



City of Colorado Springs

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

Meeting Minutes - Draft Council Work Session

City Council meetings are broadcast live on Channel 18.

Monday, October 27, 2014

1:00 PM

Council Chambers

1. Call to Order

Present 9 - President Pro Tem Merv Bennett, Councilmember Helen Collins, Councilmember Jill Gaebler, President Keith King, Councilmember Don Knight, Councilmember Jan Martin, Councilmember Joel Miller, Councilmember Andy Pico, and Councilmember Val Snider

2. Changes to Agenda

Eileen Gonzalez, City Council Administrator, noted the following change to the agenda planner, the Colorado Open Meeting and City Fair Campaign Practices refresher will be postponed to a future meeting.

3. Regular Meeting Comments

Councilmember Knight asked why the two annexation ordinances, passed by a unanimous vote at the last City Council meeting, are not on the Consent Calendar for tomorrow's meeting. Sarah Johnson, City Clerk, stated past practice was for annexation items to be voted on separately. The City Attorney's Office will research and provide clarification.

Councilmember Knight stated there are two versions of the Barnes and Powers North BID budget and requested this be clarified prior to the meeting tomorrow. Ms. Gonzalez will make this clarification.

Councilmember Knight also questioned why the traffic signal maintenance agreement is being presented today and voted on tomorrow. Ms. Gonzalez stated this was a staff request to ensure funding into next year.

4. Review of Previous Meeting Minutes

4.A. 14-0669 City Council Work Session Meeting Minutes October 13, 2014

Councilmember Knight requested a summary of his questions about the Briargate BID agenda item 8.F. be added to the meeting minutes.

5. Executive Session

There was not an Executive Session.

A) Open

There were no items for Open Discussion.

B) Closed

There were no items for Closed Discussion.

6. Staff and Appointee Reports

6.A. 14-0108 Agenda Planner Review

Councilmember Knight requested the Annual Appropriation ordinance on the planner be changed to a Council initiated ordinance.

6.B. 14-0508 Memorial Health System Enterprise Financial Report

Councilmember Knight asked about the new line item titled "income" on the report. Kara Skinner, CFO, explained this is a net payment to the enterprise as a result of stop loss reimbursements received related to care provided before the transaction and some medical care refunds, adding this may occur about once a year. Councilmember Knight also commented on legal fee expenses and requested a summary of external legal spending prior to the November meeting. Ms. Skinner agreed to provide the requested information.

7. Presentations for General Information

7.A. 14-0630 Leading Edge Student Presentations

Kasi Carter, Program Manager, Leadership Pikes Peak, expressed appreciation for Council's support of the program. Teens Gavin Bradigan, Kylie McKee, Carmen Mena, and Sami Carter presented overviews of their experiences in the program.

Councilmember Bennett commented on the history of the community supporting teens and Council's involvement in supporting this program to actively engage teens in our community and expressed his appreciation for this program. Councilmember Bennett requested this

program be included in the annual City Council report.

Councilmember Martin stated she had the opportunity to hear some of the presentations this summer and is impressed by the programs and encouraged teens to engage with Council.

President King asked how teens are chosen to participate in the program. Ms. Carter stated the teens are recruited through local school teachers, counselors and an application process.

Councilmember Snider stated he was amazed by the accomplishments of these youth and encouraged them to continue moving forward.

Councilmember Miller asked the teens what commonalties they found in such a diverse group of students working together. Ms. Sami Carter stated that we all have a voice, and Gavin Bradigan said that all the teens were there to become future leaders.

8. Items for Introduction

- 8.A. 14-0436** A resolution to authorize an intergovernmental agreement with the Colorado Department of Transportation to accept grant funding to add, replace, and restore bus stop shelters.

Craig Blewitt, Transit Services Manager, presented an overview of the opportunity to accept a grant to fund refurbishment of bus stop benches and shelters.

