



# 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.*

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Monday, January 12, 2015

1:00 PM

Council Chambers

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### 1. Call to Order

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

### 2. Changes to Agenda

Eileen Gonzalez, City Council Administrator, requested the Colorado Wildfire and Incident Management presentation take place before the Executive Session. Consensus of Council agreed to this change.

### 3. Regular Meeting Comments

Councilmember Martin stated she plans to call agenda item 5.B.D. off the Consent Calendar agenda for tomorrow.

Ms. Gonzalez requested agenda Item 12.A. regarding the acquisition of property to be used for Woodmen Road corridor improvements tomorrow be discussed before unfinished business.

### 4. Review of Previous Meeting Minutes

#### 4.A. 14-0779 Work Session Meeting Minutes December 8, 2014

The minutes of the December 8, 2014 work session were approved as presented.

### 7. Presentations for General Information

#### 7.A. 14-0773 Colorado Wildland Fire and Incident Management Academy (CWFIMA)

Colorado Springs Fire Chief, Christopher Riley introduced Cheryl Dalton, Liaison Officer, Captain David Vitwar, Student/ Instructor, Greg Heule, Public Information Officer, and Jim Krugman, Type 2 Incident Commander from the Colorado Wildland Fire Academy. The group provided an overview of the fire training taking place in Colorado Springs this year and how the citizens of Colorado benefit from this collaborative training experience.

Councilmembers Knight, Bennett and King expressed appreciation for the services provided by the firefighting teams.

## 5. Executive Session

A) Open

B) Closed

- B)A. 14-0774** 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 issue to be discussed involves legal advice and consultation with the City Attorney regarding a new litigation matter pertaining to former employees of the Memorial Health System.

The President of Council shall poll the City Councilmembers, and, upon consent of two-thirds of the members present, may hold a 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.

President King polled the Councilmembers regarding the Closed Executive Session, consensus of Council agreed to proceed with the discussion in Closed Session.

## 6. Staff and Appointee Reports

- 6.A. 14-0758** Agenda Planner Review

Ms. Gonzalez informed Council that the item relating to the Dublin Terrace Townhomes is not on the agenda for tomorrow as planned because the attorneys in the case are waiting for judgment, this item will be rescheduled for a meeting in February 2015.

- 6.B. 14-0725** Financial Reports - Memorial Health System Enterprise and Colorado Springs Health Foundation

There were no questions regarding the Financial Report for Memorial Health System Enterprise.

## 8. Items for Introduction

- 8.A. 14-0765** An ordinance amending Ordinance No. 13-77 (2014 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$434,000 for the final 2014 LART payment to the Colorado Springs Convention & Visitors Bureau

Kara Skinner, CFO, explained the agreement between LART and the CVB requires a portion of funds received by LART be transferred to the CVB. This supplemental appropriation of funds is necessary due to higher revenue than anticipated.

Councilmember Knight requested this process be more transparent to facilitate better public understanding.

Councilmember Collins requested clarification about a transfer of funds that occurred during 2014. Doug Price, President and CEO of the CVB, explained the money appropriated in 2014 was from the LART reserve funds to cover a specific project.

President King asked if the CVB has plans for the additional funds. Mr. Price stated they are planning on some advertising and working with the airport on some projects.

- 8.B. 14-0703** A resolution authorizing a transfer not to exceed \$4,500,000 from the Memorial Health System Enterprise Fund to the Colorado Springs Health Foundation in accordance with the Health System Operating Lease and Integration and Affiliation Agreement

Kara Skinner, CFO, stated the CSHF has requested funds be transferred to their account. Councilmember Bennett suggested Council discuss this item in the February 23, 2015 work session.

- 8.C. 14-0682** A resolution authorizing the donation of the property known as Jones Park to El Paso County, Colorado

Marc Smith, Senior Attorney, Colorado Springs, provided an update on the activity that has taken place with the proposed agreement between the City and El Paso County regarding the transfer of this property. Mr. Smith stated meetings to review the draft agreement have taken place between the City, County and City Councilmembers Bennett and King. Changes to the document were requested, and an updated draft of the agreement has been drafted. Councilmember Bennett expressed appreciation for the process and the work being done on the project.

Amy Folsom, El Paso County Attorney, stated negotiations are progressing well and she believes the documents will be approved by the County as written. Ms. Folsom expressed appreciation for all the work that has gone into making this process successful.

- 8.D. 14-0470** A Resolution submitting to the registered qualified electors of the City of Colorado Springs, Colorado, at the General Municipal Election to be held on Tuesday, April 7, 2015, the question of issuing Sales and Use Tax Revenue bonds of the City without raising taxes or imposing a new fee, in the maximum principal amount of \$160,000,000 for the purpose of financing capital

improvements; providing for the form of the ballot title and text; providing for certain matters with respect to the election; and, providing the effective date of this resolution

Steve Cox, Chief of Staff, presented information based on questions received from Councilmembers regarding the proposed issuance of sales use tax revenue bonds to fund infrastructure improvements and provided an overview of the planned projects.

Kara Skinner, CFO, clarified the purpose of this discussion is to decide if this issue should be referred to the April ballot.

