



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, February 13, 2024

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

President Helms called the meeting to order at 10:00 AM.

**Present:** 9 - Councilmember Yolanda Avila, President Pro Tem Lynette Crow-Iverson, Councilmember Dave Donelson, President Randy Helms, Councilmember Nancy Henjum, Councilmember David Leinweber, Councilmember Mike O'Malley, Councilmember Brian Risley, and Councilmember Michelle Talarico

### 2. Invocation and Pledge of Allegiance

The Invocation was made by Pastor John Coromina from the Church For All Nations.

President Helms led the Pledge of Allegiance.

### 3. Changes to Agenda/Postponements

President Helms stated items 4B.J., 4B.K., 4B.N., 4B.O., and 4B.P. have been requested to be removed from the Consent Calendar.

Consensus of Council agreed to these changes on the agenda.

- 3.A. [APPL-24-00](#)  
[01](#) An appeal of the City Planning Commission decision to approve both The Market at Pine Creek Major Concept Plan Amendment changing 7.87 acres from Commercial to Commercial and Residential and the Royal Pine Apartments Development Plan establishing multi-family residential consisting of 7.87 acres located at 4150 Royal Pine Drive. (Quasi-Judicial)

Presenter:

Katelynn Wintz, Planning Supervisor, Planning + Neighborhood Services  
Logan Hubble, Planner II, Planning + Neighborhood Services  
Peter Wysocki, Director, Planning + Neighborhood Services

**Attachments:** [Staff Report Royal Pine LKH](#)  
[Concept Plan](#)  
[Concept Plan Project Statement](#)  
[Development Plan Revised 2.09.2024](#)  
[Development Plan](#)  
[Development Plan Project Statement](#)  
[Traffic Impact Analysis](#)  
[Development Plan Public Comments](#)  
[Royal Pine comments combined 1.8.24](#)  
[Updated Neighbor Comments](#)  
[Concept Plan Public Comments](#)  
[CPC Minutes RoyalPine Draft](#)  
[Appeal Documents](#)  
[D20 Response](#)  
[CPW Letter](#)  
[7.5.501.E Concept Plans](#)  
[7.5.501 ADMINISTRATIVE DECISIONS GENERAL](#)  
[7.5.515 DEVELOPMENT PLAN](#)

President Helms introduced the discussion of the request to postpone an appeal of the Planning Commission's decision to approve both The Market at Pine Creek Major Concept Plan Amendment changing 7.87 acres from Commercial to Commercial and Residential and the Royal Pine Apartments Development Plan establishing multi-family residential consisting of 7.87 acres located at 4150 Royal Pine Drive to a Special Meeting on February 26, 2024 at 1:00 pm. He stated today's discussion is not a hearing, just a discussion regarding whether to postpone.

Councilmember Henjum stated both the applicant and appellant have negotiated the request to postpone this hearing to this date.

**Motion by Councilmember O'Malley, seconded by Councilmember Leinweber, to postpone the appeal of the City Planning Commission decision to approve both The Market at Pine Creek Major Concept Plan Amendment changing 7.87 acres from Commercial to Commercial and Residential and the Royal Pine Apartments Development Plan establishing multi-family residential consisting of 7.87 acres located at 4150 Royal Pine Drive to a Special Meeting on February 26, 2024 at 1:00 pm. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

#### **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. [24-001](#)** Ordinance No. 24-06 amending Ordinance No. 23-65 (2024 Budget Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$3,919,650 and to the Lodgers and Auto Rental Tax (LART) Fund in the amount of \$828,478 for the refund of 2022 fiscal year revenue above the 2022 fiscal year revenue and spending limitations (TABOR cap)

Presenter:

Charae McDaniel, Chief Financial Officer  
Chris Fiandaca, City Budget Manager

**Attachments:** [LARTtaborRefund2024ORD-2023-12-4\\_clean copy CAO review](#)

[Signed Ordinance No. 24-06.pdf](#)

