



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. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Monday, October 8, 2018

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

Councilmember Geislinger was excused at approximately 3:00 PM.

2. Changes to Agenda

There were no changes to the Agenda.

3. Regular Meeting Comments

There were no regular meeting comments.

4. Review of Previous Meeting Minutes

4.A. [18-0502](#) City Council Work Session Meeting Minutes September 24, 2018

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [9-24-18 City Council Work Session Meeting Minutes Final.pdf](#)

The minutes of the September 24, 2018 Work Session meeting were approved by Consensus of Council.

5. Executive Session

5A. Open

5B. Closed

5B.A. [18-0492](#) 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

negotiation consultation with the City Attorney regarding an intergovernmental agreement pertaining to emergency management.

Presenter:
Wynetta Massey, City Attorney

Attachments: [10082018Closed](#)

Councilmember Knight requested the item be withdrawn because he and Councilmember Pico serve as Council liaisons to the meetings and will meet with the Executive branch regarding the item. Consensus of Council agreed to Councilmember Knight's request.

6. Staff and Appointee Reports

6.A. [17-1340](#) Agenda Planner Review

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 10-8-18.pdf](#)

Councilmember Murray asked when the presentation he had previously requested regarding the proposed hockey arena and sports stadium will be presented. Jeff Greene, Chief of Staff, stated this presentation needs to be coordinated with multiple people and the information will be presented as soon as possible. Councilmember Knight requested it be presented before December 16, 2018. Mr. Greene stated he will work towards that.

Councilmember Knight requested the short term rental Ordinance be presented at the October 22, 2018 City Council Work Session prior to a vote at the October 23, 2018 City Council meeting. Consensus of Council agreed to Councilmember Knight's request.

7. Presentations for General Information

7.A. [18-0457](#) Mountain Metropolitan Transit Fare Study

Presenter:
Brian Vitulli, Transit Services Division Planning Supervisor
Cristina Barone, Nelson/Nygaard Consultants

Attachments: [FareStudyPresentation](#)

Brian Vitulli, Transit Services Division Planning Supervisor, explained the overall purpose of the Mountain Metropolitan Transit (MMT) Fare Study is to evaluate the current condition of MMT's fare structure, policies, and technologies.

Cristina Barone, Nelson/Nygaard Consultants, presented the results of the MMT Fare Study. She gave an overview of the goals, findings, recommendations, and next steps.

Councilmember Knight asked when the next fare increase will go into effect. Mr. Vitulli stated it will be next fall.

Councilmember Geislinger asked if there was anything in place to assist low-income riders with purchasing the discounted thirty-one day pass. Mr. Vitulli said they are looking at offering a variety of discounted passes for varying lengths of time.

President Pro Tem Gaebler asked what is causing the decline of the Farebox Recovery. Ms. Barone state it is due to rising costs and inflation. President Pro Tem Gaebler asked what causes ridership frequency to decline. Ms. Barone stated it was due to affordability.

Councilmember Strand asked what recommendations were made by the Citizens Transportation Advisory Board and the Passenger Advisory Committee. Mr. Vitulli stated there was an overall consensus that transit was moving in the right direction.

Councilmember Avila asked for clarification on the eleven percent increase. Mr. Vitulli stated it was an eleven percent increase in service hours. Councilmember Avila asked what the proposed increase in fares will be. Mr. Vitulli stated it is recommended fares will increase fourteen percent in the fall of 2019.

8. Items for Introduction

- 8.A.** [18-0397](#) Approval of the Proposed 2019 Budget for the Colorado Springs Downtown Development Authority

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

Attachments: [10-8-18_BIDpresentation](#)
[2019 DDA Preliminary Budget Cover Letter](#)
[DDA 2019 Scope of Work](#)

Carl Schueler, Planning Manager, Comprehensive Planning presented the proposed 2019 budget for the Colorado Springs Downtown Development Authority (DDA) and the proposed 2019 budgets and operating plans for the fourteen Business Improvement Districts (BID). He explained annual budget and mill levy approval is required for the DDA and annual budget and operating plan approvals are required for BIDs. Mr. Schueler identified

the list of BIDs, proposed mill levy changes, requests for debt issuance, developer advances, public improvement fees (PIFs), boundary changes, and districts which have less than full boards.

