



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, March 25, 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 10:03 AM.

Present 6 - Councilmember Yolanda Avila, Councilmember Dave Donelson, President Randy Helms, Councilmember Nancy Henjum, Councilmember David Leinweber, and Councilmember Michelle Talarico

Excused 3 - President Pro Tem Lynette Crow-Iverson, Councilmember Mike O'Malley, and Councilmember Brian Risley

Councilmember Avila arrived at 11:44 AM.

2. Changes to Agenda

There were no Changes to Agenda.

3. Regular Meeting Comments

There were no Regular Meeting Comments.

4. Review of Previous Meeting Minutes

4.A. [24-162](#) City Council Work Session Meeting Minutes March 11, 2024

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [3-11-24 City Council Work Session Meeting Minutes Final](#)

Councilmember Henjum requested her statement in Agenda item 8.A. from

the March 11, 2024 Work Session be amended from “Councilmember Henjum asked if it was a benefit to the residents and the City of Cimmaron Hills for it to be an enclave.” to “Councilmember Henjum asked if it is a benefit to the City and the residents of Cimmaron Hills for it to be an enclave.” Sarah B. Johnson, City Clerk, stated she will make that correction.

President Helms stated Councilmember O'Malley and Councilmember Henjum requested clarification regarding Agenda item 8.A. from the March 11, 2024 Work Session concerning a statement from Tristan Gearhart, Chief Planning and Financial Officer, Colorado Springs Utilities (CSU). Ms. Johnson stated she will research that information and amend the minutes.

The minutes of the March 11, 2024 Work Session were approved as amended by Consensus of City Council.

5. Executive Session

5A. Open

5A.A. [24-152](#) Estate of Dizmang v. Reed, et al., Case No. 24-cv-00423-CNS-MDB

Presenter:
Wynetta Massey, City Attorney

Attachments: [24-152 2024-03-25 Council Memo](#)

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 the City employees.

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

5B. Closed

6. Staff and Appointee Reports

6.A. [24-084](#) 2023 Financial Update

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [March 2024 Financial Report 2023 Update](#)

Charae McDaniel, Chief Financial Officer, presented the 2023 financial update which included sales tax trends, 2023 preliminary General Fund (GF) summary, 2023 GF revenue/expenses, and economic indicators.

Councilmember Henjum asked when the City will be exploring additional revenue sources other than sales tax. Ms. McDaniel stated there are a number of restrictions on revenue sources other than sales tax which are also subject to the Taxpayer Bill of Rights (TABOR) limit.

Councilmember Leinweber requested a representation of the growth of the City compared to the City's revenue/expenditures. Ms. McDaniel stated it is a complicated equation due to the cost of goods and services, and population is not a factor in the TABOR calculation.

Councilmember Donelson asked what labor participation rates are. Ms. McDaniel stated it is the number of people who are unemployed and are actively looking for jobs

Councilmember Donelson stated credit card debt in the United States is at an all-time high and requested this rate be included in the next financial presentation. Ms. McDaniel agreed to include that in the next presentation.

Councilmember Talarico asked if since only \$9 million, as opposed to \$11 million, was taken out of the reserves, if that delta will go back into the reserve fund. Ms. McDaniel confirmed it would.

6.B. [24-141](#) 2024 City Council Redistricting Process and Timeline

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [City Council Work Session Redistricting Process Slides PP 3-25-24.pptx](#)
[2024 Redistricting Timeline.xlsx](#)

Sarah B. Johnson, City Clerk, provided a briefing on the 2024 City Council redistricting process which the City Charter requires the City Clerk to review the City's six City Council district boundaries every four years. She gave an overview of the current districts, district requirements, City Clerk process, Districting Process Advisory Committee selection process, the responsibilities of the committee, and the timeline.

There were no comments on this item.

6.C. [24-161](#) Agenda Planner Review

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 3-25-24](#)

There were no comments on this item.

