



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, February 27, 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** 7 - Councilmember Yolanda Avila, Councilmember Dave Donelson, President Pro Tem Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, President Tom Strand, and Councilmember Wayne Williams
- Excused** 2 - Councilmember Stephannie Fortune, and Councilmember Mike O'Malley

Councilmember Henjum arrived at approximately 10:30 AM and left the meeting at approximately 12:30 PM.

President Strand left the meeting at approximately 12:30 PM.

2. Changes to Agenda

President Strand stated items 10A.A., 10A.B., and 10.B.A. will be moved to approximately 12:00 PM.

Consensus of City 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. [23-124](#) City Council Work Session Meeting Minutes February 13, 2023

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [2-13-23 City Council Work Session Meeting Minutes Final](#)

Councilmember Donelson requested his comment for item 7.B. ConnectCOS-Colorado Springs Transportation Master Plan Update of the February 13, 2023 City Council Work Session meeting minutes be amended to change the word “considered” to “recommended” in reference to the 2002 analysis of the Constitution Avenue extension. Sarah B. Johnson, City Clerk, agreed to make that amendment.

The minutes of the February 13, 2023 Work Session were approved as amended by Consensus of City Council.

5. Presentations for General Information

5.A. [23-138](#) Humane Society of the Pikes Peak Region - Dangerous Dog Briefing

Presenter:

Jamie Norris, Director of Animal Law Enforcement

Lindsey Vigna, Assistant Director of Animal Law Enforcement

Attachments: [Dangerous Dogs for City Council Final](#)

Jamie Norris, Director of Animal Law Enforcement, Humane Society of the Pikes Peak Region, introduced the briefing regarding dangerous dogs.

Lindsey Vigna, Assistant Director of Animal Law Enforcement, Humane Society of the Pikes Peak Region, provided an overview of the mission of Animal Law Enforcement, their goal, dangerous dog bite statistics, City/El Paso County comparison of dangerous dog investigations and aggressive dog at large, Animal Law Enforcement response, 2022 responses/results, and their plan for action.

Councilmember Donelson asked what the statistics of one in seventy represented. Ms. Vigna stated one in seventy people will have been bitten by a dog.

President Pro Tem Helms asked if the City was included in the El Paso County number of dog bites. Ms. Vigna confirmed it was.

Councilmember Donelson asked if the number of bites is concurrent with the increase with the number of pets in the community. Ms. Vigna confirmed there is a correlation.

President Strand asked what determines whether a case will go to district court or municipal court. Ms. Vigna stated the municipal court does not have an Ordinance for mandatory containment but it is outlawed by State Statute and the State provides higher restitution for victims.

President Strand asked what AVMA stands for. Ms. Vigna stated American Veterinary Medical Association.

President Pro Tem Helms volunteered to be the legislative liaison in moving these proposals forward.

Councilmember Murray stated the owners of dangerous dogs need to be held accountable for the actions of their animals.

6. Staff and Appointee Reports

6.A. [22-761](#) Platte Avenue Corridor Study Update (Informational)

Presenter:

Todd Frisbie, P.E., P.T.O.E, City Traffic Engineer, Public Works Department

Lyle DeVries, P.E., P.T.O.E, Felsburg Holt & Ullevig

Attachments: [Platte Avenue Council Work Session Presentation 02272023](#)

Travis Easton, Director, Public Works Department, introduced the Platte Avenue Corridor Study Update and stated the one-way couplet concept was removed based on the input that the majority of people were not in favor of it.

Councilmember Henjum asked if the Platte Avenue Corridor Study was funded by Pikes Peak Rural Transportation Authority (PPRTA) 2. Mr. Easton confirmed it was.

