



# 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 21, 2023

10:00 AM

Council Chambers

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### How to Watch the Meeting

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- Stratus IQ Channel 76 / 99 (Streaming)

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

- Present** 8 - Councilmember Yolanda Avila, President Pro Tem Lynette Crow-Iverson, Councilmember Dave Donelson, President Randy Helms, Councilmember Nancy Henjum, Councilmember David Leinweber, Councilmember Brian Risley, and Councilmember Michelle Talarico
- Excused** 1 - Councilmember Mike O'Malley

Councilmember Talarico attended the meeting virtually.

### 2. Changes to Agenda

There were no Changes to Agenda.

### 3. Regular Meeting Comments

President Helms stated Councilmember Avila requested item 4B.C. be removed from the August 22, 2023 City Council meeting Consent Calendar. Consensus of City Council agreed to this change.

### 4. Review of Previous Meeting Minutes

- 4.A. [23-436](#) City Council Work Session Meeting Minutes August 7, 2023

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [8-7-23 City Council Work Session Meeting Minutes Final](#)

The minutes of the August 7, 2023 Work Session were approved by Consensus of City Council.

## **5. Presentations for General Information**

### **5.A. [23-412](#) Colorado Municipal League Update**

Presenter:

Kevin Bommer, Executive Director, Colorado Municipal League

**Attachments:** [CML Slides](#)

Kevin Bommer, Executive Director, Colorado Municipal League (CML), provided an overview on CML, municipalities in Colorado, their organization, their mission, vision, and values, executive officers, executive board, districts, resources, and annual conference. He went over their legislative priorities, legislative trends, affordable housing, criminal justice, municipal courts, open records, public safety, sustainability, tax authority, transportation, and wildfires.

Councilmember Henjum asked if the Districts align with the Pikes Peak Area Council of Governments. Mr. Bommer confirmed that the Department of Local Affairs Planning Districts aligns with the council government and planning regions around the state.

### **5.B. [23-362](#) Cultural Affairs Office of the Pikes Peak Region (COPPeR) - 6-month Lodgers and Auto Rental Tax (LART) contract update to City Council**

Presenter:

Angela Seals, President and CEO, COPPeR

**Attachments:** [Cultural Office LART Midyear 2023 Report Slidedeck](#)

Angela Seals, President and CEO, Cultural Office of the Pikes Peak Region (COPPeR), presented the six-month Lodgers and Auto Rental Tax (LART) contract update. She provided an overview of their service area, Pikes Peak region's creative community, mission, new staff structure, program impacts, building an arts destination, PeakRadar.com, growth, performance metrics, key performance indicators (KPI), Arts Month, special community initiatives, and community advocacy.

Councilmember Henjum asked how their website interfaces with VisitCOS. Ms. Seals stated they have the ability to export feeds of event listings to any other website and they do that with partners across the region so that when a group lists their event on peakradar.com, it automatically flows out to the other websites, so they do not have to duplicate that listing and Peak Radar becomes the central engine of event promotion.

Councilmember Henjum asked what caused the drop in page views by year. Ms. Seals stated it reflects a shift in audience behavior post pandemic.

Councilmember Donelson requested a copy of their budget be provided to Council. Ms. Seals stated they have provided that information to the Finance Department.

Councilmember Leinweber asked if they still offer a directory to help people experiencing loneliness connect with social clubs. Ms. Seals stated they discontinued their print directory in 2020, but it is available online and they are doing deep work in cultural integration and mental health in the community.

**5.C.**    [23-346](#)            Colorado Springs Chamber and EDC - 6-month Lodgers and Auto Rental Tax (LART) contract update to City Council

Presenter:

Dani Barger, Senior Vice President, Marketing, Communications & Sales

Colorado Springs Chamber and EDC

**Attachments:**    [Colorado Springs Chamber + EDC LART KPIs August 2023](#)

Dani Barger, Senior Vice President, Marketing, Communications, Colorado Springs Chamber and EDC, presented the six-month Lodgers and Auto Rental Tax (LART) contract update. She provided an overview of LART, their perception study, demographics of who is most likely to move and why, how talent finds information, talent attraction marketing, goals/objectives, target audiences, earned media, digital advertising, online presence, blogs, ongoing outreach, billboards, light pole banners, Broadmoor in-room collateral, booth handouts, lapel pins, and stickers.