**This Ordinance was finally passed on the Consent Calendar**

- 4A.B. [24-017](#)** Ordinance No. 24-07 to repeal and reordain Article 25 (Removal and Impoundment of Vehicles) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, Pertaining to Impoundment Of Vehicles

Presenter:

Commander John Koch, Colorado Springs Police Department  
Jennifer Underwood, CSPD Evidence/Impound Manager  
Frederick Stein, Public Safety City Attorney

**Attachments:** [CSPD-ImpoundmentVehiclesORD-2023-10-09](#)  
[2024 Impound Ordinance City Council Powerpoint - UPDATED](#)  
[12062023 - JEU](#)  
[Signed Ordinance No. 24-07.pdf](#)

**This Ordinance was finally passed on the Consent Calendar**

**4B. First Presentation:**

**4B.A.** [24-059](#) City Council Regular Meeting Minutes January 23, 2024

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [1-23-2024 City Council Meeting Minutes Final](#)

**The Minutes were approved on the Consent Calendar.**

**4B.B.** [24-073](#) Appointment of Outside Counsel and a Secretary to Serve the Colorado Springs Independent Ethics Commission pursuant to City Code § 1.3.103(G).

Presenter:  
Office of the City Attorney

**This Item was approved on the Consent Calendar.**

**4B.C.** [24-010](#) A Resolution Approving An Economic Development Agreement Between The City Of Colorado Springs And Project Stronghold

Presenter:  
Jessie Kimber, Economic Development Officer  
Shawna Lippert, Senior Economic Development Specialist

**Attachments:** [RES ProjectStronghold 2024](#)  
[EDA ProjectStronghold](#)  
[Presentation\\_Stronghold EDA\\_ws](#)  
[Signed Resolution No. 09-24.pdf](#)

**This Resolution was adopted on the Consent Calendar.**

**4B.D.** [24-006](#) A Resolution to approve the draft 2024 Annual Action Plan for HUD submittal

Presenter:  
Catherine Duarte, HUD Programs Manager, Housing and Community Vitality Department

**Attachments:** [2024 AAP Council Presentation](#)  
[2024 Action Plan Council Resolution](#)  
[2024 AAP draft for Public Comment 12-15-2023](#)  
[Signed Resolution No. 10-24.pdf](#)

**This Resolution was adopted on the Consent Calendar.**

- 4B.E. [24-026](#)** Ordinance No. 24-08 Exercising City Council's Legislative Authority Regarding the Extension of Water Service and Outside City Water and/or Wastewater Service to the Park Vista Subdivisions

Presenter:

Bryan English, PMP, Development Projects Manager, Customer Utilities Connections

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [3. FINAL - Park Vista Enclave Ordinance 20240129](#)  
[4. FINAL - EXHIBIT A - Form of Agreement to Annex Template \(Park Vista Enclaves\) 20240129](#)  
[2. FINAL - City Council PPT \(2-13-24\) Park Vista Enclaves Ordinance 20240125](#)

**This Ordinance was approved on first reading on the Consent Calendar.**

- 4B.F. [24-021](#)** Resolution Authorizing and Directing the Chief Executive Officer of Colorado Springs Utilities to Enter Into an Agreement for Standby Regional Water Service between Colorado Springs Utilities and Stratmoor Hills Water District

Presenter:

Jenny Bishop, System Project Planning, Colorado Springs Utilities  
Travas Deal, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [2 - CSU-StratmoorStandbyWaterServiceRES 2023-12-19](#)  
[3 - Stratmoor Hills Standby Service Jan 2024 FINAL](#)  
[Signed Resolution No. 11-24.pdf](#)

**This Resolution was adopted on the Consent Calendar.**

- 4B.G. [24-022](#)** Resolution Authorizing and Directing the Chief Executive Officer of Colorado Springs Utilities to Enter Into an Agreement Regarding Delivery/Exchange of Manitou Fry-Ark Project Water between Colorado Springs Utilities and the City of Manitou Springs

Presenter:

