



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, March 21, 2022

10:00 AM

Council Chambers

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1. Call to Order and Roll Call

Present 9 - Councilmember Yolanda Avila, Councilmember Dave Donelson, Councilmember Stephannie Fortune, President Pro Tem Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, Councilmember Mike O'Malley, President Tom Strand, and Councilmember Wayne Williams

Councilmember O'Malley arrived virtually at the meeting at approximately 2:00 PM.

Councilmember Williams left the meeting at approximately 4:30 PM.

2. Changes to Agenda

Dena Lozano, Deputy City Clerk, stated item 5.B.A. Closed Executive Session will be moved to the end of the meeting and item 6. Items for Introduction will be held before item 7. Staff and Appointee Reports. Consensus of City Council agreed to these changes on the agenda.

3. Regular Meeting Comments

There were no Regular Meeting Comments.

4. Review of Previous Meeting Minutes

4.A. [22-174](#) City Council Special Closed Executive Session Meeting Minutes March 7, 2022

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [3-7-22 Special Closed Executive Session Meeting Minutes Final](#)

The minutes of the March 7, 2022 Special Closed Executive Session were

approved by Consensus of City Council.

4.B. [22-175](#) City Council Work Session Meeting Minutes March 7, 2022

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [3-7-22 City Council Work Session Meeting Minutes Final](#)

The minutes of the March 7, 2022 Work Session were approved by Consensus of City Council.

5. Presentations for General Information

5.A. [22-127](#) Update from Visit COS

Presenter:

Doug Price, President & CEO, Visit COS

Attachments: [Q4 21 VCOS KPI Presentation](#)

Doug Price, President and CEO, Visit COS, announced the retirement of Jim Cassidy, CFO, VisitCOS, and his successor, Jason Cutshaw. He presented the 2021 fourth quarter Performance Measures report which reflected results through December 2021. He gave an overview of Lodging and Auto Rental Tax (LART), Revenue per Available Room (RevPAR), group sales, marketing, communications, partnership, and visitor services. Mr. Price stated Samantha Brown did a thirty-minute feature on the City on her Places to Love program.

Councilmember Murray stated the restriction for planning a convention center needs to be taken off through a ballot question for the November 2022 Election. Jeff Greene, Chief of Staff, stated the City encourages hotels to expand their footprint to include conference facilities , but it cannot initiate discussions or plan for a convention center.

Councilmember Fortune asked if the City Auditorium could provide conference space. Mr. Price confirmed it could.

Councilmember Henjum asked what the pros and cons of a conference center in the City would be. Mr. Price stated the City fared well economically during the pandemic because it has never been reliant on the revenue from conventions and The Broadmoor is working hard to utilize Bartolin Hall during all seasons. Mr. Greene stated it takes a lot of funding from larger municipalities to support a convention center especially during down times such as the pandemic and the Administration would have serious concerns initiating activity for a convention center especially with all the other needs the City has before it.

Councilmember Fortune asked if it is business travel or personal travel returning to the City. Mr. Price stated it is more leisure and youth sports travel.

Councilmember Williams asked if projections for business travel will return to what it was prior to the pandemic. Mr. Price stated he believes the power of face-to-face meetings will come back even if hybrid meetings do not go away.

Councilmember Williams asked where the annual Winter Conference for Colorado Counties will be held now that the Hotel Elegante is closing. Mr. Price stated he will research that information.

Councilmember Donelson asked if there was any feedback from groups regarding the City's mask mandates. Mr. Price stated the El Paso County Department of Health allowed the individual hotels to determine the restrictions and that helped minimize outbreaks.

President Pro Tem Helms asked how the City's LART tax compares to other cities. Mr. Price stated at two percent, it ranks 141 out of 150 and if it were doubled, it would benefit the City with promotion.

Councilmember Avila asked where the City would rank if the LART taxed were doubled. Mr. Price stated it would bring the City to 128.

President Strand asked what percentage of staff is focused on marketing and media. Mr. Price seven of the nineteen staff is focused on communications.

