



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, July 24, 2023

10:00 AM

Council Chambers

How to Watch the Meeting

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Facebook Page @coscity Council | SPRINGS TV - Comcast Channel 18 / 880 (HD)
- Stratus IQ Channel 76 / 99 (Streaming)

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 Henjum left the meeting at approximately 11:00 AM and returned at approximately 1:00 PM.

2. Changes to Agenda

There were no Changes to Agenda.

3. Regular Meeting Comments

- 3.A.** [23-363](#) Discussion of a request to postpone an appeal of the Planning Commission's decision to affirm the administrative decision for the approval of a multi-family residential development plan, known as Launchpad Apartments, located at 864 North 19th Street to the August 8, 2023 Regular City Council meeting.

(Quasi-Judicial)

Related Files: APPL-23-0002

Presenter:
William Gray, Senior Planner, Planning and Community Development

Peter Wysocki, Director of Planning and Community Development

Attachments: [Appellant Request for Postponement 06092023](#)
[Exhibit 1 - Appellant Request for Postponement & Addendum](#)
[Exhibit 1 - Applicant's Appeal Presentation](#)
[Exhibit 2 - Appeal Application](#)
[Exhibit 2 - Community Leader & Neighbor Support Letters](#)
[Exhibit 3 - Public Comment](#)
[Opposition to Postponement](#)
[Position Statement in Opposition to Appeal](#)
[Appellant Document: 1999 Landslides Engineering Report SQUIRE](#)
[Appellant Document: Deficiencies Geologic Hazard Study](#)
[Appellant Document: Hofstead Landslide 1999](#)
[Appellant Document: Transcript Neighborhood Meeting 09.26.22](#)
[Appellant Document: Uphill Neighbor Letter 06.06.23](#)
[Appellant Document: Uphill Neighbor Letter 07.11.23](#)
[Appellant Request for Postponement 06.09.23](#)

President Helms introduced the discussion of the appellant's request to postpone an appeal of the Planning Commission's decision to affirm the administrative decision for the approval of a multi-family residential development plan, known as Launchpad Apartments, located at 864 North 19th Street to the August 8, 2023 Regular City Council meeting. He stated today's discussion is not a hearing, just a discussion regarding whether to postpone.

Scott Hiller, representing the appellant, read a letter from Tracy Bradford who spoke in opposition of the proposed development and requested a postponement due to a death in her family. Mr. Hiller stated they are also requesting a postponement due to an incomplete geologic hazard report.

David McConkie, Cohen-Esrey, representing the applicant, stated they are opposed to the postponement due to the appellant's incorrect claim of entitlement to postpone from an obsolete and deleted City Code provision, the appellant has not met their burden to show good cause to postpone the hearing, and the appellant received the notice and transcript of the Planning Commission meeting in plenty of time.

President Helms stated he supports a two-week postponement due to the amount of time, energy, and effort this appeal would take and the number of additional land use items on tomorrow's agenda.

Ben Bolinger, Legislative Counsel, City Attorney's Office, reminded everyone that today's discussion should only concern the request for postponement and not the review criteria for the appeal.

Councilmember Donelson asked why the appellant is asking for a postponement until September, 2023. Mr. Hiller stated it is to allow enough time for the Colorado Geological Survey (CGS) to review of the geological hazard report.

Mr. Bolinger stated that the referral of the review of the geological hazard report should be noticed at a hearing.

President Helms polled Council regarding supporting a postponement to the August 8, 2023 City Council meeting at tomorrow's meeting. Consensus of Council agreed to the postponement.

Councilmember Talarico disclosed that she received a request to recuse herself due to her company's donations to non-profit agencies which did not include the Launchpad Apartments project and stated she is able to remain fair and impartial for the hearing.

4. Review of Previous Meeting Minutes

4.A. [23-371](#) City Council Work Session Meeting Minutes July 10, 2023

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [7-10-23 City Council Work Session Meeting Minutes Final](#)

Councilmember Donelson requested the minutes be amended to reflect his comments on Agenda item 8.A. to reflect that there is no plan to raise money for the other ninety percent of the project, no location has been selected, and the City has previously requested the retention of excess Taxpayer Bill of Rights (TABOR) revenue from voters. Dena Lozano, Deputy City Clerk, agreed to make the requested change.