Jenny Bishop, System Project Planning, Colorado Springs Utilities  
Travas Deal, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [2 - CSU-ManitouFry-ArkProjectDeliveryRES-2023-12-19](#)  
[3 - 2024 Manitou FRY-ARK EXCHG renewal FINAL 1-29-24](#)  
[2024 Manitou FRY-ARK EXCHG renewal Appendix A - FINAL to MANITOU](#)  
[Signed Resolution No. 12-24.pdf](#)

**This Resolution was adopted on the Consent Calendar.**

- 4B.H.** [24-027](#) A Resolution Authorizing and Directing the Chief Executive Officer of Colorado Springs Utilities to Enter into an Addendum to the Agreement for Convey, Treat, and Deliver Regional Water Service between Colorado Springs Utilities and Triview Metropolitan District

Presenter:

Jenny Bishop, System Project Planning, Colorado Springs Utilities  
Travas Deal, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [2 - CSU-TriviewCTDAddendumRES\\_2023-12-19](#)  
[3 - Addendum to Triview CTD FINAL](#)  
[Signed Resolution No. 13-24.pdf](#)

**This Resolution was adopted on the Consent Calendar.**

- 4B.I.** [24-024](#) A Resolution Approving a Memorandum of Agreement Related to the Settlement of Case Nos. 15CW3019, 18CW3041, and 16CW3015, District Court, Water Division 5 State of Colorado

Presenter:

Abigail Ortega, Infrastructure and Resource Planning General Manager,  
Colorado Springs Utilities  
Travas Deal, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [2 - CSU-MOAsettlemetWaterRES\\_1-9-24 Clean](#)  
[3 - Settlement Agreement Concerning Water Rights - Final 1-3-2024](#)  
[Signed Resolution No. 14-24.pdf](#)

**This Resolution was adopted on the Consent Calendar.**

- 4B.L.** [24-019](#) A Resolution Approving a Memorandum of Understanding among Colorado Springs Utilities, the City of Colorado Springs, El Paso County, the El Paso-Teller County E911 Authority, and Teller County, to Acquire Digital Orthorectified Imagery in 2024.

Presenter:

Travas Deal, Chief Executive Officer, Colorado Springs Utilities  
Tim Scheiderer, Associate Attorney, City Attorney's Office-Utilities  
Michael Herrmann, Manager -Asset Management/Geospatial  
Technology, Colorado Springs Utilities

**Attachments:** [2 - PPGA MOU Resolution 2024](#)  
[2024 PPGA MOU FINAL](#)  
[2024 PPGA Project Summary Bullet](#)  
[2024 PPGA Project Summary](#)  
[Exhibit 1 - PPGA IGA](#)  
[Exhibit 2 - PPGA 2024 SOW](#)  
[Exhibit 3 - PPGA 2024 Cost breakdown](#)  
[PPGA 2024 presentation City Council](#)  
[Signed Resolution No. 15-24.pdf](#)

**This Resolution was adopted on the Consent Calendar.**

- 4B.M. [24-077](#)** Request for approval of a settlement amount with respect to a wastewater backup claim, located at 2707 Gomer Avenue, Colorado Springs, Colorado (“Claim”)

Presenter:  
Wynetta Massey, City Attorney

**This Informational Report was received on the Consent Calendar**

- 4B.Q. [24-062](#)** Ordinance No. 24-13 amending Ordinance No. 23-65 (2024 Budget Appropriation Ordinance) for a supplemental appropriation to the General Fund in an amount not to exceed \$2,600,000 in order to purchase real estate as part of the Nevada Avenue Reconstruction transportation projects, which will be fully reimbursed by the Pikes Peak Rural Transportation Authority (PPRTA) in 2025, per the Intergovernmental Agreement (IGA)

Presenter:  
Charae McDaniel, Chief Financial Officer  
Gayle Sturdivant, Acting Public Works Director  
Chris Fiandaca, City Budget Manager

**Attachments:** [FINAL-Ordinance-Supp Approp-Public Works land purchase](#)

**This Ordinance was approved on first reading on the Consent Calendar.**

### **Approval of the Consent Agenda**

**Motion by Councilmember Leinweber, seconded by President Pro Tem Crow-Iverson, 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 9-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

## **5. Recognitions**

### **5.A. [24-060](#) City Council Appointments to Boards, Commissions, and Committees**

Presenter:

Randy Helms, Council President and Councilmember District 2

**Attachments:** [02132024 Boards Commissions and Committee Appointments](#)

President Helms presented the City Council Appointments to Boards, Commissions, and Committees.