6. Items for Introduction

- 6.A. [22-131](#) An ordinance excluding property from the boundaries of the MW Retail Business Improvement District located near the intersection of Woodmen and Marksheffel Roads.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [Ordinance MW Retail Exclusion](#)
[Exhibit A- MW Colorado Springs - executed Petition for Exclusion of Property Site Plan](#)
[Transmittal Letter for Exclusion](#)
[Exhibit B- Notice of Exclusion](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development, gave a brief summary of the proposed inclusion and exclusion of property into the MW Retail Business Improvement District (BID) and the issuance of special revenue bonds by the MW Retail Business Improvement District in an amount not to exceed \$5,000,000 for a project located near the intersection of Woodmen and Marksheffel Roads. He provided a brief background of the district boundaries, presented a map of the net inclusion area, BID history, inclusion/exclusion summary, debt issuance summary, costs to be reimbursed, questions/comments from the Budget Committee, and staff recommendation.

Councilmember Murray asked if future maps could be Google maps so the public can identify the location more clearly. Mr. Schueler agreed to Councilmember Murray's request.

- 6.B.** [22-157](#) An ordinance including property into the boundaries of the MW Retail Business Improvement District located near the intersection of Woodmen and Marksheffel Roads.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [Ordinance MW Retail BID Inclusion](#)
[Exhibit A- Executed Petition for Inclusion](#)
[PowerPoint- MW Retail BID Inclusion, Exclusion and Debt Issuance](#)
[Exhibit B- Notice of Inclusion](#)

Please see comments in Agenda item 6.A.

- 6.C.** [22-130](#) A resolution of the City of Colorado Springs, Colorado approving the issuance of special revenue bonds by the MW Retail Business Improvement District in an amount not to exceed \$5,000,000 for a project located at the intersection of Woodmen and Marksheffel Roads.

(Legislative Item)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [Resolution MW BID Debt Issuance](#)

[Applicant Presentation MW Retail BID - City Council Finance](#)

[Applicant Bond Issuance Cover Letter- MW Retail BID](#)

[2022-02-22 MW Retail BID Financing Analysis - v5](#)

[Retail Civil Cost](#)

[MW Retail BID 2022 - Draft Bond Resolution](#)

[MW Retail BID - Finance Plan Cover Letter, RBC Capital Markets.](#)

[Draft Bond Counsel Opinion - MW Retail BID](#)

[Draft GC Bond Opinion](#)

Please see comments in Agenda item 6.A.

6.D. [22-133](#)

A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of Gold Hill Mesa No. 2 Metropolitan District Limited Tax General Obligation Bonds Series 2022(A) in an amount not to exceed \$16,000,000 and Limited Tax General Obligation Bonds Series 2022(B) in an amount not to exceed \$6,700,000 located south of Highway 24 and east of 21st Street

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development Department

Peter Wysocki, Planning and Community Development Director

Attachments: [Resolution](#)

[Staff Presentation](#)

[Applicant Presentation](#)

[Financial Plan & Projections](#)

[Draft Bond Resolution](#)

[Draft Indenture of Trust \(Senior Bond\)](#)

[Draft Indenture of Trust \(Subordinate Bond\)](#)

[General Counsel Opinion Letter](#)

[Draft Bond Counsel Opinion \(Senior Bond\)](#)

[Draft Bond Counsel Opinion \(Subordinate Bond\)](#)

Hannah Van Nimwegen-McGuire, Senior Planner, Planning and

Community Development Department, presented the Resolution approving the issuance of Gold Hill Mesa No. 2 Metropolitan District Limited Tax General Obligation Bonds Series 2022(A) in an amount not to exceed \$16,000,000 and Limited Tax General Obligation Bonds Series 2022(B) in an amount not to exceed \$6,700,000 located south of Highway 24 and east of 21st Street. She provided a vicinity map, summary of the request, district boundaries, questions/comments from the Budget Committee, and next steps.

Stephanie Edwards, Area Lead Officer for Gold Hill Mesa, representing the applicant, went over the project location, history, reasons for refinancing and benefits, urban renewal, and economic benefits of public financing.

Ryan Hoffmann, CFO for Gold Hill Mesa, representing the applicant, provided the history of Gold Hill Mesa No. 2 Metropolitan District financing, public financing recap, and summary.

Mike Brian, Underwriter of the bonds for Gold Hill Mesa, gave an overview of the details of the proposed financing.

Councilmember Murray stated he does not support the use of B bonds especially since the infrastructure is already in place, but he will be supporting this project. Mr. Brian stated in order to get the bond insurance, it needs the \$6M in extra coverage on the debt service.

