



# City of Colorado Springs

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

## Meeting Minutes Council Work Session

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Monday, June 24, 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** 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

### 2. Changes to Agenda

There were no Changes to Agenda.

### 3. Regular Meeting Comments

Councilmember Donelson asked what time the Arrowswest public hearing will be held at the June 25, 2024 City Council meeting. President Helms stated it will be held at 1:00 PM or later.

### 4. Review of Previous Meeting Minutes

**4.A.** [24-298](#) City Council Work Session Meeting Minutes June 10, 2024

Presenter:  
Sarah B. Johnson, City Clerk

**Attachments:** [6-10-24 City Council Work Session Meeting Minutes Final](#)

The minutes of the June 10, 2024 Work Session were approved by

Consensus of City Council.

## **5. Executive Session**

### **5A. Open**

- 5A.A. [24-293](#) Jason Hansen v. Connor Wallick, Colorado Springs Police Department and the City of Colorado Springs 24CV30795

Presenter:

Wynetta Massey, City Attorney

**Attachments:** [24-293 Council Memo Hansen](#)

Young Shin, Associate Attorney, City Attorney's Office, stated with the recommendation of the Civil Action Investigation Committee, the City is requesting authorization to defend the City employee.

President Helms polled City Council regarding authorizing the City to represent the Officer. Consensus of City Council agreed.

### **5B. Closed**

There was no Closed Executive Session.

## **6. Presentations for General Information**

- 6.A. [24-306](#) University of Colorado - Colorado Springs Hometown Education Resources and Opportunity's Empowering Servicemembers Scholarship

Presenter:

Corrie West, Senior Director of Development, University of Colorado - Colorado Springs

**Attachments:** [240624\\_UCCS\\_City\\_Council\\_Presentation](#)

Jen Furda, Director of Partnerships, Governmental Affairs and Military Liaison University of Colorado - Colorado Springs (UCCS) introduced Corrie West, Senior Director of Development, UCCS, who presented the UCCS Hometown Education Resources and Opportunity's Empowering Servicemembers (HEROES) Scholarship. She provided an overview of the community campaign, scholarship fund, support of those who serve, goal, top program enrollment, community impact, and how people can help.

President Helms asked if this scholarship would impact other tuition benefits offered to active-duty military personnel. Ms. West stated the State supports National Guard personnel very well so they would not qualify for the scholarship but this scholarship would be an add on to the maximum

amount of government tuition assistance active duty military personnel may receive.

President Helms asked if this scholarship is only available to active-duty military members. Ms. Furda confirmed it is.

Councilmember Talarico asked how many active-duty military personnel are currently enrolled at UCCS. Ms. West stated less than one hundred.

## **7. Staff and Appointee Reports**

### **7.A. [24-297](#) Agenda Planner Review**

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [Agenda Planner Review 6-24-24](#)

There were no comments on this item.

## **8. Items for Introduction**

### **8.A. [24-285](#) A Resolution Approving An Economic Development Agreement Between The City Of Colorado Springs And Project Sunscreen**

Presenter:

Jessie Kimber, Economic Development Officer

Shawna Lippert, Economic Development Manager

**Attachments:** [RES ProjectSunscreen 2024](#)

[EDA Sunscreen Draft 05-31-2024](#)

[Sunscreen EDA Presentation Work Session](#)

Jessie Kimber, Economic Development Officer, presented the Resolution approving an Economic Development Agreement (EDA) between the City and Project Sunscreen. She provided an overview of Project Sunscreen, proposed EDA, EDA requirements, four-year and ten-year expansion/retention/combined: economic impact, incentives, and fiscal impact. Ms. Kimber went over the financial safeguards and staff recommendation.

Councilmember Avila requested the lowest and highest wages for this company. Ms. Kimber stated she will provide that information.

### **8.B. [24-296](#) A Resolution Approving an Economic Development Agreement between the City Of Colorado Springs and Project Lightspeed**

Presenter:

Jessie Kimber, Economic Development Officer  
Shawna Lippert, Economic Development Manager

**Attachments:** [RES ProjectLightspeed 2024](#)  
[EDA Lightspeed Draft 06.17.2024](#)  
[Lightspeed EDA WorkSession ppt-V2](#)

Jessie Kimber, Economic Development Officer, presented the Resolution approving an Economic Development Agreement (EDA) between the City and Project Lightspeed. She provided an overview of Project Lightspeed, proposed EDA, EDA requirements, four-year and ten-year expansion/retention/combined: economic impact, incentives, and fiscal impact. Ms. Kimber went over the financial safeguards and staff recommendation.