Councilmember Martin stated the shelters came up in conversation during their "rolling office hours", the main concern seemed to be about the closeness of the bus stops to curbs. Mr. Blewitt stated they also solicit information from citizens and riders and will make changes according to this feedback.

Councilmember Miller asked about a lawsuit associated with the FASTER Grants, requested a copy of the IGA associated with this grant money, and pointed out this is another grant acceptance that requires an IGA. Ms. Gonzalez stated the agreement was provided to Council prior to the meeting. Mr. Blewitt agreed to research the lawsuit and provide information to Council.

- 8.B. 14-0457** An ordinance making and certifying the 2014 tax levy for taxes payable in 2015 at 4.279 mills upon each dollar of assessed

valuation within the corporate limits of the City of Colorado Springs
Kara Skinner, CFO, presented an overview of the proposed tax levy.

President King clarified this is about the same amount of money as last year. Ms. Skinner confirmed the amount is very close to the same.

Councilmember Miller asked if finances are on track to be within TABOR limits. Ms. Skinner stated finance does not expect to be over TABOR limits with property tax, but is in jeopardy of going over revenue fiscal year spending limits established by TABOR. Finance will continue to monitor this situation closely.

8.C. 14-0558 A resolution approving the City's Investment Policy

Kara Skinner, CFO, provided an overview of the City's annual Investment Policy proposal, highlighting the recommended changes to the policy for the coming year.

Councilmember Miller asked why the City is recommending allowing investments in Canadian and Australian corporate bonds if the State is not. Mary Donovan, Cutwater Asset Management, explained the foreign investment option is included in and allowed by State Statutes with governing body approval.

President King requested clarification on requirements governing the length of bond maturity. Ms. Donovan clarified that corporate bonds must mature in three years or less while municipal bonds must mature in five years or less, adding this is in accordance with State Statutes. President King also asked about the MIG1 bond rating. Ms. Donovan stated this is a short term municipal bond rating term, Mr. Blackwood explained this is equivalent to an AAA bond rating.

Councilmember Knight clarified these are bonds the City will be buying and questioned the wisdom of investing in instrumentalities related to other Countries that may not have strong financial standing. Mr. Blackwood explained the benefits of being able to diversify investments and that these investments are very highly rated.

8.D. 14-0612 Consent to the inclusion of additional property within the boundaries of the Dublin North Metropolitan District No. 3

Carl Schueler, Planning Manager - Comprehensive Planning, provided an overview of the plan to include this property in the Dublin North

Metropolitan district, adding Council consent is required for the district to move forward with this inclusion through the District Court.

Councilmember Miller stated the service plan usually states the boundaries have changed, and asked why this one is different. Mr. Schueler explained how a normal service plan includes additional properties which may be included in future expansions; this was not done in this case.

Councilmember Knight asked why the usual procedure to present a modified service plan is not being followed. Mr. Schueler stated this alternate procedure is preferable due to the failure of the original service plan to include this property for future expansion. Mr. Schueler added that to amend the service plan would be more cumbersome and would allow the district to include more properties in the plan; this process allows Council to better control changes to the district boundaries and promotes consistency.

Mr. Rowley explained how changes to the properties to be included in the district would be documented, including the court case and the City and State recording process. Council actions will be attached to the order and the order would be included in the district court order.

8.E. 14-0602 Authorization of Dublin North Metropolitan District No. 2 to Issue up to \$2,000,000 in Debt as a Limited Tax General Obligation Loan

Carl Schueler explained the mill levy limitations and other financial details associated with this property, recommending approval of the proposal.

Councilmember Miller requested additional information on the financial plan for the district including the taxes to be collected and the contemplated debt service. Mr. Rowley provided an explanation of the plan and how the debt service will be applied to the district properties.

8.F. 14-0610 A resolution endorsing a study commissioned by the Colorado Springs Convention & Visitors Bureau to build a fact-based case for the funding required to effectively market and promote the Pikes Peak Region as a destination

Councilmember Martin stated several constituents have endorsed this study and the cost was included in the LART budget approved by Council.