Councilmember Henjum asked if there was a full resident board for the district. Ms. Edwards stated there is a resident on the board and may have two residents fill the vacant spots.

6.E. [22-126](#)

A resolution updating and confirming the legislative status of the City of Colorado Springs' adopted privately-initiated land use master plans

(Legislative)

Presenter:

Hannah Van Nimwegen-McGuire, Senior Planner, Planning & Community Development Department

Peter Wysocki, Planning & Community Development Director

Attachments: [Resolution](#)

[Exhibit A](#)

[CPC Staff Report](#)

[Master Plan Status Updates Attachment](#)

[Master Plan Status Updates - Staff presentation](#)

Hannah Van Nimwegen-McGuire, Senior Planner, Planning and Community Development, presented the Resolution updating and confirming the legislative status of the City's adopted privately-initiated land use master plans. She identified the types of master plans, summary of City Code Section 7.5.402.B, history/context, subject master plans, PlanCOS, and staff recommendations.

President Strand asked if the plan was unanimously approved by the Planning Commission. Ms. Van Nimwegen-McGuire confirmed it was.

Councilmember Henjum asked if there is a similar process for publicly-initiated master plans. Ms. Van Nimwegen-McGuire stated publicly-initiated master plans are considered operative in perpetuity unless they are replaced by another publicly initiated master plan.

Councilmember Williams asked what determines the size of the Briargate Master Plan versus smaller ones. Ms. Van Nimwegen-McGuire stated in lieu of creating their own master plans developed areas were just added to the Briargate Master Plan. Carl Schueler, Comprehensive Planning Manager, Planning and Community Development, explained that when a property is annexed into the City, it needs to have a master plan whether it is eighty-five percent built-out or not which results in smaller master plans.

Councilmember Murray requested a copy of the publicly-initiated master plans and their percentage of completion. Ms. Van Nimwegen-McGuire stated they will provide that information.

- 6.F. [22-162](#) A Resolution adopting the City Council's Annual Report to the Citizens for April 1, 2021 to March 31, 2022

Presenter:

Emily Evans, City Council Administrator

Alex Ryden, City Council Communications Specialist

Attachments: [Annual Report Res 21-22](#)
[Council Annual Report 2021-22](#)

Alex Ryden, City Council Communications Specialist, gave a brief background and the process for creating the City Council annual report to the Citizens for April 1, 2021 to March 31, 2022. He identified some of the highlights for this report which included the year in review, departing and new Councilmembers, strategic plan update, City budget overview,

statistics, affordable housing efforts, City Council Chambers renovation, retreat, presentations, and community events. He provided an overview of the major decisions which impacted the City, an update of the boards, commissions, and committees, parks and open space land acquisitions, ballot issue updates, Colorado Springs Utilities (CSU) Board of Directors, and civic engagement. Mr. Ryden requested feedback regarding any additions or changes from City Council.

President Pro Tem Helms asked if the number of Town Hall Meetings held included the meetings he held for Issue 6B which the City was not able to assist with. Mr. Ryden stated it did not because they were not technically City Council Town Hall Meetings.

Councilmember Henjum requested the integration of the Citizen's Transportation Advisory Board (CTAB) and the Active Transportation Advisory Committee (ATAC) be included in the report. Mr. Ryden agreed to Councilmember Henjum's request.

Councilmember Henjum asked if a CSU Board picture including Aram Benyamin, CEO, CSU, could be used in the report. Mr. Ryden stated he will see if he can obtain that.

President Strand asked if Councilmember Murray could be included in some of the photos. Mr. Ryden agreed to President Strand's request. Councilmember Williams recommended a photo with the Lieutenant General in charge of all Army facilities to be used.

7. Staff and Appointee Reports

- 7.A. [21-355](#) An informational presentation updating the City Council on the Neighborhood Planning Program and the Southeast Strong Community Plan

(Legislative)

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [Community Plan Boundaries Map](#)

[Community Plan Priority Matrix](#)

[Staff Presentation](#)

Peter Wysocki, Planning and Community Development Director, introduced the update on the Neighborhood Planning Program and the Southeast Strong Community Plan.