Councilmember Murray asked if the issue regarding how PIFs are labeled on receipts has been addressed. Marc Smith, Corporate Division Chief, Office of the City Attorney, explained the City does not have authority to require signage regarding PIFs and the Sales Tax Department has indicated it would be very difficult to require retailers to delineate it on their receipts. Councilmember Knight stated this is an issue for State legislatures, not City Council.

Susan Edmondson, President and CEO, Downtown Partnership, gave an update on the DDA and stated there are not any proposed boundary changes for 2019 and the mill levy is set at 5.0. She identified the members of the board of directors, their goals, operations, grants, and tax increment financing (TIF) reimbursement agreements.

Councilmember Murray requested adding more off-duty police officers for increasing security in the downtown area. Ms. Edmondson stated private security in the area is funded by their business improvement district budget, but they do not have the resources for off-duty police officers. President Skorman commented there has been discussion between the DDA and the Colorado Springs Police Department (CSPD) to increase police presence in the downtown area. Councilmember Knight stated the CSPD has an off-duty program which is paid by customers who request police presence and said the DDA should have to pay for it as well. Ms. Edmondson said downtown has a far greater density which requires more support than a typical event or request. President Skorman explained the difference is that with private property owners, they can ask people to leave, but downtown is public space. President Pro Tem Gaebler identified how much sales tax revenue is generated from downtown businesses and said the City should help support them.

Councilmember Knight asked if the TIF is within what is collected by the DDA through the 5.0 mills or if it is through the City's general fund dollars. Ms. Edmondson explained it is separate, the TIF is district-wide, and only within the past few years has the increment been generated which will be utilized for specialized improvement projects.

Councilmember Avila asked if there are any plans for a downtown multi-modal transportation center. Jeff Greene, Chief of Staff, stated there have been discussions with potential property owners regarding the addition of a multi-modal transportation center.

Councilmember Knight asked for clarification regarding the BIDs that have no mill levy proposed for 2019. Mr. Schueler explained mill levies are certified in December for 2018 taxes payable in 2019 and these specific districts do not anticipate certifying a mill levy in 2018.

Councilmember Knight asked how the Interquest North BID limited abatement is authorized to take them over their allowed cap. Russ Dysktra, from Spencer Fane, representing the district, said because the bonds were issued at one mill which have very limited requirements, they have a specific provision in which if they have an abatement, the mill levy is to be increased to cover the abatement which is authorized by the Colorado Revised Statutes.

Councilmember Knight requested the actual and estimate cost for the Interquest Town Center BID budget. Mr. Schueler stated he will provide that information.

- 8.B.** [18-0417](#) Approval of the Proposed 2019 Operating Plan and Budget for the Greater Downtown Colorado Springs Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

Attachments: [2019 BID Preliminary Budget Cover Letter](#)

[2019 Operating Plan Greater Downtown BID](#)

Please see comments in Agenda item 8.A.

- 8.C.** [18-0408](#) Approval of the Proposed 2019 Operating Plan and Budget for the Barnes & Powers North Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

Attachments: [2019 Operating Plan with Budget Barnes & Powers North BID](#)

Please see comments in Agenda item 8.A.

- 8.D.** [18-0409](#) Approval of the Proposed 2019 Operating Plan and Budget for the Barnes & Powers South Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

Attachments: [2019 Operating Plan with Budget Barnes & Powers South BID](#)

Please see comments in Agenda item 8.A.

- 8.E. [18-0410](#) Approval of the Proposed 2019 Operating Plan and Budget for the Briargate Center Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

Attachments: [Final 2019 Operating Plan and Budget Briargate Center BID](#)

Please see comments in Agenda item 8.A.

- 8.F. [18-0411](#) Approval of the Proposed 2019 Operating Plan and Budget for the Creekwalk Marketplace Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

Attachments: [Creekwalk Marketplace BID - 2019 Operating Plan and Budget](#)
[Creekwalk Proposed Inclusions Map](#)

Please see comments in Agenda item 8.A.