Councilmember Henjum asked if the topic of water was addressed in the sentiment analysis of the Colorado Springs media audit. Ms. Barger stated today's report is very top level and she will dive deeper for a full analysis.

President Helms asked if there is a campaign for the United States Air Force Academy graduation. Ms. Barger stated they would love to have a campaign for every big opportunity like that, but they are restricted by the budget.

Councilmember Donelson requested a copy of their budget be provided to Council.

Councilmember Donelson asked how the PR Campaign takes care of their reputation. Ms. Barger explained that they will first find out what people

think about them and obtain objective data from different populations. Councilmember Donelson requested that data be provided to Council and who conducted the survey. Ms. Barger agreed to provide that information.

Councilmember Donelson asked if the survey would address the aspect of talent attraction and will target that demographic. Ms. Barger confirmed it would but would also the internal talent in the community.

Councilmember Donelson asked how many people visit their vlogs and how long they stay there. Ms. Barger stated she will provide that information.

Councilmember Leinweber stated there needs to be a focus on tourism and hospitality. Councilmember Talarico stated she believes the Chamber and EDC does strongly support tourism and hospitality.

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

### **6.A. [23-435](#) Agenda Planner Review**

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [Agenda Planner Review 8-21-23](#)

Sarah B. Johnson, City Clerk, stated the Colorado Springs Utilities (CSU) will present the Gas and Electric Cost Adjustment at the September 11, 2023 City Council Work Session instead of at the CSU Board Meeting due to City Council being in Washington D.C. for the DC Fly-in.

There were no comments on this item.

## **7. Items for Introduction**

### **7.A. [23-266](#) A Resolution Rescinding Resolution No. 47-18 and Approving a New Memorandum of Agreement for Transportation Planning of Programming Between the Colorado Department of Transportation, the Pikes Peak Area Council of Governments and the City of Colorado Springs**

Presenter:

Lan Rao, Transit Division Manager

**Attachments:** [Resolution MOA PPACG](#)

[MOA PPACG, CDOT, City of Colorado Springs Transit Planning 08.02.2023](#)

[MOA City\\_PPACG\\_CDOT\\_2023.08.21](#)

Lan Rao, Transit Division Manager, presented the Resolution approving a

new Memorandum of Agreement (MOA) for transportation planning of programming between the Colorado Department of Transportation (CDOT), the Pikes Peak Area Council of Governments (PPACG) and the City. She provided an overview of the background, MOA purpose, MOA participant responsibilities, changes to previous MOA, MOA amendment, and termination.

There were no comments on this item.

- 7.B. [23-373](#) A Resolution Authorizing the City of Colorado Springs to Enter into Intergovernmental Agreements Between the City of Colorado Springs By and Through Its Stormwater Enterprise and Non-Standard Permittees Concerning the Coordination and Implementation of the COR070000 Non-Standard MS4 Permit

Presenter:

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

Attachments: [IGA RES SWENT-FINAL](#)  
[Exhibit A Non-Standard IGA\\_FINAL](#)

Richard Mulledy, Stormwater Division Manager, Stormwater Enterprise, presented the presented the Resolution authorizing the City to enter into Intergovernmental Agreements concerning the coordination and implementation of the COR070000 Non-Standard MS4 Permit with Non-Standard MS4 Permit holders such as school districts within the City's MS4 permit boundary.

Councilmember Donelson asked if the City would be liable for any legal recourse. Mr. Mulledy stated it would not.

Councilmember Donelson asked if any additional personnel would be required. Mr. Mulledy stated there would not be any additional personnel needed.

Councilmember Henjum asked if there would be any other Non-Standard MS4 Permit holders other than school districts. Mr. Mulledy stated the University of Colorado, Colorado Springs would be eligible.

Councilmember Henjum asked what would be required if school districts chose not to enter an IGA with the City. Mr. Mulledy stated they would have to develop and staff their own programs for their permit.

Councilmember Henjum asked what kind of challenges there would be if there is a large event which affects the City's stormwater system. Mr. Mulledy stated they would go through the enforcement process for illicit discharge if the City's infrastructure was affected or damaged.

Councilmember Leinweber asked if the library district would be affected. Mr. Mulledy stated only schools and universities.

