



# 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.*

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Monday, December 11, 2017

1:00 PM

Council Chambers

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**Note: Work Session will begin with a Closed Executive Session; agenda items will be taken up no earlier than 2:00PM.**

### 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

Eileen Lynch Gonzalez, City Council Administrator, stated that item 5B.A. Closed Executive Session will be split into two sessions. The first topic related to a pending litigation matter will be held at the beginning of the meeting and the second topic related to an annexation matter will be held at the end of the meeting. Consensus of 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. [17-1407](#) City Council Work Session Minutes November 27, 2017

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [11-27-2017 City Council Work Session Meeting Minutes Final](#)

The minutes of the November 27, 2017 Work Session meeting were approved by Consensus of Council.

### 5. Executive Session

#### 5A. Open

5A.A. [17-1405](#) Isaac Gurule v. Officers Michael Finn and Brent Ambuehl, Case No.

117-cv-00826, U.S. District Court for the District of Colorado

Presenter:

Wynetta Massey, City Attorney

**Attachments:** [11132017OpenMemo](#)

Eileen Lynch Gonzalez, City Council Administrator, stated that with the recommendation of the Civil Action Investigation Committee, the City is requesting authorization to defend the two Officers. Council President Skorman polled Council regarding authorizing the City to represent the Officers. Consensus of Council agreed.

## **5B. Closed**

### **5B.A. [17-1406](#)**

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 issues to be discussed involve: (1) legal advice and consultation with the City Attorney regarding pending litigation; and (2) legal advice and negotiation consultation with the City Attorney regarding an annexation matter.

Presenter:

Wynetta Massey, City Attorney

Marc Smith, Division Chief, Corporate Legislative Counsel, stated 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 consultation with the City Attorney regarding pending litigation.

Council President Skorman polled Council regarding the desire to proceed with a Closed Session. At least two-thirds of Council agreed to proceed in Closed Executive Session.

## **6. Staff and Appointee Reports**

### **6.A. [16-703](#) Agenda Planner Review**

Presenter:

Eileen Lynch Gonzalez, City Council Administrator

**Attachments:** [121117 Agenda Planner Review MEMO DRAFT](#)

Eileen Lynch Gonzalez, City Council Administrator, stated there will not be

a City Council meeting held on December 26, 2017.

Councilmember Murray requested a presentation from the City Attorney regarding the misrepresentation of material in the Independent's article on Strawberry Fields. Eileen Lynch Gonzalez, City Council Administrator, said that she will contact the City Attorney's Office.

## **7. Presentations for General Information**

- 7.A. [16-678](#) Colorado Springs Convention & Visitors Bureau (CVB) - Q3 2017 Performance Measures

Presenter:

Doug Price, President & CEO, Colorado Springs Convention & Visitors Bureau

**Attachments:** [CVB KPI Report Q3 2017 with Financials 103117](#)

Doug Price, President and CEO, Colorado Springs Convention and Visitors Bureau (CVB), presented the 2017 third quarter Performance Measures report which reflected results through August 2017. Mr. Price stated Lodgers and Automobile Rental Tax (LART) collections revenue was up 14.9 percent from 2016. Mr. Price stated that trade shows had been revised down to forty shows for 2017 and that CVB website visits were down due to Google Travel Guide redirecting web traffic from the CVB website directly to the attraction's website.

Councilmember Murray requested specific examples where the Chamber of Commerce and EDC has assisted the CVB. Mr. Price said that from a business standpoint, the CVB is not directly involved in the site visits that the Chamber of Commerce and EDC participates in, but that the Chamber of Commerce and EDC does assist in getting businesses to travel to Colorado Springs.

Councilmember Strand asked for the cost of the consultant team for the tourism master plan. Mr. Price stated that \$125,000 is budgeted for the contract for the team of consultants.