**Motion by Councilmember Henjum, seconded by Councilmember Donelson, that the Appointments to City Council Boards, Commissions, and Committees be approved. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

## **6. Mayor's Business**

There was no Mayor's Business.

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

Citizens Bettina Kennedy, Renee Bendrick, Janet Wagner, Kathryn Czukas, and Laurie Mehegan spoke against the proposed Blodgett Open Space Plan.

Citizen Corey Sutella spoke in favor of the proposed Blodgett Open Space Plan.

Citizen Kandy Lewis spoke about human rights.

Citizens Debra Caine, Shane Hood, Barbara Berry, Marshall Law, Bradley Elliott, Kurt Haehl, Carolyn Becker-Tuccio, Max Kronstadt, Reverend Candace Woods, Samantha Christiansen, Shaun Walls, Genevieve Richard, Jonathon Christiansen, Jackie Othan, Joe Nangels, Maryah Lauer, and Molly Avion Marah Fitsinger, Electra Johnson, and David Behr spoke about the need for additional warming shelters, housing, and assistance for people experiencing homelessness and the issues they have encountered at the Springs Rescue Mission.

Citizen Bruce Hamilton requested City Council be paid a living wage.

Citizen Charles Barber spoke about the need for clean drinking water.



## **8. Items Called Off Consent Calendar**

- 4B.J.** [24-025](#) Ordinance No. 24-09 Adding New Language to Article 10 of Chapter 12 (Utilities) of the Code of Colorado Springs 2001, as Amended, Pertaining to the Colorado Springs Underground Damage Prevention Safety Program (CSUDPSP or the Program).

Presenter:

Melissa Brown, Energy Regulatory and Compliance Manager, Colorado Springs Utilities

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [2 - CSU-Article10ORDredlines-2024-01-03](#)

[3 - CSU-Article10ORD-2023-12-15](#)

Melissa Brown, , Energy Regulatory and Compliance Manager, Colorado Springs Utilities (CSU), presented the Ordinances adding new language to Article 10 of Chapter 12 (Utilities) of the City Code pertaining to the Colorado Springs Underground Damage Prevention Safety Program (CSUDPSP) and adding new language to Article 1 of Chapter 12 (Utilities) of the City Code pertaining to Underground Excavation Regulations. She stated the scope and impact are regarding adding stop work authority to third party excavators and it would be in accordance to stopping unsafe dig practices in accordance with dig laws and code that are already existing. She gave an example of a third-party excavator who is digging in an area without locates.

Councilmember Donelson requested additional information regarding locates. Ms. Brown stated locates, by law, are required when doing any excavation or digging and identify utility infrastructure that is located underground as well as telecom cable and things of that nature.

Ms. Brown provided a brief background, the reason behind the changes, total damages, audit results, and requested change to reduce damages.

Councilmember Donelson asked Ms. Brown to define third party excavator. Ms. Brown stated the third-party excavator is a contractor that is not working on behalf of CSU that is hired by other businesses in the community that are performing excavation work. Renee Congdon, City Attorney's Office, stated CSU already has the authority to issue a stop work order against a property owner so this does not change that provision, and this is more in line with if a fiber company is excavating on private property which was not at the request of the property owner.

**Motion by Councilmember Leinweber, seconded by Councilmember Talarico, that the Ordinance adding language to Article 10 (Underground Damage Prevention Safety Program) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to underground excavation regulations, to further the Programs' ability to prevent underground damages be approved on first reading. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

**4B.K. [24-023](#)** Ordinance No. 24-10 Adding New Language to Article 1 of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Underground Excavation Regulations.

