



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, January 7, 2019

1:00 PM

Council Chambers

1. Call to Order

Present 9 - Councilmember Yolanda Avila, Councilmember Merv Bennett, President Pro Tem Jill Gaebler, Councilmember David Geislinger, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, President Richard Skorman, and Councilmember Tom Strand

Councilmember Geislinger arrived at approximately 1:05 PM.

President Pro Tem Gaebler was excused at approximately 4:56 PM.

2. Changes to Agenda

There were no changes to the Agenda.

3. Regular Meeting Comments

Sarah B. Johnson, City Clerk, stated items 8.E. and 8.F. pertaining to PlanCOS and item 8.H. pertaining to the acquisition of properties pursuant to the Federal Emergency Management Agency's Hazard Mitigation Grant Program will be back-to-back items with the City Council voting on the items at the January 8, 2019 City Council meeting.

4. Review of Previous Meeting Minutes

4.A. [19-029](#) City Council Work Session Meeting Minutes December 10, 2018

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [12-10-18 City Council Work Session Meeting Minutes Final.pdf](#)

The minutes of the December 10, 2018 Work Session meeting were approved by Consensus of Council.

5. Executive Session

5A. Open

There was no Open Executive Session.

5B. Closed

- 5B.A.** [19-049](#) 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 a Closed Executive Session. The issues to be discussed involve determining positions relative to two (2) economic development matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.

Presenter:
Wynetta Massey, City Attorney

Attachments: [01072019ClosedSession](#)

Marc Smith, Division Chief, Corporate Legislative Counsel, stated 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 a Closed Executive Session. The issues to be discussed involve determining positions relative to two (2) economic development matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.

Council President Skorman polled Council regarding the desire to proceed with a Closed Executive Session. At least two-thirds of Council agreed to proceed in Closed Executive Session.

6. Staff and Appointee Reports

- 6.A.** [19-031](#) Agenda Planner Review

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 1-7-19.pdf](#)

Sarah B. Johnson, City Clerk, stated the next City Council Work Session and regular City Council meeting will both be held on January 22, 2019 due to the Martin Luther King, Jr. holiday.

There were no comments on this item.

7. Presentations for General Information

7.A. [19-018](#) Pikes Peak Area Council of Governments - Joint Land Use Study (JLUS) Presentation

Presenter:

Brian Potts, Joint Land Use Study (JLUS) Program Manager, Pikes Peak Area Council of Governments

Attachments: [JLUS COS City Council 1-7-19.pdf](#)

Brian Potts, Joint Land Use Study (JLUS) Program Manager, Pikes Peak Area Council of Governments gave an overview of the Colorado Springs Regional Joint Land Use Study. He explained the importance of the study for our communities, the study process activities, and the JLUS strategies.

Councilmember Murray stated everyone needs to work together in regards to the infrastructure of these various issues.

7.B. [18-0590](#) Peak Vista Organization & Services Overview

Presenter:

Pam McManus, CEO

Attachments: [Peak Vista 2019 COS City Council Presentation.pptx](#)

Pam McManus, CEO Peak Vista, gave an overview of the Peak Vista Community Health Center organization and services. She explained that Peak Vista Community Health Center is a federally qualified health center, identified their staff and how they serve the community. Ms. McManus went over their clinical training and health education programs, the impact to the local economy, the savings to Medicaid due to primary care, the number of patients served, and identified their health center site located in the 80916 zip code area.

Councilmember Murray requested Peak Vista look into different types of transportation options such as discounted Lyft or Uber types of transportation to these facilities.

Councilmember Strand asked what Peak Vista is doing to increase the number of nurses. Ms. McManus stated they have student nurses in rotation at the center, offer tuition reimbursement to employees interested in becoming nurses, have been in discussion with Pikes Peak Community College, and work closely with the Pikes Peak Workforce Center.

Councilmember Avila expressed appreciation for the addition of a health center in the southeast area.

Councilmember Murray requested the City help publicize the health center.

Jeff Greene, Chief of Staff, stated the City has always partnered very closely with Peak Vista and will continue to assist them.

7.C. [19-054](#) Colorado Wildland Fire and Incident Management Academy (CWFIMA)

Presenter:

Kevin Madsen, Deputy Director Office of Emergency Management

Kevin Madsen, Deputy Director Office of Emergency Management, stated this is the twenty-fifth anniversary of the Wildland Fire and Incident Management Academy (CWFIMA) and introduced Wendy Fischer, Coordinator of the CWFIMA, who stated there are approximately 1,000 individuals participating in the CWFIMA, Jim Krugman, Incident Commander of the CWFIMA, who presented a plaque of appreciation to City Council to thank them for their support, and Brenda Wasielewski, Fire Management Officer, South Central Region, State Division of Fire Prevention and Control.

