



City of Colorado Springs

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

Meeting Minutes - Final Council Work Session

City Council meetings are broadcast live on Channel 18.

Monday, November 10, 2014

1:00 PM

Council Chambers

This Meeting will Start upon Conclusion of the Regular Meeting

1. Call to Order

Present 9 - President Pro Tem Merv Bennett, Councilmember Helen Collins, Councilmember Jill Gaebler, President Keith King, Councilmember Don Knight, Councilmember Jan Martin, Councilmember Joel Miller, Councilmember Andy Pico, and Councilmember Val Snider

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. [14-0695](#) City Council Work Session Meeting Minutes October 27, 2014

The Meeting Minutes were approved as presented.

5. Executive Session

A) Open

A)A. [14-0687](#) Ethan Pace v. Blanca Caro and the City of Colorado Springs; Case No. 14-cv-02603-JLK-KLM

Consensus of Council agreed with the recommendation of the Civil Action Investigation Committee to authorize the City to represent the City and named officers as required by the Colorado Governmental Immunity Act and the Peace Officers Liability Act.

B) Closed

6. Staff and Appointee Reports

6.A. [14-0623](#) Agenda Planner Review

Councilmember Knight requested quarterly reports from the Downtown

Development Authority.

Councilmember Snider requested discussion postponed in the regular meeting be sent to the November 24, 2014 work session.

7. Presentations for General Information

There were no Presentations for General Information.

8. Items for Introduction

- 8.A.** [14-0674](#) A Resolution of Commitment to Join the Livewell Colorado Healthy Eating and Active Living (HEAL) Towns and Cities Campaign to Support Healthy Lifestyle Choices and Obesity Prevention in Colorado Springs

Brian Kates with Parks, Recreation and Cultural Services, provided a brief presentation about the Livewell Colorado program adding there is no cost to join this program.

Mina Liebert, Director of Livewell Colorado Springs, provided additional information about the organization aimed at advocating healthy lifestyles.

Mike Sullivan, HR Director, presented on the Reach Your Peak employee health benefit program which is now in its 10th year.

Alicia McConnell, CVB Board Chair, added that this program highlights things already available in Colorado Springs and provides the recognition these assets deserve.

Councilmember Pico asked how transit is related to this wellness program. Mr. Kates stated the City received grant money for participating in programs that encourage physical activity. Vicki McCann Public Relations and Marketing Director, Metro Transit, added that riding a bus usually includes walking or riding a bike to get to a bus stop, thus public transportation is included in a healthy lifestyle.

Councilmember Knight asked where financial incentives for employee participation would come from. Mr. Sullivan stated the City budget includes a measurable incentive program which is included in the health plan costs.

Councilmember Knight requested added language to the document

stating this does not require additional funding from the City to participate.

Councilmember Bennett expressed appreciation for the program and commented on the history of the program coming to Colorado Springs including the collaboration of multiple entities in the City to achieve better health.

8.B. [14-0690](#) 2015 Audit Plan Approval

Denny Nester, City Auditor, presented the 2015 city audit plan which was prepared by Mr. Nester and the Audit Committee.

Councilmember Miller asked how Council can become more involved in the audit development process. Mr. Nester stated he communicates regularly with Audit Committee, which does include several Councilmembers.

Councilmember Knight addressed concerns about requests from Utilities and the Audit Committee to delay some audits, but it was not brought to the Utilities budget committee. Councilmember Knight requested Mr. Nester provide a list of deferred CSU audits so they can be reviewed in the Utilities budget meeting next week.

Councilmember Martin requested the audit plan be brought to council earlier in the year to allow council to provide more specific input into the audit report.

Councilmember Miller expressed concern about audits being delayed when departments should be accountable. Mr. Nester explained how the audit process has been appropriate based on changes happening in management at CSU.

Councilmember Bennett acknowledged this is a new committee and praised the efforts of the auditor and the Audit Committee and expressed appreciation for Mr. Nester seeking the guidance of the Audit Committee.

8.C. [14-0471](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 4.409 mills upon each dollar of assessed valuation within the Briargate Special Improvement Maintenance District

Kara Skinner, CFO, provided an overview of agenda items 8.C through

8. I.

Councilmember Miller asked about a construction area in one of these districts, where citizens are paying four mills for maintenance which is not being done during the construction period. Ms. Skinner stated the revenue is generated by the mill levy and the maintenance is done by the Parks Department and it may be best to contact the Parks Department regarding this situation.

Councilmember Collins requested a copy of the information on the oversight board, Ms. Skinner will provide the requested information. Councilmember Knight requested a presentation on the supervision and enforcement process. Steve Cox, Chief of Staff, agreed to have staff present at the next meeting to answer the above questions and concerns. President King brought up concerns about street lights on Platte Avenue.

