

City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, August 22, 2023

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 Yolanda Avila, President Pro Tem Lynette Crow-Iverson,

Councilmember Dave Donelson, President Randy Helms, Councilmember Nancy Henjum, Councilmember David Leinweber, Councilmember Brian Risley, and

Councilmember Michelle Talarico

Excused: 1 - Councilmember Mike O'Malley

Councilmember Talarico attended the meeting virtually.

2. Invocation and Pledge of Allegiance

The Invocation was made by Father Jeremiah Williamson from the Grace and St. Stephen's Episcopal Church.

Owen McKechnie with Scout Troop 404 led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

President Helms stated Councilmember Avila has requested item 4B.C. to be removed from the Consent Calendar.

4. Consent Calendar

These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council.

(Any items called up for separate consideration shall be acted upon following the Mayor's Business.)

4A. Second Presentation:

4A.A. 23-311 Ordinance No. 23-44 including certain property into the boundaries of the

Creekwalk Marketplace Business Improvement District

(Legislative)

Presenter:

Mike Tassi, Assistant Director, Planning & Community Development Peter Wysocki, Director, Planning & Community Development

Attachments: Ordinance

Exhibit A - Petition for Inclusion

Exhibit B - Proof of Publication

Revised Cover Letter to Colorado Springs BID Inclusion

Notice of Inclusion
Petition for Inclusion
Staff PowerPoint

This Ordinance was finally passed on the Consent Calendar.

4A.B. 23-360 Ordinance No. 23-45 amending Ordinance No. 22-90 (2023 Budget

Appropriation Ordinance) for a supplemental appropriation to the Public Safety Sales Tax (PSST) Fund in the amount of \$2,000,000, and to the General Fund in the amount of \$1,000,000, for additional capital costs for construction of Fire Station 24 and remodel of an existing fire station in Colorado Centre that will become Fire Station 25; and to the Capital Improvements Program (CIP) Fund in the amount of \$1,000,000 for the transfer from the General Fund to the Fire Station 24 existing project

account

Presenter:

Chris Fiandaca, City Budget Manager

Randy Royal, Fire Chief

Attachments: Ordinance for Supplemental Approp-PSST and GF and CIP for FS 24

and 25

Signed Ordinance No. 23-45.pdf

This Ordinance was finally passed on the Consent Calendar.

4A.C. 23-361 Ordinance No. 23-46 amending Ordinance No. 22-90 (2023)

Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the amount of \$1,465,848 for monies due to UCH-MHS for the periodic reconciliation with UC

Health

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: Supplemental Approp Ord for MHS to UCH recon payment

Signed Ordinance No. 23-46.pdf

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

4B.A. 23-437 City Council Regular Meeting Minutes August 8, 2023

Presenter:

Sarah B. Johnson, City Clerk

Attachments: 8-8-2023 City Council Meeting Minutes Final

The Minutes were approved on the Consent Calendar.

4B.B. 23-388 A Resolution declaring the intent of the City of Colorado Springs,

Colorado to carry forward its 2023 allocation of private activity bonds (PAB) for the purpose of constructing multi-family housing for low-and

middle-income families or persons

Presenter:

Katie Sunderlin, Senior Affordable Housing Coordinator, Housing and

Community Vitality Dept.

Steve Posey, Chief Housing Officer, Housing and Community Vitality

Department

<u>Attachments:</u> PAB Carryforward 2023_City Council(1)

2023 Colorado Springs Carryforward Resolution

Signed Resolution No. 115-23.pdf

This Resolution was adopted on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember Donelson, seconded by President Helms, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of

8-0-1-0

Aye: 8 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, Risley, and Talarico

Excused: 1 - O'Malley

5. Recognitions

5.A. 23-431 A Resolution honoring September 11, 2023 as a Day of Remembrance

Presenter:

Yolanda Avila, Councilmember District 4

Attachments: A Day of Remembrance

Signed Resolution No. 117-23.pdf

President Helms provided an account of his experience during the events of September 11, 2001 (9/11) and read a Resolution honoring September 11, 2023 as a Day of Remembrance.