7. Presentations for General Information

7.A. [24-170](#) Update from Springs Rescue Mission

Presenter:

Jack Briggs, President & CEO, Springs Recue Mission

Jack Briggs, President and CEO, Springs Rescue Mission (SRM), presented an update of the Springs Rescue Mission. He provided an overview of the campus, stated that their commitment is to serve their guests as they are, provide life-changing services, and offer a welcoming/safe environment for transformation. Mr. Briggs stated they want to see lives transformed and incentivize people. He explained that their mission is to mobilize the community to provide housing, health, and work services for people in need.

Councilmember Henjum requested information regarding SRM's partnership with the City. Mr. Briggs stated the City provided the seed money for the expansion of the facility in order to provide additional beds and they received money to support the services they provide but they do keep their faith-based services separate from City supported services.

Councilmember Henjum asked how many people are not allowed to enter the SRM. Mr. Briggs stated they do not have the staff to treat individuals who have a medical condition and they restrict people who are depicting violent behavior.

Councilmember Henjum requested additional information regarding the process during cold weather events. Steve Johnson, Community and Public Health Administrator, Colorado Springs Fire Department, identified the procedures and collaboration of agencies for individuals who may choose or are not allowed to seek shelter at the SRM.

Councilmember Henjum requested there be a future presentation regarding the cold weather sheltering plan going forward. Mr. Johnson agreed to provide that information.

Councilmember Leinweber asked why people perceive the SRM as unsafe. Mr. Briggs stated the very few people who have made that statement have never even been to the SRM and it is not a true fact.

Councilmember Leinweber asked how the City can address respite care. Mr. Briggs stated they are continuing to look for solutions for the issues associated with respite care.

Councilmember Leinweber asked how the SRM is involved with the judicial system. Mr. Briggs explained how they are involved with the Homeless Outreach Team, eviction court, and parole officers.

Councilmember Leinweber asked if the SRM is in favor of the new proposed sit/lie Ordinance to include the boundary within one hundred yards of any school. Mr. Briggs stated they support the Ordinance as it is today because it brings people to the SRM where they can provide them with the assistance they need.

Councilmember Henjum requested HOPECOS provide an update of their experience during the cold weather event. Melissa Oskin, Chief Executive Officer, Hope COS, stated they served 403 people, they are working to reduce that number, and introduced Joshua Trusievitz, On Point FTA, who provided security during the event and stated they encountered some individuals experiencing emotional instability/mental illness which they addressed respectively and spoke to them regarding the direness of the situation.

Councilmember Donelson asked if the unionization of people experiencing homeless is a trend throughout the United States. Mr. Briggs stated he is unsure, but the community does organize together, especially if there is a legal issue involved.

Councilmember Donelson asked why some people experiencing homelessness are speaking badly about the SRM. Mr. Briggs stated those are the individuals who dislike the rules at the SRM.

Councilmember Donelson asked if the SRM makes people leave at a certain time each day. Mr. Briggs stated they do not.

Councilmember Donelson asked if someone who has a wound would be allowed to stay at the SRM. Mr. Briggs confirmed they would be, but not if they have an injury that cannot be treated by staff at the SRM.

Councilmember Talarico requested the process for someone leaving the SRM. Mr. Briggs stated they simply collect their belongings and leave.

Councilmember Talarico asked if the SRM forces their religion on people. Mr. Briggs stated they have an exposure to faith, but not a requirement for faith.

8. Items for Introduction

- 8.A. [24-101](#) A Resolution Authorizing a Land Exchange between The City of Colorado Springs, Cloud Family Partnership, LLLP; and CSFM RE LLC Parcels

Presenter:

Richard Mulledy, PE, Stormwater Division Manager - City of Colorado Springs

Tim Biolchini, PE, Stormwater Projects Coordinator - City of Colorado Springs

Beau Thompson, PE, Civil Engineer III - City of Colorado Springs

Attachments: [Cloud Land Exchange Draft Resolution BB edits CLEAN 5-23-23 - djk 02-15-24](#)

[Cloud Resolution - Exhibits 6-2-23](#)

[Cloud Property Exchange Presentation](#)

Richard Mulledy, PE, Stormwater Division Manager presented the Resolution authorizing a land exchange between the City Cloud Family Partnership, LLLP; and CSFM RE LLC Parcels. He provided an overview of the vicinity map, City right-of-way (ROW) property, Cloud property, CSFM property, proposed Cloud exchange, proposed CSFM conveyance, and proposed City exchange.