Presenter:

Melissa Brown, Energy Regulatory and Compliance Manager, Colorado Springs Utilities

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

**Attachments:** [2 - CSU-AbatementORDredlines 2024-01-03](#)

[3 - CSU-AbatementORD 2023-12-15](#)

Please see comments in Agenda item 4B.J.

**Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the Ordinance adding language to Article 1 (Underground Damage Prevention Safety Program) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to underground excavation regulations, to further the Programs' ability to prevent underground damages be approved on first reading. The motion passed by a vote of 9-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

**4B.N. [24-034](#)** The City Clerk reports that on January 3, 2024 there was filed with her a petition for the annexation of PTAA Addition No 1 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [Memo to Clerk Annexation Petition.doc](#)

[PTAA - Annexation Plat.pdf](#)

[PTAA - Petition.pdf](#)

[PTAA - SOA.pdf](#)

[PTAA Vicinity Map.docx](#)

[PTAA Legal Description.pdf](#)

Councilmember Risley stated his company is part of the design team for this project and even though he believes he can remain fair and impartial will recuse himself.

**Motion by Councilmember Avila, seconded by Councilmember Talarico, to refer the petition and map for PTAA Addition No 1 Annexation to the City Administration to determine whether the petition and map substantially comply with the requirements of the Municipal Annexation Act of 1965 and City Code be approved. The motion passed by a vote of 8-0-0-1**

**Aye:** 8 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, and Talarico

**Recused:** 1 - Risley

- 4B.O.** [ZONE-23-00](#) Ordinance No. 24-11 amending the zoning map of the City of Colorado Springs pertaining to 7500 square feet located at 903 Swope Avenue from R-1 6 (Single-Family - Medium) to R2 (Two-Family).  
[25](#) (Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:

Austin Cooper, Planner II, Planning + Neighborhood Services.

Peter Wysocki, Director, Planning + Neighborhood Services

**Attachments:** [Staff Report](#)

[Conceptual Site Plan](#)

[903 Swope- Ordinance](#)

[Exhibit A and B](#)

[Public Comments](#)

[Public Comment Response Letter](#)

[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

[CPC Minutes](#)

[903 Swope ZC Staff](#)

Councilmember Donelson stated that they are not only setting a hearing date, but they are also voting to approve the zone change on first reading and therefore, he will be voting no.

**Motion by Councilmember Avila, seconded by President Pro Tem Crow-Iverson, that the ordinance amending the zoning map of the City of Colorado Springs pertaining to 7500 square feet located at 903 Swope Avenue from R-1 6**

(Single-Family - Medium) to R2 (Two-Family) for the purpose of providing notice and setting a public hearing date for February 27, 2024, to consider the 903 Swope Ave zone change ordinance be approved on first reading. The motion passed by a vote of 8-1-0-0

**Aye:** 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

**No:** 1 - Donelson

- 4B.P.** [SUBD-23-0145](#) Ordinance No. 24-12 vacating Lierman Street public right-of-way that is approximately 0.443 acres and is located between North Cascade Ave and Schafer Heights (Legislative)

Presenter:

Allison Stocker AICP, Planner II, Planning + Neighborhood Services.  
Peter Wysocki, Director, Planning + Neighborhood Services

**Attachments:** [SUBD-23-0145\\_Ord\\_Draft\\_ADS\\_20240119](#)

[SUBD-23-0145\\_Ord\\_ExhibitA\\_ADS\\_20240119](#)

[SUBD-23-0145\\_Ord\\_ExhibitB\\_ADS\\_20240119](#)

[SUBD-23-0145\\_Presentation\\_CC\\_20240126](#)

[7.5.703 VACATION OF PUBLIC STREETS OR RIGHTS-OF- WAY](#)

[SUBD-23-0145\\_Full\\_Memo\\_ADS\\_20240119](#)

President Helms stated this is only to set a hearing date.