Lyle DeVries, Project Manager, Felsburg Holt & Ullevig, provided an overview of the study process, study timeline, functional objectives, Platte Avenue corridor study area, and downtown area ambitions. He identified the Platte Avenue at Acacia Park existing condition/recommended alternative, Bijou Street downtown existing condition/recommended alternative, Kiowa Street downtown existing condition/recommended alternative, Middle Shooks Run ambitions, El Paso/Shooks Run Trail existing condition /recommended alternative, Union Boulevard intersection operations considerations/one-way

option/recommendations (PPRTA: 121), Knob Hill ambitions, Platte Avenue in Knob Hill existing condition/future perspective, Knob Hill strategies (PPRTA A: 121/B: 331). Mr. DeVries went over the eastern reaches ambitions/recommendations, Platte Ave/Academy Blvd quadrant road intersection vision/implementation (PPRTA B: 330), and next steps.

Councilmember Williams asked what the difference of an optimized four-lane on Platte Avenue will be from what it is now. Mr. DeVries stated it includes different streetscaping, intersection pedestrian crossing will have more curb space, signals will be spaced at quarter mile instead of half mile, Councilmember Williams stated this could have an effect on adjoining streets.

Councilmember Murray stated the Platte Avenue project of right in, right out was just completed. Todd Frisbie, City Traffic Engineer, Public Works Department, stated that project was completed in 2007 due to safety concerns because there was no center turn lane and by adding pedestrian activated signals between Hancock Avenue and Union Avenue, they are addressing the multi-modes of transportation.

President Pro Tem Helms stated adding additional street signals may cause some congestion. Mr. DeVries stated they have heard from neighbors that high speeds through that area needs to be addressed.

Councilmember Avila requested additional information regarding the pedestrian intersection of Chelton Avenue and Platte Avenue. Mr. DeVries stated the enhancement of adding a bike lane will provide an opportunity to add a better pedestrian crossing. Mr. Frisbie stated they will add that recommendation to the project.

Councilmember Williams stated the proposed access from Platte Avenue to Academy Boulevard appears troublesome. Mr. DeVries stated the reroute will add distance, but the volume will remain the same. Councilmember Williams stated removing the access ramp and cutting off access to the northern retailers does not make sense. Mr. Frisbie stated this study is trying to capture multiple goals and objectives.

Councilmember Murray stated this proposed plan is going to cause a lot of grief for the businesses near that intersection and asked how much

this transition would cost. Mr. DeVries stated because it is done in segments, it would be in the single-digit millions.

Councilmember Donelson asked how many people participated in this project. Mr. DeVries stated hundreds of folks came to their public meetings. Councilmember Donelson stated it needs to be taken into consideration that a vast majority of at least 450 people spoke against the proposed Constitution Avenue extension. Councilmember Donelson stated taking out the functional ramps does not make sense.

Councilmember Donelson asked what role Council will have in this. Mr. Frisbie stated because this is a study and not a master plan, it will not go before Council for approval, but they will have additional public discussions and these projects will be funded by PPRTA 2 as B List projects.

Councilmember Murray requested a "No left turn" sign be added at the intersection of Platte Avenue and Nevada Avenue. Mr. DeVries stated the curb lines are not very conducive to enforcing that sign.

Councilmember Williams asked how vehicles will access the interstate with the reduction of through lanes from two lanes to one lane on Platte Avenue. Mr. DeVries stated their study did not assume any traffic diversion and the downtown grid affords the ability to access the interstate from other streets if needed.

Councilmember Williams stated the reduction of lanes will create significantly longer times getting through the traffic lights. Mr., DeVries stated queue lengths is definitely something to keep an eye on, but the delay would still be at an acceptable Level of Service D.

Councilmember Henjum stated there was a tremendous amount of public input on this study and the intersection of El Paso Street and Platte Avenue is a compromise that people are very happy with to help reduce the noise.

6.B. [23-144](#) Downtown Multimodal Center (Downtown Transit Center)

Presenter:
Ryan Phipps, Senior Engineer

Attachments: [222 E Pikes Peak Ave - CC Presentation UPDATE - SEND](#)

Ryan Phipps, Senior Engineer, provided an overview the 222 E. Pikes

Peak Downtown Multimodal Center which included the proposed site location, other municipal transit centers, current parking options, proposed parking, development objectives, commercial development options, and sample program stacking plan. He identified the project scope, phasing, economic development goals/opportunity, project progress updates, prior contractor projects, Phase 1 and 2 design efforts, partner agency coordination, and utility relocation coordination with Colorado Springs Utilities (CSU).