President Helms asked if the Cloud family or the City initiated the transfer. Mr. Mulledy stated the City.

Councilmember Donelson asked if there was any objection to the exchange. Mr. Mulledy stated there was not.

- 8.B. [24-160](#) An Ordinance amending Section 415 (Appeals) of Part 4 (General Procedures) of Article 5 (Administration and Enforcement) of Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, pertaining to scheduling of hearing.
(First Reading)
(Legislative)

Presenter:

Peter Wysocki, Director, Planning + Neighborhood Services

Mike Tassi, Assistant Planning Director, Planning + Neighborhood Services

Attachments: [UDC-AppealsORD-2024-2-2](#)

[Exhibit 1 - Redline of amendment to UDC Subsection 7.5.415 -Appeals - Scheduling of Hearing](#)

Peter Wysocki, Director, Planning and Neighborhood Services, presented

the Ordinance amending City Code pertaining to scheduling of an appeal hearing. He stated the Unified Development Code (UDC) requires that a public hearing for an appeal be scheduled for the next available regular agenda of the appellate body and that it is at least twenty days after the receipt of the appeal, and it has been the experience of staff that the inflexibility of this provision of the UDC was creating scheduling conflicts for the parties involved and eliminated any flexibility for setting City Council agendas. Mr. Wysocki stated the proposed amendment provides a remedy that allows the parties, City staff and City Council a seven-day window to collectively agree on a date for the appeal that is within a thirty-to-sixty-day window after receipt of the appeal.

President Helms stated he supports this change and it will benefit both the appellant and applicant.

Councilmember Leinweber asked if the hearing could be held in less than thirty days. Ben Bolinger, Assistant City Attorney, City Attorney's Office, explained the appeal process and why they chose the thirty-day minimum time frame due to the length of time the process requires.

Councilmember Henjum asked what the benefits are. Sam Friedman, Constituent and Outreach Program Coordinator, City Council and Legislative Services, stated the biggest benefit is to City Council by vesting the authority of the City Council President and he does not see any negatives to the proposed change.

8.C. [24-111](#)

An Ordinance amending Ordinance No. 23-65 (2024 Budget Appropriation Ordinance) for a supplemental appropriation to the Conservation Trust Fund in the amount of \$567,118 to address additional operating and capital expenditures

Presenter:

Charae McDaniel, Chief Financial Officer

Chris Fiandaca, City Budget Manager

Kim King, Assistant Director - Parks, Recreation and Cultural Services

Attachments: [3-25-24 - 2024 CTF Supplemental - City Council - PowerPoint](#)
[CTFSuppAppropORD-2024-03-20](#)

Eric Becker, Parks Maintenance and Operations Manager, Parks, Recreation and Cultural Services Department, presented the Ordinance for a supplemental appropriation to the Conservation Trust Fund (CTF) in the amount of \$567,118 to address additional operating and capital expenditures. He provided an overview of the CTF, requests for a new Toro mower, Palmer Park remediation, and construction project in Grey Hawk Park, and funding plan summary.

Councilmember Henjum asked if the foundation rock could be repurposed. Mr. Becker stated they will look into that.

- 8.D. [24-143](#) An Ordinance Creating Section 452 (Eligible Affordable Housing Projects) of Part 4 (Exempt Transactions, Commodities and Persons; Deductions) of Article 7 (Sales And Use Tax) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of The Code of the City Of Colorado Springs 2001, as amended, pertaining to Eligible Affordable Housing Projects

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [SalesTaxExemptionAffordableHousingORD-2024-03-04_Clean](#)

Charae McDaniel, Chief Financial Officer, presented the Ordinance creating a new section in the Sales Tax Code to create an exemption for Affordable Housing Projects that are wholly or partially owned by a housing authority or an entity in which a housing authority has a direct ownership interest. She provided an overview of the sales tax refund for stated eligible projects which can be housing that meets the Affordable Housing income thresholds and Affordable Housing Projects that are solely owned by a developer where the Housing Authority is not involved and may still qualify for the refund but would not be eligible for the exemption.

