



# 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.*

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Monday, August 21, 2017

1:00 PM

Council Chambers

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### 1. Call to Order

**Present** 7 - Councilmember Yolanda Avila, Councilmember Merv Bennett, President Pro Tem Jill Gaebler, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, and President Richard Skorman

**Excused** 2 - Councilmember David Geislinger, and Councilmember Tom Strand

### 2. Changes to Agenda

There were no changes to the Agenda.

### 3. Regular Meeting Comments

Eileen Lynch Gonzalez, City Council Administrator, stated Items 7.A. and 10.A. relating to stormwater have been moved to before the Consent Calendar and that she received notification from staff that Items 12.B., 12.C., and 12.D. relating to the Robbin Place appeal may be requested to be postponed.

### 4. Review of Previous Meeting Minutes

4.A. [17-1209](#) City Council Work Session Meeting Minutes August 7, 2017

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [8-7-2017 City Council Work Session Meeting Minutes Final](#)

The minutes of the August 7, 2017 Work Session meeting were approved by Consensus of 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. [16-696](#) Agenda Planner Review**

Presenter:

Eileen Lynch Gonzalez, City Council Administrator

**Attachments:** [082117 Agenda Planner Review MEMO](#)

Eileen Lynch Gonzalez, City Council Administrator, stated there will be three weeks between City Council meetings and that the Bancroft Park update has been postponed until the September 11, 2017 Work Session meeting. Ms. Gonzalez also stated there will be an Item for Recognition for Fire Prevention Month at the September 26, 2017 regular Council meeting.

Councilmember Knight said that it was his understanding that the Ordinance amending Section 502 relating to the Development Plan review criteria for the September 26, 2017 regular meeting would be postponed indefinitely. President Pro Tem Gaebler stated the Code Scrub Committee voted to move forward with the item after reviewing the recommendations from Councilmember Knight and Councilmember Geislinger. Councilmember Knight said it should be presented at the September 25, 2017 Work Session meeting first. Consensus of Council agreed.

Councilmember Murray asked if polling result data regarding the stormwater fee had been released. President Skorman said it was a privately conducted poll and is not required to be made public. Councilmember Knight commented that the Chamber of Commerce and EDC does receive taxpayer dollars. Jeff Greene, Chief of Staff, said it was funded by a private party and the executive summary of the polling result data is available to the public.

**Councilmember Geislinger arrived.****6.B. [17-1193](#) Public Works Project Map and Real Time Bus Arrival and Departure Information**

Presenter:

Travis Easton, P.E., Public Works Director

Andy Richter, Operations and Maintenance Engineering Supervisor

Wendy Patterson, Transit Services Senior IT Business Analyst

Travis Easton, P.E., Public Works Director, introduced the interactive Public Works map technology developed to better serve citizens, increase communications, and promote transparency.

Andy Richter, Operations and Maintenance Engineering Supervisor, presented the Public Works Project Map which allows residents access to information on the location, details, estimated cost, and the status of projects currently in progress. Mr. Richter stated the app also allows users to search for a specific project, location, or intersection.

Councilmember Avila asked if the app is compatible with voiceover for smart phones. Mr. Richter said that they are working with the Information Technology Department to ensure compatibility.

Councilmember Knight asked if Colorado Springs Utilities, Comcast, and other department projects will be integrated into this app. Mr. Easton said they are welcome to participate.

Vickie McCann, Public Relations and Marketing, Transit, introduced the My Next Bus real-time technology that provides an estimate of real-time bus arrival and departure information through the Google Maps app by clicking the "Transit" icon.

Councilmember Avila asked if the app is compatible with ADA accessibility. Ms. McCann listed the programs and devices that it is compatible with.

## **7. Presentations for General Information**

- 7.A. [16-677](#) Colorado Springs Convention & Visitors Bureau (CVB) - Q2 2017 Performance Measures

Presenter:

Doug Price, President & CEO, Colorado Springs Convention & Visitors Bureau

**Attachments:** [CVB KPI Report Q2 2017 Graphical.pptx](#)

Doug Price, President and CEO, Colorado Springs Convention and Visitors Bureau, presented the 2017 second quarter Performance Measures report which reflected results through May 2017. Mr. Price stated Lodgers and Automobile Rental Tax (LART) collections revenue was up 20.2 percent from 2016 and Revenue per Available Room (RevPAR) was up 15.1 percent.