President Strand asked if the Concept Design will be complete by the second quarter of 2023. Mr. Phipps confirmed it would be.

Councilmember Williams asked if this project could be done more quickly. Mr. Phipps stated this is a complicated project due to all the partners and funding sources involved so it is important to take time and move more methodically. Councilmember Williams suggested that they press forward as quickly as possible given the need of the community.

Councilmember Murray stated this proposed location is not the right location to put the Transit Center and this is the worst conceptual plan he has ever seen.

President Strand asked what the cost of the designer fee for the scope of the project would be over what was allocated in the 2022 General Fund Budget. Mr. Phipps stated it will cost an additional \$500,000 for a total of \$1 million.

Councilmember Donelson stated the CSU Utilities Replacement Plan (URP) was not designed to be driven by wanting something to be built in a particular area but by problems with the system in the area. Mr. Phipps stated there will be a cost share with CSU for this project and the infrastructure in this area are very old.

Councilmember Donelson asked how the additional \$500,000 for the increase in the designer fee would be paid. Mr. Phipps stated it is outlined in the cooperation agreement of how it is split up equally between the three partners, the City, Nor'Wood, and the Parking Enterprise.

Councilmember Henjum asked who will have ownership of the building. Mr. Phipps stated that has not been determined. Jeff Greene, Chief of

Staff, stated ownership will be defined based upon the on level of investment and operations, but the City will definitely have a percentage of ownership.

Councilmember Avila stated it is important that this project continues moving forward with the new City Council. Mr. Easton stated this was a lengthy process which landed on the proposed site.

Councilmember Murray asked when this study of the site location was conducted. Mr. Easton stated 2017 and he will provide a copy of the presentation to City Council.

Mr. Greene stated this will be a multi-modal transportation center, permanent structure, and highlight of the City for decades to come which will take time to develop.

6.C. [23-069](#) Introduction of Permit Partner System

Presenter:

Jacob Anderson, Citizen Engagement Specialist, Office of Communications

Shawna Lippert, Senior Economic Development Specialist, Economic Development Division

Attachments: [Permit Partner City Council Presentation 2023-02-27](#)

Shawna Lippert, Senior Economic Development Specialist, Economic Development Division provided an overview of the Permit Partner System, why it is needed, what this resource is, how the system works, things to know, partner agencies, and supporting stakeholders.

Councilmember Williams asked if this product integrates with MyBizColorado.gov. Jacob Anderson, Citizen Engagement Specialist, Office of Communications stated it does not, but the subscription allows ongoing configurations and can add an off ramp to MyBizColorado.gov state functions.

Mr. Anderson gave a prelaunch preview of what the system will look like which included the services, overview, your business, location, permits, estimated fees, summary, applications,

Ms. Lippert identified the financial impacts, vendor overview, and quotes from testing sessions.

Councilmember Murray and Councilmember Avila expressed appreciation for this program.

Councilmember Williams asked if a partner agency requested a change, if the software could be changed to accommodate that request. Ms. Lippert confirmed it would.

Councilmember Williams asked if this program addresses the start up procedures for a business or also ongoing requirements. Ms. Lippert stated at this time only start up to get a business open, but the system could be configured to be more robust in the future.

Councilmember Murray commented that once a person has entered the repository, the data list could populate the other requirements.

6.D. [23-123](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 2-27-23](#)

Councilmember Murray requested the item concerning 2424 Garden of the Gods removed from the Agenda Planner until the court case is finalized. Ben Bolinger, Assistant City Attorney, City Attorney's Office, stated this is a separate application than the prior one which is subject to litigation so the City treats it as a new application because it has been twelve months after the final decision by the City. Councilmember Murray stated it is not final until the court has made a decision on the matter.

Councilmember Murray asked if the City will be asking the court for a stay. Wynetta Massey, City Attorney, City Attorney's Office, stated the City has no authority under City Code to do that and it is not in the best interest of the City to do so. She stated the new application needs to be reviewed under the review criteria with no considerations or references from the previous application.