President Helms stated he supports these types of projects because there is no risk to the City.

Councilmember Avila asked if these organizations would come to Colorado Springs even without the incentives. Ms. Kimber stated they are always in competition with other regions for these types of businesses and incentives are just one of the tools offered, many companies do not even apply for incentives due to the cost of hiring an accountant, and another program they offer to businesses is the Rapid Response Program.

Councilmember Donelson asked if these incentives are reviewed by Colorado Springs Utilities (CSU). Ms. Kimber stated they are reviewed by CSU, the Chamber of Commerce, the Office Of Economic Development International Trade, the City, and the County.

Councilmember Donelson requested that future presentations on projects with significant water or electricity usage be included as part of the Agenda packet. Ms. Kimber confirmed they would.

**8.C.    [24-243](#)**      A Resolution to Amend Resolution No. 208-23 Increasing the 2024 Mesa Drainage Basin Fee

Presenter:

Richard Mulledy, P.E., Deputy Public Works Director, Enterprises;  
Erin Powers, P.E., Stormwater Compliance Program Manager

**Attachments:** [DrainageBasinFeeRES-2024-06-03](#)  
[Exhibit A Proposed 2024 Fee Schedule](#)  
[Exhibit B - Resolution 208-23](#)  
[Mesa Drainage Fee Increase Presentation Final](#)  
[Signed Resolution No. 59-24.pdf](#)

Richard Mulledy, Deputy Public Works Director, Enterprises, presented the Resolution increasing the 2024 Mesa Drainage Basin Fee. He provided an overview of the Drainage Basin Fee Program, Drainage Fee determination, proposed adjustment to \$31,445 per acre for the Mesa Drainage Basin Fee, and Drainage Fee modification.

Councilmember Donelson asked if the parties affected by the increase are aware that this item will be voted on at the June 25, 2024 City Council meeting. Mr. Mulledy confirmed that even though there are not any City Code requirements, stakeholders are notified at the start of the process when it goes to the Drainage Board and throughout the rest of the process.

**8.D.**     [24-277](#)

An Ordinance of the City of Colorado Springs determining it is necessary to establish the Old Colorado City Downtown Development Authority and submitting a question of creating the Old Colorado City Downtown Development Authority, a question of establishing an ad valorem tax mill levy at a rate not to exceed five mills within the boundaries of said district, a question of exempting revenues collected for the Old Colorado City Downtown Development Authority from Article X, Section 20 of the Colorado Constitution, Section 7-90 of the Charter of the City of Colorado Springs, and statutory revenue limitations, and a question of authorizing the issuance of debt for the Old Colorado City Downtown Development Authority by the City of Colorado Springs at the election on November 5, 2024, and authorizing certain other actions concerning the election, determining organizational aspects of the Old Colorado City Downtown Development Authority Board, and providing other details related thereto.

Presenter:

Jamie Giellis, President, Centro Inc.

**Attachments:**   [ORD Old Colorado City DDA-Creation](#)  
[OCC DDA Presentation for City Council - FINAL June13-24](#)

Jamie Giellis, President, Centro Inc., Consultant to Old Colorado City (OCC) Partnership, introduced Sarah Voss, President, OCC Partnership Board, provided a brief history of the OCC Partnership Board and the necessity to establish the OCC Downtown Development Authority (DDA).

Ms. Giellis provided an overview of the plan for OCC's future, their approach, participation in initial engagement, questions asked, vision for OCC, challenges to address, deciding on a tool to support OCC, focus areas for funding/leadership, and framework for the plan of development. Ms. Giellis identified the exploratory district boundary, demographics of the area, potential tools for OCC, stakeholders for DDA formation, DDA funding/financing, Tax Incremental Financing (TIF), cost, and leveraging

additional funding. She went over the second round of engagement, Board vacancies, DDA creation process, DDA election funding, and DDA Plan of Development.

Councilmember Henjum asked if the postcards which were mailed out included the residents on both sides of West Pikes Peak Avenue and West Cucharras Street. Ms. Giellis confirmed it did.

Councilmember Henjum asked if the results of the survey are available to the public. Ms. Giellis stated they will be once they have updated their website.