Councilmember Geislinger asked if there had been correspondence with

Colorado Springs Utilities on linking the Change the Current website. Mr. Price said that there had not been, but will look into it.

Councilmember Murray asked if there was progress in linking all the EDCs together. Mr. Price said trade shows had already been scheduled for the 2017 budget and that he would not be able to attend more trade shows until the strategic plan 2018 was completed. Mr. Price stated that the tourism master plan is scheduled to begin the fourth quarter of 2017 and will cover a ten year timeframe to improve the overall visitor experience.

**Councilmember Strand arrived.**

## **8. Items for Introduction**

- 8.A.**     [17-1159](#)     A resolution approving the Transit Services Division's 2017 - 2020 Title VI program, which documents how services are provided without regard to race, color, or national origin

Presenter:

Craig Blewitt, Transit Services Division Manager  
Christopher Ryan, SRF Consulting, Inc.

**Attachments:**   [Council Resolution - Title VI Approval](#)  
[Transit 2017 Title VI Program 2017-08-01](#)  
[Transit Service Monitoring Evaluation 2017-08-01](#)  
[Transit Council Work Session Presentation 2017-08-02](#)

Craig Blewitt, Transit Services Division Manager, introduced the Title VI Program requirement to update the Transit Services plan every three years.

Christopher Ryan, SRF Consulting, Inc., explained Title VI, the Civil Rights Act of 1964, and minority and low-income definitions and other requirements. Mr. Ryan explained that public participation is a critical component which outlines MMT's commitment to the program.

Jake Knight, SRF Consulting, Inc., explained fixed-route transit provider requirements which are achieved through an understanding of service area demographics. MMT obtained this information by completing an on-board survey with approximately 1,200 responses.

Councilmember Avila asked if the City is required to abide by Title VI due

to population growth and more than fifty buses in transit during peak hours. Mr. Knight confirmed that it was. Councilmember Avila asked if there was a process in place to identify service to low-income and minority areas. Mr. Ryan said Title VI reviews current transit service and demographics in surrounding areas to identify minority and low-income service coverage to ensure it is equitable. Mr. Ryan also reviewed the system-wide service standards and policies. He identified a potential disproportionate burden of distribution of shelters to low-income populations, but stated the Title VI Plan meets the requirements outlined in the Title VI Circular.

Councilmember Geislinger asked if minority population and low-income population for disparate impact analysis and disproportionate burden analysis were identified separately. Mr. Knight confirmed they were looked at independently.

**8.B.**     [16-646](#)     A Resolution of Support for the Transit Downtown Relocation Study Recommendations

Presenter:

Craig Blewitt, Transit Services Manager

**Attachments:**   [DTC City Council Presentation\\_08212017](#)  
[SCRecommendation-ExhibitA-8-21-2017](#)  
[RecommendationAcceptanceRes-8-3-17](#)

Brian Vitulli, Transit Planning Supervisor, gave an update of the study conducted by a mayor-appointed Downtown Transit Center Relocation Steering Committee in which Councilmember Strand and President Pro Tem Gaebler served on to identify three sites for the relocation of the downtown transit center. Mr. Vitulli stated there had been six previous studies conducted in the past eighteen years and identified the current facility conditions and operations. He stated the relocation study consultant team selected five sites for a level 3 analysis which reduced the potential sites to Site 8 at Cucharras Street and Sawatch Street, Site 12 at Nevada Avenue and Weber Street, and Site 17 which is located on two blocks of Pueblo Avenue. Mr. Vitulli went over the details of modernizing the infrastructure, which includes a waiting room, food vendors, bike storage, and other possibilities. He stated the steering committee felt strongly about three essential factors of alignment, design, and access and unanimously recommended Site 8. Mr. Vitulli reviewed how a new facility could be utilized as an economic development tool and would be eighty percent funded through federal funding.

Councilmember Murray asked what the expected cost and scheduled completion date were. Mr. Vitulli said the cost would be approximately \$15-20 million for Site 8 with a completion date between 2019-2020.

Councilmember Strand said the steering committee presented the recommendation of Site 8 to Mayor Suthers who was in agreement with the recommendation. Jeff Greene, Chief of Staff, stated this will not be just a bus station, it will be a multi-modal transportation center.

