



# 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 26, 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, informed Council that the City Charter requires Council votes to be recorded as Aye and No, therefore; the vote recording devices will now offer A and N for Aye and No respectively.

### 3. Regular Meeting Comments

There were no Regular Meeting Comments.

### 4. Review of Previous Meeting Minutes

#### **4.A. 15-0051** City Council Work Session Meeting Minutes January 12, 2015

The meeting minutes were approved as presented.

### 5. Executive Session

#### A) Open

There was not an Open Executive Session.

#### B) Closed

There was not a Closed Executive Session.

### 6. Staff and Appointee Reports

#### **6.A. 14-0759** Agenda Planner Review

Ms. Gonzalez stated she received a request to add a resolution supporting a grant application from the Parks Department for the Legacy Loop Paths to Parks project at a work session in February.

Councilmember Knight stated the Cumbres and Toltec Railroad briefing by the Parks Department on the agenda for a vote February 24, 2015 is concerning, he requested the item be included in a work session prior to the vote. Ms. Gonzalez will make arrangements for Parks to present this item in the February 9, 2015 Work Session.

**6.B. 14-0726** Financial Reports - Memorial Health System Enterprise and Colorado Springs Health Foundation

There were no questions or discussion on the Memorial Health System Enterprise or the Colorado Springs Health Foundation financial reports.

**7. Presentations for General Information**

**7.A. 14-0772** City Council Community Engagement Program Participant Presentations

Eric Phillips, Co-founder Colorado Springs City Council Community Engagement Program, thanked Councilmembers and staff for their support of the program and provided an overview of program dedicated to improving civic engagement with City Council and provided an overview of the activities of the committee. Mr. Phillips introduced Stephanie Hall, a program participant; she thanked Council for embracing the program.

Councilmembers Bennett and Martin thanked Mr. Phillips for the work being done.

**7.B. 14-0720** Private security business licensing update

Ms. Gonzalez updated Council on discussions that have taken place with Spencer Stringham about restrictions and requirements included in the Private Security Officer license. The ability of private security officers to carry concealed weapons while on duty is a major concern for Mr. Stringham. Ms. Gonzalez recommended a committee be formed to re-evaluate the Private Security Officer License requirements. Recent research has shown marked differences with security guard licensing requirements between Colorado Springs and other cities in Colorado.

Councilmember Collins stated most cities in Colorado do not charge for Security Officer Licenses and reiterated her efforts to remove business licensing fees.

Councilmember Knight requested a time-frame be placed on the

committee's work. Discussion ensued about the best date to return with the information based on the involvement of the City Clerk's office staff in the April election and the licensing process. Ms. Gonzalez will work with the committee and the City Clerk's Office to provide a response in the April 27, 2015 Work Session.

## 8. Items for Introduction

- 8.A. 14-0341** Ordinance No. 15-12 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

Res/Ord Number: 15-12

David Andrews, Legislative Counsel, explained the requested changes have been made to this document since the previous meeting.

Councilmember Knight stated he requested the addition of the phrase "vice the Mayor" in section 3 line 5 of the ballot question.

Councilmember Bennett stated he would prefer the term, "in lieu of the Mayor", be used, consensus of Council agreed to this change. The document will be amended prior to the meeting tomorrow.

- 8.B. 15-0053** Approval of Colorado Springs Health Foundation Investment Counsel

Councilmember Bennett explained this is a request by the foundation to hire a firm to provide investment advice to the foundation. This item will be voted at the February 10, 2015 meeting.

Jon Medved, Board Member, Colorado Springs Health Foundation (CSHF), stated he has met with many Councilmembers to review the selection process and need for investment counsel.

- 8.C. 14-0778** A Resolution approving the Intergovernmental Agreement between the City of Colorado Springs and the Regents of the University of Colorado, a body corporate, for and on behalf of the University of Colorado at Colorado Springs (UCCS), allowing UCCS officers to enforce all of Colorado Springs' Municipal Codes and expand their enforcement area within the city of Colorado Springs.

Police Chief, Peter Carey, CSPD, stated the purpose of this resolution is to form an agreement between the City and the Regents of the University of Colorado, Colorado Springs (UCCS) to allow UCCS officers to enforce the law and City Code in the area surrounding the UCCS campus.

Council President King asked if there are different regulations about arrests made on the UCCS campus versus the City. Chief Carey stated arrests can be made by UCCS officers or in conjunction with CSPD officers.

Councilmember Knight thanked Chief Carey for bringing this forward and asked if they have considered expanding the enforcement area to include student housing developments planned for the northwest portion of the City.

UCCS Police Chief Brian McPike spoke about some of the challenges faced by this police force and stated the planned housing developments will be included in the service area.

- 8.D. 15-00108** A resolution ordering a recall election to be held on the general municipal election on April 7, 2015, in accord with Colorado Springs City Charter section 12-60(a)(1), providing for the form of ballot, providing for certain matters with respect to the election, and providing the effective date of this resolution

Res/Ord Number: 9-15

Britt Haley, City Attorney, explained the timeline outlined in the City Charter to recall a City Councilmember. Ms. Haley stated the certificate of sufficiency for recall recently submitted by the City Clerk requires City Council to set an election date on a Tuesday, with the earliest date being February 17, 2015, and the latest date would be March 17, 2015, however; City Council is allowed to use planned general election scheduled for April 7, 2015 for this purpose.