Hannah Van Nimwegen-McGuire, Senior Planner, Planning and Community Development, provided an overview of the six initiatives of PlanCOS which includes a Neighborhood Planning Program, plan areas based on need, stakeholder process, Plan 3A, Southeast Strong Community Plan, and how the publicly-initiated and privately initiated master plans will be incorporated into the program.

Councilmember Donelson asked what size residential area encompasses the sixteen-year life expectancy difference. Hannah Van Nimwegen-McGuire stated it includes several full Census tracts. Councilmember Donelson requested additional information regarding the highest life expectancy in City Council District 3 compared to the lowest in other districts. Hannah Van Nimwegen-McGuire stated they will provide that data set.

Councilmember Avila commented that even though the data shows a substantial number of sidewalks in the Southeast district, they are not all usable. Ms. Van Nimwegen-McGuire stated they are working with the Missing Sidewalk Program to address those issues and also ensure ADA compliance. Councilmember Donelson stated they still need to do things based on data, not antidotes.

Councilmember Donelson asked if new master plans would still go through City Council for approval. Ms. Van Nimwegen-McGuire confirmed they would.

Councilmember Donelson asked if replacing lightbulbs in streetlights has reduced crime in those areas. Ms. Van Nimwegen-McGuire stated they will report back on that once they have at least a month's worth of data.

President Strand asked when the 2021 Academy Boulevard progress report will be provided. Ms. Van Nimwegen-McGuire stated she anticipates mid-May 2022.

Councilmember Henjum asked when the timeline for Plan 3A activities will be available. Ms. Van Nimwegen-McGuire stated the formal kickoff will be

in April 2022 at which point a timeline will be published.

Councilmember Henjum asked when the steering committee for Plan 3A will be identified. Ms. Van Nimwegen-McGuire stated they will be partnering with the Council of Neighbors and Organizations (CONO) and their Neighborhood Network Boards in conjunction with Councilmembers and others and the steering committee should be identified by mid-May to June 2022.

Councilmember Williams stated even though City Council can encourage diversity and other things, he does not feel they should give government mandates regarding it.

Councilmember Avila asked which additional staff members worked on the Southeast Strong Community Plan. Ms. Van Nimwegen-McGuire stated Page Saulsbury, Planner I, Planning and Community Development, and Carl Schueler, Comprehensive Planning Manager, Planning and Community Development.

President Strand asked when the Southeast Strong Community Plan will be completed. Ms. Van Nimwegen-McGuire stated May 2022.

7.B. [22-094](#) An informational presentation for the 2021 PlanCOS Annual Report

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Attachments: [2021 PlanCOS Annual Report](#)

Peter Wysocki, Planning and Community Development Director, introduced the 2021 annual report of PlanCOS and gave a brief overview of the goals.

Hannah Van Nimwegen-McGuire, Senior Planner, Planning and Community Development, provided an overview of the PlanCOS annual report and Keystone Indicator Dashboard.

Councilmember Donelson asked if the 3.6K multi-family new residential units added were apartment complexes. Ms. Van Nimwegen-McGuire

confirmed they were.

President Strand asked when the final PlanCOS report will be completed. Ms. Van Nimwegen-McGuire stated early April 2022.

Mr. Wysocki stated housing affordability continues to be a very important topic for the City and gave an overview of the initiatives being taken towards providing affordable housing.

7.C. [22-165](#) Jimmy Camp Creek Park Informational Overview

Presenter:

Matt Mayberry, Parks, Recreation & Cultural Services Department,
Cultural Services Manager

Anna Cordova, Parks, Recreation & Cultural Services Department, Lead
Archeologist

Britt Haley, Parks, Recreation & Cultural Services Department, Design &
Development Manager

Attachments: [AreaMap JCC update CC March2022FINAL](#)

[jcc_ord88-127](#)

[Jimmy Camp Creek Park Final3](#)

Karen Palus, Parks, Recreation and Cultural Services Department, Director, gave a brief history of the Jimmy Camp Creek Park and Corral Bluffs area.

Britt Haley, Parks, Recreation and Cultural Services Department, Design and Development Manager, provided an overview of the general context map, unique features/opportunities, property planning, park planning practical considerations,

Councilmember Donelson asked for the definition of passive recreation. Mr. Haley stated it includes hiking, biking, equestrian uses, picnicking, natural/human history interpretation programs, and non-structured recreational activities.

Councilmember Henjum requested additional information regarding the tribal consultation.

