



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, November 21, 2022

10:00 AM

Council Chambers

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Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

1. Call to Order and Roll Call

- Present** 6 - Councilmember Dave Donelson, President Pro Tem Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, President Tom Strand, and Councilmember Wayne Williams
- Excused** 3 - Councilmember Yolanda Avila, Councilmember Stephannie Fortune, and Councilmember Mike O'Malley
Councilmember Williams attended the meeting virtually.

A moment of silence was observed for the five lives who were lost and the twenty-five people who were injured from the shooting which occurred Saturday night, November 19, 2022 at Club Q. Rabbi Iah Pillsbury Temple Beit Torah, Co-Chair Colorado Springs Faith Table, and Reverend Mallory Everhart, Pastor Vista Grande Community Church, United Church of Christ, Co-Chair Colorado Springs Faith Table, spoke about the interfaith vigil held, the need for the community to combat hate, and take a stand for the marginalized people and communities which were targeted.

2. Changes to Agenda

There were no Changes to Agenda.

3. Regular Meeting Comments

Charae McDaniel, Chief Financial Officer, requested the second reading for item 4A.A. be withdrawn at the November 22, 2022 City Council

meeting because since the time the budget was set, the City has received two additional months of property tax revenue for 2022 and the revenue estimate is lower than what they were anticipating therefore making the Taxpayer Bill of Rights (TABOR) cap coverage lower and they would like to leave the mill levy at the current credit amount for 2023.

Consensus of City Council agreed to this change on the agenda.

4. Review of Previous Meeting Minutes

4.A. [22-744](#) City Council Work Session Meeting Minutes November 7, 2022

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [11-7-22 City Council Work Session Meeting Minutes Final](#)

Councilmember Henjum clarified that for item 8.D., she made a reference to the HOP (Homeless Outreach Program), not the HOT (Homeless Outreach Team). Dena Lozano, Deputy City Clerk, stated she will make that correction.

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

5. Presentations for General Information

There were no Presentations for General Information.

6. Staff and Appointee Reports

6.A. [22-717](#) Shared E-Scooter Pilot Program Update

Presenter:

Todd Frisbie, P.E., P.T.O.E, City Traffic Engineer, Public Works Department

Attachments: [Scooter Share City Council Presentation 11182022 no notes or comments](#)

Todd Frisbie, City Traffic Engineer, Public Works Department, provided an update of the shared electric scooter (e-scooter) pilot program. He went over the background of electric scooter sharing, pilot program details/changes, complaint summary, operations summary, route summary, and origin-destination data.

President Pro Tem Helms asked how many injuries or accidents and lawsuits there have been in relation to e-scooters. Mr. Frisbie stated in

six months there were twenty reported crashes, and he has only heard of a few lawsuits.

Councilmember Henjum asked what the current perimeter of the e-scooters is and what areas the proposed vendor will go to. Mr. Frisbie stated they currently operate from Manitou Springs, the west side of Memorial Park, Ivywild, and he would like them to go further north to University of Colorado, Colorado Springs, (UCCS) and east to Circle Drive.

Councilmember Donelson asked how the current e-scooter, Lime, is doing financially. Mr. Frisbie stated they are making a profit and would like to increase the number of e-scooters they are permitted to have in operation.

Councilmember Donelson requested the amount of fees Lime pays to the City. Mr. Frisbie stated they pay \$75 per year, per e-scooter, \$.10 per trip, and a revokable permit fee for each station.

Councilmember Donelson asked how forced parking is enforced. Mr. Frisbie explained how the designated parking areas are geocoded and will not allow the ride to be closed out unless it is parked there.

Councilmember Donelson asked what the consequences are if Lime does not respond to a complaint within two hours. Mr. Frisbie stated they receive a reminder from GoCOS and if they still do not respond, staff will call them directly.

Mr. Frisbie explained that approximately half of the use of the e-scooters were for recreational use. Councilmember Donelson asked if the goal of the City was for these e-scooters to be used recreationally. Mr. Frisbie stated their goal was to provide mobility options for residents, visitors, and downtown workers.

Councilmember Donelson stated even if citizens do not call to complain about them, the e-scooters lying around downtown do add an impression of disorder to the City.

President Strand asked how e-scooter trips can be purchased. Mr. Frisbie provided an overview of the types of payment options and plans.

President Strand asked what the average cost per ride is. Mr. Frisbie stated it costs one dollar to unlock it and \$.29 per minute of operation.

President Strand asked if the hours of operation could be increased to twenty-four hours a day, seven days a week. Mr. Frisbie stated it is unusual that the City has restricted hours and there is a demand for that.