**Motion by Councilmember Leinweber, seconded by Councilmember Talarico, that the ordinance vacating Lierman Street public right-of-way that is 0.443 acres and is located between North Cascade Ave and Schafer Heights for the purpose of providing notice and setting a public hearing date for February 27, 2024, to consider the Pikeview right-of-way vacation ordinance be approved on first reading. The motion passed by a vote of 9-0-0-0**

**Aye:** 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

## **9. Utilities Business**

There was no Utilities Business.

## **10. Unfinished Business**

There was no Unfinished Business.

## **11. New Business**

- 11.A.** [24-082](#) A Resolution Protecting The Security And Quality Of Life Of The Citizens Of Colorado Springs

Presenter:

Dave Donelson, Councilmember District 1

**Attachments:** [Resolution Protecting the Security and Quality of Life of the Citizens of COS 2-6-24](#)  
[Signed Resolution No. 16-24.pdf](#)

Councilmember Donelson presented the Resolution protecting the security and quality of life of the citizens of Colorado Springs and affirms it will not become a Sanctuary City, valuing its safety and quality of life.

Councilmember Henjum asked for the definition of the term “Sanctuary City”. Ben Bolinger, Legislative Counsel, City Attorney’s Office, stated he does not believe there is a legal definition of “Sanctuary City”.

Councilmember Henjum asked that given that there is no legal definition, what is the impact of City Council passing this Resolution. Mr. Bolinger stated he does not believe this Resolution has any legal impact, and it is a political statement.

Councilmember Henjum asked if El Paso County is working with the City and the Pikes Peak Regional Office of Emergency Management (PPROEM) to prepare for any contingencies. Jamie Fabos, Chief of Staff, stated the Administration invited them to a planning meeting but they declined.

Councilmember Henjum asked if the City Council has the power to compel the County to work with the City through PPROEM. Ms. Fabos stated PPROEM is a joint agency and both the City, and/or the County has the authority to act independently or together.

Councilmember Henjum asked how this recent news has impacted the City. Ms. Fabos stated they are aware that with a humanitarian crisis happening approximately sixty miles north of the City, there is a very real possibility for impacts and it would be vastly irresponsible for the City not to prepare for that so they are working with PPROEM to look at any hypothetical situation that could reasonably be anticipated, assess resources, and figure out how to would respond if it were to happen.

Councilmember Henjum requested the status of individuals in the City who have immigration status as an asylee and if there is an immigration crisis in Colorado Springs. Ms. Fabos stated there is not an immigration crisis in Colorado Springs right now, but there is certainly one in Denver, CO and they have been in touch with people throughout the state so they can

continue to monitor what is happening. She stated they are aware of twenty-one families having come through Colorado Springs and as of Friday, February 9, 2024, they were aware of nine remaining families receiving shelter and are not aware of any large buses or charter transport. She stated the one group arrival they heard about two weeks ago is believed to have been sent by a Denver area nonprofit and they checked with the City of Denver and Department of Health and Services (DHS) and they did not have any knowledge or coordination with that.

Councilmember Henjum asked if the City is spending any money on this crisis. Mr. Bolinger stated the after the budgets are passed, they are administered by the Mayor's Office. Ms. Fabos stated after City money is awarded to support non-profit partners, it is up to them to serve their missions.

Councilmember Henjum asked about the legal status of people who are crossing the border. Ms. Fabos stated they have been told by the State level Office of Emergency Management that the majority of the people they are seeing have gone through Customs and Border Patrol and have received an Alien Identification (AI) number which they are issued pending a hearing seeking asylum status but one of the issues is that these hearings are being pushed out one to three years from now because of the immense backlog.

Councilmember Donelson asked if there is any more recent information. Ms. Fabos stated the information they received was as of last Friday, February 9, 2024. Councilmember Donelson asked if they are seeking any additional information. Ms. Fabos stated the PPROEM has been having regular calls with the City and State for the past six months.

