



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, August 24, 2015

1:00 PM

Council Chambers

1. Call to Order

Rollcall

- Present** 8 - President Merv Bennett, Councilmember Helen Collins, President Pro Tem Jill Gaebler, Councilmember Keith King, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, and Councilmember Tom Strand
- Excused** 1 - Councilmember Larry Bagley

2. Changes to Agenda

Council President Bennett stated a Closed Executive Session will be held early in the meeting.

3. Regular Meeting Comments

Councilmember Knight stated he plans to pull agenda item 4.B.D. off the Consent Calendar for tomorrow.

Eileen Gonzalez, City Council Administrator, stated a request has been received to postpone agenda item 12.C.

4. Review of Previous Meeting Minutes

4.A. [15-00533](#) City Council Work Session Meeting Minutes August 10, 2015

The meeting minutes were approved as presented.

5. Executive Session

A) Open

There was not an Open Executive Session.

B) Closed

B)A. [15-00541](#) Closed Executive Session

David Andrews, Legislative Counsel, stated the purpose of the Closed Executive Session is to receive legal advice and consultation and to have a negotiation strategy discussion regarding a matter involving an intergovernmental agreement with Pueblo County.

Council President Bennett polled Council regarding the desire to proceed with the discussion in a Closed Executive Session. Consensus of Council agreed to proceed with the Closed Executive Session.

6. Staff and Appointee Reports

6.A. [15-00242](#) Agenda Planner Review

Eileen Gonzalez, City Council Administrator, stated the agenda planner is in the Councilmember packets. President Bennett stated the Airplane Owners and Pilots Association (AOPA) will present in the September 8, 2015 work session.

6.B. [15-00337](#) Financial Report - Memorial Health System Enterprise

There were no questions or comments on the Memorial Health System Enterprise financial report.

6.C. [15-00389](#) Financial Report - City of Colorado Springs

Kara Skinner, CFO, presented the first of what will be monthly financial updates. Ms. Skinner provided Council with an updated version of the financial status of the airport.

City Councilmembers expressed appreciation for the report and requested the following information be provided on future reports:

- Include on the slides the percentage of year transpired and the percentage of payroll transpired
- Note anomalies either by color, highlight or notes
- Incorporate impact of Sam's Club moving outside the City into EOY sales tax forecasts
- Clarify on the summary table when positive/negative numbers are either good/bad
- Provide information regarding YTD Parks water spending versus budget
- Highlight what is anticipated YTD for revenues/expenditures if different than straight-line
- Include overall City revenue

Brett Waters, Emergency Management Director, provided an update on the financial impact of recent weather related disasters in the area.

Councilmember Knight asked why the City did not apply for FEMA assistance for the May and June flooding of basements in local homes. Mr. Waters stated basement flooding is not included in FEMA considerations, neither are insured loses, however; the homes affected by recent landslides may qualify for FEMA assistance.

Councilmember Knight requested an update on the Camp Creek flooding repair efforts. Tim Mitros, Development Review and Stormwater Manager, stated the repairs to Camp Creek will come out of the general fund with the exception of one of the retention ponds which will be covered by a grant.

Councilmember Collins requested an estimate on how much the County has applied for and received in disaster relief funds and stressed the importance of the Planning Department not approving projects planned for areas with unstable/unsuitable soil.

7. Presentations for General Information

7.A. [15-00512](#) Colorado Springs Convention & Visitors Bureau (CVB) - Q2 2015 Performance Measures

Doug Price, President and CEO, CVB, provided the quarterly report, adding tourism has been better than expected this summer.

7.B. [15-00506](#) YMCA Update on Senior Center Partnership

Jeff Peters, COO, YMCA Pikes Peak Region, provided an overview of the transition of the Senior Center to the YMCA management.

Jody Barker, Executive Director of Aging Initiatives of the YMCA, provided additional information about the plans of the organization to serve the senior community in the area.

Councilmember Strand asked what challenges this organization faces. Mr. Peters stated the transition does not end at the end of this month, the organization plans to continue expanding and growing services including using YMCA facilities throughout the City to offer limited versions of the service offerings.

Council President Pro Tem Gaebler asked if there are plans to keep the

facility at Golf Acres operating. Mr. Peters stated the building is in great shape, but aging, so nothing is guaranteed.

7.C. [15-00342](#) Pikes Peak - America's Mountain Summit Complex Project Update

Jack Glavan, Pikes Peak - America's Mountain Manager, provided an overview of the planned new complex on the Pikes Peak Summit.

Stuart Coppedge, RTA Architects Principal in Charge, provided additional information about the project planning and design.

Council President Pro Tem Gaebler requested additional information about the planned parking for the new complex. Mr. Glavan discussed the parking options being considered based on weather, available space and other factors.

Councilmember Pico asked about the telescope planned for the summit. Mr. Glavan stated new uses for national historic landmark must be reviewed prior to approval. Councilmember Knight stated Council and the Mayor are in support of including the addition of a telescope in this project. Mr. Glavan stated he will relay the City's support of the telescope to the U. S. Forest Service.

Councilmember Knight asked how the citizen advisory committee for this project was established. Mr. Glavan stated members of this advisory committee, which is specific to the project design, were selected from identified user groups.

Council President Bennett asked what the estimated projected completion date is. Mr. Glavan stated they are hoping for 2018 or 2019 but the dates are very flexible due to the challenges the mountain presents.