Councilmember Bennett said the potential to integrate Greyhound and Bustang is promising.

**8.C.**     [17-1170](#)     A resolution approving a service plan allowing for the creation of the Barnes Center Metropolitan District

(Legislative)

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department

**Attachments:**   [RES Barnes Center Resolution](#)

[Attachment 1 Service Plan Barnes Center Metropolitan District Final v2](#)

[BCMD Executive Summary](#)

[Barnes Center Metro v2 Redline to Model Service Plan 7-17](#)

[BCMD Cost Summary](#)

Carl Schueler, Comprehensive Planning Manager, presented the Barnes Center Metropolitan District (MID) service plan. Mr. Schueler stated this was a new MID with no current residential development, that there was a maximum debt service authorization of \$3 million, and has a self-imposed debt service limit mill levy of 30.0 mills. Mr. Schueler presented the area and district map and said the estimated projected public improvement costs were \$1.5 million.

Councilmember Knight asked why it is categorized as a MID instead of a business improvement district (BID). Kevin Walker, representing the petitioner, stated that the property owner chose a MID due to the BID enabling legislation in regards to whether or not bonds could be sold to support water and wastewater improvements.

Councilmember Murray asked if the City will be providing water and

wastewater facilities. Mr. Schueler stated the developer is required to build water and wastewater facilities and then Colorado Springs Utilities manages them going forward. Councilmember Murray asked if there will be a cost to the City. Mr. Schueler stated the developer holds the responsibility for public improvement costs.

President Skorman stated he was in support of the district.

- 8.D. [17-1171](#) A resolution approving a service plan allowing for the creation of the SW Downtown Metropolitan District Nos. 1 and 2.

This agenda item is related to SW Downtown BID  
(Legislative)

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department

**Attachments:** [RES SW Downtown Metro Dist Nos 1-2](#)

[Attachment 1- Service Plan \(Revised\) - SW Downtown Metropolitan District Nos. 1-2 \(8-1-17\)-cleaned](#)

[Ltr to City of CSprings - Submittal of Organizational Documents](#)

[MD1-2 \(7-26-17\)-cleaned](#)

[Ltr City of Colorado Springs - Revised ServicePlan SW Downtown MD 1-2-cleaned](#)

[Service Plan \(Revised\) - Redline - SW Downtown Metropolitan District Nos. 1-2 \(8-1-17\)-cleaned](#)

[SW Downtown Special District Structure Summary](#)

[Notice of Public Hearing on Service Plan \(revised\)-cleaned](#)

Carl Schueler, Comprehensive Planning Manager, presented the service plan for the Southwest Downtown metropolitan district (MID) 1 and 2 and the Southwest Downtown business improvement district (BID). Mr. Schueler stated that they are related districts with the exception of the MID being voted on by Resolution and the BID by Ordinance. Mr. Schueler gave an overview of all three districts, identified the initial boundaries of all three districts, and the potential of vertical separation of the districts.

Councilmember Murray asked why the improvement district was needed. Mr. Schueler said they would like to use this combination of districts to assist in the financing of the overall project and provide public space services and amenities.

Mr. Schueler provided a summary of the two MIDs. He said there was a maximum debt service authorization of \$220 million for each MID. Mr.

Schueler stated that tax increment financing (TIF) revenue would be allocated to the urban renewal area. Mr. Schueler explained that the BID meets the standard template that was approved by Council in 2014. He stated the petitioner is asking to implement a public improvement fee (PIF) to assist in supporting the district.

Councilmember Knight stated that there needs to be signage posted regarding the collection of the PIF and that he could not support the authorization of the debt service limit of \$220 million for each district which would total \$660 million for all three. He also stated that no district could use the title of the city name. Mr. Schueler said that the language will be reviewed.

Councilmember Pico said he is uncomfortable with the level of debt and the number of districts in one geographical area. Mr. Schueler said the tax bill would identify what district a person is in. Russ Dykstra from Spencer Fane, LLP, representing the applicant, stated the MID funds through one consolidated bond transaction.

President Pro Tem Gaebler asked for a detailed breakdown of the expenses. Jeff Finn, Nor'wood Development Group, said they have a breakdown of the \$216,055.38 in expenses that he will provide to Council and that it would go toward stormwater infrastructure, wastewater lines, structured parking, as well as Sierra Madre, Vermijo, and other street improvements.

