



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, June 26, 2017

1:00 PM

Council Chambers

1. Call to Order

Present 9 - Councilmember Yolanda Avila, Councilmember Merv Bennett, President Pro Tem Jill Gaebler, Councilmember David Geislinger, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, President Richard Skorman, and Councilmember Tom Strand

2. Changes to Agenda

There were no changes to the Agenda.

3. Regular Meeting Comments

Eileen Lynch Gonzalez, City Council Administrator, stated that Mayor's Business Items 7.A. and 7.B. relating to appointments will be held until Mayor Suthers arrives and Public Hearing Item 12.A. an appeal of the Planning Commission decision to approve the Archer Park Preliminary and Final Plat may be requested to be postponed by staff.

4. Review of Previous Meeting Minutes

4.A. [17-1071](#) City Council Work Session Meeting Minutes June 12, 2017

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [6-12-2017 Work Session Final](#)

Sarah B. Johnson, City Clerk, said that she received a request from Councilmember Avila regarding her comments for Councilmember Reports and Open discussion that she will correct.

Councilmember Strand requested his comments regarding the Human Relations Commission be added to the June 12, 2017 Meeting Minutes. Ms. Johnson said that with review of the video, the corrections will be made.

The minutes of the June 12, 2017 Work Session meeting were

approved as amended by Consensus of Council.

5. Executive Session

5A. Open

There was no Open Executive Session.

5B. Closed

There was no Closed Executive Session.

6. Staff and Appointee Reports

6.A. [17-1067](#) Financial Report - Memorial Health System Enterprise

Presenter:

Nancy McCauley, Acting Finance Director

Attachments: [05-May 2017 MHS Memo](#)

Nancy McCauley, Acting Finance Director, presented the May 2017 Memorial Health System Enterprise Financial Report. Ms. McCauley stated that the activity was standard as compared to prior months.

There were no comments on this item.

6.B. [16-692](#) Agenda Planner Review

Presenter:

Eileen Lynch Gonzalez, City Council Administrator

Attachments: [062617 Agenda Planner Review MEMO](#)

Eileen Lynch Gonzalez, City Council Administrator, stated Public Hearing Item 1. A zone change application for 315 E. Dale Street will be presented for appeal at the July 25, 2017 City Council meeting.

6.C. [17-1019](#) An Ordinance repealing Part 10 (Taxicabs) of Article 3 (Sales of Goods and Services) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to taxicabs

Presenter:

Sarah B Johnson, City Clerk

Attachments: [17update memo on regulation of carrier service and tncs.pdf](#)

[6-15-17-TaxicabsPart10ORD-Final.docx](#)

[Taxi RM 07-11-17 slides.pptx](#)

Sarah B. Johnson, City Clerk, said that at the February 14, 2017 City Council meeting, taxicab drivers and taxi company owners spoke during citizen discussion about the difference in rules and regulations for taxicab drivers and transportation network company (TNC) drivers.

Ms. Johnson gave an overview of state and local law concerning regulation of Taxicab companies, Taxicab drivers, TNC companies, and TNC drivers. The Colorado Public Utilities Commission (PUC) oversees the state regulation of these entities. She explained that in July 2016, Colorado became the first state in the nation to regulate TNCs. Ms. Johnson detailed City taxi regulation as well as compared the City taxi driver licensing requirements to that of the state Public Utilities Commission (PUC) taxicab driver requirements. Ms. Johnson explained details of the City of Denver's Herdic License and the reason they repealed that license was due to duplicative measures and a legal action that was filed against the city. Currently, Colorado Springs and Pueblo are the only two municipalities in Colorado who require a local license for Taxicab drivers. Ms. Johnson also confirmed that research revealed that in areas where a state law regulating transportation networks was in place, most municipalities did not require local licensing. She also confirmed that taxi companies do not pay the licensing fees for the taxi drivers, drivers pay it. She said a meeting was held with representatives of the three taxi cab companies on this proposal. The companies expressed their desire to keep the local Taxicab driver license and require TNC drivers to also have a local license. They believe this idea would best protect the welfare of citizens. She recommended a repeal of the existing Taxicabs License Code to eliminate duplicative local regulation and requirements for drivers. The total loss of revenue for 2017 would be the remaining balance from the \$30,000 budgeted revenue. Ms. Johnson explained the process and timeline for the proposed recommendation.