Jill Jaworski, Financial Advisor, explained the financing plan and provided answers to questions City Council and citizens have posed regarding this proposal. Ms. Jaworski went on to explain the benefits of using revenue bonds to finance these projects.

Councilmember Bennett requested additional information about how much of the \$8 million pay as you go CIP budget is designated for stormwater improvements. Ms. Skinner will provide this information to council.

Councilmember Knight questioned this decision based on the knowledge of a new mayor coming into leadership in the near future; Ms. Skinner reminded Council that the authorization of tax payers for the City to borrow the money does not obligate the bonds to be issued, Council action and approval by the new mayor will be required to issue bonds. Councilmember Knight urged Council to carefully consider the long term consequences of the actions taken today.

President King stated he has provided Council with an alternative proposal and expressed concern about the prioritization of the projects included in the Mayor's proposal.

Councilmember Bennett stressed the importance of bringing this to a Council vote in an effort to work with the administration and stressed that citizens need to recognize this is not a short-term project.

Councilmember Gaebler stated her agreement with the need to re-prioritize the projects to focus more on stormwater projects.

- 8.E. 14-0341** An ordinance submitting charter amendments to the electors of the city for the general municipal election to be held April 7, 2015 relating to City Council direction and supervision of Auditor and legislative employees

Ms. Gonzalez explained this proposal makes the City Council administrator a direct report to Council and that the change will not

affect the salary range.

Discussion between Council and Ms. Massey about the proposal and the possible repercussions of this action ensued. Councilmember Knight requested Ms. Massey make changes discussed in today's meeting to the proposal and have a final copy to present for discussion during the January 26, 2015 work session.

- 8.F. 14-0557** An ordinance submitting a Charter amendment to the electors of the City of Colorado Springs for the general municipal election to be held April 7, 2015 relating to voting requirements for funding or financing a stadium and event center

Councilmember Knight introduced an updated version of the proposal and explained the changes and provisions made to this version. President King stated this version of the proposal will be brought to Council for a vote first tomorrow, if it passes, the other agenda item addressing this issue, 8.G., will be dropped.

Councilmember Bennett expressed his view that a resolution is the best way to handle this situation, not a charter amendment.

Councilmember Martin related her concern about making too many amendments to the City Charter and stated that Council agrees that a stadium funded with tax payer money would require a vote of the citizens.

Bob Cope, City for Champions Project Manager, explained how the proposed language change would make the financing plan clearer and less confusing. Mr. Cope stated a TIF and a sales tax plan would be used to fund the stadium.

- 8.G. 15-0031** A resolution requiring voter approval of public financing for Colorado Springs' Colorado Sports & Event Center

Council proceeded to discuss this proposal as an alternate to the charter amendment associated with funding a downtown stadium and event center. Discussion centered on concerns about the use of funds and the binding nature of resolutions versus charter amendments.

Councilmember Martin stated she believes this is a commitment by City Council to the voters that, if tax money is used to fund the stadium, the voters will be included in the decision. Ms. Massey will make the requested changes to the proposal and provide copies to Council before the meeting tomorrow.

- 8.H. 14-0732** An ordinance submitting a charter amendment to the electors of the City for the general municipal election to be held April 7, 2015, relating to transparent budget preparation, appropriation, and

budget administration matters, providing for the form of ballot title, providing for certain matters with respect to the election and providing the effective date of this ordinance.

Councilmember Knight provided an overview of the changes and the rationale behind the changes made to the proposal since the last Council discussion. The necessity of this proposal was reconsidered by Council given the pending changes in City government leadership in the coming months.

## 9. Items Under Study

- 9.A. 15-0023** Council discussion and direction to City Attorney's Office relating to possible litigation relating to Council's and Mayor's budgetary authority under the City Charter

President King explained he does not believe there is an urgent need to move forward with this discussion given the pending change in City leadership. Ms. Gonzalez explained the purpose of this agenda item is to discuss the need for Council to retain outside Counsel to assist with exploring the direction Council would like to take to settle differences between Council and the Mayor.

Council discussed the options, benefits and repercussions of this proposal. Councilmember Bennett stated he would prefer to defer this discussion until the new mayor is appointed and possibly discuss this in a future Council retreat.

President King recommended tabling this issue until the new mayor is in office and the two parties can have a discussion about the items in question.

## 10. Councilmember Reports and Open Discussion

Councilmember Collins acknowledged Amy's Donuts who recently received the Spirit of the Springs award.

Councilmember Pico requested support from Council to start working on a plan to eliminate excess sales tax use funds collected in 2014 by formally placing the item Under Study. Councilmember Snider suggested a committee be formed to work on this item. Councilmember Martin urged Council to consider all options before making a decision on how to handle the situation. President King polled Council regarding the desire to have this item placed Under Study. Consensus of Council agreed to this.

Councilmember Bennett stated he has been representing the City in discussions with the Arkansas Water District regarding stormwater. Colorado Springs Utilities staff has asked that he continue to participate

in discussions with this group in the future, Councilmember Bennett requested Council approval for him to participate in these discussions, adding he will not make any commitments on behalf of the City without Council approval. Consensus of Council agreed to have Councilmember Bennett continue to represent the City in these meetings.

11. Adjourn