Councilmember Murray asked if there have been any issues regarding battery fires. Mr. Frisbie stated Lime utilizes a third-party vendor which charges the batteries in a controlled environment.

6.B. [22-743](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 11-21-22](#)

There were no comments on this item.

7. Items for Introduction

7.A. [22-407](#) A Resolution Approving the 2023 Budget for Pikes Peak Regional Building Department

Presenter:

Charae McDaniel, Chief Financial Officer

Roger Lovell, Building Official, Pikes Peak Regional Building Department

Erin Garcia, Finance Director, Pikes Peak Regional Building Department

Attachments: [2023 Final Budget](#)
[2023 Budget Presentation - City Council](#)
[2023 PPRBD Budget Resolution-11.21.22](#)
[Signed Resolution No. 218-22](#)

Jay Eenhuis, Deputy Building Official, Pikes Peak Regional Building Department (PPRBD) presented the Resolution approving the 2023 budget for the PPRBD and provided an overview of 2022, accomplishments, strategic goals, inspection/permit trend, budget process, building permit/plan review fees, and 2023 budget highlights. He identified the summary of revenue/expenditures, revenue trend, expenses, and website.

Councilmember Henjum asked how PPRBD able to offer such lower fees than other jurisdictions in the state. Mr. Eenhuis stated they work really hard to be efficient and utilize electronic processes.

Councilmember Murray asked if there were three thousand housing and nine thousand apartment unity building permits obtained in 2021. Mr. Eenhuis confirmed there were.

Councilmember Henjum asked if there are additional fees collected from developers. Mr. Eenhuis stated there are additional fees collected by PPRBD but those are transferred to the individual jurisdictions.

President Strand asked how PPRBD is able to decrease their budget by five percent. Erin Garcia, Finance Director, PPRBD, stated in 2022 they had budgeted 162 full-time employees in anticipation of a very robust construction market but when interest rates increase, the number of single-family permits decreased which caused approximately six to eight positions not to be filled.

- 7.B. [22-750](#) A Resolution Approving the Intergovernmental Agreement for Fire Protection Services between the City of Colorado Springs and the Colorado Centre Metropolitan District

Presenter:

Randy Royal, Fire Chief, Colorado Springs Fire Department

Attachments: [Resolution-CCMD-CSFD IGA-11-7-22 \(002\)](#)

[IGA Approved by CCMD Board-11-3-22](#)

[Signed Resolution No. 222-22](#)

Fire Chief Randy Royal, Colorado Springs Fire Department (CSFD), presented the Intergovernmental Agreement (IGA) with Colorado Centre Metropolitan District (CCMD) for fire protection services. Chief Royal stated the City has been assisting CCMD with fire protection services since 1992 and this IGA will include CCMD providing partial funding and the use of their fire station by the CSFD, and the CSFD will provide CCMD with staffing, apparatus, and emergency response coverage.

President Strand asked when the CCMD fire station was built. Chief Royal stated 1987.

- 7.C. [22-738](#) An ordinance by the City of Colorado Springs, Colorado extending the effective date of Ordinance No. 22-51, increasing the not to exceed amount of the bonds to \$21,500,000 and authorizing the execution and delivery by the City of certain loan documents for Paloma Garden

Presenter:

Katie Sunderlin, Senior Affordable Housing Coordinator

Steve Posey, Community Development Division Manager

John Bales, Fred Marienthal, Kutak Rock LLP

Peter Wysocki, Director of Planning and Community Development

Attachments: [COS Paloma Garden 2022 Amendment to Ordinance](#)
[COS Paloma Garden 2022 Financing Agreement](#)
[COS Paloma Garden 2022 Tax Regulatory Agreement](#)
[No. 22-51 Signed PAB Ordinance Paloma Garden](#)
[Paloma Gardens CC Work Session 11212022](#)

Katie Sunderlin, Senior Affordable Housing Coordinator, presented the Ordinance extending the effective date of Ordinance No. 22-51, increasing the not to exceed amount of the bonds to \$21,500,000, and authorizing the execution and delivery by the City of certain loan documents for Paloma Garden. She provided an overview of the Paloma Garden new construction/rehab, requests, reasons, proposal, alignment with HomeCOS, unit mix, private activity bonds (PAB) allocations, and projects.

Councilmember Henjum spoke in support of this project.