Councilmember Avila honored Kathryn Yancey LaBorie, a Mitchell High School graduate, who sacrificed her life in the line of duty and introduced her parents, Gene and Flo Yancey, and her brother, Mark Yancey.

Mr. Gene Yancey spoke about his daughter who was head flight attendant on United Flight 175, her achievements, and the scholarship for ROTC students in honor of her.

Don Addy identified the details of the commemorative ceremony being held at 10:00 AM, Monday, September 11, 2023, outside Gate 1 on Fort Carson in remembrance of 9/11.

Councilmember Donelson expressed gratitude for the members of the armed service and their families for their sacrifices as a result of 9/11.

Motion by Councilmember Donelson, seconded by Councilmember Henjum, that the Resolution honoring September 11, 2023 as a Day of Remembrance be adopted. The motion passed by a vote of 8-0-1-0

Aye: 8 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, Risley, and Talarico

Excused: 1 - O'Malley

5.B. 23-434 A Resolution recognizing September 2023 as National Service Dog Month

Presenter:

Michelle Talarico, Councilmember District 3

Attachments: National Service Dog Month

Signed Resolution No. 118-23.pdf

Councilmember Henjum read the Resolution recognizing September 2022 as National Service Dog Month.

Laurel Prud'homme, Karen Mendrop, and Karen Hilborn, Volunteer Puppy Trainers, Canine Companions, provided an overview of the service dogs they have trained to serve those who need them and provided some tips regarding interacting with service dogs.

Councilmember Avila introduced her service dog, Puma, and spoke about how he assists her.

Motion by Councilmember Avila, seconded by President Pro Tem Crow-Iverson, that the Resolution recognizing September 2023 as National Service Dog Month be adopted. The motion passed by a vote of 8-0-1-0

Aye: 8 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, Risley, and Talarico

Excused: 1 - O'Malley

5.C. 23-421

A Resolution of Retirement of Bob Cope, for his 15 years of service to the City of Colorado Springs as Economic Development Officer.

Presenter:

Travis Easton, Deputy Chief of Staff, Office of the Mayor

Attachments: Retiree Resolution Bob Cope (Employee Will Attend)

Signed Resolution No. 119-23.pdf

President Pro Tem Crow-Iverson read the Resolution of Appreciation for Bob Cope, Economic Development Officer, for his fifteen years of service with the City of Colorado Springs.

Travis Easton, Deputy Chief of Staff, Office of the Mayor, acknowledged Mr. Cope and his many achievements.

Wynne Palermo, Wynne Realty, Ltd, Clarissa Thomas, Pikes Peak Association of Realtors, Linda Weiss, Community Cultural Collective, and Jariah Walker, Colorado Springs Urban Renewal Authority, spoke about Mr. Cope's leadership and successes in the community.,

Several Councilmembers expressed gratitude for Mr. Cope's service and

accomplishments during his career with the City.

Mr. Cope expressed appreciation for the opportunities he had been given with the City, for the recognition, for Mayor John Suthers, Chief of Staff, Jeff Greene, City Council, the Colorado Springs Chamber and EDC, other partners, the City's Economic Development Team, Sherry Hoffman, and his wife, Joyce.

Motion by Councilmember Donelson, seconded by Councilmember Leinweber, that the Resolution of Retirement of Bob Cope, for his 15 years of service to the City of Colorado Springs as Economic Development Officer be adopted. The motion passed by a vote of 8-0-1-0

Aye: 8 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, Risley, and Talarico

Excused: 1 - O'Malley

6. Mayor's Business

There was no Mayor's Business.

7. Citizen Discussion For Items Not On Today's Agenda

Citizens Michele Maccagnan and Susie Milani, Owners, Stars Gymnastics, spoke about people experiencing homelessness living in a recreational vehicle and purchasing drugs in front of their business.