- 7.C.**     [23-416](#)     A Resolution Authorizing the Acquisition of an 8,243-Square Foot Parcel Land for Right-of-Way and a 10,349- Square Foot Temporary Easement From Victory Chapel Ministries, Inc., using PPRTA Funds for the Academy Boulevard - Fountain to Jet Wing Drive Project

Presenter:

Gayle Sturdivant, PE, PMP, Interim Public Works Director  
Darlene Kennedy, Real Estate Services Manager

**Attachments:**   1 [Victory Chapel Location Map](#)  
                          2 [Victory Outreach Church - Resolution](#)  
                          3 [Resolution - Exhibits A and B](#)  
                          4 [Resolution - Exhibits C and D](#)  
                          5 [Academy - Victory Chapel Presentation 20230821](#)  
                          [Signed Resolution No. 126-23.pdf](#)

Gayle Sturdivant, Interim Public Works Director, presented the Resolution authorizing the acquisition of an 8,243-square foot parcel of land and a 10,349-square foot temporary easement from Victory Chapel Ministries, Inc using Pikes Peak Rural Transportation Authority (PPRTA) funds for the Academy Boulevard - Fountain to Jet Wing Drive Project. She provided an overview of the project site, Victory Chapel Ministries, Inc. right-of-way, parcel, temporary construction easement, and procedure manual information.

There were no comments on this item.

- 7.D.**     [23-413](#)     A Resolution approving an Economic Agreement between the City of Colorado Springs and Project Star Trek

Presenter:

Shawna Lippert, Senior Economic Development Specialist  
Bob Cope, Economic Development Officer

**Attachments:** [RES ProjectStarTrek 2023](#)  
[Project Star Trek Economic Development Agreement 08-10-2023 SL](#)  
[Star Trek EDA Presentation WORK](#)

Shawna Lippert, Senior Economic Development Specialist, presented the Resolution approving an Economic Development Agreement (EDA) between the City and Project Star Trek. She provided an overview of Project Star Trek, the proposed EDA, EDA requirements, ten-year expansion: economic impact, fiscal impact, calculation of incentives, retention: economic impact, fiscal impact, combined: economic impact, fiscal impact, financial safeguards, consistency with the City's Strategic Plan, and staff recommendation.

Councilmember Henjum asked at what point does the City expect to start seeing revenue and how is it tracked. Ms. Lippert stated the Economic Development Division checks in on the company every year and utilize that information as a tracking mechanism. Bob Cope, Economic Development Officer, stated that information is then given to the Finance Department where they calculate down to the penny what the incentive rebate will be.

Councilmember Henjum asked if the City looks at the return on investment for prior incentive rebates given. Ms. Lippert stated will provide that information.

- 7.E. [23-414](#) A Resolution approving an Economic Development Agreement between the City of Colorado Springs and Project Thoroughbred

Presenter:

Bob Cope, Economic Development Officer

Shawna Lippert, Senior Economic Development Specialist

**Attachments:** [Project Thoroughbred Resolution](#)  
[Project Thoroughbred Economic Development](#)  
[Project Thoroughbred Presentation Worksession](#)

Bob Cope, Economic Development Officer, presented the Resolution approving an Economic Development Agreement (EDA) between the City and Project Thoroughbred which is Infinity Systems Engineering. He provided an overview of Project Thoroughbred, the proposed EDA, EDA requirements, ten-year expansion: economic impact, fiscal impact, calculation of incentives, retention: economic impact, fiscal impact, combined: economic impact, fiscal impact, financial safeguards, consistency with the City's Strategic Plan, and staff recommendation.

Councilmember Donelson asked if these projected jobs will be located in the City. Mr. Cope stated the jobs they provide credit for regarding remote workers are for employees who reside inside the County.

Councilmember Donelson asked how many jobs are within the City. Mr. Cope stated approximately 360,000.

- 7.F. [23-432](#) A Resolution Approving an Intergovernmental Agreement between the El Paso County Clerk and Recorder and the City of Colorado Springs regarding the conduct and administration of the November 7, 2023 Coordinated Election

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [Resolution.docx](#)  
[2023 IGA Agreement - City of Colorado Springs-final.pdf](#)  
[Signed Resolution No. 121-23.pdf](#)

Sarah B. Johnson, City Clerk, presented the Intergovernmental Agreement (IGA) with the El Paso County Clerk and Recorder for the November 7, 2023 Coordinated Election. Ms. Johnson stated due to the items approved to be referred to the election ballot, this IGA would need to be filed with the El Paso County Clerk and Recorder by August 28, 2023 which is why it is a back-to-back item, and the estimated cost is \$402,887.24 for the City to participate which is calculated by a standard formula which includes the number of registered voters.