Councilmember Donelson asked what types of wildlife are in the area. Ms. Haley stated there are several species of reptiles, bats, avian, raptors, and mammals.

Matt Mayberry, Parks, Recreation and Cultural Services Department, Cultural Services Manager, went over the details of the cultural and scientific landscape, prehistoric timeline, and historic timeline.

President Strand asked if there were any concerns regarding connecting Jimmy Camp Creek with Corral Bluffs. Mr. Mayberry stated from a scientific and cultural resource preservation overview, these properties are connected and linking the two will be beneficial.

Councilmember Donelson asked how long the trail between the two properties would be. Ms. Haley stated approximately four and a half miles.

Anna Cordova, Parks, Recreation and Cultural Services Department, Lead Archeologist, identified the details of archaeology, archeological and cultural resources, types of resources, and mitigation plans.

President Pro Tem Strand asked what defines an archaeological site. Ms. Cordova stated it consists of six artifacts or more.

Councilmember Henjum asked if a portion of this land could be dedicated to the tribes which have ancestry in this area. Ms. Cordova stated Jimmy Camp Creek does not have much flat land which could be used for ceremonies, and they would want to wait until mitigation and the tribal consultation was complete.

Councilmember Fortune asked if the Colorado Commission on Indian Affairs (CCIA) was involved with these properties. Ms. Cordova stated the CCIA usually does not get involved unless it has to do with a burial.

President Strand asked if the Native American community had any legal right to the property. Ms. Cordova stated she had not heard of any interest in that.

Councilmember Donelson asked how these sites will be protected once the trail is completed. Ms. Cordova stated they will be working with the Native American tribes to ensure the trails are not located near the significant sites, so they are not impacted.

Ms. Palus provided an outline of the next steps of the plan.

Councilmember Williams stated part of the concern expressed by people in the community is that this property has been sitting there for thirty-four years and asked what is needed to move this master plan process forward. Ms. Palus stated they are ready to move the cultural survey forward this summer utilizing a consultant to update the information to understand what is out there, in the meantime they will continue the dialogue with Nor'Wood so they are aware of the City's plan, and from there they will work on the master plan.

Councilmember Williams asked what amount of funding will be needed for this project. Ms. Palus stated it will depend on the amount of property they are able to acquire, and they will provide that information in approximately a month.

7.D. [22-173](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 3-21-22](#)

Councilmember Williams stated the April 25, 2022 Work Session will be an important meeting regarding discussion on the housing crisis in the City.

Jeff Greene, Chief of Staff, stated in January 2005 City staff had a Work Session with City Council regarding discussions for a proposed tax increase to support a convention center which led to an initiative that prior to any planning, funding, or designing of a convention center, it would have to go before the voters. He stated that both former Mayor Lionel Rivera and City Council were opposed to Issue 200 which was the planning funding of a convention center.

8. Items Under Study

8.A. [CPC CA
20-00005](#) Update on the amendment of City Code Chapter 7 (Zoning and Subdivision Regulations)

Presenter:

Morgan Hester, Planning Supervisor

Peter Wysocki, Director of Planning and Community Development

Attachments: [ReToolCOS 4-11-22](#)

Morgan Hester, Principal Planner, Planning and Community Development, provided an update of the amendment of City Code Chapter 7 (Zoning and

Subdivision Regulations), RetoolCOS. She gave an overview of landscape/green space scenarios, native grasses, water use, parking maximums, parking incentives, electric vehicles, architectural requirements, and public art.

Councilmember Henjum requested additional information on the transit proximately reduction. Ms. Hester stated it is proposed there be a ten percent reduction if the proposed development is within 660 feet (one block) of a transit stop or station with a peak service frequency of fifteen minutes or less or a twenty percent reduction if it is within 660 feet of a bus rapid transit station.

Councilmember Williams asked if the proposed amendment would direct where on the site the electric vehicle charging station will need to be located. Ms. Hester stated it will not.

Councilmember Donelson asked if reducing the amount of parking spaces is to encourage people to use other forms of transportation. Ms. Hester stated that is not a goal of the plan.

Councilmember Donelson asked what the cost to install an electric vehicle charging station is. Ms. Hester stated she will provide that information.