Citizen Jill Carey ceded their time to Citizen Jules Burdick, Owner, Simple Body, spoke in opposition of House Bill 19-1263.

Citizen Tim Hoss spoke about the public safety issues concerning the population experiencing homelessness.

Citizen Jeff Ferguson stated he supports the proposed Police Training Center.

Mr. DeWolf spoke about having compassion for the population experiencing homelessness.

8. Items Called Off Consent Calendar

4B.C. 23-391 A Resolution Approving An Economic Development Agreement Between The City Of Colorado Springs And Meyer Burger

Presenter:

Bob Cope, Economic Development Officer Shawna Lippert, Senior Economic Development Specialist Attachments: Project Blanc Resolution

Project Blanc Economic Development Agreement clean 8-1-23

Project Blanc Work Session PP

Signed Resolution No. 116-23.pdf

Councilmember Avila stated she requested this item to be removed from the Consent Calendar in order to find out how much water this business will use.

Tristan Gearhart, Chief Financial Officer, Colorado Springs Utilities (CSU), stated the water usage is approximately is about 1.5 million gallons per day which works out to about 1,600-acre feet annually for that facility of incoming water usage but they also have wastewater usage of approximately 1.3 million gallons per day (1,450-acre feet) that is coming off in a closed loop system where those flows are reprocessed and used again in their manufacturing process which greatly reduces that the amount of water that they're using because they are able to reuse it.

Councilmember Avila asked how many homes that amount of water would serve. Mr. Gearhart stated approximately five to seven thousand homes per year at the full 1,600-acre feet but with the closed loop system, it greatly reduces the number.

Councilmember Henjum asked how the City will ensure that its reliably met demand is still met for the future. Bob Cope, Economic Development Officer, stated there has been a lot of communication between the company and CSU representatives and CSU is comfortable with the numbers and the proposed closed loop system design.

Councilmember Henjum stated the City needs to look at what their strategy is for the future and these types of industries in regard to water, electricity, and housing.

Councilmember Donelson asked what percentage of water will be reused. Mr. Gearhart stated that of the 1,600-acre feet of water usage, they will reuse 1,300-acre feet in the closed system.

Councilmember Leinweber asked how much water the Martin Drake Power Plant used. Mr. Gearhart stated much of the water used there was non-potable water. Motion by Councilmember Risley, seconded by Councilmember Henjum, that the Resolution approving an Economic Development Agreement between the City of Colorado Springs and Meyer Burger be adopted. The motion passed by a vote of 8-0-1-0

Aye: 8 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, Risley, and Talarico

Excused: 1 - O'Malley

9. Utilities Business

There was no Utilities Business.

10. Unfinished Business

There was no Unfinished Business.

11. New Business

11.A. 23-381

A Resolution submitting to the registered qualified electors of the City of Colorado Springs, Colorado, at the coordinated election conducted by mail ballot to be held on Tuesday, November 7, 2023, the question of retaining and spending \$4,750,000 on acquiring property, planning, constructing, and equipping a training facility for the Colorado Springs Police Department, this amount being the estimated 2022 fiscal year revenue above the 2022 fiscal year revenue and spending limitations, as a voter approved revenue change; providing for the form of the ballot title and text; providing for certain matters with respect to the election; and providing the effective date of this resolution

Presenter:

Blessing Yemi Mobolade, Mayor Adrian Vasquez, Police Chief Charae McDaniel, Chief Financial Officer

Attachments:

Final2023 CSPDAcademy Retention RES-08-18-23

Signed Resolution No. 120-23.pdf

Jamie Fabos, Chief of Staff, introduced the Resolution submitting to the registered qualified electors of the City at the coordinated election to be held on Tuesday, November 7, 2023, the question of retaining and spending \$4,750,000, this amount being the estimated 2022 fiscal year revenue above the 2022 fiscal year revenue and spending limitations, for acquiring property, planning, constructing, and equipping a training facility for the Colorado Springs Police Department (CSPD). She stated based on community sentiment, they have removed the resetting of the Taxpayer Bill of Rights (TABOR) base and provided an overview of TABOR retentions history, why this facility is needed, why training matters, funding the solution,

new construction option, and existing facility option.