Councilmember Henjum stated she is concerned about the TIF requiring more new development and OCC will remain historic, quaint, and unique. Ms. Giellis stated the TIF will be on both property and sales tax which will be very small to start, but this is a long-term plan for OCC.

Councilmember Henjum asked why some residents will be excluded from the DDA, Ms. Giellis explained that the only residential included are residential parcels which touch Colorado Avenue.

Councilmember Henjum asked if residential property owners which will be included have been notified. Ms. Giellis confirmed they have.

Councilmember Donelson requested the amount of the assessed value on the residential properties. Ms. Giellis stated it is an estimated average of \$32,706, which at five mills would be an assessment of about \$138 per year for property tax.

Councilmember Donelson requested the assessed values of the top twenty homes. Ms. Giellis stated she will provide that information.

Councilmember Donelson asked how many surveys were distributed and returned. Ms. Giellis stated they only gave the second round of surveys to the thirty-one participants who attended the workshops.

Councilmember Henjum asked if a Business Improvement District (BID) was presented as an option during the workshops. Ms. Giellis confirmed it was during the first round of workshops.

Councilmember Talarico asked if voters will receive detailed information regarding the DDA prior to voting. Ms. Giellis explained that there is an upfront petitioning process, work plan which details the operations, and then it goes to City Council.

Councilmember Talarico asked what the impact would be if the DDA does not pass. Ms. Giellis stated they will be working to educate people so that it does pass.

Councilmember Talarico asked why the DDA is being recommended. Ms. Giellis stated it is not the easiest pathway for this area, but due to the nodes of activity along the corridor which are disconnected, the long-term opportunity for OCC stakeholders and the City as a whole, the need for a bigger strategy/ vision for the area, it is legally capped at five mills, allows the neighborhood to recapture the taxes, and be guaranteed to come back.

Councilmember Donelson asked who will get to vote regarding the formation of the DDA. Ms. Giellis stated commercial property owners, businesses which hold the lease on a property within the DDA, residential property owners, and residents who live within the DDA boundaries and are registered to vote there.

Councilmember Donelson asked if all business co-owners get to vote. Ms. Giellis stated they do not, the LLC must designate a voter to vote on its behalf.

Councilmember Henjum asked how a BID would compare to the DDA. Ms. Giellis stated a BID would have to have a mill levy of thirteen mills and would only be for businesses.

Councilmember Henjum asked when City Council would need to vote on this. Ms. Giellis stated July 9 and July 24, 2024.

Councilmember Risley asked how residential property is determined. Ms. Giellis stated that information is provided by the Assessor's Office.

Councilmember Risley asked what they anticipate the implication will be for the residential parcels. Ms. Geillis stated they do not anticipate there will be significant implications for the residential mix.

Councilmember Risley asked why there was not more public engagement in the second round of surveys. Ms. Giellis stated that because the process is very complicated, they only surveyed the people who showed up for the workshop for the second round of surveys.

**8.E.**     [24-304](#)

An Ordinance Repealing Ordinance 22-10 and Dissolving The Sustainability Advisory Board

Presenter:

Nancy Henjum, Councilmember District 5

David Leinweber, Councilmember At Large

**Attachments:** [Ordinance Dissolving Sustainability Advisory Committee](#)

Councilmember Henjum introduced the Ordinance dissolving the Sustainability Advisory Board.

Michael Montgomery, Deputy City Council Administrator, stated it has been determined that the Board no longer serves a legislative function as it relates to City Council, and it is instead a function of the executive branch subject to oversight and supervision by the Mayor.

Ryan Trujillo, Deputy Chief of Staff, provided a brief history of the Sustainability Advisory Board, the role of sustainability within the City, and went over the Waste Characterization Study.

There were no comments on this item.

**8.F.     [24-302](#)**     A Resolution Referring Building Height Limits to the November 2024 Ballot

Presenter:

Dave Donelson, Councilmember District 1

Ryan Tefertiller, Planning Manager, Urban Planning Division

**Attachments:** [Building Height Presentation for City Council 062424](#)

Councilmember Donelson introduced the Resolution referring the initiative of building height limits to two hundred forty-eight feet to the July 9, 2024 City Council meeting to be discussed, and possibly be referred to the November 2024 ballot. He read several citizen emails which are in favor of the proposed building height limit, stated there is an online petition in support of building height limits with approximately five thousand signatures, and read draft ballot language prepared by City Council staff.