- 8.G. [18-0414](#) Approval of the Proposed 2019 Operating Plan and Budget for the First and Main Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

Attachments: [2019 Operating Plan with Budget First and Main BID](#)

Please see comments in Agenda item 8.A.

- 8.H. [18-0415](#) Approval of the Proposed 2019 Operating Plan and Budget for the First and Main Business Improvement District No. 2

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

Attachments: [Revised 2019 Operating Plan and Budget - First and Main BID No. 2](#)

Please see comments in Agenda item 8.A.

- 8.I. [18-0416](#) Approval of the Proposed 2019 Operating Plan and Budget for the First and Main North Business Improvement District

Presenter:
Carl Schueler, Comprehensive Planning Manager

Attachments: [2019 Operating Plan with Budget First and Main North BID](#)

Please see comments in Agenda item 8.A.

- 8.J. [18-0418](#) Approval of the Proposed 2019 Operating Plan and Budget for the Interquest North Business Improvement District

Presenter:
Carl Schueler, Comprehensive Planning Manager

Attachments: [2019 Operating Plan and Budget - Interquest North BID-cleaned.pdf](#)

Please see comments in Agenda item 8.A.

- 8.K. [18-0425](#) Approval of the Proposed 2019 Operating Plan and Budget for the Interquest South Business Improvement District

Presenter:
Carl Schueler, Comprehensive Planning Manager

Attachments: [2019 Operating Plan and Budget Interquest South BID](#)

Please see comments in Agenda item 8.A.

- 8.L. [18-0426](#) Approval of the Proposed 2019 Operating Plan and Budget for the Interquest Town Center Business Improvement District

Presenter:
Carl Schueler, Comprehensive Planning Manager

Please see comments in Agenda item 8.A.

- 8.M. [18-0427](#) Approval of the Proposed 2019 Operating Plan and Budget for the Powers & Woodmen Commercial Business Improvement District

Presenter:
Carl Schueler, Comprehensive Planning Manager

Attachments: [2019 Operating Plan with Budget Powers-Woodmen Commerical BID](#)

Please see comments in Agenda item 8.A.

- 8.N. [18-0428](#) Approval of the Proposed 2019 Operating Plan and Budget for the USAFA Visitors Center Business Improvement District

Presenter:

Carl Schueler, Planning Manager - Comprehensive Planning

Attachments: [USAFA BID - Ltr to City Clerk - 2019 Operating Plan](#)

[USAFA BID - 2019 Operating Plan - Revised Final - Oct 1 2018](#)

Please see comments in Agenda item 8.A.

- 8.O.** [18-0429](#) Approval of the Proposed 2019 Operating Plan and Budget for the SW Downtown Colorado Springs Business Improvement District

Presenter:

Carl Schueler, Comprehensive Planning Manager

Attachments: [2019 Operating Plan and Budget - SW Downtown BID-cleaned.pdf](#)

Please see comments in Agenda item 8.A.

- 8.P.** [18-0486](#) A Resolution Supporting an Application to Great Outdoors Colorado for Panorama Park Enhancements

Presenter:

Tilah Larson, Senior Analyst, Parks, Recreation and Cultural Services
Karen Palus, Director of Parks, Recreation and Cultural Services

Attachments: [10-8-18 - Panorama City Council Resolution of Support](#)

Tilah Larson, Senior Grants Analyst, Parks, Recreation and Cultural Services, presented the request to apply for a grant from Great Outdoors Colorado (GOCO) on behalf of Panorama Park. She stated in partnership with the Trust for Public Land (TPL) and the RISE Coalition, this park is currently in the master plan process for improvements with planned construction starting in 2019.

There were no comments on this item.