- 7.D. [22-757](#) A Resolution to Amend Resolution No. 202- 22 eliminating the Sand Creek Drainage Basin Drainage Fee for the portion of the Sand Creek Drainage Basin within Banning Lewis Ranch

Presenter:

Richard Mulledy, P.E., Enterprise Manager
Travis Easton, P.E., Public Works Director

Attachments: [Exhibit A - Resolution - Basin Closure](#)
[Exhibit B - Memo Basin Closure](#)
[Staff Memo DRAFT 11-4-22 RG edits](#)
[SandCreekBLR_BasinClosureRES-2022-11-14](#)
[Signed Resolution No. 223-22](#)
[Receipt 212258 Sandcreek](#)

Richard Mulledy, Stormwater Enterprise Manager, Public Works Department, presented the Resolution eliminating the Sand Creek Drainage Basin Drainage Fee for the portion of the Sand Creek Drainage Basin within Banning Lewis Ranch. He gave a brief background of the drainage basin, Drainage Basin Fee Program, open versus closed drainage basins, criteria to close a basin, and stated the Drainage Board approved closing the Banning Lewis Ranch portion of the Sand Creek Drainage Basin conditioned upon the payment of existing unpaid fees in the amount of \$895,019.

Councilmember Henjum asked if the open basin fees need to be

increased if the closed basin fees will also increase. Mr. Mulledy stated the closed portion will no longer be eligible to collect a fee.

Jeff Greene, Chief of Staff, stated the developer will be solely responsible for building all stormwater infrastructure to meet stormwater criteria requirements.

Councilmember Murray asked who will be responsible for operations and maintenance. Mr. Mulledy stated it depends on if there is a Homeowner's Association, a metropolitan district, or neither and the City will have enough resources to maintain the stormwater infrastructure as needed.

7.E. [22-758](#) A Resolution Authorizing the Disposal of City Owned Property (Banning Lewis Ranch Drainage Tracts) to Applicable Owners

Presenter:

Peter Wysocki, Planning Director

Richard Mulledy, Stormwater Enterprise Manager, Public Works Department

Darlene Kennedy, Real Estate Services Manager

Travis Easton, P.E., Director of Public Works

Attachments: [BLR Drainage Tracts RES-2022-11-14](#)

[BLR Drainage Tracts RESE Exhibit A](#)

[BLR Drainage Tracts RESE Exhibit B-1](#)

[CLR Drainage Tracts RESE Exhibit B-2](#)

[CC MEMO-Banning Lewis Drainage Tracts REVISED 11-4-22](#)

[Signed Resolution No. 224-22](#)

[Receipt 212258_Sandcreek](#)

Richard Mulledy, Stormwater Enterprise Manager, Public Works Department, presented the Resolution authorizing the disposal of City owned property (Banning Lewis Ranch (BLR) Drainage Tracts) to applicable owners. He stated the City's drainage criteria has changed significantly and this proposed Resolution would transfer a portion of the drainage tract to the developers.

Darlene Kennedy, Real Estate Services Manager, provided an overview of the BLR annexation agreement which stated once the Sand Creek Drainage basin is closed, the property would go through the disposal process.

Councilmember Murray asked if the developer would be able to bulldoze

the closed basin. Mr. Mulledy stated they would not, they would need to be restored to meet the City's drainage criteria.

- 7.F. [22-759](#) An ordinance amending section 102 (inoculation required for dogs and cats) of article 8 (regulation of animals - pets) of chapter 6 (neighborhood vitality / community health) of the code of the city of Colorado Springs 2001, as amended, pertaining to inoculation requirement

Presenter:

Jamie Norris, Director of Animal Law Enforcement
Humane Society of the Pikes Peak Region

Attachments: [NeighborhoodVitality-InnoculationORD-2022-11-4](#)

[RABIES FAQ](#)

[2022a_1235_signed](#)

Jamie Norris, Director of Animal Law Enforcement Humane Society of the Pikes Peak Region, presented the Ordinance amending City Code pertaining to inoculation requirements for dogs and cats. She provided an overview of the recent change to the Colorado Veterinary Practice Act updating the requirements for the administration of rabies vaccinations in animal shelters to allow rabies vaccinations to be administered under the indirect supervision of a licensed veterinarian in shelters and rescues.

President Strand asked if staff would receive vaccination training from a veterinarian. Mr. Norris confirmed they would.

Councilmember Henjum asked if advocates of pet health are supportive of this initiative. Ms. Norris confirmed they are due to the limited number of veterinarians in the community.

Councilmember Donelson asked if the veterinarians which work with the Humane Society of the Pikes Peak Region are supportive of this. Ms. Norris confirmed they are.

Councilmember Murray requested information regarding dangerous animals in the community. Ms. Norris stated they have seen an increase in dangerous dogs and dog fights in the community and will present an update to City Council in January 2023.