Councilmember Pico stated it seems logical to repeal the local license requirement and asked if there was any reason to continue taxicab driver license regulation. Ms. Johnson said that based on state law requirements and what our research revealed, she did not see one.

Councilmember Gaebler asked if there will be more TNC regulation from the states due to recent news stories about Uber activity. Ms. Johnson said she was not aware of anything at this time, but suggested Council members should contact their state representative or Senator for

information on this topic.

Councilmember Murray believes this change will balance the playing field and that it would be very difficult to implement TNC driver regulation.

Councilmember Avila stated that she is also in support of the recommendation. She said that she has personally used all types of transportation options and has never felt threatened.

Councilmember Strand asked Michael Gendill, City Attorney, if he was aware of any risk of legal action against the City. Mr. Gendill said that he did not believe that the City would be at risk of legal action and agrees that the local Taxicab driver licensing requirement is duplicative of the state requirements.

7. Presentations for General Information

7.A. [17-876](#) 2020 Census Update

Presenter:

Cathy Lynn Lacy, Regional Director, U.S. Census Bureau

Cathy Lynn Lacy, Regional Director, U.S. Census Bureau, provided an overview of the 2020 Census project and presented the differences from the 2010 Census to the 2020 Census design. She said that the Census is based on Article 1, Section 2 of US Constitution. She also spoke of the four areas of innovation in the 2020 Census which include efficiency in building an address list, new ability to self-respond by internet, phone or paper form, better use of already obtained information, and more efficient field operations. Ms. Lacy reviewed the timeline of the key data collection dates.

Ms. Lacy explained that the local review of Census addresses by local governments is due by July 2017. She also encouraged community partnerships and engagement programs to help motivate people and ensure them that their information is confidential.

Councilmember Geislinger asked about the protection of individual information. Ms. Lacy said information is protected by Title 13 and that Census employees take a lifetime oath of confidentiality. Ms. Lacy said individual information cannot be shared or accessed, only received by statisticians at the U.S. Census Bureau and the information is suppressed and used for statistical purposes only.

Councilmember Strand said that he participated in the 2010 Census on an education based committee and asked if there would be a community committee. Ms. Lacy responded that a Complete Count Committee could be created by the City and that the Census Bureau will provide training for establishing it.

Councilmember Knight stated that City Council is re-districted every four years and that there has been request to change it to every ten years after the Census is completed. He asked when the results of the Census will be available. Ms. Lacy said the target date for release of the information is March 31, 2021.

7.B. [17-1002](#) Downtown Colorado Springs Update

Presenter:

Susan Edmondson, President & CEO, Downtown Partnership of Colorado Springs

Attachments: [06.27.17 Downtown Council](#)

Susan Edmondson, President & CEO, Downtown Partnership of Colorado Springs, gave a report of the economic and performance indicators of downtown Colorado Springs. She highlighted that the total development and investment cost in the city is \$601,246,202 with 55% being categorized as completed or under construction which is a 54% increase from the announced category. She identified that 24% of the total citywide building permit plancheck valuations submitted were for the city center. She said that new shopping and dining businesses have increased and Downtown food and beverage had a 9% growth versus a 4.2% growth for the City.

Councilmember Geislinger said that he has received correspondence stating that making the City more bike friendly is a waste of time. Ms. Edmondson said the improvements in the safety element, connectivity, and competitiveness will benefit everyone regardless of their mode of transportation.

Councilmember Geislinger asked how many living units have been built downtown in the last five to ten years. Ms. Edmondson replied that Blue Dot Place Apartments added 33 units, Eco 333 at Colorado and Wasatch will add approximately 200 units and Bijou Lofts added 9 units. Councilmember Geislinger asked if there is mean data available for the

purchase price of condominiums and rental costs for Downtown. Ms. Edmondson said that data is in the Downtown report, but is a little misleading due to the age of some of the properties.