- 7.B. [17-1301](#) Status Update: Pikes Peak Observatory

Presenter:

Bob Sallee, Chairman, Board of Directors, National Space Science & Technology Institute

**Attachments:** [Pikes Peak Observatory DEC 2017 City Council MASTER SLIDES](#)  
[4 Pikes Peak Observatory Operations Concept](#)  
[3 NSSTI SF-299 Spec Use Applic Continuation Sheets](#)

Bob Sallee, Chairman, Board of Directors, National Space Science & Technology Institute (NSSTI), introduced the Board of Directors for the NSSTI and presented the mission, function, and outcome of the Pikes Peak Observatory. He identified several instruments and telescopes to be used at the observatory, their current status, the proposed observatory site, the four summit locations that were considered, and their goal to provide informal Science, Technology, Engineering, and Mathematics (STEM) education to visitors. Mr. Sallee stated the project supports the United States Forest Service goals.

Ronald Segal, PhD, Board of Directors NSSTI commented that the summit of Pikes Peak is a unique point on the planet for this observatory.

Councilmember Knight asked if there was any indication from the National Forest Service as to their standing regarding the observatory. Mr. Sallee said there has not been any opposition to the plan at this time.

Councilmember Strand asked if the cost was under \$2 million. Mr. Sallee said that the current cost is under \$2 million and is confident that when it is completed, it will be under \$3 million. Councilmember Strand asked if there were any funds in a capital campaign. Mr. Sallee said there is no capital campaign at this time because approval from the National Forest Service is required first.

**7.C.** [17-1344](#) Pikes Peak Outdoor Recreation Alliance Update

Presenter:

Becky Leinweber, Executive Director, PPORA

**Attachments:** [PPORA FALL2017 Presentation](#)

Dave Leinweber, Owner of Angler's Covey and Chairman and Founder of the Pikes Peak Outdoor Recreation Alliance (PPORA), presented the fall 2017 update of the outdoor recreation economy. Mr. Leinweber identified the Outdoor Industry Association (OIA) members and stated that the Outdoor Retailers Show will bring 85,000 people to Denver this year resulting in a \$110 million economic impact. He explained that the outdoor recreation economy generates \$887 billion annually in consumer spending and 7.6 million jobs. Mr. Leinweber compared outdoor recreation to other

industries, identified their mission, the PPORA Board, Advisory Council, and the events and accomplishments they had achieved throughout the community.

President Pro Tem Gaebler asked if there were any staff from the City on the PPORA Board or committee. Mr. Leinweber said no, but that they have worked to keep Karen Palus, Director, Parks, Recreation & Cultural Services, informed and will pursue future involvement with the Parks, Recreation and Cultural Services Department.

## **8. Items for Introduction**

- 8.A. [17-1411](#) An Emergency Ordinance Authorizing and Approving the Lease-Purchase of Certain Property and the Execution of Documents Related Thereto by the City of Colorado Springs, Colorado in Connection With the Issuance of Refunding Certificates of Participation, Series 2017, in an Aggregate Principal Amount of Not To Exceed \$30,000,000; Ratifying Action Previously Taken Concerning Such Matters; Providing for Other Matters Related Thereto; And Declaring an Emergency and Providing the Effective Date of this Ordinance

Presenter:

Charae McDaniel, Chief Financial Officer

Tom Florczak, Deputy City Attorney

**Attachments:** [Emergency Ordinance Approving COPs - Colorado Springs Refunding COPs.doc](#)  
[Signed Ordinance 17-118](#)

Charae McDaniel, Chief Financial Officer, presented expediting the proposal to refinance the current Certificates of Participation (COP) for the lease of the United States Olympic Committee (USOC) building prior to the end of the year. Ms. McDaniel explained that the proposed federal tax reform changes that have been through the U.S. House of Representatives and Senate would impact the way municipalities are able to deal with these types of financial instruments. She said that if the refinancing is closed prior to the end of the year at the current interest rate would result in a ten to fifteen percent savings.

President Skorman asked what the total potential savings would be. Ms. McDaniel said it would be approximately \$4 million over the life of the COPs.

- 8.B. [17-1390](#) A Resolution to allow the Tuscan Foothills Village Metropolitan District to include a property outside the inclusion area in their approved service

plan.

