



# 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 27, 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** 8 - Councilmember Dave Donelson, Councilmember Stephannie Fortune, President Pro Tem Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, Councilmember Mike O'Malley, President Tom Strand, and Councilmember Wayne Williams
- Excused** 1 - Councilmember Yolanda Avila

Councilmember O'Malley arrived at approximately 11:00 AM.

### 2. Changes to Agenda

There were no Changes to Agenda.

### 3. Regular Meeting Comments

Dena Lozano, Deputy City Clerk, stated item 10.B. will be postponed to the July 12, 2022 City Council meeting. Consensus of City Council agreed to this change.

### 4. Review of Previous Meeting Minutes

- 4.A. [22-374](#) City Council Work Session Meeting Minutes June 13, 2022

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [6-13-22 City Council Work Session Meeting Minutes Final](#)

Councilmember Henjum requested the minutes for item 8.D. from the June 13, 2022 City Council Work Session meeting be amended to clarify that she and Councilmember Williams were requesting that even if a developer offers some percentage of affordable housing units that it still be considered for a tax credit even if affordable housing is not one hundred percent of the development.

The minutes of the June 13, 2022 Work Session were approved as amended by Consensus of City Council.

**4.B.** [22-427](#) Special City Council Work Session Meeting Minutes June 20, 2022

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [6-20-22 Special City Council Work Session Minutes Final](#)

Councilmember Henjum stated that Councilmember Williams did not attend the entire June 20, 2022 Special City Council Work Session meeting virtually, just a portion of it.

The minutes of the June 20, 2022 Special Work Session were approved as amended by Consensus of City Council.

## **5. Executive Session**

### **5A. Open**

There was no Open Executive Session.

### **5B. Closed**

There was no Closed Executive Session.

## **6. Presentations for General Information**

**6.A.** [22-421](#) Colorado Legal Services

Presenter:

Sarah Lipka, Managing Attorney, Colorado Legal Services

**Attachments:** [CLS PowerPoint for Colorado Springs Council Meeting 6.26.22v2 \(002\)](#)

Sarah Lipka, Managing Attorney, Colorado Legal Services (CLS), introduced Eliza Montoya, Intake Supervisor, Rugby Simone, Federal Rental Assistance Program (ERAP) Paralegal, Molly Ryan, Director of Administration and Access, and Todd Johnson, Housing Attorney and

provided an overview of the CLS mission statement, staff/volunteers, Coloradans eligible for CLS services, financial eligibility, core cases, 2021 case types, specialty cases, and services provided in 2021. She identified CLS client support services, Colorado Springs Housing staff, the population which CLS assists, community outreach/support, and revenue by source.

President Strand asked what the qualifying income was for CLS services. Ms. Lipka stated \$16,100 or less, but they have eligibility exemptions which allows them to go up to two hundred percent of poverty.

Councilmember Henjum asked how many staff members would be required in order to provide full representation in eviction cases. Ms. Lipka stated a Housing Attorney could represent approximately one hundred people per year.

President Pro Tem Helms asked if additional funding is needed to serve the community. Ms. Lipka stated they are always looking for additional funding sources and stability in their funding.

Councilmember Murray asked if CLS owns the office they work out of. Ms. Lipka stated they rent it and are anticipating to move to a larger space within a few months. Councilmember Murray suggested that they utilize space at the Westside Community Center.

## **7. Staff and Appointee Reports**

### **7.A. [22-373](#) Agenda Planner Review**

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [Agenda Planner Review 6-27-22](#)

Councilmember Murray asked when the City will have a new Transit Center. Jeff Greene, Chief of Staff, stated the Transit Center is in process of design and development.

## **8. Items for Introduction**

### **8.A. [22-293](#) An Ordinance of the Board of Directors of the Colorado Springs, Spring Creek General Improvement District to approve the Dissolution of the District**

Presenter:

Charae McDaniel, Chief Financial Officer

**Attachments:** [GIDSpringCreekDissolutionORD-2022-06-21](#)  
[CSSPRINGCREEKGID-Tax-Map](#)

Charae McDaniel, Chief Financial Officer, introduced many members of the Accounting Department, who provide support to the Finance Department and identified that the results of the City's annual financial audit were completely clean.

She presented the Ordinance of the Board of Directors of the Colorado Springs, Spring Creek General Improvement District (GID) to approve the dissolution of the district, provided a brief background of the district, stated the bond debt of the district has been completely defeased, the last time revenue was collected was in 2020, and the district has completely satisfied all of its financial obligations.