President Helms stated the Budget Committee had concerns regarding the potential risk of an unqualified organization receiving sales tax exemption status up front instead of being reimbursed after the work has been done. Ms. McDaniel stated the City has updated ways of reducing the risk to the City and this makes it easier for developers to build affordable housing projects.

Councilmember Donelson stated he is concerned about the risk of fraud and the previous process required a Certificate of Occupancy was required to illustrate the completion of the project.

Councilmember Henjum stated she supports this proposed change because it incentivizes affordable housing projects and saves the City staff time due the time involved in the verification process.

Councilmember Henjum asked how the City will address the risk of fraud. Jackie Rowland, City Auditor, asked how the verification process will address the risk on the front side of the project. Ms. McDaniel explained that due to the pool for this type of exemption being small and the certificate being tied to a particular qualifying project, it would limit the City's exposure to fraud.

Councilmember Henjum asked if the tax-exempt project could be audited after the construction is completed. Ms. McDaniel stated they will look into that process.

Councilmember Leinweber stated he would like the City Auditor's Office to be involved in the auditing process.

Councilmember Donelson stated he is also skeptical of moving forward with this change.

8.E. [24-164](#)

An Ordinance Amending Section 202 (Definitions) of Part 2 (Definitions) of Article 1 (Administration and Enforcement) and Section 102 (Careless Driving) of Article 6 (Reckless Driving and Careless Driving) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended

Presenter:

Commander John Koch, Colorado Springs Police Department
Emily Vandenberg, Prosecuting Attorney, City Attorney's Office

Attachments: [CSPD-Careless-Ch 10-ORD-2024-03-12](#)

[2024 Careless Driving - Injury Expired Registration Display](#)

Commander John Koch, Colorado Springs Police Department (CSPD), presented the Ordinances pertaining to careless driving-injury and display of license plates. He provided an overview of the current practice, current violation information, proposed Ordinances, reasons behind the change, and implementation.

Councilmember Henjum asked why the number of citations issued decreased. Commander Koch stated it is due to staffing issues.

President Helms stated he supports this item moving forward.

Councilmember Donelson asked if the State is keeping the penalties for proof of registration. Emily Vandenberg, Prosecuting Attorney, City Attorney's Office, explained the differences between the State provisions and City provisions regarding the correct display of license plates and valid current registration displayed.

Councilmember Donelson asked what the fine would be. Ms. Vanderberg stated that the amount would be determined by Chief Municipal Judge HayDen Kane.

Councilmember Donelson asked if a person in violation would be required to pay both the State and City penalties. Commander Koch stated they cannot cite into both courts so the Officer would have to cite either

municipal or state, not both.

- 8.F. [24-165](#) An Ordinance Amending Section 202 (Definitions) of Part 2 (Definitions) of Article 1 (Administration and Enforcement) and Creating Section 232 (License Plates Displayed) of Part 2 (Vehicle Equipment and Inspection) of Article 22 (Vehicle Equipment and Inspection) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, As Amended; Pertaining to Display of License Plates.

Presenter:

Commander John Koch, Colorado Springs Police Department
Emily Vandenberg, Prosecuting Attorney, City Attorney's Office

Attachments: [CSPD-LicensePlates-Ch 10-ORD-2024-03-12](#)
[2024 Careless Driving - Injury Expired Registration Display](#)

Please see comments in Agenda item 8.E.

- 8.G. [24-166](#) An Ordinance Amending Section 104 (Right to Trial By Jury; Jail; Exceptions) of Part 1 (Trial by Jury) of Article 4 (Jury Provision) of Chapter 11 (Municipal Court) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Careless Driving.

Presenter:

Commander John Koch, Colorado Springs Police Department
Emily Vandenberg, Prosecuting Attorney, City Attorney's Office

Attachments: [CSPD-Careless-Ch 11-ORD-2024-03-12](#)
[2024 Careless Driving - Injury Expired Registration Display](#)

Please see comments in Agenda item 8.E.