Councilmember Murray asked if the item could be postponed until the new Council is seated. Mr. Bolinger stated because it is an appeal, the appellant or applicant is entitled to one bump to the next meeting, but City Council cannot postpone it without good cause.

Councilmember Donelson asked if the elections occurring could be considered a reasonable cause because this is an important decision. Mr. Bolinger stated he will research that.

Councilmember Williams asked if the item considering retail pet store sales could be postponed for the new Council to consider. President Pro Tem Helms stated President Strand is the one who brought that item forward again and he supports President Strand bringing it forward

again.

7. Items for Introduction

- 7.A.** [23-129](#) A Resolution Authorizing a Land Exchange between the City Of Colorado Springs and Tim O. Haas and Terry E. Haas (“Haas”) and Acknowledging Acceptance of a Donation of Approximately \$115,000.00 in Land Value

Presenter:

Britt Haley, Director, Parks, Recreation & Cultural Services
Department
David Deitemeyer, Senior Landscape Architect

Attachments: [CC_GardenoftheGodsEncroachmentCorrection](#)
[Exhibit A_GOG_CityExchangeProperty](#)
[Exhibit B_GOG_TradingPostExchangeProperty](#)
[Draft Resolution Trading Post Land Exchange and Donation 2.13.23](#)
[Signed Resolution No. 28-23.pdf](#)

David Deitemeyer, Senior Landscape Architect, presented the Resolution authorizing a land exchange between the City and Tim O. Haas and Terry E. Haas and acknowledging acceptance of a donation of approximately \$115,000.00 in land value. He provided an overview of the project location, land exchange transaction elements, summary of project goals, and project timeline.

Councilmember Williams asked how long the encroachment had been occurring. Mr. Deitemeyer stated it has been since the purchase in 1938.

- 7.B.** [23-076](#) A Resolution Authorizing the Acquisition of Approximately 5.7392 Acres of Property From the Gary L. Anderson and Anita L. Anderson Revocable Trust as an Addition to the Corral Bluffs Open Space Through the Trails, Open Space, and Parks (TOPS) Program

Presenter:

Britt Haley, Director, Parks, Recreation and Cultural Services
Department

Attachments: [Resolution_CorralBluffsInholding](#)
[CityCouncil_CorralBluffsFiveAcreAdditionFEB2023](#)
[Signed Resolution No. 29-23.pdf](#)

Britt Haley, Director, Parks, Recreation and Cultural Services
Department, presented the Resolution authorizing the acquisition of

approximately 5.7392 acres of property from the Gary L. Anderson and Anita L. Anderson Revocable Trust as an addition to the Corral Bluffs Open Space through the Trails, Open Space, and Parks (TOPS) Program and the Ordinance for a supplemental appropriation to the TOPS Fund in the amount of \$200,000 to complete the acquisition. She identified the property location, unprecedented fossil discoveries from sixty-six million years ago, details of the acquisition, and TOPS fund balance. Ms. Haley stated this acquisition was unanimously recommended by the TOPS Working Committee as well as the Parks Advisory Board.

President Pro Tem Helms stated there was also full support from the Budget Committee.

- 7.C. [23-077](#) Ordinance No. 23-10 amending Budget Ordinance No. 22-90 (2023 Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$200,000 to Complete the Acquisition of up to 5.74 Acres of Property for the Purpose of Public Open Space and Trails

Presenter:

Britt Haley, Director, Parks, Recreation & Cultural Services
Department

Attachments: [Appropriation Ordinance.FiveAcreCBAAddition](#)
[Signed Ordinance No. 23-10.pdf](#)

Please see comments in Agenda item 7.B.

- 7.D. [23-078](#) A Resolution Authorizing the Acquisition of Approximately 1,018 Acres of Property, Commonly Referred to as The Wild Horse Ranch Through the Trails, Open Space and Parks Program

Presenter:

Britt Haley, Director, Parks, Recreation and Cultural Services
Department

Attachments: [Resolution Wild Horse RanchLegistar](#)
[CCPresentationWildHorseRanchSlides](#)
[Signed Resolution No. 30-23.pdf](#)

Britt Haley, Director, Parks, Recreation and Cultural Services Department, presented the Resolution authorizing the acquisition of approximately 1,018 acres of property, commonly referred to as The Wild Horse Ranch through the Trails, Open Space and Parks (TOPS) Program and the Ordinance for a supplemental appropriation to the

TOPS Fund in the amount of \$7,655,000 to complete the acquisition. She provided an overview of area map, overview map, transaction information, TOPS Open Space Fund balance, and timeline.