Ryan Tefertiller, Planning Manager, Urban Planning Division, provided an overview of the zoning history, tallest buildings in the City, tallest building research, 2007 through 2009 planning and zoning changes, FBZ Sectors, Sectors, and building height.

Councilmember Donelson asked what the purpose of the building setbacks. Mr. Tefertiller stated there was not a purpose statement listed in the 1968 City Code, but it would allow for more light and air.

Councilmember Donelson requested the street boundaries for the proposed Ordinance. Mr. Tefertiller stated the north boundary is Kiowa Street which is a block South of Acacia Park, the east boundary goes along the Colorado Avenue corridor, the central sector extends east of Wasatch Avenue, further south, the boundary for the most part is Nevada



Avenue, or the alley just west of Nevada Avenue, and the south boundary is largely Moreno Avenue down to Rio Grande Street west of Sahwatch Street, and the west boundary for the most part is Fountain Creek/American Beautiful Park/Monument Valley Park to the north.

President Helms asked how much of this area is undeveloped. Mr. Tefertiller stated they did an analysis in 2008/2009 which showed a lot of potential for redevelopment.

President Helms stated the only part of downtown which does not already have building height restrictions is the central Sector.

President Helms stated the decision which needs to be made is whether to let the free market decide the building height and number of floors.

Councilmember Risley read some of the statistics from the 2023 Downtown Partnership Annual Report and asked what happens to an urban core when caps are placed on it. Mr. Tefertiller stated one of the overarching goals/benefits of the FBZ was predictability and the review criteria would not be subjective.

Councilmember Donelson stated what makes Colorado Springs unique is its surroundings such as Pikes Peak and small-town characteristics and they will lose that if the downtown mimics other very large cities.

Councilmember Henjum requested additional information regarding the El Paso County Courthouse. Mr. Tefertiller stated in the early 2000s, their initial design included a six or seven story building, but after discussion with the City staff, there was a compromise decided which pushed their bulk and scale westward and lower and preserved the view corridor from the Katherine Bates statue.

Councilmember Henjum requested the process for when the Downtown Review Board (DRB) does not approve a project. Mr. Tefertiller stated the DRB is a nine member board made up of Council appointees specific to projects/new construction with the downtown FBZ, those projects can be reviewed and approved Administratively when all the City's quantifiable standards are met, but if a project needs relief from a standard or if they are a restricted use, then the project is referred to the DRB and they hold a public hearing and any decision made by the DRB is appealable to City Council. He stated staff also has the authority to refer a project to the DRB even if all the quantifiable standards are met.

Councilmember Risley requested the cost for putting this initiative on the ballot. Sarah B. Johnson, City Clerk, stated for General Federal Election in

November 2024, the cost is determined by the El Paso County Clerk, a number of factors come into play, but historically the rough estimate is \$400,000 to \$600,000.

Councilmember Donelson asked what the cost would be if there was already another initiative such as Issue 2C referred to the ballot. Ms. Johnson stated it depends on if the question requires a Taxpayer Bill of Rights (TABOR) notice or longer ballot paper which would add to the cost, and they will not know the exact cost until City Council actually refers an item to the ballot and the City receives an estimate from the El Paso County Clerk.

Councilmember Leinweber polled the audience to see if there were any downtown business owners present, which there were not, asked if the online poll of five thousand petition signers were verified citizens within the City and if each person only signed once, and stated planning requires a broader scope to where the whole community is represented rather than just a single issue. Councilmember Donelson stated this needs to be referred to a regular City Council meeting so the business community can provide their input, the Change.org petitions are not perfect, but it still represents thousands of residents from Colorado Springs, and City Council owes it to them to have a full discussion and to vote on it. He stated downtown has flourished without skyscrapers and young people will still move to the City without them present.

President Pro Tem Crow-Iverson stated City Council was elected to make land use decisions, she supports Councilmember Donelson's request to refer it to a regular City Council meeting, she fundamentally believes in private property rights, City Council needs to adopt a Resolution to update the 2016 Experience Downtown Master Plan with comprehensive stakeholder engagement/Councilmember liaisons and adding one or two more building is not going to affect the downtown view.

President Helms stated having a taller building downtown is not going to affect the City's majestic skyline, developers are not going to risk their investment with something extremely tall and out of character, and there are other citizens who do not share the opinion that there should be a building height limit.

