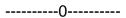
COLORADO SPRINGS, COLORADO CITY COUNCIL CHAMBERS CITY HALL – 107 N. NEVADA AVENUE JUNE 27, 2012 – 10:00 A.M.

Council met in Special Called Session.

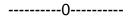
There were present: President Hente, President Pro Tem Martin, Councilmembers Bennett, Czelatdko, Dougan, Herpin, Leigh, Snider, and Williams. Also present, Mayor Bach and City Attorney/Chief Legal Officer Melcher.



1. Changes to Agenda/Postponements.

Council Administrator, Aimee Cox, requested the proposed Intergovernmental Agreement of Item No. 3-B-4 be amended on Page 2, Section 3. The last sentence should read: "The City will also notify the Sheriff via the El Paso County Emergency Communications Center within 30 minutes after receiving any call for fire suppression service at the Property."

There were no objections by City Council, to the proposed amendment.



2. **Mayor's Communications.**

Mayor Bach spoke regarding the current crisis with the wildfire, commending City Staff for their amazing efforts and commitment to protect the City's health and welfare.

CONSENT CALENDAR

3. The following items were acted upon by unanimous consent of the members present:

SECOND PRESENTATION:

- A-1. Ordinance No. 12-43 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 11-95 (2012 APPROPRIATION ORDINANCE) ADJUSTING FUNDING SOURCES FOR THE CHECKED BAGGAGE INSPECTION SYSTEM PROJECT AT THE COLORADO SPRINGS AIRPORT" was presented for final passage.
- A-2. Ordinance No. 12-44 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 11-95 (2012 APPROPRIATION ORDINANCE) IN THE AMOUNT OF \$966,000 FOR THE SECURITY CHECKPOINT EXPANSION AT THE COLORADO SPRINGS AIRPORT" was presented for final passage.
- A-3. Ordinance No. 12-45 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 11-95 (2012 APPROPRIATION ORDINANCE) IN THE AMOUNT OF \$658,076.05 FOR PRINCIPAL AND

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INTEREST PAYMENTS ON LOANS FROM THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) TO BE PAID IN CALENDAR YEAR 2012" was presented for final passage.

- A-4. Ordinance No. 12-46 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 11-95 (2012 APPROPRIATION ORDINANCE) TO INCREASE THE GENERAL FUND EXPENDITURE AND REVENUE APPROPRIATION IN THE AMOUNT OF \$25,864 FOR THE CITY'S INFORMATION TECHNOLOGY DEPARTMENT TO FUND SERVICES ASSOCIATED WITH THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COLORADO SPRINGS AND THE CITY OF FOUNTAIN REGARDING RECORDS MANAGEMENT SYSTEM HOSTING" was presented for final passage.
- A-5. CPC ZC 12-00018: (Quasi-Judicial Matter) Ordinance No. 12-47 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 10.82 ACRES BOUNDED BY JET WING DRIVE ON THE EAST, SOUTH ACADEMY BOULEVARD ON THE WEST AND ASTROZON BOULEVARD ON THE NORTH" was presented for final passage. (PBC/AO [Planned Business Center with Airport Overlay] to PF/AO [Public Facilities with Airport Overlay])

FIRST PRESENTATION:

- B-1. Ordinance No. 12-48 entitled "AN ORDINANCE AMENDING SECTION 106 (PERMITS FOR EXTENDED USE OF PARKING METERS) OF ARTICLE 15 (PARKING METER REGULATIONS) OF CHAPTER 10 (MOTOR VEHICLES AND TRAFFIC) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO PERMITS FOR EXTENDED USE OF PARKING METERS" was introduced and read.
- B-2. Resolution No. 85-12 was presented: "A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY FOR SOUTHERN DELIVERY SYSTEM PROJECT IMPROVEMENTS".
- B-3. Ordinance No. 12-49 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 11-95 (2012 APPROPRIATION ORDINANCE) IN THE AMOUNT OF \$365,970 TO UPGRADE SAFETY AND SECURITY SYSTEMS AT THE COLORADO SPRINGS AIRPORT" was introduced and read.
- B-4. Resolution No. 86-12 was presented: "A RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COLORADO SPRINGS AND EL PASO COUNTY FOR THE PURPOSES OF COOPERATION IN MITIGATING WILDLAND FIRE ON CITY PARKS PROPERTY OUTSIDE OF THE CITY LIMITS, AS RELATED TO C.R.S. 29-20-105.5".
- B-5. Resolution No. 87-12 was presented: "A RESOLUTION APPROVING THE PURCHASE OF APPROXIMATELY FIVE ACRES OF REAL PROPERTY KNOWN AS THE IRON MOUNTAIN PROPERTY WITHIN MANITOU SPRINGS".
- B-6. Resolution No. 88-12 was presented: "A RESOLUTION OVERRULING CONDITION NO. 2 OF THE PITKIN COUNTY PLANNING AND ZONING COMMISSION RESOLUTION NO. PZ-03-2012".

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Motion by Herpin, second by Martin, that all matters on the Consent Calendar, to include the amendment to Item No. 3-B-4, be passed, adopted, and approved by unanimous consent of the members present.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams

Noes: None Absent: None

LEGAL SESSION

4. 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 a Closed Executive Session. The issues to be discussed involve legal advice and negotiation consultation with the City Attorney regarding various MHS issues including legal advice regarding the structure of a public foundation to receive MHS lease proceeds.

A vote being taken to hold a Closed Executive Session:

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams

Noes: None Absent: None

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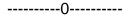
City Council recessed for Closed Executive Session.

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City Council reconvened in Open Session at 11:28 a.m.

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Councilmember Leigh was excused.