Sherryl Dillon, Executive Director, and Gerald Bouwmans, Vice President, Colorado Springs Police Protective Association (CSPPA), identified the First Responder sentiment, and results from the 2023 PPA survey.

Jim Mason, Budget Chairman, Law Enforcement Transparency and Advisory Committee (LETAC), spoke about the foundation platform the training center would provide for Police Officers to better protect and serve the community.

Councilmember Avila asked if LETAC endorses the proposed training facility and ballot initiative. Mr. Mason confirmed they do.

Christine O'Brien Public Information Officer, (PIO), District 2 School District, stated they only have two of the four School Resource Officers, and they support putting this ballot initiative on the ballot.

Adrian Vasquez, Chief, CSPD, identified the current facility issues, current training needs, current facility inadequacies, space constraints, interactive training limitations, re-envisioning training, equipment storage, cafeteria, existing facility condition, and the need to serve a growing community,

Councilmember Henjum asked for additional information regarding the audit which will take place. Chief Vasquez stated one of the directives from the Transparency Matters survey was to have a third-party audit which will be conducted in the near future.

Citizens Chris Burns, Dave Dazlich, Vice President, Government Affairs, Colorado Springs Chamber and EDC, Bernie Herpin, former Councilmember, Mark Reyner, President, Housing and Building Association (HBA), Woody Longmire, and Jaymen Johnson spoke in support of the ballot initiative.

Citizens Chauncy Johnson, John Christiansen ceded their time to Charles Johnson, Richard Ware ceded their time to Samantha Christiansen, Mischa Rollings, Shaun Walls, Jackie Othon, DSA, Maryah Lauer, Emery Armel, Molly Avion, Amanda Ford, Andrew Dalby, Irena Amouzou, Maggie Lewis, and Sabrina McKinney spoke in opposition of the ballot initiative.

Councilmember Donelson stated he supports the police force and requested the results of the poll Mayor Yemi quoted two weeks ago. Ms. Fabos stated because the poll was not funded by the City, it was funded by a private party, they would need to request permission from the proprietors in order to share the poll results.

Councilmember Donelson asked who paid for the poll. Ms. Fabos stated she will ask if the private party allows their identity to be identified.

Councilmember Donelson asked if LETAC supports both the new police training center and the ballot initiative. Mr. Mason confirmed they do. Councilmember Donelson asked if the ballot initiative was unanimously supported by LETAC. Mr. Mason said he cannot speak on whether it was unanimously supported, but he said there was a consensus. President Helms stated the Vice Chair of LETAC emailed stating they support the issue, but they wish to remain neutral regarding the ballot initiative. Councilmember Henjum requested the record include an email received by City Council by D'Ontay Roy, Chair, and Brent Windebank, Vice Chair, LETAC, which stated "Jim Mason and any other Commissioner spoke as private citizens outside of reporting LETAC's support for the need of additional training and the importance of a new training facility to support the wide array of state-of-the-art training for CSPD Officers to improve service to the community. LETAC's official position is that it does not support any ballot initiative regardless of content."

Councilmember Donelson asked why a TABOR retention and the City going into debt is the best way to fund a new police training facility versus considering using funds from the Colorado Springs Health Foundation (CSHF). Ms. Fabos stated they do not believe that is the best solution because it would require a Charter amendment to change the CSHF's four tenants because the police training academy does not fit into them, and the Mayor does not support defunding CSHF especially when there is such an overwhelming need for mental health care in the community.

Councilmember Donelson asked if there has previously been other City bonding or borrowing financing following a TABOR retention. Charae McDaniel, Chief Financial Officer, stated there has not been bonds issued, but additional funding was required for the Parks retention item projects.