Justin Spring, Colorado State Director, Southwest Regional Director, Conservation Fund, provided an overview of the Conservation Fund and expressed appreciation for their partnership with the City.

Councilmember Murray asked how many acres are anticipated to be purchased as part of the total plan. Ms. Haley identified the areas that are expected to be part of the open space. Councilmember Murray stated this parcel is further south than he expected because of the development occurring on the eastern side of Marksheffel Road.

Councilmember Williams stated he supports the acquisition of the property and requested the City preserve the ability to allocate some of this parcel to the Parks, Recreation, and Cultural Services Department in order to make some of it an active use area.

Councilmember Donelson asked if the pond stays full year-round. Ms. Haley confirmed it does.

Councilmember Donelson, Councilmember Williams, and Councilmember Murray stated they support this acquisition.

Councilmember Murray asked how close the City is to connecting to the large piece of land around the Gary Bostrom Reservoir which is owned by Colorado Springs Utilities (CSU). Ms. Haley stated they have been in active communication with CSU regarding those opportunities.

7.E. [23-079](#)

Ordinance No. 23-11 amending Budget Ordinance No. 22-90 (2023 Appropriation Ordinance) For A Supplemental Appropriation To The Trails, Open Space And Parks Fund In The Amount Of \$7,655,000 To Complete The Acquisition Of Approximately 1,021 Acres Of Property For The Purpose Of Public Open Space And Trails

Presenter:

Britt Haley, Director, Parks, Recreation and Cultural Services Department

Attachments: [Appropriation Ordinance.WildHorseRanch](#)
[Signed Ordinance No. 23-11.pdf](#)

Please see comments in Agenda item 7.D.

- 7.F. [23-128](#) A resolution approving the amended intergovernmental agreement between the City of Colorado Springs and El Paso County, Colorado establishing the Pikes Peak Regional Office of Emergency Management

Presenter:

Ryan Trujillo, Deputy Chief of Staff

Jim Reid, Regional Director, Office of Emergency Management

Attachments: [Amended_City-County_OEM_IGA.docx](#)

[OEM-RES-Amended_IGA.docx](#)

[Signed Resolution No. 32-23.pdf](#)

Jim Reid, Regional Director, Pikes Peak Regional Office of Emergency Management (PPROEM), presented the Resolution approving the amended intergovernmental agreement (IGA) between the City and El Paso County establishing the PPROEM.

There were no comments on this item.

- 7.G. [22-765](#) Ordinance No. 23-14 repealing and reordaining Part 1 (Fire Prevention Code) of Article 4 (Fire Prevention) of Chapter 8 (Public Safety) of the Code of the City of Colorado Springs 2001, as amended, adopting the 2021 Edition of the International Fire Code with amendments and providing penalties for the violation thereof.

Presenter:

Brett T. Lacey, Fire Marshal

Attachments: [Fire-2021_IFC_Adoption-NOTICE-PublicHearing-2023-02-21.docx](#)

[2022.11.15 DP CSFD IFC Letter of Support](#)

[121222 - Proposed 2021 IFC Amendments HBA Support FINAL](#)

[AIA CO IFC Update Letter of Support to CO Springs FD 11-17-22](#)

[12-14-22 2022 FBA Support Letter](#)

[2021 Fire Code Adoption 1-10-23 presentation](#)

[Fire-2021_IFC_AdoptionRD-FINAL-3-7-23](#)

Brett T. Lacey, Fire Marshall, Colorado Springs Fire Department (CSFD), presented the Ordinance adopting the 2021 Edition of the International Fire Code with amendments and providing penalties for the violation thereof. He provided an overview of the cooperating agencies, proposed amendments concerning Wildland Urban Interface (WUI), Firefighter Air Replenishment System (FARS), occupancy classification and use, storage of lithium-ion and lithium metal batteries, powered

micromobility devices, Electric Vehicle (EV) charging stations, fire safety during construction/demolition, processing and extraction facilities, and storage of distilled spirits/wines.