- 7.G. [22-381](#) Ordinance No. 22-89 Repealing Ordinance No. 21-111 and Adopting the City of Colorado Springs - 2023 Salary Structure for Civilian and Sworn Municipal Employees

Presenter:

Mike Sullivan, Chief Human Resources and Risk Officer
Charae McDaniel, Chief Financial Officer

Attachments: [2023 Salary Schedule](#)
[11-21-22 - Ordinance - 2023 Salary Schedule](#)
[Signed Ordinance No. 22-89](#)

Charae McDaniel, Chief Financial Officer, presented the updated 2023 salary structure for civilian and sworn employees to be effective December 25, 2022. She stated based on the findings of the salary survey and market movement, the proposed salary ranges changes for 2023 have been increased by three percent for civilian employees and four percent for sworn employees.

There were no comments on this item.

- 7.H. [22-380](#) Ordinance No. 22-90 Annual Appropriation Ordinance Adopting the Annual Budget and Appropriating Funds for the Several Purposes Named in Said Budget for the Year Ending December 31, 2023

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [2023 Budget Ordinance-11.14.22](#)
[Signed Ordinance No. 22-90](#)

Charae McDaniel, Chief Financial Officer, presented the Ordinance adopting the annual budget for the City for the year ending December 31, 2023. She identified the modifications made to the Ordinance since the Budget Markup meeting, and stated the total budget is proposed at a thirty-one percent increase over the 2022 budget, and the general fund budget for expenditures is \$421,080,552 million which represents a 6.1 percent increase over the 2022 budget.

President Strand stated he has expressed some issues regarding sidewalk and forestry funding and asked if those concerns would cause an increase to the proposed budget. Ms. McDaniel stated they would not.

- 7.I. [22-751](#) The April 4, 2023 General Municipal Election and Potential May 16, 2023 Mayoral Runoff Mail Ballot plans

Presenter:

Sarah B. Johnson, Colorado Springs City Clerk

Attachments: [Mail Ballot Election Plan & Calendars](#)

Sarah B. Johnson, City Clerk, presented the mail ballot plan for the April 4, 2023 General Municipal Election and potential May 16, 2023 Mayoral Runoff which, per City Code, requires approval by City Council. She stated candidate filing will run January 3, through 5:00 PM, January 23, 2023 and there will be a candidate training session held on January 3, 2023 in the City Administration Building, Suite, 102. Ms. Johnson explained that the vendors, Runbeck, will be printing the ballots and doing the mail ballot compilation and ES&S (Election System and Software) will provide the equipment needed to run the election such as the accessible voting unit, tabulation system, and signature verification system. She stated the mail ballot plan may need to be revised if El Paso County provides additional 24/7 mail ballot boxes within the City limits.

President Strand asked if candidates who wish to run for City Council can pick up their petition packets on January 3, 2023. Ms. Johnson confirmed they can along with Mayoral candidates.

President Strand asked if the candidates need to submit their petition signatures by January 23, 2023. Ms. Johnson confirmed they do and explained that they would also have a few days cure period if they do not have a sufficient number of valid signatures.

8. Items Under Study

There were no Items Under Study.

9. Councilmember Reports, Open Discussion and Takeaways

Councilmember Donelson expressed his condolences to the families of the people who were killed or wounded in the shooting at Club Q on Saturday, November 19, 2022.

President Pro Tem Helms expressed appreciation for the vigil that was held at Temple Beit Torah to celebrate those that lost their lives or were wounded in the shooting. He stated the United States Air Force Academy football team won against Colorado State University.

Councilmember Williams stated he, his wife, Mayor Suthers, the Governor, and First Gentleman attended the vigil held at the Unitarian Church and expressed gratitude for the first responders and the two individuals who helped end the situation. He also expressed sympathy for those affected by the shooting

President Strand stated he and several Councilmembers attended the State of the Region event, Rocky Mountain ADA Center training, Silver Key Tri-Lakes Senior Center ribbon cutting ceremony, Colorado Springs Police Department Retirement Celebration for Officer Donald Lee Hopkins, Packaging Express Open House, and Colorado Supreme Court visit to Pine Creek High School. He stated the Acacia Park ice skating rink is now open and the Acacia Park Tree Lighting ceremony will be held tomorrow evening, November 22, 2022, at 5:00 PM.

10. Executive Session

10A. Open

There was no Open Executive Session.

10B. Closed

There was no Closed Executive Session.

11. Adjourn

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

Sarah B. Johnson, City Clerk