President Pro Tem Gaebler asked for more information on the outline of each district. Mr. Finn said that at this time they cannot identify each floor of each building, but as they gain clarity they will provide that information. Mr. Dykstra said the upper level floors will be in a MID and the lower level commercial will be BID.

Councilmember Murray asked that the City Auditor review the plan documents and asked who will be funding the underground two story parking garage. Jeff Greene, Chief of Staff, stated the parking garage development is under thirty percent design plan review to calculate estimated costs.

Councilmember Knight asked if the only time a PIF can be requested is if they are inside a MID. Mr. Schueler said any property owner has the ability



to record a PIF covenant against their property. Councilmember Knight also asked for a recommendation from staff about a notification to consumers regarding PIFs that could be implemented by January 1, 2018. Mr. Greene said staff will look into it.

Councilmember Knight said that he would prefer to have the cap at \$220 million for all three districts. Mr. Dykstra stated that he does not expect the three districts to spend \$660 million.

Councilmember Murray said any future expansion needs to be required to go through Council for approval.

- 8.E. [17-1172](#) An ordinance organizing the SW Downtown Business Improvement District and providing for the Election of the Board of Directors.

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

**Attachments:** [Ltr to City of CSprings - Request for Continuance of Public Hearing](#)

[Date-cleaned](#)

[ORD\\_SW Downtown BID](#)

[Exhibit A SWDBID Petition for Organization \(Revised 8-11-17\)](#)

[-cleaned](#)

[Exhibit C 2017 Operating Plan and Budget--SW Downtown BID](#)

[Exhibit D specialdistrictpolicyjan06](#)

[Redline 2017 Operating Plan and Budget--SW Downtown BID-](#)

[-REDLINE-cleaned](#)

Please see comments in agenda item 8.D.

- 8.F. [17-1173](#) An ordinance including certain property into the Creekwalk Marketplace Business Improvement District

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Development

**Attachments:** [ORD\\_Creekwalk Marketplace](#)

[Exhibit A - Petition for Inclusion](#)

[Attachment 4- Creekwalk BID Inclusion Properties - Map](#)

[Creekwalk Cover Letter with Attachments](#)

Carl Schueler, Comprehensive Planning Manager, presented the Creekwalk business improvement district (BID) property inclusion. Mr.

Schueler provided the background, a map of the current boundaries of the BID, the properties to be included, the property status of the Creekwalk development area, the plan for the area, current BID acreage, and future boundaries.

There were no comments on this item.

**8.G.**     [17-1174](#)     A Resolution Approving the Issuance of Debt by the Morningview Metropolitan District in the Form of Series 2017 Limited Tax General Obligation Bonds

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

**Attachments:**   [Attachment 1- Morningview PP](#)  
[Attachment 2-MorningviewCouncilResolution](#)  
[Attachment 3- Morningview Bond Cover Letter](#)  
[Attachment 4- Proposed Authorizing Resolution v1](#)  
[Attachment 5- Cash Flow Private Bonds 6.19.2017](#)  
[Attachment 6- 12-10-2015 - Summary of Recommended Reimbursement Costs Morningview](#)  
[Attachment 7- MORNINGVIEW CLA CERT FINAL\\_ 2016](#)  
[Attachment 8- Morningview MD External Financial Consultant 6.19.2017](#)  
[Attachment 9- Opinion Letter of Compliance to Colorado Springs - Morningview Metro re proposed Dev Bond Issuance](#)

Carl Schueler, Comprehensive Planning Manager, presented the debt issuance request of the Morningview metropolitan district for \$1,236,078 in principal not to exceed \$1.3 million. Mr. Schueler identified the vicinity map and the background of the district and bond issuance. He stated the public improvements to be financed included streets, water, sewer, storm drainage, streetscape, and common areas.

Councilmember Pico asked if this would be refinancing existing debt. Mr. Schueler stated there is no formal debt, it is an existing promissory note being converted to formal debt and is within existing mill levies.

Councilmember Murray asked what the cost would be for authorizing the bond. Mr. Schueler said there is no cost to the City whether it is authorized or not. He said it is shifting the debt through bond issuance and that the property owners have been notified of this obligation.