There were no comments on this item.

8. Items for Introduction

8.A. [18-0573](#) A Resolution authorizing issuance of debt by the Mountain Valley Metropolitan District in the form of general obligation limited tax bonds in an aggregate principal amount of \$2,430,000.

(Legislative Item)

Presenter:

Peter Wysocki, Director of Planning and Community Development
Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Attachments: [Resolution_MountainValley](#)
[Figure 1- Mountain Valley MD 2018 - Bond Resolution v5](#)
[Figure 2- MountainValleyPreserve MD \(30 mill bond levy\)](#)
[Figure 3 - Mountain Valley Metropolitan District Opinion Letter \(General Obligation Bonds Series 2019\)](#)
[Figure 4- External Financial Certificate](#)
[Figure 5 -MountainValley Calculations](#)
[Figure 6- MountainValley Cost Cert](#)
[Figure 7- Recomendation for Reimbursement](#)
[Mtn.Valley Metro Dist PowerPoint](#)
[Signed Resolution 13-19](#)

Carl Schueler, Comprehensive Planning Manager, Planning and

Community Development, presented the Resolution authorizing issuance of debt by the Mountain Valley Metropolitan District in the form of general obligation limited tax bonds in an aggregate principal amount of \$2,430,000. He provided a brief background and summary of the district, presented an area and district map and gave an overview of the comments from the City Council Budget Committee and supporting materials.

There were no comments on this item.

- 8.B.** [18-0574](#) A Resolution authorizing issuance of debt by the Silver Hawk Metropolitan District in the form of general obligation limited tax bonds in an aggregate principal amount of \$1,030,000.

(Legislative Item)

Presenter:

Peter Wysocki, Director of Planning and Community Development
Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Attachments: [Resolution SilverHawk](#)

[Figure 1- Silver Hawk MD 2018 - Bond Resolution v5](#)

[Figure 2- SilverHawk MD \(30 mill bond levy\)](#)

[Figure 3 - Silver Hawk Metropolitan District - Opinion Letter \(General Obligation Bonds Series 2019\)](#)

[Figure 4- External Financial Certificate](#)

[Figure 5- SilverHawk Cost Certification](#)

[Figure 6- SilverHawk Calculation](#)

[Figure 7- SilverHawk Cost Letter](#)

[SilverHawk Metro Dist PowerPoint](#)

[Signed Resolution 14-19](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development, presented the Resolution authorizing issuance of debt by the Silver Hawk Metropolitan District in the form of general obligation limited tax bonds in an aggregate principal amount of \$1,030,000. He provided a brief background and summary of the district, presented an area and district map, and went over the comments from the City Council Budget Committee and supporting materials.

There were no comments on this item.

- 8.C.** [18-0598](#) An ordinance amending Ordinance No. 18-118 (2019 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the

amount of \$41,555 for a transfer to the Capital Improvement Program Fund; and to the Capital Improvement Program Fund in the amount of \$41,555 for street paving in The Estates at Rockrimmon (formerly Crown Hill at Rockrimmon)

Presenter:

Charae McDaniel, Chief Financial Officer

Travis Easton, P.E., Public Works Director

Corey Farkas, Manager of Operations and Maintenance, Public Works

Attachments: [Ordinance-Supplemental Approp for Assurance -Rockrimmon Estates](#)

Charae McDaniel, Chief Financial Officer, presented the Ordinance for a supplemental appropriation to the General Fund in the amount of \$41,555 for a transfer to the Capital Improvement Program Fund for street paving in The Estates at Rockrimmon. She said the source of funds for the General Fund is the financial assurance currently held in escrow. Ms. McDaniel stated the construction of the roadways occurred from 2006 to 2010 and the roadways within that subdivision had not originally been accepted into the City's inventory because of the problems with the roads. She explained the responsibility to repave them was put back onto the original developer, but then the developer filed for bankruptcy. Ms. McDaniel said the assurance funds in escrow will not cover the entire project cost of \$368,000, but the \$41,555 will be used to offset the total cost.

Councilmember Geislinger stated going forward, when a developer declares bankruptcy, the City should ensure there is no applicable insurance to cover the defect prior to assuming no responsibility for repairs. Marc Smith, Division Chief, Corporate Legislative Counsel, stated they will research that.