Councilmember Donelson asked if the City could utilize joint use of

facilities with El Paso County since they have approximately twenty vacant seats per class, they utilize the firing range on Fort Carson, and they do their driving at the Pikes Peak Speedway. Chief Vasquez stated El Paso County does take in some recruits for Fountain Police Department or some of the smaller agencies, CSPD would take in additional trainees in the region if they have a homicide class or something like that, and they do currently utilize other places for example driver training on Fort Carson and the Colorado Springs Flea Market.

Councilmember Donelson stated the State is also asking for a TABOR retention and he thinks that even those who support the police training center do not need to support this ballot initiative because there are other sources to get the money, if the City is going to borrow ninety percent of the project, they should borrow one hundred percent of it and let people have their TABOR refund, and the cost to put this initiative on the ballot will cost the City approximately \$402,000.

Councilmember Donelson asked if most police forces in the United States are short Officers. Chief Vasquez confirmed it is a national trend and they are all recruiting from the same pool.

Councilmember Donelson asked if any other jurisdictions have new training facilities. Chief Vasquez stated he will provide that information.

Councilmember Donelson asked if other jurisdictions have ongoing training academies. Chief Vasquez stated there are some out there using that methodology, but he does not have specifics on that.

Councilmember Donelson asked if the duration of the old model used kind of as a screening tool to see who really was interested. Chief Vasquez stated the primary reason that they had that longer wait time was due to trying to do larger classes of upwards of seventy-two trainees but because of the need for instructor to student ratio and post requirements, there were two academies one year, one the next year, so now that they are doing smaller classes, it cuts that time down by about four to five months.

Councilmember Donelson stated there is a principal at stake here, he thinks citizens want the City, if it has the means to fund it with its resources that it currently has, to build a new police training center, Council is not required to put it on the ballot, their job is to be a check and a balance and

to use good judgment, if there is a way to do this project with the City's current resources, not go further into debt, not pay millions of dollars of interest, that would be a smarter way to go, and asked Council to join him in voting to not to put this on the ballot as a TABOR retention although he will very much support what they need to do to properly train the City's police force.

Councilmember Leinweber asked how many Officers are brought in as new recruits per year. Chief Vasquez stated they would like to bring in over one hundred recruits on an annual basis, but that number is fluid based on attrition and projections.

Councilmember Leinweber asked what the attrition rate is and what issues have been identified as causes for attrition. Chief Vasquez stated six to seven Officers per month and the vast majority of people leaving are due to retirements, family reasons, and career changes out of law enforcement due to the stressful nature of the position and the challenges they face.

Councilmember Leinweber stated it is possible that some Officers would stay if additional training was provided to help them address some of the challenges such as mental and behavioral health issues which they encounter.

Councilmember Talarico requested confirmation that this TABOR retention is not a tax increase to citizens. Ms. Fabos confirmed that statement.

Councilmember Talarico stated she believes the residents have the right to choose whether or not they want the TABOR retention.

President Helms stated he absolutely supports both the new police training academy and the TABOR initiative because at the rate of attrition, the City needs more than eighty new police Officers a year, the current training environment, even with the driving training and firing range being located someplace else, do not meet the current need to get to three graduating classes a year, and even though the potential Tabor initiative is only a little more than ten percent of that estimate, it is a way to start and it shows the citizens that the City is positive about this and on the right track to complete it. He stated the original ballot question included the TABOR base being raised which has now been removed and it is clear this is the way to deal with better training now which will result in making the City's police Officers

better.

Councilmember Henjum stated there are some very important systemic issues which need to be addressed by the City that will not be addressed by a new police training academy, but there is a need by CSPD, and this initiative was also supported by Mayor Suthers. She stated the report from the exhaustive, yearlong, review by Transparency Matters recommended budget implications which focused on improving training in de-escalation strategies, tactics, accountability, and supervisory processes as well as recommended a third-party audit of CSPD training which has been announced and the results will be shared with the community.