Councilmember Knight asked if there is an initial term on the refinancing or if there are any repayment penalties and what would be the source of revenue to make the payments. Mr. Shueler said they will provide that information. Councilmember Knight also asked how the 5.3 percent debt rate will remain locked in and would like to see a cap on it. Mr. Shueler said that the applicant is planning to close as soon as possible.

Councilmember Murray asked how the homeowners assimilate this debt. Mr. Schueler said that it is similar to a school bond issue where they have a tax mill levy obligation to 30.0 mills debt service to Morningview metropolitan and it goes away when the debt is paid.

- 8.H.**     [17-1208](#)     An Emergency Ordinance Amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a Supplemental Appropriation to the Public Space and Development Fund in the Amount of \$450,000 to Fund the Completion of the John Venezia Community Park

Presenter:

Karen Palus, Director - Parks, Recreation and Cultural Services  
Britt Haley, Design, Development and TOPS Manager - Parks,  
Recreation and Cultural Services

**Attachments:**   [08-21-17 Venezia Emergency Suppl Appropriation ORD.docx](#)

[8-21-17 - Venezia Community Park Supplemental Appropriation  
Presentation - Powerpoint - Final as of 8-11](#)

Karen Palus, Director, Parks, Recreation and Cultural Services, presented the John Venezia Community Park supplemental request for security cameras. Ms. Palus stated the overall cost of John Venezia Community Park was \$13 million with \$12.15 million currently funded. Ms. Palus listed the parks where cameras are currently being utilized. She identified the damage and tagging to site amenities on multiple occasions as well as the equipment and all the copper wire that has been stolen throughout site. She said there is an estimated \$80,000 worth of damage. Ms. Palus said off-duty officers are currently being utilized for security which will cost approximately \$125,000 through the rest of construction. She stated the estimated funding for cameras is \$325,000 and the supplemental request funding source is from the Parkland Dedication Ordinance (PLDO) which has a current fund balance of \$508,258.

Councilmember Strand stated the Budget Committee considered this issue to require immediate consideration and asked if any of the

perpetrators had been apprehended. Ms. Palus said there has not been any incidents since the officers have been patrolling the area. Councilmember Strand asked for a list of other park vandalism issues that have occurred in the past nine months. Ms. Palus agreed to provide that information.

Councilmember Pico stated that the emergency Ordinance is appropriate since the park is brand new.

President Pro Tem Gaebler stated that she is concerned that all of this funding would go to one park when other parks are in need of repair and also does not see this as an emergency. Ms. Palus said some of the older parks do not qualify for PLDO funding, but John Venezia Community Park does because it is new.

Councilmember Bennett said that he supports the emergency Ordinance because it needs to be addressed aggressively.

Jeff Greene, Chief of Staff, stated that this issue was determined to be an emergency due to a brand new park being defaced even before it opened.

Councilmember Geislinger said that it is a good opportunity for government to act on behalf of a shared City asset.

Councilmember Avila said that other citizens have asked her to vote no because they are not getting equitable support in their parks.

Councilmember Knight stated that emergency Ordinances are outlined in the City Charter and said the timing of the work that is already being done along with the three week span until the next meeting requires this to be fast-tracked.

Councilmember Murray said the \$450,000 shows preferential treatment to the John Venezia Community Park and said the cameras might not help. He suggested utilizing community resources to patrol the park.

Councilmember Pico said it is a problem throughout the park community and the emergency Ordinance sends a message as well as relieves the police officers from having to be on site at the park.

- 8.I. [17-958](#) Consideration of a Resolution Regarding Certain Changes to Utilities Rules and Regulations

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division  
Jerry A. Forte, P.E., CEO, Colorado Springs Utilities

**Attachments:** [URR - Restated Vol. 5 - Final.pdf](#)  
[8-8-2017 URR 2017 Hearing.pptx](#)  
[2017 CAO Instructions URR Hearing.docx](#)  
[2017 URR Rate Hearing Agenda.docx](#)  
[2017 URR Supplemental Filing.pdf](#)  
[2017 DO URR-8-10-17.docx](#)  
[Signed Resolution 93-17](#)

There were no comments on this item.

- 8.J. [17-1180](#) An ordinance amending Section 107 (Special Projects; Abandonment or Partial Abandonment) of Part 1 (Financial Procedures, Officers) of Article 5 (Finance Management Procedures) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to project abandonment

Presenter:

Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [091217 CS-Ch1-AbandonmentORD-2017-07-11](#)

Councilmember Don Knight provided a summary of the purpose of the City Code review which was a culmination of twenty months of meetings with Councilmembers and the Mayor as well as listed previous status updates and the Ordinances that had already been changed. Councilmember Knight then identified the remaining City Code change recommendations.