8.D. [19-020](#)

A Resolution of Approval Regarding the Permanency of the Velodrome Roof Enclosure at Memorial Park

Presenter:

Kurt Schroeder, Parks Operations and Maintenance Manager

Aron McGuire, Senior Director - Olympic Training Centers

Attachments: [1-7-19 - Velodrome Enclosure Resolution](#)

[1-7-19 - Memorial Park Velodrome Meeting Comments](#)

[1-7-19 - Velodrome Permanency Powerpoint](#)

[Signed Resolution 7-19](#)

Kurt Schroeder, Parks Operations and Maintenance Manager, presented the Resolution of approval regarding the permanency of the velodrome roof

enclosure at Memorial Park. He gave an overview of the overall support they received for the proposal from the stakeholder meeting that was held.

Aron McGuire, Senior Director, Olympic Training Centers, identified the impact of the velodrome on the community and Team USA athletes, the effects and benefits of the permanency of the velodrome roof enclosure, and the additional improvements to the dome. He stated the United States Olympic Center (USOC) will provide the full funding for the permanency.

President Pro Tem Gaebler requested the Olympic rings be put on the dome.

Councilmember Pico asked if they would be using the existing dome. Mr. McGuire confirmed they would.

Councilmember Strand asked what the total cost will be to the USOC. Mr. McGuire stated they will provide additional information to Council.

Mr. Schroeder stated this item was unanimously approved by the Parks and Recreation Advisory Board.

- 8.E.** [CPC CA 18-00082](#) Ordinance No. 19-2 adopting PlanCOS as the City of Colorado Springs Comprehensive Plan

(Legislative Item)

Presenters:

Peter Wysocki, Planning and Development Director
Carl Schueler, Comprehensive Planning Manager, Planning and Development Department

Attachments: [ORD_PlanCOS](#)
 [Exhibit A_PlanCOS Comprehensive Plan](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Development Department presented a summary of the recommended changes which were incorporated in the most recent version of PlanCOS and gave an overview of the rollout and reporting periods.

Peter Wysocki, Planning and Development Director, identified the key initiatives that were near term and the neighborhood plan process.

Councilmember Geislinger asked what is the expectation regarding implementation on zoning and subdivision changes. Jeff Greene, Chief of

Staff, stated they want a very thorough process and time to develop the stakeholders group, time for pre-planning, and time to complete the transportation master plan. He said it may take approximately two years.

Councilmember Murray requested a robust Geographic Information System (GIS) to allow staff and City Council to visualize the process. Mr. Wysocki stated the City does already have a robust GIS, but will explore it further.

Councilmember Knight asked how multiple sections of City Code can be included in a single Ordinance. Marc Smith, Division Chief, Corporate Legislative Counsel stated they will look into that.

Councilmember Knight requested all members of City Council be kept involved with any changes prior to any major decisions being reached.

Councilmember Geislinger requested quarterly updates to City Council.

Councilmember Bennett stated once PlanCOS is approved, City Council will need to be diligent in keeping it moving forward.

- 8.F.** [CPC CA 18-00152](#) Ordinance No. 19-3 Amending Multiple Sections under Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to the City's Comprehensive Plan

(Legislative Item)

Presenters:

Peter Wysocki, Planning and Development Director
Carl Schueler, Comprehensive Planning Manager, Planning & Development Department

Attachments: [ORD PlanCOS CodeAmendments](#)
[Signed Ordinance 19-3](#)

Please see comments in Agenda item 8.E.

- 8.G.** [19-016](#) A Resolution Authorizing the Acquisition of Two Parcels of Land Totaling Approximately 1.744 Acres of Real Property and a Temporary Construction Easement Containing Approximately 0.212 Acres from Heriberto Lopez and Blanca F. Magallan Velasquez.

Presenter:

Richard Mullydy, City Water Resources Engineering Division Manager
Jeff Dunn, City Water Resources Engineering Project Manager

Attachments: [Exhibits.pdf](#)

[Lopez Acquisition for Council.pptx](#)

[Resolution.docx](#)

[Signed Resolution 6-19](#)

Jeff Dunn, City Water Resources Engineering Project Manager, presented the Resolution authorizing the acquisition of two parcels of land totaling approximately 1.744 acres of real property and a temporary construction easement containing approximately 0.212 acres from Heriberto Lopez and Blanca F. Magallan Velasquez in order to construct Pond PR-2 in Cottonwood Creek. He identified the property location and construction elements.

Councilmember Murray asked how much it will cost to remove Cowpoke Bridge. Mr. Dunn stated it will be part of the Engineering Department budget and he anticipates it will be approximately \$30,000-\$40,000.

Councilmember Knight asked what the source of funds would be. Charae McDaniel, Chief Financial Officer, stated it would come from the 2018 stormwater capital improvement project (CIP) funding.

Councilmember Murray asked if the bridge fund will cover all of the project cost. Mr. Dunn stated it will cover a portion of the project cost.