Councilmember Henjum stated she supports the ballot initiative for a new police training center, but not to do what has always been done, or improve physical conditions for trainees, but more significantly, a new facility is an opportunity to further improve the Department in ways recommended by the Transparency Matters study and incorporate the third-party audit's findings into the training curriculum.

Councilmember Donelson stated even though a TABOR retention does not raise taxes, it keeps the taxpayer's tax money.

Councilmember Avila stated she believes in the wisdom of many, it is not for Council to deny the right to vote, supports putting this initiative on the ballot for voters to decide, the City is fiducially responsible for the core service of fire, police, infrastructure, transportation, roads, bridges, sidewalks, and parks, and to suggest using the money from CSHF which addresses needs due to poverty for a police training center is disheartening.

Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the Resolution submitting to the registered qualified electors of the City of Colorado Springs, Colorado, at the coordinated election conducted by mail ballot to be held on Tuesday, November 7, 2023, the question of retaining and spending \$4,750,000 on acquiring property, planning, constructing, and equipping a training facility for the Colorado Springs Police Department, this amount being the estimated 2022 fiscal year revenue above the 2022 fiscal year revenue and spending limitations, as a voter approved revenue change; providing for the form of the ballot title and text; providing for certain matters with respect to the election; and providing the effective date of this resolution be adopted. The motion passed by a vote of 7-1-1-0

Aye: 7 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, Risley, and Talarico

No: 1 - Donelson

Excused: 1 - O'Malley

11.B. 23-432

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 7, 2023 Coordinated Election

Presenter:

Sarah B. Johnson, City Clerk

Attachments: Res

Resolution.docx

2023 IGA Agreement - City of Colorado Springs-final.pdf

Signed Resolution No. 121-23.pdf

Please see comments in Agenda item 11.A.

Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the 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 7, 2023 Coordinated Election be adopted. The motion passed by a vote of 7-1-1-0

Aye: 7 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, Risley, and Talarico

No: 1 - Donelson

Excused: 1 - O'Malley

12. Public Hearing

There was no Public Hearing.

13. Added Item Agenda

There were no items added to the Agenda.

14. Executive Session

There was no Executive Session.

15. Adjourn

There being no further business to come before City Council, Council adjourned at 3:00 PM.

16. General Improvement District

Following adjournment of the Regular City Council meeting, City Council shall reconvene as the Board of Directors of the Colorado Springs Briargate General Improvement District for action on the following item:

16.A. 23-315 A Public Hearing on the Dissolution of the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado

Presenter:

Charae McDaniel, Chief Financial Officer

Charae McDaniel, Chief Financial Officer, introduced the Ordinance of the Board of Directors of the Colorado Springs, Briargate General Improvement District (GID) to approve the dissolution of the District. She stated there is a new Briargate 2021 GID in place, the original purpose of the old GID was to issue bonds for improvements, those improvements have been completely paid off, the new GID now takes care of the maintenance in that District, and therefore all obligations of this current GID have been completed.

There were no comments on this item.

16.B. 23-314 Ordinance No. 23-47 of the Board of Directors of the Colorado

Springs, Briargate General Improvement District to approve the

Dissolution of the District

Presenter:

Charae McDaniel, Chief Financial Officer

<u>Attachments:</u> 01 GIDBriargateDissolutionORD-2023

CITYOFCSBRIARGATEGID-Tax-Map

Please see comments in Agenda item 16.A.

Motion by President Pro Tem Crow-Iverson, seconded by Councilmember Henjum, that the Ordinance of the Board of Directors of the Colorado Springs, Briargate General Improvement District to approve the Dissolution of the District be approved on first reading. The motion passed by a vote of 8-0-1-0

Aye: 8 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, Risley, and Talarico

Excused: 1 - O'Malley

17. Adjourn

There being no further business to come before City Council, Council adjourned at 3:10 PM.

Sarah B. Johnson, City Clerk