There were no comments on this item.

- 8.K. [17-1181](#) An ordinance amending Section 312 (Power to Establish Departments, Divisions, Offices, and Agencies) of Part 3 (Powers and Duties of Mayor) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to establishing departments

Presenter:

Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [091217 CS-Ch1-AdministrativeDeptsORD-2017-07-06](#)

Please see comments in agenda item 8.J.

- 8.L.**    [17-1182](#)    An ordinance amending Section 101 (Mayor) and Section 108 (Ordinance Approval and Adoption; Disapproval or Veto) of Part 1 (Elective Officers) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to elective officers

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [091217 CS-Ch1-ElectiveOfficersORD-2017-07-06](#)

Please see comments in agenda item 8.J.

- 8.M.**    [17-1183](#)    An ordinance amending Sections 102 (Budget; Creation of Accounts), 104 (Transfer of Funds Within Departments or Special Funds), and 105 (Transfer of Funds Between Departments or Special Funds) of Part 1 (Financial Procedures, Officers) of Article 5 (Finance Management Procedures) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to appropriation departments

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [091217 CS-Ch1-BudgetTransfersORD-2017-07-28](#)

Please see comments in agenda item 8.J.

- 8.N.**    [17-1184](#)    An ordinance amending Section 407 (Make Reports) of Part 4 (Powers and Duties of the City Attorney) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to reports to Council

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:** [091217 CS-Ch1-ReportsToCouncilORD-2017-07-28](#)

Please see comments in agenda item 8.J.

- 8.O.**    [17-1185](#)    An ordinance amending Section 401 (Office of the City Attorney) of Part 4 (Powers and Duties of the City Attorney) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Office of the City Attorney

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:**    [091217 CS-Ch1-CityAttorneyORD-2017-07-28](#)

Please see comments in agenda item 8.J.

- 8.P.**    [17-1186](#)    An ordinance amending Section 308 (Office of Traffic Engineer) of Part 3 (Administration) of Article 1 (Administration and Enforcement) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Traffic Engineer

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:**    [091217 CS-Ch10-TrafficEngORD-2017-07-28](#)

Please see comments in agenda item 8.J.

- 8.Q.**    [17-1188](#)    An ordinance amending Section 310 (Investigate Operations) of Part 3 (Powers and Duties of the Mayor) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to duties of the Mayor

Presenter:  
Councilmember Don Knight  
Wynetta Massey, City Attorney

**Attachments:**    [091217 CS-Ch1-MayorSection31ORD-2017-07-28](#)

Please see comments in agenda item 8.J.

- 8.R.**    [17-1195](#)    A Resolution approving an Intergovernmental Agreement between the City of Colorado Springs and El Paso County Clerk and Recorder regarding the conduct and administration of the November 7, 2017 Coordinated Election

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [Clerk-IGACoordinatedElectionRES-2017-08-07.docx](#)  
[City of Colorado Springs IGA \(2\).pdf](#)  
[Signed Resolution 94-17](#)

Sarah B. Johnson, City Clerk, presented the Intergovernmental Agreement (IGA) with the El Paso County Clerk and Recorder for the November 7, 2017 coordinated election. Ms. Johnson stated that if an item is 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 29, 2017 and the estimated cost for participation is \$137,264.50.

There were no comments on this item.

- 8.S.**     [17-1210](#)     Ordinance No. 17-74 amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$137,265 for November 2017 election expense

Presenter:  
Charae McDaniel, Acting Budget Director

**Attachments:** [Ordinance - Supp Approp for Nov Election Expenses.docx](#)

Charae McDaniel, Acting Budget Director, presented the request for a supplemental appropriation in the amount of \$137,265 to cover the cost of the November 2017 election. Ms. McDaniel said it would be less than a tenth of a percent of the available general fund balance.