Presenter: Conrad Olmedo, Comprehensive Planner II, Planning & Community Development Department  
Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Community Development Department

**Attachments:** [TuscanFoothillsRES-2017-12-06](#)

[Tuscan Foothills Village Metropolitan District Board Resolution](#)

[Applicant Request Letter](#)

[cc PowerPoint](#)

Carl Schueler, Planning Manager Comprehensive Planning, Planning and Community Development Department, provided a brief background of the current service plan of the Tuscan Foothills Village Metropolitan District.

Conrad Olmedo, Comprehensive Planner II, Planning and Community Development Department, presented a map identifying the property for the proposed inclusion and the proposed new district boundary.

President Pro Tem Gaebler asked regarding the exclusion of the multi-family infrastructure due to it not being a benefit to the district and asked if the City would provide the public infrastructure for that area if it is excluded from the district.

Ray O'Sullivan, representing the applicant, stated that all the public improvements for that apartment complex have already been completed and that the area does not require any additional district eligible public infrastructure improvements. President Pro Tem Gaebler asked if the district would benefit from the property tax collected from that property if it were not excluded. Mr. O'Sullivan explained that this district's maximum authorized debt was capped at \$1.1 million and imposing the mill levy on the apartment complex would not benefit the apartments.

Councilmember Knight commented that when the district was formed a year ago, this district had a large amount of hillside that was considered non-buildable and was going to be open space to the residents and questioned what had changed that now makes this area buildable. Mr. O'Sullivan said that Centennial Boulevard was improved which the district will be reimbursing the City for and that twenty-five of the fifty acres are now considered developable due to a geohazard report that was conducted. Mr. O'Sullivan also identified that only approximately three acres net were going to be reduced from open space and parks.

- 8.C. [17-1400](#) A Resolution Authorizing the Acquisition of an Easement across Property Owned by Bull Hill, LLC and an Easement across Property Owned by BLH No. 2, LLC to be Used for Southern Delivery System Project Improvements

Presenter:

Lyman Ho, SDS Land Acquisition Manager

Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [Bull Hill Resolution - Bull Hill and BLH 2017-12-12 ver2.docx](#)  
[Bull Hill Exhibit A 5500000324 LALEGALDESCRIPTION.pdf](#)  
[Bull Hill Exhibit B 5500000225 LALEGALDESCRIPTION 070517.pdf](#)  
[Bull Hill Presentation December 2017\\_Final.pptx](#)  
[Signed Resolution 155-17](#)

Lyman Ho, SDS Land Acquisition Manager, presented the request for authorizing the acquisition through consensual transactions of two properties owned by Bull Hill, LLC and BLH No. 2, LLC to be used for connecting the pump station with the Gary M. Bostrom Reservoir. He presented a vicinity map, a summary of property acquisitions, and identified what the easements would be used for.

There were no comments on this item.

- 8.D. [17-1399](#) A resolution authorizing the Intergovernmental Agreement establishing the administration and governance of the Metro Vice, Narcotics and Intelligence Division

Presenter:

Peter Carey, Chief of Police

**Attachments:** [010918 Metro VNI IGA Resolution-FINAL-2018\\_Date](#)  
[Metro VNI IGA 12-11-17](#)  
[010918 IGA-MOU-CouncilHandout](#)

Peter Carey, Chief of Police, presented the Intergovernmental Agreement (IGA) establishing the administration and governance of the Metro Vice, Narcotics and Intelligence (VNI) Division between the Colorado Springs Police Department (CSPD), El Paso County Sheriff's Office, Teller County Sheriff's Office, Fountain Police Department, Woodland Park Police Department, and the District Attorney's Office. Chief Carey identified that the agreement was previously completed as a Memorandum of Understanding (MOU), but recent changes in financial responsibility when

officers or deputies are involved in traffic accidents when driving VNI vehicles prompted the need for an IGA.

Councilmember Strand asked for more details for transitioning from MOU to IGA and why the financial burden was higher for the CSPD than the other departments. Chief Carey stated that an IGA is a higher level agreement for when financial payment needs to be transferred to other governmental agencies and that the IGA is financially equitable as it relates to the cases involved. Councilmember Strand requested the amount of cost for the CSPD that was included in the IGA. Chief Carey agreed to provide that information.