Councilmember Donelson asked if Denver, CO is now housing illegal immigrants in hotels here in Colorado Springs because the hotels in Denver are full. Ms. Fabos stated they have told the City that they have not considered using hotels in this area.

Councilmember Donelson stated The Gazette ran a front-page article that stated there were 1,200 illegal immigrants/undocumented persons being treated in our hospitals locally in 2023. Ms. Fabos stated they spoke with the CEO of Memorial Central who clarified that information came from the State and the criteria they used was someone who did not have or did not

know their Social Security number which does not necessarily tie to immigration status.

Councilmember Donelson requested the Administration be more proactive in finding out how many immigrants are in the City. Ms. Fabos stated the local nonprofits do not ask for immigration status, the City cannot compel them to ask, and nor would the City be interested in interfering with the mission of a nonprofit.

Councilmember Donelson asked if the City intends to spend taxpayer money on illegal immigrants. Ms. Fabos stated the City is not a sheltering organization, they would work with its nonprofit partners who have those resources, and if there was a fire, the Colorado Springs Fire Department (CSFD) would respond and if there was a situation unsafe in the City, the Colorado Springs Police Department (CSPD) would respond.

Citizens Paulette Hubbard, Phyllis Dunn, Nyx Archuleta-Henderson, Karin White, Reverend Lee Ann Bryce, Kate Beall, Gloria Martinez, Anna Wermuth, Susan Bolduc, John Lynch, Brianne Smith, Barbara Bowen, Katherine Czukas, Woody Longmire, Nadya Benitez, Jennifer Cecil, Samantha Christiansen ceded their time to Jerima King, Electra Johnson, Vicky Witte, Siena Mann, Genevieve Richard, Marah Fitsinger, Molly Avion, Patricia Reitwiesner, Abigail Tenney, Karyna Lemus, Brown Bryce, Thea Roland, Arlene Bjugstad, Luke Letscher, Maryah Lauer, David Behr, Matthew Jones, Charles Johnson, Jonathan Christiansen, Steve Clement, Susan Permit, Pablo Capistrano, and Jackie Othan spoke in opposition of the proposed Resolution.

Citizen Michael Cole spoke about making the Department of Justice (DOJ) responsible for illegal immigrants.

Citizens Kiven Waid, Julianne Wilson, Mary Ann Robertson, Jean Hamilton, Chenoa Flick, Skippy Poland, and Candy Boyer spoke in favor of the proposed Resolution.

Citizen Alvin Sexton spoke about how immigration law is controlled by the Federal Government and the City needs to focus on preparing for a crisis.

Councilmember Henjum stated she does not support this Resolution because she feels it is unnecessary, has no legal authority and adds

nothing to what the Mayor has already affirmed about Colorado Springs status as a non-sanctuary city and his intention to continue planning to meet whatever challenges may come.

Councilmember Talarico stated her constituents believe this is gross misuse of the City Council platform, she read a statement from one of her constituents, and stated she will be voting no because she believes this Resolution is operating from fear which is not a good place to operate from.

Councilmember Avila spoke about her father's military service to the United States, her family's experience with discrimination, and stated the proposed Resolution is a distraction and a political ploy and she will not be supporting it.

Councilmember Donelson stated City Council often adopts Resolutions in order to make a statement and express their views on a topic, this Resolution was proposed because he and some of his colleagues are concerned about the chaos at the border with eight million people crossing the border within the past three years, the City does not have the budget to support being a Sanctuary City, Denver, CO is suffering greatly right now, their medical system is under a lot of stress with \$136 million deficit, Colorado Springs local medical system is under stress, and he is proud to be voting yes on it today.

**Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Resolution protecting the security and quality of life of the citizens of Colorado Springs be adopted. The motion passed by a vote of 6-3-0-0**

**Aye:** 6 - Crow-Iverson, Donelson, Helms, Leinweber, O'Malley, and Risley

**No:** 3 - Avila, Henjum, and Talarico

## **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, President



Helms adjourned the meeting at 4:30 PM.

Sarah B. Johnson, City Clerk