



# 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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Tuesday, January 22, 2019

9:00 AM

Council Chambers

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### 1. Call to Order

- Present** 8 - Councilmember Yolanda Avila, Councilmember Merv Bennett, President Pro Tem Jill Gaebler, Councilmember David Geislinger, Councilmember Bill Murray, Councilmember Andy Pico, President Richard Skorman, and Councilmember Tom Strand
- Excused** 1 - Councilmember Don Knight

### 2. Changes to Agenda

There were no changes to the Agenda.

### 3. Regular Meeting Comments

President Skorman requested item 10.A. the reconsideration of the postponement date of the Ordinance pertaining to the authority to impound recreational vehicles be withdrawn from the January 22, 2019 City Council meeting.

Consensus of Council agreed to these changes.

### 4. Review of Previous Meeting Minutes

- 4.A. [19-064](#) City Council Work Session Meeting Minutes January 7, 2019

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [1-7-19 City Council Work Session Meeting Minutes Final.pdf](#)

Councilmember Geislinger requested his comments on item 8.C. pertaining to street paving in The Estates at Rockrimmon be revised to reflect that 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.

The minutes of the January 7, 2019 Work Session meeting were approved

by Consensus of Council.

## **5. Executive Session**

### **5A. Open**

### **5B. Closed**

#### **5B.A. [19-062](#)**

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: (1) legal advice and consultation with the City Attorney regarding potential ADA litigation; and (2) determining positions relative to an economic development matter that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators.

Presenter:

Wynetta Massey, City Attorney

**Attachments:** [01212019ClosedSession](#)

Marc Smith, Division Chief, Corporate Legislative Counsel, 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 a Closed Executive Session. The issues to be discussed involve: (1) legal advice and consultation with the City Attorney regarding potential ADA litigation; and (2) determining positions relative to an economic development matter 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.

Upon return from the Closed Executive Session, President Skorman stated pursuant to the new process for settlements in which City Council provides direction to the City Attorney, City Council will vote during the January 22, 2019 regular City Council meeting to approve or disapprove the settlement authority discussed in Closed Executive Session. The name of the parties, the matter, and the settlement authority given will not be disclosed.

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

**6.A.**    [19-063](#)        Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments:    [Agenda Planner Review 1-22-19.pdf](#)

There were no comments on this item.

**7. Presentations for General Information****8. Items for Introduction****8.A.**    [19-067](#)        A Resolution Approving an Economic Development Agreement Between  
The City Of Colorado Springs and Trisco Foods, LLC

Presenter:

Bob Cope, Economic Development Officer

Chelsea Gaylord, Economic Development Project Manager

Attachments:    [Trisco Foods Resolution Regular Session](#)

[Trisco Economic Development Agreement Final Regular Session](#)

[Trisco City Council Presentation Regular Session](#)

Chelsea Gaylord, Economic Development Project Manager, Economic Development Officer, presented a Resolution approving an economic development agreement with Trisco Foods, LLC. She gave an overview of Trisco Foods, LLC, the proposed economic development agreement, the financial implications, financial safeguards, and staff recommendation.

Councilmember Geislinger asked if the majority of jobs will be hired locally. Ms. Gaylord confirmed they will be.

Councilmember Strand asked if Trisco Foods' requirement for electricity will be high. Ms. Gaylord stated she does not believe so, but will confirm. She also stated the existing building has already been well outfitted from the previous tenants and there should not be much of a need for additional utilities.

Councilmember Murray asked if these economic development agreements concepts of performance based with financial analysis could be applied to other business agreements. Bob Cope, Economic Development Officer, stated all the incentives the City provides are performance based.

**8.B.**    [19-019](#)        An ordinance amending Ordinance No. 18-118 (2019 Appropriation

Ordinance) for a supplemental appropriation to the 2C-Road Repair, Maintenance and Improvement Fund in the amount of \$6,000,000 for additional capital expenditures identified for 2019

Presenter:  
Charae McDaniel, Chief Financial Officer  
Travis Easton, P.E., Public Works Director  
Corey Farkas, Manager of Operations and Maintenance Division of Public Works

**Attachments:** [Supplemental Approp Ord - 2C Fund](#)

Charae McDaniel, Chief Financial Officer, presented the Ordinance for a supplemental appropriation to the 2C-Road Repair Maintenance and Improvement Fund in the amount of \$6M for additional capital expenditures. She stated 2017 and 2018, 2C sales tax revenue collections were higher than anticipated resulting in approximately \$9M of available fund balance.

There were no comments on this item.

- 8.C.** [19-052](#) Resolution of Acceptance for the Bear Creek Greenback Cutthroat Trout Habitat Restoration Grant

Presenter:  
Tilah Larson, Grants Analyst - Parks, Recreation and Cultural Services  
Karen Palus, Director - Parks, Recreation and Cultural Services

**Attachments:** [1-22-19 - Greenback Trout GOCO Resolution](#)  
[1-22-19 - Bear Creek Trout Powerpoint](#)

Karen Palus, Director, Parks, Recreation and Cultural Services, presented the Resolution of acceptance for the Bear Creek Greenback Cutthroat Trout Habitat Restoration Grant award of \$52,725 from Great Outdoors Colorado (GOCO) and presented a map of the project area.

There were no comments on this item.