- 8.D.** [14-0472](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 1.009 mills upon each dollar of assessed valuation within the Colorado Avenue Gateway Special Improvement Maintenance District
- Please see comments in agenda item 8.C.
- 8.E.** [14-0473](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 3.935 mills upon each dollar of assessed valuation within the Nor'wood Special Improvement Maintenance District
- Please see comments in agenda item 8.C.
- 8.F.** [14-0474](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 13.416 mills upon each dollar of assessed valuation within the Old Colorado City Security & Maintenance District
- Please see comments in agenda item 8.C.
- 8.G.** [14-0475](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at \$1.10 per front footage of real property of assessed valuation within the Platte Avenue Special Improvement Maintenance District
- Please see comments in agenda item 8.C.
- 8.H.** [14-0476](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 3.858 mills upon each dollar of assessed

valuation within the Stetson Hills Special Improvement Maintenance District

Please see comments in agenda item 8.C.

- 8.I.** [14-0477](#) A resolution fixing and certifying the 2014 tax levy for taxes payable in 2015 at 3.615 mills upon each dollar of assessed valuation within the Woodstone Special Improvement Maintenance District

Please see comments in agenda item 8.C.

- 8.J.** [14-0638](#) A resolution approving the second amended and restated Intergovernmental Agreement relating to Pikes Peak Rural Transportation Authority-funded projects

Marc Smith with the City Attorney's Office provided an overview of changes to the PPRTA IGA intended to continue the agreement for the next ten years.

Councilmember Martin commented on how well the PPRTA is run and operates and asked if all of the government entities included are prepared to sign this agreement. Mr. Smith stated this portion of the agreement is specific to Colorado Springs.

Councilmember Miller asked about timing and changes to the budget. Mr. Smith explained the required dates and how they align with the budget process, including some flexibility. Britt Haley with the City Attorney's Office will be available to answer questions during the November 25, 2014 regular City Council meeting when this item is discussed.

- 8.K.** [14-0671](#) An Ordinance Amending Ordinance No. 13-77 (2014 Appropriation Ordinance) for a Supplemental Appropriation to the Capital Project Fund in the amount of \$104,000 for the Purpose of a Traffic Signal at Voyager and Ridgeline

Kathleen Krager, Transportation Manager, provided a summary of the need to reimburse the Traffic Engineering Department for work done.

Several Councilmembers expressed appreciation for the signal lights that have been installed recently.

Councilmember Knight clarified the extra money will be spent on signal lights to be installed this year. Ms. Krager confirmed the signal lights will be installed at Bridle Pass and the Woodmen and Dublin intersections

this year.

- 8.L.** [14-0675](#) A Resolution approving the fifth amendment to the intergovernmental agreement for joint professional firefighter certification.

Mike Dalton, Battalion Chief CSFD, Training Manger, explained how this agreement assists the municipal fire departments with certifications.

Councilmember Miller asked about the City of Littleton listed in the IGA, Mr. Dalton explained how the organizations work together to maintain certification for all of the municipal fire departments.

Councilmember Knight requested clarification on how fire fighters work up through the certification process. Mr. Dalton explained the certification process and requirements. Councilmember Knight requested and invitation to the next fire fighter graduation.

9. Items Under Study

- 9.A.** [14-0698](#) Discussion: Better Governance for 2015

President King provided charter amendment proposals regarding the Budget changes, Employee changes, Counsel changes, Stadium and event Center vote and the Utilities Board Chair having signatory authority for Utilities' financial documents. These are operational principals President King believes Council should discuss placing on the April 7, 2015 ballot.

Councilmember Miller expressed concern about not receiving a copy of the documents prior to the meeting.

Councilmember Knight addressed concerns about the City budget which will require a charter change for Council to approve budgets for the 12 departments.

Councilmembers reviewed the proposed changes and had the opportunity to ask questions. President King polled Council regarding the desire to move forward with discussing these items. Consensus of Council agreed to move forward with the proposals regarding the budget and Council employees.

Councilmember Miller asked if Council would like to discuss the option

of having the City Attorney being an elected office. Consensus of Council did not agree to discuss this topic.

Councilmember Knight expressed concern about placing too many charter changes on the ballot and would like to work on the outside legal counsel item without making a charter change.

Discussion continued about CSU Utilities Board Chair having signatory authority for Utilities' financial documents.

Council agreed to have the Council employees discussion in the November 24, 2014 work session, with the other two items to be discussed in the December 8, 2014 work session.

10. Councilmember Reports and Open Discussion

Councilmember Collins commented on an email regarding the City Theft Ordinance and requested feedback from Councilmembers.

Councilmember Collins also commented on the difficulty of circulating petitions, encouraging citizens to visit the website, www.petitionwithamission.com to find information about signing a petition to get the stadium proposal on the ballot.

Councilmember Miller thanked the City Attorney's Office for responding to his questions regarding the stadium proposal and addressed his concerns about the response failing to provide adequate answers to his questions, stating he understands the responses to many of the questions would be speculative, but he feels the speculative opinions would be relative to the discussion that took place earlier today. A summary of Councilmember Miller's response is on file at the City Clerk's Office.

Councilmember Knight asked Ms. Massey to explain why some discussions are attorney client privileged and others are not. Ms. Massey explained information presented in a public forum is not considered confidential while information discussed in private meetings or other forms of communication from the City Attorney's Office is considered confidential and requires a wave of privilege prior to being discussed in an open meeting.

11. Adjourn

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

adjourned.

Sarah Johnson
City Clerk