersection.

Councilmember Henjum asked if “B” list projects have previously been

funded. Ms. Sturdivant stated they have been in emergency situations such as bridge repair, but historically they have not.

President Strand asked if "A" list projects can be withdrawn. Ms. Sturdivant stated the way the ballot language is drafted, they cannot.

President Strand asked if the projects lists are listed by priority. Ms. Sturdivant stated they are listed by alphabetical order.

Councilmember Donelson asked if any of the projects will result in decreased traffic lanes such as the On Street Bike Improvements. Ms. Sturdivant stated the On Street Bike Improvements focuses only on crossings and the only potential lane reduction is one of the projects on Colorado Avenue, but it still needs to go through the evaluation process first.

Councilmember Donelson asked if any new bike underpasses are proposed. Ms. Sturdivant stated there are not.

Councilmember Donelson asked if language could be added to the ballot question stating there would be no reduction of traffic lanes.

Councilmember Williams stated the Resolution is just an endorsement of the PPRTA measure.

Councilmember Henjum and Councilmember Fortune stated they do not believe the Resolution should be restrictive, so it allows the PPRTA Board to make the necessary decisions regarding traffic.

9. Items Under Study

There were no Items Under Study.

10. Councilmember Reports, Open Discussion and Takeaways

Councilmember Fortune stated she attended the opening ceremony of the Cresta Pump Track Bike Park, the Wildland Fire Task Force meeting, and the Pikes Peak Office of Emergency Management (PPROEM) training.

Councilmember Donelson expressed gratitude to El Paso County Sheriff Deputy Andrew Peery and his family for their service and sacrifice to the community.

Councilmember Avila stated she has been receiving a lot of emails from constituents in District 4 regarding the condition of roads and sidewalks, she attended the PPROEM training, and toured the Amazon facility.

President Pro Tem Helms paid his respects to the family El Paso County Sheriff Deputy Andrew Peery and provided an update for the new United States Air Force Academy (USAFA) Class of 2026 cadets.

Councilmember Henjum stated she attended the PPROEM training and a two-day Public Works workshop for citizens, called a charette, to address the Platte Avenue corridor from Wahsatch Avenue to Boulder Street.

President Strand stated he attended the Colorado Springs Fire Department (CSFD) promotion ceremony, 156th Buffalo Soldier Anniversary, Colorado Springs Pioneer's Museum Gift of History, and the retirement ceremony for Colorado Springs Police Department (CSPD) Sergeant James Riley.

11. Adjourn

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

Sarah B. Johnson, City Clerk