- 8.D.** [18-0597](#) A Resolution Rescinding and Replacing Resolution Nos. 09-06 and 10-06, Establishing Special District Review Fees and Including the City's Previously Adopted Special District Policy and Model Service Plans

(Legislative Item)

Presenters:

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

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

[Exhibit A Special District Policy](#)

[Exhibit B-1-SingleDistrictModelServicePlan9-11-12](#)

[Exhibit B-2\\_MultiDistrictModelServicePlan9-11-12](#)

[Exhibit C - Special District Proposed Fees](#)

[Figure 1 - Resolution 9-06](#)

[Figure 2 - Resolution 10-06](#)

[Figure 3 - Comparable Cities Data](#)

[Figure 4 - Special District Fee Review Summary - Revised 1-8-19](#)

[Figure 5 - Special District Fee Review Final - Revised 1-8-19](#)

[Figure 6 - Application and Transmittal Form - Jan06](#)

[Figure 7 - Special District Applications 2009-present](#)

[Figure 8 - Count of Special Districts Created by Year](#)

[Figure 9 - Additional Background Information](#)

[Figure 10 - Resolution 113-12](#)

[Presentation](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development Department, introduced the Resolution to update special district review fees.

Conrad Olmedo, Planner II, Comprehensive Planning Manager, Planning and Community Development Department, provided a summary of the proposed special district fee structure, a comparison of admin fees with similar jurisdictions, the details of the special district fee review process, a count of newly created special districts by year, and the special district actions from 2009 to present.

President Skorman asked why there was a reduction for the metropolitan district service plan fees. Mr. Olmedo stated the cost analysis was calculated based on staff time required and the implementation of inclusion /exclusion fees to business improvement districts.

Councilmember Geislinger asked if a special district could be created incentivizing affordable housing projects. Mr. Schueler stated it is possible to create a district with an affordable housing aspect to it and with City Council action, the application fee could be waived.

Councilmember Murray asked if the reduction in fees were due to less staff time required to complete the documents. Mr. Schueler confirmed it was and was also due to the system they currently have in place.

Councilmember Strand requested the requirement to review the special district fees every two to three years be included in the Resolution. Chris Wheeler, City Budget Manager, stated fee review schedules are not typically put in Resolutions since they are not in the user fee policy.

- 8.E. [CPC CA 18-00164](#) An Ordinance Amending Section 205 (Accessible Parking Space Requirements for the Disabled) of Part 2 (Off-Street Parking Standards) of Article 4 (Site Development Standards) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs, 2001, as amended, Pertaining to Accessible Parking Signs.

(Legislative)

Presenter:

Meggan Herington, Assistant Director of Planning  
Robert Hernandez, Title II ADA Manager, Office of Accessibility  
Peter Wysocki, Director of Planning and Community Development

**Attachments:** [AccessibleParkingSignageORD-2018-01-16](#)

[CPC Staff Report ADA Parking Signage](#)

[IllustrationSignageSymbols](#)

[CPC Minutes ADA Parking draft](#)

Meggan Herington, Assistant Director of Planning, presented the Ordinance pertaining to accessible parking signs. She stated this amendment proposes to update a single section of City Code, 7.4.205F, pertaining to Americans with Disabilities Act (ADA) signage and deletion of the language that states “or other generally accepted symbol of accessibility such as the dynamic accessibility icon developed by The Accessible Icon Project”. She stated the Department of Justice (DOJ) has not approved the use of the dynamic symbol.

There were no comments on this item.

- 8.F. [19-055](#) Resolution approving the 2019 Action Plan for the use of Federal Block Grant Funds (CDBG, HOME, ESG) provided through the U.S. Department of Housing and Urban Development.

Presenter:

Steve Posey, Community Development Division Manager  
Peter Wysocki, Director of Planning and Community Development

**Attachments:** [2019 AP Jan2](#)

[2019 Action Plan Council Resolution](#)

[2019 AP Slide Deck.pptx](#)

[Memo re public comment\\_CDD to Council Feb 12](#)

[Combined comments Jan2 to Feb 1\\_2019 Draft Action Plan](#)

Steve Posey, Community Development Division Manager, presented the 2019 Action Plan for the use of federal block grant funds provided through the U.S. Department of Housing and Urban Development (HUD). He explained the 2019 allocation from HUD is estimated at \$4.5M. Mr. Posey gave an overview of the public engagement process, the uses of the Community Development Block Grant Program (CDBG) and Emergency Solutions Grant (ESG) funds and their timeline for implementation.

Councilmember Geislinger asked what efforts were being made toward providing information regarding low income support services to citizens with English as a second language. Mr. Posey stated they have adopted a language assistance plan and have translated the Community Development Department's critical documents to Spanish.

Councilmember Geislinger requested a more detailed breakdown of the CDBG funding for public facilities and administration. Mr. Posey stated the Springs Rescue Mission, the RJ Montgomery Center, and the Westside Community Center are included in public facilities and the salaries of the eight employees in the Community Development Department are included in administration.

**8.G.** [19-060](#)      POPS Ballot Item Discussion

President Skorman opened the floor for discussion regarding a proposed Protect Our Parks (POPS) ballot item.

Citizen Kent Obi stated the proposed ballot measure would amend the City Charter to state that City-owned park land could only be sold or disposed of by a vote of the people. He said a majority of the cities in Colorado already have protections in place for park land.

Citizen Kathy Meinig spoke in favor of the proposed ballot measure.

Councilmember Murray asked if there is a standing committee to address

this initiative. Jeff Greene, Chief of Staff, confirmed there is, but there were aspects of the proposed ballot language that were too interpretive and would not accomplish the goals of the group. Mr. Greene recommended defining a working group with two City Council liaisons to ensure protections for all parties.

Consensus of Council agreed to Mr. Greene's recommendation.

Councilmember Avila stated she is concerned that the small community parks of lower income areas will be used by the City as tools and sold to developments.

Councilmember Murray stated this is an incredibly important piece of PlanCOS.

Councilmember Strand asked if open space would be considered in this initiative. Mr. Obi confirmed it would.

#### **9. Items Under Study**

There were no Items Under Study.

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

There were no Councilmember Reports and there was no Open Discussion.

#### **11. Adjourn**

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

Sarah B. Johnson, City Clerk