- 8.H. [24-134](#) Ordinance No. 24-16 amending Ordinance No. 23-63 (An Ordinance Repealing Ordinance No. 22-89 and Adopting the City of Colorado Springs 2024 Salary Structure for Civilian and Sworn Municipal Employees) to Reclassify the Position of City Council Administrator within the Salary Schedule

Presenter:

Randy Helms, Council President

Attachments: [24-134 City Council Administrator Salary Schedule Change Ordinance](#)

President Helms presented the Ordinance to reclassify the position of City Council Administrator within the 2024 Salary Schedule to align the band/zone salary of the City Council Administrator with current job duties/responsibilities and would increase the salary of the City Council Administrator.

There were no comments on this item.

- 8.I. [24-135](#) Ordinance No. 24-17 amending Section 2(B) of Ordinance No. 23-64, And Amending Section 3 Of Ordinance No. 18-120 (An Ordinance Appointing The City Council Administrator And Setting The Salary Of The City Council Administrator), And Prescribing The Salary Of The City Council Administrator.

Presenter:

Randy Helms, Council President

Attachments: [24-135 City Council Administrator 2024 Salary Ordinance](#)

Please see comments in Agenda item 8.H.

- 8.J. [24-146](#) A Resolution Adopting the City Council's Annual Report to the Citizens for April 1, 2023 to March 31, 2024

Presenter:

Emily Evans, City Council Administrator

Alex Ryden, City Council Senior Public Communications Specialist

Attachments: [Annual Report Res 24](#)
[City Council-2024 Annual Report PROOF 1](#)

Alex Ryden, City Council Communications Specialist, gave a brief background and the process for creating the City Council annual report to the Citizens for April 1, 2023 to March 31, 2024. He identified some of the highlights for the report which included the year in review, new Councilmembers, strategic plan update, City Budget overview, City Council/Mayor collaborations, noteworthy items, community event, update of the boards/commissions/committees, Colorado Springs Utilities (CSU) Board, and legislative services. Mr. Ryden requested feedback regarding any additions or changes from City Council.

Councilmember Henjum asked how many reports have been sent out. Mr. Ryden stated he will provide that information.

Councilmember Avila asked if the currently seated Councilmembers could be listed in the section of new Councilmembers and Colorado Springs Utilities Board who are joining the current Councilmembers. Mr. Ryden agreed to include that information.

9. Items Under Study

There were no Items Under Study.

10. Councilmember Reports and Open Discussion

Councilmember Henjum stated she attended the Silver Key Meal Making event, open house event for the new Colorado Springs Utilities valves being put in at Academy Boulevard/Austin Bluffs Parkway, State of Downtown event, We Fortify fundraiser, and Colorado Springs Fire Department (CSFD) Fire Ball, and that she met the Bishop of the Anglican Church of Rwanda.

Councilmember Leinweber stated he attended the We Fortify fundraiser and State of Downtown event, and there will be a press release for an initiative for the City on Thursday, March 28, 2024, at 10:30 AM.

Councilmember Talarico stated she attended the State of Downtown, We Fortify luncheon, and read the Proclamation for Women's Month at the Pikes Peak Women event on March 20, 2024 where Councilmember Henjum was recognized for her achievements.

Councilmember Avila stated she attended the Pikes Peak Women event, John Adams School, where she was interviewed by third and fourth graders, and Harrison High School fundraiser for dance costumes/transportation.

President Helms stated he attended the CSFD Fire Ball and announced the Civilian of the Year award went to Jim Weber, the Firefighter of the Year award went to Driver Engineer Louise Pacheco, and the CSFD Career Achievement award went to Driver/Engineer Tony Seely. He stated Councilmember Leinweber and Councilmember Risley conducted a town hall meeting on March 13, 2024 and will be holding another one on April 3, 2024.

11. Adjourn

There being no further business to come before City Council, President Helms adjourned the meeting at 2:34 PM.

Sarah B. Johnson, City Clerk