There were no comments on this item.

## **8. Items Under Study**

There were no Items Under Study.

## **9. Executive Session**

### **9A. Open**

- 9A.A. [23-418](#) Michael Foster v. Colorado Springs Police Department and Daniel Mork, Case No. 23CV216, El Paso County District Court

Presenter:

Wynetta Massey, City Attorney

**Attachments:** [23-418 Council Representation Memo Foster](#)



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

Councilmember Donelson asked who is on the Civil Action Investigation Committee. Mr. Bolinger stated the City Attorney, Chief Risk Officer, and Chief of Police.

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

## **9B. Closed**

### **9B.A** [23-444](#)

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 consultation with the City Attorney, discussing strategy for negotiations, and instructing negotiators regarding a potential land acquisition using eminent domain.

The President of Council shall poll the City Councilmembers, and, upon consent of two-thirds of the members present, may conduct a Closed Executive Session. In the event any City Councilmember is participating electronically or telephonically in the Closed Executive Session, each City Councilmember participating in the Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the Closed Executive Session is present or able to hear the matters discussed as part of the Closed Executive Session. If consent to the Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Presenter:

Wynetta Massey, City Attorney

**Attachments:** [23-444 Closed Session memo - eminent domain](#)

Ben Bolinger, Legislative Counsel, City Attorney's Office, stated that in accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(b) and (e), the City Council, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issue to be discussed involves consultation with the City Attorney, discussing strategy for negotiations, and instructing

negotiators regarding a potential land acquisition using eminent domain.

President Helms polled City Council regarding the desire to proceed with an electronic Closed Executive Session. At least two-thirds of City Council agreed to proceed in an electronic Closed Executive Session.

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

President Helms stated he is on the Regional Tourism Advisory Board for the City for Champions and by State requirement they have to meet twice a year so they met last week where they spoke about the United States Air Force Academy (USAFA) Visitor's Center which is expected to open at the end of 2025, the USAFA freshman class has been accepted as cadets into the right wing, and the football season is kicking off so there is work being done on the stadium football stadium.

Councilmember Risley stated he and several Councilmembers attended the Space Command event to celebrate the official announcement that Space Command is permanently located in Colorado Springs, he attended an affordable housing seminar last week, the United Way fundraiser event last Friday, and he and Councilmember Leinweber attended the District 5 Listening Tour.

Councilmember Henjum stated there was very good turnout for the District 5 Listening Tour, she attended the City Council Retreat, and met with Chauncey Johnson, who along with some others is opposing the ballot initiative for the police training center based on concerns around housing.

Councilmember Avila expressed congratulations to the USAFA cadets starting their first year.

Councilmember Donelson stated he attended the retirement ceremony for Lieutenant Steve Noblitt who retired after thirty years with the Colorado Springs Police Department (CSPD) and the badge ceremony for the three new Community Service Officers (CSO). He stated utility rates are not going up regardless of what it said on the front page of the Gazette last week, a component is increasing on January 1, 2024, but the rates are still lower than they were on January 1, 2023. Councilmember Donelson recommended Councilmembers read the article in Sunday's paper titled "Are Colorado 's Biggest Cities Headed Toward A Doom Loop?" by Vince Bzdek which quotes a gentleman named Tom Wolf, Director of West Coast

Initiatives For the Foundation for Drug Policy Solutions, regarding Denver's homelessness, mental health, and substance abuse crisis.

Councilmember Leinweber stated he attended the District 5 and District 3 Listening Tours, in which public safety and mental health was definitely at the forefront, the Stormwater Advisory Committee which addressed how the City's stormwater funds are being spent and the implementation of the Fountain Creek Watershed Strategic Plan which is down to \$9 million with no revenue stream, and he stated he has been involved in the Outdoor Pikes Peak Initiative (OPPI) which identified some key areas regarding the management of recreation issues, volunteerism, and education in order to improve care of the City's outdoor space and grow recreation across our region.

## **11. Adjourn**

Upon completion of the Closed Executive Session and there being no further business to come before City Council, Council adjourned at 2:30 PM.

Sarah B. Johnson, City Clerk