- 8.T.**     [17-1211](#)     An ordinance amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$2,638,264 and to the Lodgers and Auto Rental Tax (LART) Fund in the amount of \$66,219 for the refund of 2016 fiscal year revenue above the 2016 fiscal year revenue and spending limitations (TABOR cap), representing the amount over what was approved by voters to be retained in the April 2017 municipal election

Presenter:  
Charae McDaniel, Acting Budget Director

**Attachments:** [Ordinance for Supp Approp - 2016 TABOR refund.docx](#)

Charae McDaniel, Acting Budget Director, presented the supplemental appropriation to accomplish the refund associated with the 2016 Taxpayers' Bill of Rights (TABOR) revenue in excess of the cap that is beyond the amount approved by voters to retain for stormwater projects.



Ms. McDaniel said the \$2.6 million amount from the general fund and \$66K from the Lodgers and Auto Rental Tax (LART) fund will be refunded to the citizens. She stated that these funds are already in the restricted fund balance so it will not impact the available funds.

Councilmember Knight asked how the \$132K will be collected from the Colorado Visitor's Bureau (CVB). Ms. McDaniel said the CVB will be invoiced and they will issue a check to the City.

**8.U.**    [17-1216](#)

An ordinance amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the Grants Fund in the amount of \$9,923,798 for the Hazard Mitigation Grant Program awards funding landslide affected property acquisition and for the Community Development Block Grant-Disaster Recovery award funding phase III of the Manitou Incline Corridor Reconstruction project

Presenter:

Bret Waters, Deputy Chief of Staff

Gordon Brenner, Recovery Coordinator, Office of Emergency Management

Jennifer Vance, Grants Manager, Finance

**Attachments:**    [Ordinance for Grants Fund Supplemental.docx](#)

[Landslide Acquisition and HMGP Update - Worksession\\_08212017.pptx](#)

Bret Waters, Deputy Chief of Staff, presented an acquisition program, in cooperation with the State of Colorado grant funding, for citizens who experienced devastating loss of their homes as a result of the 2015 landslides.

Gordon Brenner, Recovery Coordinator, Office of Emergency Management, presented a summary of the 2015 landslides in which the City sustained an estimated \$14 million in damage to infrastructure. He stated there are 27 applicants included in the application for the Hazard Mitigation Grant Program (HMGP) which is funded by FEMA to the State of Colorado. Mr. Brenner identified that FEMA funds up to seventy-five percent of the eligible cost of each project and compared the 2000 property acquisitions to the 2015 property acquisitions. Mr. Brenner explained the status of current actions and said that they have begun the appraisal process and are working through the prioritized list.

Ms. McDaniel stated the landslide grant fund is \$7.9 million and the

Manitou Incline Corridor Reconstruction Grant is \$2 million of the requested appropriation.

Councilmember Knight asked if only the first 12-13 properties on the prioritized list will be included in this program. Mr. Brenner said that they will start with the first property on the list and then continue from there. Mr. Waters said the top homes on the list are the most severely damaged, but they will continue to be aggressive with finding additional funding.

President Skorman asked for the timeframe of the project. Mr. Waters stated that he anticipates that they will have a timeframe to offer the homeowners at a community meeting within the next couple of weeks.

Councilmember Strand asked if any of the funding would be withdrawn from the general fund. Ms. McDaniel said there are no dollars coming from the general fund.

Councilmember Geislinger asked if the title of the home would be under the homeowner's name or the City. Mr. Brenner said the title would go to the City on closing. Councilmember Geislinger asked for a map that showed the open space and prioritization of properties. Mr. Waters said once the prioritization list is confirmed, it will be shared with Council. Mr. Geislinger also asked what will be done with the open space afterwards. Mr. Waters said that it must be held vacant as open space and the maintenance costs are limited to weed and grass control.

## **9. Items Under Study**

There were no items under study.

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

Councilmember Knight commented that he does not agree with the section of the Entertainment District Ordinance being presented at the August 22, 2017 Council meeting that states no sale of alcohol between the hours of 2:00am-7:00am unless the Entertainment District allows it because he does not think an Entertainment District should sell past 2:00am.

Councilmember Pico stated that he participated in a tour of the Sheriff's Department and the jail and has additional information on the facility.

Councilmember Strand stated that he attended the Springs Rescue

Mission tour and said that even with the bunk beds, there are still 50 people sleeping on the floor. He also said that he and Councilmember Knight assisted in escorting Senator Michael Bennett on August 18, 2017 at the Front Range Power Plant.

## **11. Adjourn**

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

Sarah B. Johnson, City Clerk