Doug Price, President and CEO of the Colorado Springs Convention and Visitors Bureau (CVB) provided information about the study, which will compare Colorado Springs to other markets, to help the CVB develop a marketing plan.

Councilmember Miller expressed concern about LART funds going to the CVB to benefit the CVB, and asked if the study can be done independently. Mr. Price stated they have been unsuccessful in finding other organizations to do the study.

Councilmember Knight stated he feels decisions have already been made and he would like to see the presentation made to the LART Committee before he can endorse this proposal. He also pointed out this is a dual purpose study to develop a marketing plan for CVB and a possible LART tax increase. Mr. Price stated the CVB is asking Council to support the study to avoid the perception of self-serving and agreed to provide the presentation to Council.

Councilmember Pico asked if this is mainly looking to increase tax rates. Mr. Price said the purpose of the study is to look at general ways to raise funds to market Colorado Springs as a travel destination. This study will compare a number of different cities and provide information on how they achieved results.

- 8.G. 14-0611** An Ordinance Amending Sections 204 (Employee Insurance Benefits) of Part 2 (Salaries And Benefits) of Article 4 (City Employees) of Chapter 1 (Administration, Personnel, And Finance) of The Code of The City of Colorado Springs 2001, as Amended, Pertaining to Benefits

Mike Sullivan, Human Resources Director, recommended approval of an ordinance to bring Colorado Springs into compliance with the Affordable Care Act.

Councilmember Knight requested clarification of which version of the ordinance Council is being requested to approve. Mr. Sullivan apologized for the confusion and clarified the document handed out today is the correct one.

- 8.H. 14-0637** A Resolution Authorizing the Mayor to Execute a Contract Between the City of Colorado Springs and the Colorado Department of Transportation for Maintaining Traffic Signals on

State Owned Facilities

Kathleen Krager, Transportation Manager, explained the City has provided maintenance on State owned traffic signals since 2002 which benefits the City and this is a continuation of the agreement.

Councilmember Miller asked if this is an IGA, Ms. Krager explained this five year agreement between government entities needing Council endorsement.

8.I. 14-0649 Cumbres and Toltec Scenic Railroad Proposal

Karen Palus, Director of Parks, Recreation and Cultural Services, introduced a proposal from the Cumbres and Toltec Scenic Railroad to lease Locomotive 168 from the City of Colorado Springs. The locomotive is currently located in Antlers Park and was donated to the City in 1938.

Matt Mayberry, Cultural Services Manager, provided additional information about the locomotive and the proposed lease agreement. Mr. Mayberry stated the agreement will allow the locomotive to retain its national registry status, will provide needed restoration work, and allow the locomotive to be returned to the community in the future.

John Bush provided historical information and an overview of the plan to restore the locomotive and bring it back into service. President King asked how the restoration will be funded. Mr. Bush stated a private campaign to fund the restoration will be launched.

Councilmember Gaebler expressed appreciation for the plan and asked if there is local support for the proposal. Mr. Bush stated there is local support and a public meeting is scheduled for tonight to solicit public input on this decision. Councilmember Gaebler requested information from the public meeting be provided to Council.

Councilmember Knight commented on the positive aspects of having the locomotive restored to a working status, would like to see Colorado Springs residents receive a discount, and expressed concerns about the potential status of the locomotive upon return, requesting a clause be added to the lease agreement to ensure the locomotive would be returned in at least the same condition as received.

Councilmember Miller asked about the restoration work done on the

locomotive in 1984 and the responsibility of the Parks Department to maintain the car if it stays here. Mr. Bush stated it cost about \$25,000 to restore the locomotive in 1984 and provided details on the previous restoration. Mr. Bush stated it will cost an estimated \$650,000 to restore the locomotive to working condition. Mr. Bush acknowledged planned usage of the locomotive will lead to deterioration, but that the railroad will guarantee the locomotive will be returned to the City in the same state it was in when the 1984 restoration was completed, ready to be displayed. Mr. Bush also stated the lease will include an educational program for the local schools adding it may be possible to place another locomotive on display in the park.