Councilmember Leinweber and Councilmember Talarico stated they support President Pro Tem Crow-Iverson's suggestion for a comprehensive engagement with all stakeholders in order to obtain more information.

Councilmember Donelson stated City Council is supposed to support the

citizens and to not put it on the ballot because it might pass is very sad, just because a citizen does not live downtown, does not mean they do not get to have an opinion on downtown, and Council should not stop this measure at this Work Session, a robust process was already done in 2009, so it should be referred to a regular City Council meeting to be voted on.

President Helms polled City Council as to if they want to refer this item to a regular City Council meeting. A majority of City Council did not agree to move this item forward.

President Pro Tem Crow-Iverson suggested that Council move forward with the Resolution to initiate the update of the 2016 Experience Downtown Master Plan with comprehensive stakeholder engagement, and she will provide a draft to circulate. Councilmember Talarico stated she supports this suggestion.

## **9. Items Under Study**

- 9.A. ANEX-24-00** Neagle-Dutcher Family Addition Annexation consisting of 1.01 acres  
**08** located at 4105 Date Street.  
(Legislative)

Presenter:

Tamara Baxter, Planning Supervisor, Planning + Neighborhood Services  
Kevin Walker, Interim Planning Director, Planning + Neighborhood Services

**Attachments:** Staff Report - Neagle-Dutcher Family Addition #1  
Attachment 1\_Petition  
Attachment 2\_Project Statement  
Attachment 3\_Land Use Statement  
Attachment 4\_Public Comments  
Attachment 5 - Public Comment Response  
Attachment 6\_Annexation Plat  
Attachment 7\_Legal Description  
Attachment 8\_Draft Annexation Agreement\_6.4.24  
Attachment 9a - Zone Change Exhibit A  
Attachment 9b - Zone Change Exhibit B  
Attachment 10\_Mineral Estate Owner Notification Affidavit

Tamara Baxter, Planning Supervisor, Planning and Neighborhood Services, provided brief overview for the proposed Neagle-Dutcher Family Addition Annexation, vicinity map, and guidelines.

Councilmember Henjum commented that the Park Vista enclave has had

stormwater issues which will cost the City to address, and as the City continues to annex in parcels, creating enclaves is generally not a great idea.

- 9.B. ANEX-23-00** Brass-Oliver Addition No. 2 Annexation consisting of 1.82 acres located  
**16** at 7830 Black Forest Road.  
(Legislative)

Presenter:

Tamara Baxter, Planning Supervisor, Planning + Neighborhood Services  
Kevin Walker, Interim Planning Director, Planning + Neighborhood Services

Tamara Baxter, Planning Supervisor, Planning and Neighborhood Services, provided brief overview for the proposed Brass-Oliver Addition No. 2 Annexation, vicinity map, and guidelines.

President Helms asked if Woodman Road runs along the southern boundary of this property. Ms. Baxter confirmed it does.

## **10. Councilmember Reports and Open Discussion**

Councilmember Donelson requested Colorado Springs Police Department (CSPD) track crimes by the residency/immigration status of who is committing them. Jamie Fabos, Chief of Staff, stated Adrian Vasquez, Police Chief, CSPD, is looking into the legal implications of collecting or giving out that information and she think that question would have to go to the District Attorney because he would be a better authority on that. President Helms, President Pro Tem Crow-Iverson, and Councilmember Leinweber stated they would also like to receive that information. Councilmember Avila stated she finds this proposition very disturbing because CSPD does not work for United Immigration and Naturalization Service (INS), it is a very slippery slope, and most crimes are committed by American citizens, not new immigrants whether undocumented or documented, and she would hate for City Council to go down this road.

President Helms stated he, City Council, Mayor Yemi, and the Administration celebrated Flag Day on June 13, 2024 by honoring three veterans, two World War II veterans and one Korean War veteran, he attended the Western Street Breakfast to kick off the Pikes Peak or Bust Rodeo on June 20, 2024, which helps financially support military and their families, and on June 21, 2024, he attended the convention of the National American Gold Star Mothers Organization which are the families who lost a loved one or family member in defense of the nation.

**11. Adjourn**

There being no further business to come before City Council, President Helms adjourned the meeting at 2:39 PM.

Sarah B. Johnson, City Clerk