Councilmember Strand expressed appreciation for the Art on the Streets and the Pikes Peak Art Commission and said that he would like to see additional data on Development and Investment over the past three years to see progress. Ms. Edmondson said that data tracking is relatively new for Downtown, but they are building the baseline for that information.

Councilmember Murray said that he expected more revenue from condominium builds with the passage of local Construction Defects Code, the Olympic museum, the Nor'wood building conceptual parking garage, and that he has been seeing more "for lease" signs. He asked if there is an indication of new business processes. Ms. Edmondson replied that she is cautiously optimistic that the condominium builds will increase and that the office market has been soft nationally for many years so there is not a guarantee at this time.

President Skorman said as a Downtown business owner, he recognizes growth every year and sees Downtown as a great amenity for the community.

8. Items for Introduction

- 8.A. [17-1069](#) A Resolution authorizing the acquisition of property located at 535 Popes Valley Drive as part of the Pebblewood at Pinecliff Drainage Improvement Project

Presenter:

Richard Mulledy, P.E. Water Resources Engineering Division
Manager

Travis Easton, P.E. Public Works Director

Attachments: [Popes Valley Reso](#)
[Exhibit A to Resolution](#)
[Exhibit B to Resolution](#)

Travis Easton, P.E. Public Works Director, presented the property location and gave a brief history of the eroded channel that formed near a townhome development constructed in the 1980's. Mr. Easton explained that there was an 80-100 foot deep crevasse prior to the project completion and the current condition of the property which now

has an installed stormwater system drainage pipe. He stated that the purchase price for the project was \$114,000.

Councilmember Geislinger asked if the damage was a consequence of deferring stormwater obligations. Mr. Easton said that he does not believe it was an issue of deferred obligation because the townhomes were built in the 1980's and that the City no longer approves plans with a concentrated discharge.

Councilmember Murray asked if the developer of the townhomes will be held liable for the consequences. Mr. Easton said it had been discussed prior, but no legal action was taken. Marc Smith, Attorney with the City Attorney's Office, said that to pursue legal action at this time would be challenging due to it occurring so many years ago.

9. Items Under Study

There were no items under study.

10. Councilmember Reports and Open Discussion

Councilmember Strand stated that the Colorado Springs Western Street Breakfast on June 21, 2017 was a terrific event. He said that he, Councilmember Murray, and Councilmember Avila attended the CML Conference in Breckenridge, CO and that it was an excellent conference with approximately 1,200 people in attendance. He expressed that the workshop "Marijuana in Colorado: Black and Gray Market Impacts" was an excellent presentation as to where the money is allocated within the community. He was also impressed with the workshop "Building Colorado's Resiliency" regarding wildfire and flood and the presentation regarding opioids. Councilmember Strand reminded Council of the Waldo Canyon Fire Anniversary Commemorative Picnic and Concert being held June 26, 2017 and the Annual Bike-to-Work day being held June 28, 2017.

Councilmember Knight stated that he represented Council at the Association of Defense Communities Summit in Washington D.C. concentrating on Base Realignment and Closure (BRAC) and energy. He emphasized that Dr. Heather Wilson, 24th Secretary of the Air Force, identified the principal selection criteria as education, initiatives and grants, spousal employment, encroachment, and medical care. Councilmember Knight requested permission to return to Washington D.C. when the committee reconvenes to answer questions. Consensus

of Council agreed to his request. Councilmember Knight also mentioned that he attended the Flying W Ranch who had their one and only dinner for 2017 with approximately 100 people in attendance.

Councilmember Avila stated that she attended the CML Conference in Breckenridge, CO and thanked Eileen Gonzalez for her assistance. As part of the conference, she attended the session "Creating ArtSpace" which encouraged creating space in low income areas to create art. She said she was inspired to implement the project in the southeast part of the city.

11. Adjourn

There being no further business, Council was adjourned.

Sarah B. Johnson, City Clerk