Councilmember Gaebler asked how much it would cost the City to hold a special election for this recall. William Powell, Deputy City Clerk, stated an estimated cost is between \$200,000 and \$300,000 to hold a special election for the District 4 City Council seat.

Council President King asked Ms. Haley to provide clarification about the requirements of the City Charter regarding petitioners and petition circulators. Ms. Haley summarized the City Charter language regarding those who can circulate petitions, adding some of the restrictions in the City Charter were found to be invalid by a Supreme Court ruling. Ms. Haley explained the rights of citizens and how the restrictions placed on circulators can be considered a violation of those rights.

Council President King stated this is being placed on the ballot before the allotted time for the individual to file a protest has passed; Ms. Haley stated the City Charter does not provide a stay of proceedings if there is a protest and reiterated the City Charter does require City Council to set an election date for the recall question.

Councilmember Collins stated an email sent by the Secretary of State suggested Council should wait until the 40 day protest period is over before conducting the ballot. Councilmember Collins continued to state that many of those circulating petitions were from out of state and told her constituents she did not support the stormwater fees. Councilmember Collins continued to express her opinion of this recall effort and requested her constituents to contact her if they do not like the way she is representing them.

Councilmember Knight asked what Council needs to do to correct the City Charter to bring it in-line with the Federal ruling regarding the circulation of petitions, and requested a copy of the financial report, including the amount paid to the circulators in this recall effort. Ms. Haley suggested a Charter Commission or Charter Amendment to change the language aligning it with the Federal ruling. Councilmember Knight asked if there is a required time-frame for correcting the Charter language after the Supreme Court makes a ruling, Ms. Haley stated there is not any time frame she is aware of, adding the language becomes void due to the Supreme Court ruling, but that it is a good idea to change it. Councilmember Knight asked if a ruling from the State Attorney General is required to change the charter. Ms. Haley stated the City has the authority to amend the Charter to be consistent with the Supreme Court ruling (she will confirm this with the City Attorney).

Councilmember Collins stated her opinion that the City Clerk, Sarah Johnson should be present for this discussion, Ms. Haley stated Ms. Johnson was advised by the City Attorney's Office to not to attend this discussion due to her involvement in the recall process.

## 9. Items Under Study

Councilmember Gaebler requested an update from the executive branch on the SCIP Bond proposal. Steve Cox, Chief of Staff, provided an overview of the changes made to the proposal based on Council's requests to re-prioritize projects. Ms. Gonzalez provided copies of the updated proposal to Council. Mr. Cox added that the question about

bonds presented by Council President King would be explained by Kara Skinner, CFO, in the meeting tomorrow.

Councilmember Gaebler stated she has heard from many constituents about this proposal and supports the intergenerational equity of completing these projects now for the benefit of generations to come. She thanked the executive branch for modifying the proposal based on Council's requests.

Councilmember Martin stated she has developed a resolution that proposed to use \$19 million in revenue from a variety of sources to address stormwater needs. She would like to have this resolution presented in the meeting tomorrow.

Mr. Cox stated Councilmember Martin's resolution does not address any needs other than stormwater, adding the majority of complaints received by citizens involve streets and infrastructure.

Council President King stated he did not receive a response from the Mayor's office about the alternative proposals presented by City Council.

Councilmember Knight stated, in his opinion, between the three proposals, he prefers Councilmember Martin's. Councilmember Knight added that he reached out to four of the Mayoral candidates and they all have different ideas on how to handle this issue that they intend to initiate within the first three months in office, he would be inclined to wait on this issue until the new mayor is elected. Mr. Cox responded that it would take over 14 years to accomplish with cash what they can accomplish in five years with the SCIP bond proposal, adding that waiting to make a decision until after the Mayor is elected will result in a two year delay until the next municipal election.

Councilmember Pico asked when the SCIP bond funds will be available. Kara Skinner, CFO, stated the bonds can be issued by the end of May or early June if the voters approve the proposal and explained the bond repayment structure.

Councilmember Knight stated he believes doing this correctly is worth the cost and the wait.

Councilmember Martin stated she has a difficult time paying for five

years' worth of projects over 20 years. Her option provides the opportunity to solve the stormwater problem on a cash basis and gives the new Mayor the opportunity to address the infrastructure problems faced by the community.

Council President King polled Council regarding the desire to bring the Mayor's proposal and Councilmember Martin's proposal to a vote in the meeting tomorrow. Consensus of Council agreed to include both proposals in the meeting tomorrow. Ms. Gonzalez clarified Martin's proposal will be properly noticed and included in the added agenda section of the meeting tomorrow .

#### 10. Councilmember Reports and Open Discussion

Councilmember Bennett commended Gazette Reporter Monica Mendoza for the way she reported the Gas Cost Adjustment, stated he will not be able to attend the Council Staff Work Plan Review tomorrow, and announced Councilmember Pico will Chair the CSU Finance Committee.

Councilmember Knight stated he will not be able to attend the Council Staff Work Plan Review tomorrow and invited Council to attend an RBA listening session in Centennial Hall, February 3, 2015 from 4-6pm. He also mentioned he received an invitation to a WCX Cyber Infrastructure Security Preparedness exercise Saturday at UCCS.

Councilmember Gaebler provided an update on the Food Related Policy Committee activities; they are creating a county wide food policy advisory board. The committee plans to present an update during the February 23, 2015 work session.

Council President King stated the agenda for the Council Staff Work Plan Review tomorrow will be dismissed per consensus of Council.

#### 11. Adjourn