Councilmember Murray asked who will be taking over the GID operation and maintenance responsibilities. Ms. McDaniel stated this GID was created to construct public infrastructure and did not have any ongoing maintenance responsibilities.

- 8.B.** [22-360](#) Proposed updates to the City of Colorado Springs Civilian and Sworn Policies and Procedures Manuals

Presenter:

Danielle Delgado, Human Resources Manager, Human Resources

**Attachments:** [Q2 2022 PPM Updates - summary](#)  
[Q2 2022 PPM Updates - detailed](#)

Michael Sullivan, Chief Human Resources and Risk Officer, stated the proposed updates to the City of Colorado Springs Civilian and Sworn Policies and Procedures Manuals (PPM) have been reviewed by the Human Resources Department, Councilmember Henjum, Councilmember Williams, and are sent out to City employees for comment.

Danielle Delgado, Human Resources Manager, Human Resources Department, presented the details of each of the proposed updates to the PPM.

Councilmember Murray asked how much reinstating the Retirement Health Savings (RHS) benefit would cost the City. Ms. Delgado stated it is cost neutral due to the salary savings from the vacancy of positions. Kerry

George, Assistant Finance Director, stated the maximum benefit amount is 720 sick leave hours.

Councilmember Donelson asked what the RHS benefit was changed from in 2011. Ms. Delgado stated it was a maximum benefit amount of 480 hours for civilian employees and 720 hours for sworn employees.

Councilmember Donelson and Councilmember Fortune requested additional information be provided to them regarding the RHS benefit. Ms. Delgado agreed to provide that information.

Councilmember Williams stated he supports reinstating the RHS benefit.

Adrian Vasquez, Chief, Colorado Springs Police Department (CSPD), stated this program will be beneficial to both civilian and sworn employees and will assist with the retention of employees.

President Strand asked how many sworn and civilian employees are working for CSPD. Chief Vasquez stated there are 774 sworn and 340 civilian employees.

Jayne McConnellogue, Deputy Chief of Operations, Colorado Springs Fire Department (CSFD), stated this benefit will be a huge offset to the cost of overtime.

President Strand asked how many sworn employees are working for CSFD. Deputy Chief McConnellogue stated there are 441 sworn and 92 civilian employees.

Sherryl Dillon, Executive Director, Colorado Springs Police Protective Association (PPA), stated they are in support of reinstating this benefit.

**8.C.**     [22-279](#)

A Resolution Rescinding Resolution Nos. 9-06, 83-14, 111-21 and 112-21 and Adopting a New Policy to be Applied to Applications to Create or Modify a District Authorized under Titles 31 And 32 of the Colorado Revised Statutes, Model Service Plans and a Model Business Improvement District Operating Plan and Budget

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department

Peter Wysocki, Director of Planning and Community Development

**Attachments:** [RES SpecialDistrictPolicyPlansBIDPlan-2022-06-22](#)  
[Exhibit A 2022-07-05-SpecialDistrictPolicy](#)  
[Exhibit B 2022-07-05-SingleDistrictModelServicePlan](#)  
[Exhibit C 2022-07-05-Multiple-District Model Service Plan](#)  
[Exhibit D Model BID Operating Plan and Budget- 6-27-22 Draft](#)  
[District Policy PowerPoint-7-12-22 Council Update](#)  
[Recent Correspondence Addressed to All Council](#)  
[Resolution 9-06](#)  
[Resolution 111-21](#)  
[Resolution 83-14](#)  
[Resolution 112-21](#)  
[21-18Citymetropolitandistrictaudit](#)  
[Special District Working Group Membership](#)  
[SpecialDistrictPolicyJan06](#)

Peter Wysocki, Director of Planning and Community Development, introduced the Resolution to adopting a new policy to be applied to applications to create or modify a district authorized under Titles 31 And 32 of the Colorado Revised Statutes (CRS), Model Service Plans and a Model Business Improvement District (BID) Operating Plan and Budget.

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development Department, provided a summary of the proposed special district policy, status of the revised policy, background, why the update is needed, and working group process. He identified the major policy modifications/changes, substantial retained language/limits, debt authorization, mill levy caps, and interest rate caps. Mr. Schueler went over the multiple district structures, policies, web sites, annual reports, amended policy applicability, model service plans, model BID operating plan/budget, staff recommendations, and next steps.