Mr. Mayberry stated the plan is to place sod in the park where the locomotive is now. Karen Palus stated Parks plans to make this a thorough process including Council and public input in the decision process.

Citizens and train enthusiasts Craig McGold, Gregory Rogers, and Mel McFarland spoke in favor of this agreement.

8.J. 14-0653 Resolution to Oppose Expansion of Federal Control under the Clean Water Act

Travis Easton, Public Works Director, provided an overview on the resolution to oppose the Federal Clean Water Act and stated they had worked with CSU on developing the document.

Councilmember Gaebler asked if her requested changes to the document have been made. Mr. Easton stated they have.

Councilmember Bennett asked if this could be added to the agenda for tomorrow. Ms. Johnson stated it can be noticed and addressed after posting time tomorrow afternoon.

Discussion ensued between Councilmembers regarding the importance of voting on this and ensuring Council's voice is heard.

Consensus of Council agreed to add this to the agenda for tomorrow.

8.K. 14-0677 A resolution supporting advisory ballot question 1B submitted to the registered electors of the proposed PPRDA pursuant to City Code 5.2.304(a).

Dave Munger, Co-Chair Citizens Task Force, presented a request for

Council to approve a resolution to support ballot question 1.B.

Councilmember Gaebler asked if this will be on the meeting agenda for tomorrow as the vote will be over prior to the next meeting, November 10, 2014. Ms Gonzalez stated she will make sure this item is noticed and added to the agenda for tomorrow.

Councilmember Miller stated he is having difficulty determining what his stormwater fee will be using the materials provided on the website and cannot support this due to the lack of citizen ability to know what this will cost them.

9. Items Under Study

9.A. 14-0678 Update, discussion and direction on composition of the Infill and Redevelopment Steering Committee

Councilmember Gaebler, provided a summary of the plan to form an Infill and Redevelopment steering committee and stated there has been public concern about the lack of CONO and HBA being represented on the committee.

Councilmember Gaebler requested Council's feedback on including these entities on the committee or keeping the committee size smaller.

Councilmembers discussed the pros and cons of including these entities on the committee.

Peter Wysocki, Director of Planning and Development, explained how the committee will work with the Planning department to provide guidance and public input to planning decisions and requested Council let the established process work.

Councilmember Snider asked Councilmembers Gaebler and Pico to request the committee provide periodic updates and feedback to Council.

10. Councilmember Reports and Open Discussion

Councilmember Miller asked if there has been a resolution to the severance pay issue. Ms. Gonzalez stated she needs to formally present the request to Mayor Bach. President King stated Mayor Bach is planning to fully comply with PPM requirements.

Councilmember Miller asked when Council might receive a response from the City Attorney's Office regarding the Stadium Authority update. Mr. Andrews provided copies of a confidential email Councilmember Miller sent to the City Attorney's Office and their response. Councilmember Miller stated the general response provided by the Attorney's office did not provide the requested information. Councilmember Miller stated he will post his email requesting information on his website. Mr. Andrews stated this is privileged information. President King polled Council about the desire for Councilmember Miller to post the email. Consensus of Council agreed for Councilmember Miller to post the email.

Councilmember Miller asked why Council has not received a C4C update in the last two meetings. Bret Waters, Deputy Chief of Staff, stated if Council has specific questions regarding C4C, the requested information will be provided. President King requested regular C4C updates at future meetings. Mr. Waters agreed to provide the requested updates.

Councilmember Knight thanked Council for the input on the 2015 budget and stated it will be posted on the website before the budget work session meeting on Thursday, October 30, 2014.

President King provided an update on the issue of Council securing outside counsel to provide direction on certain items stating the money for this will be included in the 2015 City budget. Ms. Gonzalez reminded Council this item had been postponed to tomorrow's meeting and can be postponed again.

11. Adjourn