Frederick Stein, City Attorney, presented a chart to Council identifying what the differences were between the MOU and IGA. Mr. Stein stated that the IGA identifies more details regarding vehicle liability, funding, asset seizures, and reporting requirements as well as the IGA complies with House Bill 1313.

**8.E.**     [17-1307](#)     Request for Approval of Updates to Sworn and Civilian Policies and Procedures Manuals

Presenter:  
Danielle Lack, Human Resources Manager, Human Resources Department



**Attachments:** [Policy - Civilian PPM - Glossary](#)  
[Policy 2 Civilian PPM Draft - Employment - RFC](#)  
[Policy 3 Sworn PPM Draft - Overtime - CM 102317](#)  
[Policy 4 Civilian PPM - Internal Transfer Program](#)  
[Policy 5 Sworn PPM - Acting and Longevity Pay](#)  
[Policy 7 Sworn PPM - Rest Period](#)  
[Policy 7&27 Civilian PPM - Removal of HRC references](#)  
[Policy 8 Sworn PPM - Standby Status](#)  
[Policy 10 Civilian PPM Nursing Mothers](#)  
[Policy 11 Sworn PPM Draft - Holidays](#)  
[Policy 16 Civilian PPM - Rest Periods](#)  
[Policy 24 Sworn PPM - Educational Assistance - RFC](#)  
[Policy 32 Civilian PPM- Performance Management](#)  
[Policy 41 Sworn PPM - City-Owned and Personal Vehicles for Business Use](#)  
[Policy 59 Civilian PPM - City Owned Vehicles](#)  
[Policy ii Civilian and Sworn PPM - At-Will Employees](#)  
[Q4 2017 PPM Updates - summary](#)

Mike Sullivan, Director, Human Resources Department, stated there were seventeen proposed updates to the Sworn and Civilian Policies and Procedures Manuals.

Danielle Lack, Human Resources Manager, Human Resources Department presented details of each of the proposed updates to the Civilian Policy and Sworn Policy.

There were no comments on this item.

## **9. Items Under Study**

- 9.A. [CPC MP 92-227-A1MJ](#) Informational item on the upcoming update process for the City's Historic Preservation Plan  
[17](#)

Presenter:

Peter Wysocki, Director Planning and Community Development  
Daniel Sexton, Senior Planner, Planning and Community Development

Peter Wysocki, Director Planning and Community Development, stated that the City's Historic Preservation Plan regarding historic structures within the City was developed in 1993 and has not been significantly updated since then. Mr. Wysocki stated that they have received \$55,000 in grants

and \$5,000 in local match to develop a new plan which will take approximately twelve months to complete.

President Pro Tem Gaebler asked who would be included as stakeholders. Mr. Wysocki stated that stakeholders would include residents from the Old North End, the Council of Neighbors and Organizations (CONO), Councilmembers, Historic Preservation Board members, residents from the Old West Side, and residents from Old Colorado City.

President Pro Tem Gaebler asked how the Historic Preservation Plan will compliment the Comprehensive Plan. Mr. Wysocki said that it will be incorporated into the Comprehensive Plan by reference.

Councilmember Knight asked if they could include Colorado Springs Utilities as a stakeholder. Mr. Wysocki agreed to keep them involved.

## **10. Councilmember Reports and Open Discussion**

Councilmember Knight commented that Council has not seen a status update regarding the Private Activity Bonds (PAB) that were to be presented in December 2017. Bob Cope, Economic Development Manager, stated that Steve Posey, Redevelopment Specialist, will be providing an update in January 2018 which includes the PAB.

Councilmember Avila stated that she had attended the Southeast series and that House Bill 1326 and the Rise Coalition was progressing nicely. Councilmember Avila also stated that she attended the Young Ambassadors for Olympic City event.

Councilmember Strand stated that he attended the Thirty Group military appreciation holiday reception and the Military Airlift Command (MAC) holiday party. He also stated that there was a technical writing class at the University of Colorado, Colorado Springs (UCCS) where the students put together some great recommendations on PlanCOS.

## **5B. Closed**

### **5B.A. [17-1406](#)**

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Council President Skorman polled Council regarding the desire to proceed with a Closed Session. At least two-thirds of Council agreed to proceed in 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