8. Items for Introduction

8.A. [15-00524](#) Presentation of An Ordinance Creating A New Section 112 (Sitting Or Lying Down In Commercial Districts) Of Article 2 (Offenses Affecting Public Safety) Of Chapter 9 (Public Offenses) Of The Code Of The City Of Colorado Springs 2001, As Amended, Pertaining To Sitting Or Lying Down In Commercial Districts, And Providing Penalties For The Violation Thereof.

Councilmembers King and Strand introduced this item aimed at increasing public safety and economic vitality by keeping downtown

sidewalks available for their intended use.

Councilmember Knight asked if it is necessary for the penalty to include jail time. Ann Turner with the City Attorney's Office discussed the importance of consistency with similar offenses and the risk of not making the penalty have enough impact. Ms. Turner stated this proposal has been developed to align with all other offenses affecting public safety.

Councilmember Knight asked if a \$500 fine would be enough to encourage compliance. Police Chief, Peter Carey, stated he would encourage Council to keep the penalty associated with breaking this ordinance consistent with the penalties associated with other public offenses.

Council President Pro Tem Gaebler expressed concern about this ordinance having the unintended consequence of moving the people to different areas, affecting other merchants and requested this item be better publicized to the entities helping vagrants in the community. Aimee Cox, Community Initiatives Manager, explained the public process this proposal has gone through and addressed how the unintended consequences of this initiative were considered in developing this ordinance. Ms. Cox also stated there are two public comment meetings regarding this items scheduled for September 3rd and September 17th. This item will tentatively return to Council on September 22, 2015.

8.B. [15-00536](#) A resolution approving the assignment of 2015 Private Activity Bond Volume Cap Allocation to El Paso County

Res/Ord Number: 84-15

Bob Cope, Senior Business Climate Specialist, Economic Development, provided a brief overview of the plan to reallocate the Private Activity Bond volume cap to El Paso County. Mr. Cope stated these bonds are not actual funds, but authorization to sponsor funding under specific lending projects.

Councilmember Knight asked why the City is not taking advantage of the available volume. Mr. Cope stated this program is underused nationwide at this time due to low interest rates. Councilmember Knight asked why the County can make use of the bond volume but the city cannot. DeAnne Mc Cann, Economic Development Manager, El Paso County,

stated the County works hard to use them, which also benefit the City through private mortgage loans within the city limits. Ms. Mc Cann stated the County has staff to manage this program and keeps them within the area.

Councilmember Knight requested this be brought to Council earlier next year to allow for additional Council input. Mr. Cope stated he has taken steps to ensure this is brought to Council earlier next year.

- 8.C.** [15-00516](#) An ordinance amending all articles of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

Res/Ord Number: 15-62

Wynetta Massey, City Attorney, provided a brief explanation of these proposed ordinances and the impact they have on the lease agreement with University of Colorado Health.

Councilmember Knight asked what action is necessary to appoint City Council as the Board of Trustees for the hospital. Ms. Massey explained the time-frame and the action necessary to appoint the board.

- 8.D.** [15-00517](#) An ordinance amending Part 3 (Facility Security) of Article 2 (City Properties) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

Res/Ord Number: 15-63

Please see comments in agenda item 8.C.

- 8.E.** [15-00518](#) An ordinance amending Article 13 (Relocation Policy and Program) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

Res/Ord Number: 15-64

Please see comments in agenda item 8.C.

- 8.F.** [15-00519](#) An ordinance amending Part 18 (Acquisition and Disposition of Real Property Interests) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

Res/Ord Number: 15-65

Please see comments in agenda item 8.C.

- 8.G. [15-00520](#) An ordinance amending Part 1 (Dangerous and Deadly Weapons) and Part 2 (Other Dangerous Weapons and Substances) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

Res/Ord Number: 15-66

Please see comments in agenda item 8.C.

- 8.H. [15-00521](#) An ordinance repealing and reordaining Chapter 13 (Memorial Hospital) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

Res/Ord Number: 15-67

Please see comments in agenda item 8.C.

- 8.I. [15-00522](#) An ordinance amending Article 9 (Initiated Ordinance Pertaining to Enterprises) of Chapter 14 (Municipal Enterprises) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the Memorial Health System Affiliation as approved by the electors

Res/Ord Number: 15-68

Please see comments in agenda item 8.C.

- 8.J. [15-00441](#) A resolution approving an intergovernmental agreement between the El Paso County Clerk and Recorder and the City of Colorado Springs regarding the conduct and administration of the November 3, 2015 Coordinated Election

Res/Ord Number: 81-15

Sarah Johnson, City Clerk, provide an overview of this IGA which is required for the City to include the two referred issues in the November Coordinated Election.

Ms. Johnson reminded Council the cost to participate in the election is estimated and subject to change based on the number of entities participating in the election.

Ms. Massey provided a copy of the proposed revised ballot title language to Council, this has been noticed for inclusion in the meeting tomorrow.

- 8.K. [15-00511](#) Ordinance No. 15-61 amending Ordinance No. 14-101 (2015 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$213,188.77 for November 2015 election costs

Res/Ord Number: 15-61

Please see comments in agenda item 8.J.

9. Items Under Study

There were no Items Under Study.

10. Councilmember Reports and Open Discussion

Council President Bennett stated Councilmembers Bennett, Gaebler, Knight, Murray, and Strand are requesting authorization to use their travel money for the Annual Regional Business Alliance conference in Washington, D.C. Consensus of Council agreed to this expenditure.

11. Adjourn