President Strand asked if six affirmative votes by City Council would still be required. Mr. Schueler stated it would be on the debt issuance.

Councilmember Murray asked if the preauthorization of debt included both A and B bonds. Mr. Schueler provided an example of how the preauthorization process would work.

Councilmember Henjum asked how the City is working to address the

transparency of the transition from developer-run to resident-run district boards. Mr. Schueler stated there is a Senate Bill from 2021 which requires an election process every two years for board seats and the disclosure of the nomination process has been strengthened.

Councilmember Henjum asked what the incentive is for a developer to refinance when the market improves when they hold their own debt. Mr. Schueler stated privately placed debt which is not fully marketed competitively could be due to not being able to find anybody else to buy the debt, it is more efficient, or it is a benefit to the developer to buy their own debt.

Councilmember Williams stated these policy changes are due to making the policies more consistent, reducing taxpayer costs, highlighting differences from a standard model plan, ensuring disclosures are consistent, and defining what special districts are used for.

Jeff Greene, Chief of Staff, stated the City would not develop without districts, the safeguards which are in place improves the protection of the public and property owners, and the preapproved increase of mills cannot occur without going through the official process by City Council.

- 8.D. [CPC CA 22-00016](#) An Ordinance creating new Part 19 (Citywide Development Impact Fees) of Article 5 (Administration and Procedures) of Chapter 7 (Planning Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Citywide Development Impact Fees

Presenter:

Charae McDaniel, Chief Financial Officer

Peter Wysocki, Planning and Community Development Director

**Attachments:** [ORD\\_ImpactFees 22-07-06 - Clean](#)

[ORD\\_ImpactFees 22-07-06 - Redline](#)

Mayor Suthers introduced the Ordinance creating a new Part 19 (Citywide Development Impact Fees) of Article 5 (Administration and Procedures) of Chapter 7 (Planning Development and Building) of the City Code pertaining to Citywide Development Impact Fees and the Resolution establishing the Citywide Development Impact Fees for specific land uses as required by City Code Section 7.5.1904. He stated when the area of Banning Lewis Ranch was annexed into the City, it became apparent that

the Police and Fire Impact Fees were inadequate and with the recommendation of TischlerBise, consultants, and the interest groups, they have concluded that establishing the Citywide Development Impact Fees (Capital Expansion Fee) is the best course of action.

Charae McDaniel, Chief Financial Officer, provided an overview of the background and fee update process timeline.

Julie Herlands, Vice President, TischlerBise, went over the methodology and calculation approach which went into the determination of the impact fees and the incremental fee formula.

Ms. McDaniel identified why the City needs public safety impact fees (PSIF), the historical influential events, the Taxpayer Bill of Rights (TABOR) growth limitation, and sales tax benchmarking. She went over the Public Safety Sales Tax (PSST) history and projections, fire/police incident history, annexation fee revenue, Colorado Springs Police Department (CSPD)/Colorado Springs Fire Department (CSFD) capital expenses, why impact fees are beneficial to the City, infrastructure need TischlerBise fee study, impact fee revenue, CSPD/CSFD capital needs, and comparison of the annexation fee versus impact fee. Ms. McDaniel provided an overview of the fee benchmarking, proposed Ordinance and Resolution, and Public Safety Impact Fee Committee.

Councilmember Henjum asked how public safety operations was funded prior to 1997. Ms. McDaniel stated it was funded by the general fund and it is not proposed that operations will be funded by the proposed PSIF.

Councilmember Williams stated it is critical to know where the City stands in comparison to other communities.

Councilmember Fortune asked what type of calls for service for the CSPD are being cancelled. Ms. McDaniel stated the lowest priority calls. Adrian Vasquez, Chief, CSPD, stated it could be a situation where there has been a theft, but a suspect has not been identified and no one is in danger.

Councilmember O'Malley stated Fire Station 19 is in desperate need of revitalization and asked if the PSIF would be available to use toward it. Ms. McDaniel stated the PSIF is solely for the expansion of an existing station or the building of a new one in order to provide increased capacity due to



growth.

Councilmember Henjum asked what the acceptable level of cancelled calls by CSPD is. Chief Vasquez stated he does not have a specific percentage, but the calls are answered in the order of priority.