- 8.H.** [19-023](#) A resolution authorizing the acquisition of properties pursuant to the Federal Emergency Management Agency's Hazard Mitigation Grant Program

Presenter:

Gordon Brenner, City Office of Emergency Management Recovery Coordinator

Darlene Kennedy, City Real Estate Services Manager

Jennifer Vance, City Finance Grants Program Manager

Attachments: [Resolution for Acquisition 2013-2015 FEMA Landslides](#)

[Landslide Acquisition HMGP 20190107.pdf](#)

[1004 Zodiac Dr Ex A](#)

[1010 Zodiac Dr Ex B](#)

[1200 Constellation Ex C](#)

[Signed Resolution 5-19](#)

Gordon Brenner, City Office of Emergency Management Recovery Coordinator, presented the Resolution for acquisition from homeowners of three properties damaged by the 2015 landslide. He said funding for the

acquisitions will come from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP).

There were no comments on this item.

- 8.I. [19-027](#) A Resolution Approving the Intergovernmental Agreement Between the City of Colorado Springs and El Paso County, Colorado Establishing the Pikes Peak Regional Office of Emergency Management

Presenter:

Bret Waters, Deputy Chief of Staff, Office of the Mayor

Attachments: [Resolution-OEM_RegionalOfficeEM-FINAL](#)
[Exhibit A- Revised City-County-JOEM-IGA.1.22.19.pdf](#)
[OEM IGA Presentation.1.7.19.pptx](#)

Bret Waters, Deputy Chief of Staff, Office of the Mayor, presented the Resolution approving the three year Intergovernmental Agreement (IGA) with El Paso County establishing the Pikes Peak Regional Office of Emergency Management (OEM). He gave an overview of the OEM functions, grant management program, Emergency Operations Plan (EOP), training and exercise program, Emergency Operations Center (EOC), and disaster recovery. Mr. Waters identified their collaboration efforts, facilities, and information technology. He reviewed the advantages and assumptions, and gave a summary of the IGA and the metrics/survey that will be provided to City Council.

Councilmember Bennett recommended the involvement of Colorado Springs Utilities in this effort. Mr. Waters stated they will reach out to them.

Councilmember Knight stated the language regarding the funding aspect of the IGA is confusing. Mr. Waters stated the budget from both entities will be equal. Jeff Greene, Chief of Staff, stated the language provides protections similar to a maintenance of effort of responsibilities and sets a base line. Councilmember Knight recommended a statement of a fifty-fifty cost-share be added to the language.

Councilmember Knight stated there should be trial run rather than a three year commitment. Mr. Waters stated this process will be monitored closely and there will off-ramps if it does not work out. Mr. Greene stated this establishes an organization in which there is a common voice and establishes a framework of protections with an advisory committee who will collaborate on regional policies.

Councilmember Strand stated he is concerned about the personnel part of it because they will be compensated differently. Mr. Waters stated the compensation packages will very similar. Mr. Greene stated this agreement will be comparable to the Metro Vice, Narcotics, and Intelligence (VNI) Division agreement between multiple agencies in El Paso and Teller counties.

Councilmember Strand asked if the director will be a City or County employee. Mr. Greene stated their goal is that it will be a City employee.

Councilmember Murray stated he believes this is the best way to structure this.

Councilmember Pico stated there will be more issues to be addressed during implementation, but he believes this will improve operations.

Councilmember Pico asked if the advisory committee would be subject to open meeting rules. Mr. Waters stated they will look into that.

8.J. [19-025](#)

An Ordinance Amending Sections 102 (Definitions) and 103 (Independent Ethics Commission) of Article 3 (Code of Ethics) of Chapter 1 (Administration, Personnel, and Finance) of The Code of The City Of Colorado Springs 2001, as amended, Pertaining to Independent Ethics Commission Alternates and Applicability of the City Code of Ethics

Presenter:

Tracy Lessig, Employment Division Chief, Office of the City Attorney

Attachments: [IEC AlternatesORD-2018-12-27](#)

Tracy Lessig, Employment Division Chief, Office of the City Attorney, presented the Ordinance pertaining to Independent Ethics Commission (IEC) alternates and applicability of the City Code of Ethics. She stated the IEC is requesting to have two alternates instead of one. Ms. Lessig said the ordinance also clarifies that the jurisdiction is only over City boards, committees or commissions.

There were no comments on this item.

9. Items Under Study

There were no Items Under Study.

10. Councilmember Reports and Open Discussion

Councilmember Avila stated surveillance cameras have been installed as a pilot program at Deerfield Hills Community Center.

Councilmember Knight stated he would like to have a poll taken regarding the bike lanes. President Skorman stated polling is a very complicated process. Councilmember Geislinger stated City Council and staff are the ones who need to determine if it is in the City's best interest on traffic changes.

11. Adjourn

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

Sarah B. Johnson, City Clerk