Councilmember Henjum asked if Councilmember requested amendments are verified against the video before changes are made. Ms. Lozano confirmed they are.

The minutes of the July 10, 2023 Work Session were approved as

amended by Consensus of City Council.

5. Presentations for General Information

5.A. [23-335](#) Colorado Springs Health Foundation Update

Presenter:

Cari Davis, Executive Director, Colorado Springs Health Foundation

Attachments: [COS City Council Briefing_24Jul23 - CSHF](#)

Cari Davis, Executive Director, Colorado Springs Health Foundation (CSHF), provided an overview of the history of the foundation, mission, vision, values, funding focus areas, Board of Trustees/staff, asset/payout parameters, total grant dollars paid out, grant examples, City related grants to date, and outreach.

Councilmember Avila expressed appreciation for the Peak Vista clinic located in District 4.

Councilmember Risley asked how much their annual operating costs are. Ms. Davis stated approximately \$560,000.

Councilmember Risley asked how the payout of five percent could be increased even if it is for a one-time purpose. Ms. Davis stated that it would require a change in the bylaws and investment policies.

President Pro Tem Crow-Iverson asked if the corpus used to be higher. Ms. Davis confirmed it was and explained the decrease value of the investments over the past few years.

Councilmember Donelson asked if the CSHF would fund a police training center. Ms. Davis went over their criteria for funding projects.

Councilmember Talarico encouraged Councilmembers to tour the Safe Passage facility.

6. Staff and Appointee Reports

6.A. [23-386](#) 2024 Colorado Springs Police Department Budget Recommendation from Law Enforcement Transparency and Advisory Commission (LETAC)

Presenter:

Randy Helms, Council President & Councilmember District 2

Yolanda Avila, Councilmember District 4

D'Ontay Roy, Chair, Law Enforcement Transparency and Advisory

Commission
Brent Windebank, Vice Chair, Law Enforcement Transparency and
Advisory Commission

Attachments: [LETAC 2024 CSPD Budget Considerations and Recommendations](#)

D’Ontay Roy, Chair, Law Enforcement Transparency and Accountability Commission (LETAC), presented the recommendation concerning Colorado Springs Police Department (CSPD) budget from the LETAC. He provided an overview of the background, LETAC budget priorities, priorities with justification/corresponding General Fund account numbers, and recommendations, and individual commissioner comments.

President Helms stated the Budget Committee supported the LETAC recommendations and polled City Council regarding their support. Consensus of Council supported the recommendations.

Councilmember Henjum asked if LETAC supports the ballot initiative for the retention of excess Taxpayer Bill of Rights (TABOR) funds for construction of a police training facility. Jim Mason, Chair of LETAC’s Budget Committee, confirmed they do.

6.B. [23-369](#) Agenda Planner Review

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 7-24-23](#)

There were no comments on this item.

7. Items for Introduction

7.A. **23-311** An Ordinance including certain property into 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

Mike Tassi, Assistant Director, Planning and Development Department, presented the Ordinance including certain property into the Creekwalk Marketplace Business Improvement District (BID). He provided a background of the BID, summary of inclusions, existing boundaries, proposed inclusions, and staff recommendation.

President Helms asked if there were any cons to moving these parcels into the BID. Mr. Tassi stated he is not aware of any.

Councilmember Donelson asked if there are any examples of where there would be a downside or harm to the BID regarding the inclusion. Mr. Tassi stated he will look into that.

Councilmember Donelson asked if water, wastewater, gas, and electric are private utilities. Mr. Tassi stated that water and wastewater are public utilities, and he will research gas and electric.

7.B. [23-336](#) A Resolution approving an Economic Development Agreement between the City of Colorado Springs and Project Bullseye

Presenter:

Bob Cope, Economic Development Officer

Shawna Lippert, Senior Economic Development Specialist

Attachments: [RES_ProjectBullseye_2023](#)
[Project Bullseye Economic Development Agreement](#)
[Bullseye EDA Presentation WORK](#)

Bob Cope, Economic Development Officer, presented the Resolution approving an Economic Development Agreement (EDA) between the City and Project Bullseye. He provided an overview of Project Bullseye, the proposed EDA, EDA requirements, ten-year expansion: economic impact, expansion: fiscal impact, expansion: calculation of incentives, ten-year retention: economic impact, retention: fiscal impact, combined (expansion and retention) economic impacts, combined: fiscal impacts, financial

safeguards, consistency with the City's Strategic Plan, and staff recommendation.