Councilmember Williams asked if an area which has already paid an annexation fee will be credited toward the amount which was already paid. Ms. McDaniel confirmed they would.

Councilmember Williams asked if there would be a credit issued for the use tax paid toward the PSST fee. Ms. McDaniel stated the City currently does not have a policy for dedicated use tax for a specific use.

President Pro Tem Helms asked if the impact fee could be used anywhere across the City. Jeff Greene, Chief of Staff, stated the fees need to be utilized in the areas which need to address the increase in density.

President Strand asked if there was a role for a member of City Council on the Public Safety Impact Fee Committee. Mr. Greene stated the Budget Committee recommended that it be a Mayoral Committee, but there can be two City Council liaisons.

Councilmember Fortune asked why the PSIF is needed when the PSST fee revenue would increase as growth occurs. Ms. McDaniel stated growth would feed revenue into the PSST fund but is mainly for police and fire personnel and ongoing maintenance and operations.

Councilmember Murray stated he is in support of the proposed PSIF and asked when the TischlerBise study will be completed. Ms. McDaniel stated it will be finalized once the Ordinance is finally passed to allow for the legislative process to take place. Councilmember Murray recommended the fee be set at eighty percent of the cost recovery.

Councilmember Henjum recommended the fee be set at one hundred percent of the cost recovery. Ms. McDaniel stated the seventy percent was set in consideration of the fee policy, the dedicated PSST and because development benefits the City as a whole. Mayor Suthers stated the developer would not take the brunt of this fee, it would be the people who buy houses and the people who pay rent in the offices.

Councilmember Henjum requested the Ordinance be amended to include the language of increasing the fee, if necessary, when a fee audit is conducted and

Councilmember Henjum asked what documentation will be required and how it will be tracked if there is a dedication of land or plat in lieu of the fee. Peter Wysocki, Director of Planning and Community Development, stated when land is dedicated in the planning process, the City will apply the land value as a credit toward the fees and it will be tracked through the same type of system that they track park land dedications.

Councilmember Williams stated he is not certain a vehicle should be included in the capital category because it is a depreciating item versus infrastructure such as a building but does support the PSIF.

Councilmember O'Malley stated he believes the apparatus of a fire station needs to stay in as part of the initial investment due to the costs associated with it.

President Strand asked if the increase in the cost of retail per square foot will affect economic development. Bob Cope, Economic Development Officer, stated there is an accommodation in the proposed Ordinance which would allow the Mayor to reduce or eliminate the fee in the event of a significant retail project that the City would try to incentivize.

- 8.E.**     [22-105](#)     A Resolution establishing the Citywide Development Impact Fees for specific land uses as required by City Code Section 7.5.1904

Presenter:

Charae McDaniel, Chief Financial Officer

Peter Wysocki, Planning and Community Development Director

**Attachments:**   [ImpactFeesRES-2022-06-14](#)

[Impact Fee - Exhibit A to Resolution - Ch 7 Use Type Fee Tiers - 02-16-22](#)

[COS Impact Fee presentation - 06-22-2022](#)

[CRSA 29-20-203 Conditions on land-use approvals](#)

[CRSA 29-20-1045 Impact fees--definition](#)

[Citywide Development Impact Fee Review](#)

Please see comments in Agenda item 8.D.

**9. Items Under Study**

There were no Items Under Study.

**10. Councilmember Reports, Open Discussion and Takeaways**

Councilmember Williams stated he attended the Western Street Breakfast, Juneteenth, several educational events, breaking ground ceremony for the first hotel at the Colorado Springs Airport, ribbon cutting ceremony for the Downtown Dual Branded hotel, Waldo Canyon Remembrance and celebration, and the Olympic induction ceremony.

President Pro Tem Helms stated the United States Air Force Academy class of 2026 began their initial training at the Academy.

President Strand stated he attended the farewell ceremony for Jamie Fabos, Communication Specialist, and Craig Blewitt, Director, Transit Services, the event starting Summer Camp for the Urbanites, and the Colorado Municipal League conference.

Councilmember Donelson highlighted the Rockrimmon area evacuation drill which occurred on Saturday, June 25, 2022.

Councilmember Fortune stated she attended the Hall of Fame Festival at the US Olympic and Paralympic Museum.

Councilmember Murray congratulated the Colorado Avalanche for their win of the Stanley Cup championship.

**11. Adjourn**

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

Sarah B. Johnson, City Clerk