Councilmember Donelson asked if there is a higher risk of fire for EV charging stations while the vehicle is being charged. Fire Marshall Lacey confirmed there is.

Councilmember Donelson asked what the cost of a FARS system would be. Fire Marshall Lacey stated a tower similar to Wells Fargo Tower would be approximately \$50,000 to \$70,000.

7.H. [23-101](#)

Ordinance No. 23-08 amending section 106 (animals kept on premises; sanitary requirements) and 110 (specific animals prohibited; exception) of article 7 (regulation of animals - general provisions) and section 102 (hoofed animals kept on premises; zoning requirements) of article 9 (regulation of animals - hoofed animals) of Chapter 6 (neighborhood vitality / community health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to regulation of animals.

Presenter:

Morgan Hester, Planning Supervisor
Randy Helms, Councilmember
Ben Bolinger, Assistant City Attorney

Attachments: [NeighborhoodVitality-RegulationAnimalsHoofedORD-2023-2-17 Signed Ordinance No. 23-08.pdf](#)

President Pro Tem Helms introduced the Ordinances amending Section 106 (animals kept on premises; sanitary requirements) and 110 (specific animals prohibited; exception) of Article 7 (regulation of animals - general provisions) and Section 102 (hoofed animals kept on premises; zoning requirements) of Article 9 (regulation of animals - hoofed animals) of Chapter 6 (neighborhood vitality/community health) of City Code pertaining to regulation of animals and amending the Unified Development Code (UDC) establishing standards for urban agriculture (goats).

Morgan Hester, Planning Supervisor, Planning and Community Development, provided an overview of the goat Ordinance, who it affects, the type of property it pertains to, when it would go into effect, the process, the timeline, proposed language, questions/comments from the Planning Commission, and the unanimous recommendation from the Planning Commission.

Councilmember Donelson asked why they are calling the animals hoofed pets instead of dwarf goats. Ms. Hester stated they are defined that way in Chapter 6 of City Code. Jamie Norris, Director of Animal Law Enforcement, Humane Society of the Pikes Peak Region, stated it was due to pot bellied pigs also being included in that category in Chapter 6. Ben Bolinger, Assistant City Attorney, City Attorney's Office, stated hoofed pets in City Code 6.7.102 are defined as any goat weighing less than one hundred pounds at maturity.

Councilmember Williams asked why the City needs to be concerned with the buffer from the owner's house. Ms. Hester stated they can strike that out of the proposed language.

Councilmember Donelson asked why a structure for the goats is needed if a person has three or more goats. President Pro Tem Helms stated it was in order to address urban agriculture and people who have less than three goats as pets, the goats may live inside the owner's house.

Mr. Bolinger identified the proposed amendments to City Code Chapter 6.

Councilmember Murray stated the City has spent a lot of time and money drafting these Ordinances due to the need of two families. President Pro Tem Helms stated there are more people in the community affected by this and they are trying to stay ahead of the Urban Agriculture nature of this.

Councilmember Avila stated City Council is the closest body constituents can talk to and appreciates the work that has gone into it.

Councilmember Donelson asked if neighborhood covenants would override this Ordinance. Mr. Bolinger confirmed they would.

- 7.I. [CODE-23-00](#) Ordinance No. 23-09 amending the Unified Development Code of the
[01](#) City of Colorado Springs establishing standards for urban agriculture (goats)

Presenter:

Morgan Hester, Planning Supervisor

Ben Bolinger, City Attorney

Attachments: [UDC-GoatORD-2023-02-27](#)
[Goat Ordinance Presentation](#)
[Signed Ordinance No. 23-09.pdf](#)

Please see comments in Agenda item 7.H.

8. Items Under Study

There were no Items Under Study.