President Pro Tem Helms asked what is driving the electric vehicle charging station requirement and parking reduction. Ms. Hester stated the Greenhouse Gas report provided by the State and wanting to assist them in achieving their goals and they do not want to imply that the City is trying to dissuade anyone from driving a car, but there are some use types which are not utilizing the amount of parking being built and being mindful of the heat island effect. Mike Tassi, Assistant Planning Director, Planning and Community Development, stated the minimum parking standard is not a mandate to reduce parking, but a minimum which each use type must provide and there is flexibility in the Code regarding the maximum number of parking spaces for certain uses. Mr. Wysocki stated there are many parking lots around the City which are being under utilized which contributes to stormwater issues and under-utilized real estate.

Councilmember Williams stated he is concerned with the electric vehicle charging station requirement for gas stations because of their already limited parking spaces.

Councilmember Donelson asked how the maximum number of parking stalls is determined. Ms. Hester stated it is based on square footage of the building.

Councilmember Murray stated the developer should be allowed to determine the maximum amount of parking they want. Mr. Wysocki stated they can only set standards based on land use and not the popularity of the business.

Councilmember Murray stated that he believes there will be a need for even more electric vehicle charging stations in the future.

President Strand stated he received an email from a constituent regarding why the City needs to have parking requirements at all. Mr. Wysocki went over the current Chapter 7 parking requirements.

Councilmember Williams requested the cost of the proposed architectural requirements for multi-family housing units. Ms. Hester stated they removed this development standard for multi-family in order to incentivize affordable housing.

Councilmember Donelson asked if businesses will be required to have glass on the front of their buildings. Ms. Hester stated it is very specific to certain types of uses such as restaurants and bars.

Councilmember Donelson and Councilmember Williams stated public art is very subjective and recommended that they do not add the proposed committee review of public art as part of the plan.

Councilmember Murray and Councilmember Henjum stated they support moving forward with the discussion on public art.

President Strand requested staff meet with Councilmembers two at a time to provide additional information regarding these topics. Mr. Wysocki agreed to President Strand's request.

9. Councilmember Reports and Open Discussion

Councilmember Henjum, President Pro Tem Helms, and Councilmember Donelson stated they will be participating in the Silver Key Meals on

Wheels Champions Week on Wednesday, March 23, 2022.

President Strand stated he and Councilmember Donelson attended the retirement ceremony of Colorado Springs Police Department Sergeant Chuck Rabideau and the Colorado Springs Fire Department promotion ceremony for Grant Tinker, Steven Garcia, Jeff Wandersfield, Robert Knight, Mark Nelson, and Ryan Pigati.

Councilmember Fortune recognized Andy Phelps, the City's Homeless Prevention and Response Coordinator, for being named the Colorado Early Social Worker of the Year by the National Association of Social Workers. She stated Kimberly Sherwood will be the new facilitator for the Westside Community Center.

10. Executive Session

10A. Open

There was no Open Executive Session.

10B. Closed

10B.A. [22-163](#)

In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. §§ 24-6-402(4)(a), (b), (d) and (e), the City Council, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issues to be discussed involve consultation with the City Attorney and City staff for the purpose of (i) receiving legal advice and providing instruction and negotiation consultation regarding a lease agreement, and (ii) receiving legal advice and briefing regarding specialized details of cyber-security arrangements.

The President of Council shall poll the City Councilmembers, and, upon consent of two-thirds of the members present, may conduct an electronic Closed Executive Session. Each City Councilmember participating in the electronic Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the electronic Closed Executive Session is present or able to hear the matters discussed as part of the electronic Closed Executive Session. If consent to the electronic Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Presenter:

Wynetta Massey, City Attorney

Attachments: [03212022 Closed Session](#)

Ben Bolinger, Assistant City Attorney, 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 an electronic Closed Executive Session. The issues to be discussed involve consultation with the City Attorney and City staff for the purpose of (i) receiving legal advice and providing instruction and negotiation consultation regarding a lease agreement, and (ii) receiving legal advice and briefing regarding specialized details of cyber-security arrangements.

President Strand polled City Council regarding the desire to proceed with an electronic Closed Executive Session. At least two-thirds of City Council agreed to proceed in an electronic Closed Executive Session.

11. Adjourn

Upon completion of the Closed Executive Session, there being no further business to come before City Council, Council adjourned.

Sarah B. Johnson, City Clerk