- 8.Q.** [18-0501](#) A Resolution for Acquisition of Real Property from homeowners affected by the 2015 landslide events to the City of Colorado Springs

Presenter:

Gordon Brenner, City Office of Emergency Management Recovery Coordinator
Darlene Kennedy, City Real Estate Services Manager
Jennifer Vance, City Finance Grants Program Manager

Attachments: [Resolution for Acquisition](#)
[4860 Broadmoor Bluffs Ex A.pdf](#)
[4880 Broadmoor Bluffs Ex B.pdf](#)
[4890 Broadmoor Bluffs Ex C.pdf](#)
[18-0501 Landslide Acquisition HMGP 20181002](#)

Gordon Brenner, City Office of Emergency Management Recovery Coordinator, presented the Resolution for acquisition from homeowners of three properties damaged by the 2015 landslide. He said funding for the acquisitions will come from the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP). Mr. Brenner gave a summary of the landslide, an overview of the HMGP funding and acquisition process, and presented pictures of the damaged houses.

Councilmember Murray asked if the twenty-five percent local match requirement is based on the appraised value of the house. Mr. Brenner confirmed it was.

Councilmember Knight how many applicants there were and if there was enough federal funding to cover them. Mr. Brenner stated there are twenty-one applicants, but there is only enough funding to cover eight of them which were prioritized by state and federal guidelines by the extent of the damage.

- 8.R.** [18-0508](#) A Resolution opposing “Amendment 74”, a proposal to amend the Colorado Constitution

Presenter:
Jill Gaebler, Council President Pro Tem

Attachments: [Amendment74-RES-2018-10-02-clean.docx](#)

President Pro Tem Gaebler, presented the Resolution opposing Amendment 74, a proposal to amend the Colorado Constitution. She stated Amendment 74 would require the City to award just compensation to private property owners when an Ordinance is passed which reduces the fair market value of their property. President Pro Tem Gaebler, policy committee member of the Colorado Municipal League (CML), said the CML has identified this amendment may have profound financial impacts on municipal jurisdictions.

Councilmember Pico stated he has reservations about City Council weighing in on a ballot measure, but is against the proposed amendment

because the appeals of the collision of property rights that come before City Council and the resulting lawsuits against the municipalities would have to be paid by taxpayers.

Jeff Greene, Chief of Staff, stated the Mayor is strongly opposed to Amendment 74 because there will be consequences associated with amending the State Constitution and believes the proposed amendment will harm City Council's ability to effectively govern the City.

Councilmember Knight stated he is opposed to Councilmembers being required to reveal how they will be voting on a state amendment. He requested the results of the vote total for the Resolution be included in the Resolution language. He recommended Councilmembers write a letter rather than vote on a Resolution.

President Skorman said City Council needs to vote because of the liability to the City and explained it could cost the state billions of dollars in lawsuit expenses. Councilmember Knight said he supports property owner rights in regards to zoning changes and their effect on neighborhoods.

Councilmember Strand said he also has concerns with City Council taking a stand on this ballot issue and the consequences of citizens thinking City Council is not looking after the public's best interests.

Councilmember Murray stated City Council needs to make strategic leadership decisions for the benefit of the City.

President Pro Tem Gaebler said this amendment will restrict City Council in their decisions because they will be more concerned with the impact of property value rather than the strategic plan of the City.

9. Items Under Study

There were no items under study.

10. Councilmember Reports and Open Discussion

Councilmember Avila stated she attended the Smart Cities conference in Washington, D.C. and the Facade Opportunities Zone Awards event. She also announced that Navajo Nation Council Delegate Steven Bengay recently passed away.

Councilmember Knight stated he visited the new Penrose St. Francis paramedic training program, attended the Air Force Academy Civic Leaders social, and the Air Force versus Navy football game.

Councilmember Pico stated he attended the Colorado Springs Utilities energy tour.

Councilmember Strand said the Town Hall meeting he and Councilmember Murray held was well attended. He said he attended tours at Allegion and Harloff Manufacturing Company. Councilmember Strand, a member of the Child Fatality Review Team, identified the statistics of youth deaths in the community.

Councilmember Murray said he took the City's diversity training and attended the In and Out breakfast. He said the national president of the library system spoke about how open and diverse the culture of Colorado Springs has become.

11. Adjourn

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

Sarah B. Johnson, City Clerk