9. Councilmember Reports, Open Discussion and Takeaways

Councilmember Donelson stated Knob Hill residents are concerned with safety and the graffiti and murals which glorify gang life and gangs. He said they would like to see more enforcement of the law in their community and there are two things neighbors want for their neighborhood, for it to be clean and safe. He said the least environmentally friendly thing they can do is tear out functioning interchanges or roads which is a huge cost in resources.

Councilmember Avila stated she attended an event by the League of Women Voters of the Pikes Peak Region called Love the League and spoke about the heritage of Latina families in the community who attended her wedding on Friday, February 24, 2024.

President Pro Tem Helms stated he and several City employees participated in the National Character and Leadership Symposium (NCLS) held at the United States Air Force Academy (USAF).

Councilmember Williams stated that he attended the swearing in ceremony for Trivas Deal as Chief Executive Officer, Colorado Springs Utilities, and the graduation ceremony for the new Community Service Officers (CSO) joining the Colorado Springs Police Department (CSPD).

10. Executive Session

10A. Open

10A.A. [23-097](#)

Liam Anderson v. Winifred Lepine et al., Case No. 2023CV9, El Paso County District Court

The Civil Action Investigation Committee has met and recommends that the City represent Officers Alexis Falcon, James Eckels, Nathan Schnur, Levi Braun, Dylan Peters, Sgt. Robert Dazey, Cpl. Troy Lindvall and CSPD employees Mark Lackey, Marisa Salazar, Tiffany

Vaughan, Alana Shuff and Jeremy Sheldon as required by the Colorado Governmental Immunity Act and the Peace Officer's Liability Act. All City employees were acting in the course and scope of their employment and not in a willful and wanton manner. As usual, City Council should reserve the right not to pay any award of punitive damages.

Presenter:
Wynetta Massey, City Attorney

Attachments: [Council Memo Liam Anderson](#)

Ben Bolinger, Assistant City Attorney, City Attorney's Office, stated with the recommendation of the Civil Action Investigation Committee, the City is requesting authorization to defend.

President Strand polled City Council regarding authorizing the City to represent the Officers. Consensus of City Council agreed.

10A.B [23-132](#)

Dalvin Gadson Ochoa v. Hickman, et al., Case No.
22-cv-03278-CNS-STV

The Civil Action Investigation Committee met on February 15, 2023 and recommends that the City represent Ofcs. Hickman, Anderson and Hummel as required by City Code, the Colorado Governmental Immunity Act and the Liability of Peace Officers Act. The officers were acting in the course and scope of their employment. As usual, City Council should reserve the right to decline payment of any award of punitive damages.

Presenter:
Wynetta Massey, City Attorney

Attachments: [2023-02-27 CityCouncilRepresentationMemo](#)

Ben Bolinger, Assistant City Attorney, City Attorney's Office, stated with the recommendation of the Civil Action Investigation Committee, the City is requesting authorization to defend.

President Strand polled City Council regarding authorizing the City to represent the Officers. Consensus of City Council agreed.

10B. Closed

10B.A [23-135](#)

In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(a), (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

consultation with the City Attorney, discussing strategy for negotiations and instructing negotiators regarding a sale of land from Peak Innovation Park.

The President of Council shall poll the City Councilmembers, and, upon consent of two-thirds of the members present, may conduct a Closed Executive Session. In the event any City Councilmember is participating electronically or telephonically in the Closed Executive Session, each City Councilmember participating in the Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the Closed Executive Session is present or able to hear the matters discussed as part of the Closed Executive Session. If consent to the Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Presenter:

Wynetta Massey, City Attorney

Attachments: [Raptor Closed Session Council Notice_draft](#)

Ben Bolinger, Assistant City Attorney, City Attorney's Office, stated that 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 an electronic Closed Executive Session. The issue to be discussed involves consultation with the City Attorney, discussing strategy for negotiations and instructing negotiators regarding a sale of land from Peak Innovation Park.

President Strand polled City Council regarding the desire to proceed with an electronic Closed Executive Session. At least two-thirds of City Council agreed to proceed in an electronic Closed Executive Session.

11. Adjourn

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

Sarah B. Johnson, City Clerk