Councilmember Avila asked if they work with the Chamber and EDC regarding projects like this. Mr. Cope confirmed they do.

7.C. [23-360](#)

An Ordinance 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](#)

Chris Fiandaca, City Budget Manager, presented the 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. She stated the costs of construction have exceeded the original estimates, this represents an accumulation of sales tax revenue which exceeded the budget for 2021 and 2022, and this item has already gone before the Budget Committee.

Councilmember Risley asked what the original budget for these projects were. Ms. Fiandaca stated \$8.5 million for Fire Station 24 and 2.2 million for Fire Station 25.

Councilmember Donelson and President Helms stated the Budget Committee supports this item.

7.D. [23-361](#)

An Ordinance 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](#)

Charae McDaniel, Chief Financial Officer, presented the 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. She stated this does not affect the General Fund.

Councilmember Donelson stated this item had full support from the Budget Committee.

8. Items Under Study

There were no Items Under Study.

9. Executive Session

9A. Open

There was no Open Executive Session.

9B. Closed

9B.A. [23-340](#)

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 issues to be discussed involve consultation with the City Attorney, discussing strategy for negotiations, and instructing negotiators regarding (i) a land acquisition by the Municipal Airport enterprise and (ii) an economic development agreement.

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: [23-340 Closed Session memo - airport land & Econ Dev](#)

Ben Bolinger, Legislative Counsel, 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 issues to be discussed involve consultation with the City Attorney, discussing strategy for negotiations, and instructing negotiators regarding (i) a land acquisition by the Municipal Airport enterprise and (ii) an economic development agreement.

President Helms 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.

10. Councilmember Reports and Open Discussion

Councilmember Leinweber stated he has been very busy preparing a document for City Council regarding what he feels Council should be doing regarding mental health in the community, he attended the Fountain Creek Watershed District meeting where they are looking at possibly raising the mill levy for additional funding, and he and Councilmember Talarico participated in appointing two new members on the Parks Advisory Board.

Councilmember Talarico stated she and Councilmember Risley attended the Downtown Partnership Meet and Greet for District 3 at Trainwreck, she and Councilmember Avila attended the mock electricity council meeting for sixth to ninth graders held at Hillside Community Center, she attended the Greater Westside Community Working Group plan meeting for the Town Hall meeting hosted by the Council of Organizations and Neighbors (CONO), where she and Mayor Yemi will participate this Friday, July 28, 2023, she attended the Greater Westside Community Center Working Group working session last week, and the groundbreaking ceremony for the Pikes Peak Rural Transportation Authority (PPRTA) project at Marksheffel Road where Councilmember O'Malley spoke.

Councilmember Avila stated she and Councilmember Talarico attended the mock council meeting for sixth to ninth graders from Deerfield Hills

Community Center and Hillside Community Center, Phill Wiser, Attorney General, will be at Carmel Community School on July 26, 2023 to discuss the merger between Kroger and Albertson's regarding the recent closer of King Soopers in District 4 for which a Town Hall meeting was held in Panorama Park which is becoming a very activated park, and there will be a listening session on August 4, 2023 with Mayor Yemi.

Councilmember Risley stated he attended the Pikes Peak or Bust Rodeo on two separate evenings, he and Councilmember Talarico attended the Downtown Partnership Meet and Greet for District 3 at Trainwreck, and he has had several conversations with local school districts regarding workforce development.

Councilmember Henjum stated she and Mayor Yemi attended the CONO meeting with District 5B, and she participated in a panel with the El Pomar Foundation regarding civic engagement.

President Pro Tem Crow-Iverson stated on Thursday, she chaired her first Audit Committee meeting and the City's results came back completely clean,

President Helms stated he and the Parks, Recreation, and Cultural Department held a listening Town Hall last week in District 2 for the Grey Hawk neighborhood, the groundbreaking ceremony for the PPRTA project at Marksheffel Road, the Pikes Peak or Bust Rodeo, and he and Councilmember Donelson attended the Korean War Armistice Day Memorial service at Memorial Park.

11. Adjourn

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

Sarah B. Johnson, City Clerk