NEW BUSINESS

- 5. <u>Memorial Health System.</u>
 - 5-A. Resolution No. 89-12 was presented: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS, COLORADO, APPROVING THE PROPOSED MEMORIAL HEALTH SYSTEM OPERATION LEASE AGREEMENT AND THE INTEGRATION AND AFFILIATION AGREEMENT WITH UNIVERSITY OF COLORADO HEALTH SYSTEM, SUBJECT TO VOTER APPROVAL".

Motion by Martin, second by Herpin, that the resolution be adopted.

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Tony Joy; Linda Wise, Executive Director of the Colorado Springs Conservatory; Joe Raso, CEO and President of the Chamber and EDC; Pamela S. Shockley-Zalabak, Chancellor and Professor of Communication at the University of Colorado, Colorado Springs; Heidi Vasfield, Childrens Hospital Colorado; and Dan May, District Attorney, spoke in support of the proposed resolution.

Eric Frederick, Board Member of the Colorado Springs Police Protective Association (CSPPA), stated it is necessary and prudent to establish specific parameters around the large amount of funds that will be coming in to the City coffers and recommended an entity or foundation be set up and managed by a separate Board; that the CSPPA requests an amount be set aside from these funds to help relieve the burden the City Health Care Plan is placing on City retirees.

Larry Royal stated if the Special Election were not held in August, it would save approximately \$450,000 and inquired what the urgency was for a special election.

Walter Lawson stated there have not been answers to the public's questions and concerns from the City Council Meeting of June 12, 2012, to be able to prepare for today's Council meeting and requested Council create work sessions so people can get answers to their questions. He also requested that before a medical school is established, money be allocated to fund a shortage of primary care doctors.

In response to questions and comments, Councilmember Herpin stated the cost of the Special Election will be paid by the University of Colorado Health; that there will be a foundation established, which will segregate the funds from Memorial Health System and such funds will be used for grant requests; that one of the grant requests could possibly be to help City retirees with the cost of health care.

A vote being taken on the motion:

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Martin, Snider, Williams

Noes: None Absent: Leigh



5-B. Resolution No. 90-12 was presented: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS, COLORADO, APPROVING THE INTERIM SEGREGATION, OVERSIGHT, AND MANAGEMENT OF FUNDS TO BE RECEIVED FROM THE PROPOSED MEMORIAL HEALTH SYSTEM OPERATING LEASE AGREEMENT AND THE INTEGRATION AND AFFILIATION AGREEMENT WITH UNIVERSITY OF COLORADO HEALTH SYSTEM".

Motion by Williams, second by Martin, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Martin, Snider, Williams

Noes: None Absent: Leigh

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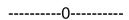
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5-C. Resolution No. 91-12 was presented: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS, COLORADO, APPROVING THE APPOINTMENT OF THE INITIAL THREE (3) MEMBERS OF THE BOARD TO THE UCH-MHS (NEW MEMORIAL) BOARD OF DIRECTORS, PURSUANT TO THE PROPOSED MEMORIAL HEALTH SYSTEM OPERATING LEASE AGREEMENT AND THE INTEGRATION AND AFFILIATION AGREEMENT WITH UNIVERSITY OF COLORADO HEALTH SYSTEM".

Motion by Snider, second by Martin, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Martin, Snider, Williams

Noes: None Absent: Leigh



5-D. Resolution No. 92-12 was presented: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS, COLORADO, APPROVING A PROPOSED CITY-CONTROLLED FOUNDATION FOR THE SEGREGATION, OVERSIGHT, AND MANAGEMENT OF FUNDS TO BE RECEIVED FROM THE PROPOSED MEMORIAL HEALTH SYSTEM OPERATING LEASE AGREEMENT AND THE INTEGRATION AND AFFILIATION AGREEMENT WITH UNIVERSITY OF COLORADO HEALTH SYSTEM".

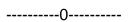
Motion by Bennett, second by Herpin, that the resolution be adopted with the proposed changes as follows:

- 1) <u>Section 2</u>, second sentence, from "...any annual margin surplus payments made to the City, and funds..." to "...any annual margin surplus payments made to the City, and any such funds...".
- 2) <u>Section 3</u>, first sentence, from "...on health issues in the City of Colorado Springs, and that the corpus..." to "...on health issues in the City of Colorado Springs *and the Memorial Health System service area*, and that the corpus...".
- 3) <u>Section 4</u>, first sentence, from "...Trustees shall be nominated by the Mayor and confirmed..." to "...Trustees shall be nominated by the Mayor and appointed...".

A vote being taken on the motion:

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Martin, Snider, Williams

Noes: None Absent: Leigh



5-E. Resolution No. 93-12 was presented: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS, COLORADO, APPROVING THE BALLOT TITLE

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AND THE BALLOT TITLE LANGUAGE FOR A SPECIAL MUNICIPAL ELECTION ON AUGUST 28, 2012, CONCERNING THE PROPOSED MEMORIAL HEALTH SYSTEM OPERATING LEASE AGREEMENT AND THE INTEGRATION AND AFFILIATION AGREEMENT WITH UNIVERSITY OF COLORADO HEALTH SYSTEM, AND ALL TERMS AND CONDITIONS AS CONTAINED THEREIN".

Motion by Dougan, second by Bennett, that the resolution be adopted with the proposed change as follows:

1) <u>Section 2</u>, from, "Shall the City of Colorado Springs be authorized to lease the *Memorial Health System facilities...*" to "Shall the City of Colorado Springs be authorized to lease the *Memorial Health System...*"

A vote being taken on the motion:

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Martin, Snider, Williams

Noes: None Absent: Leigh

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At 11:56 a.m., there being no further business to come before City Council,

COUNCIL ADJOURNED

Garah B. Johnson

Sarah B. Johnson City Clerk