

**COLORADO SPRINGS, COLORADO  
CITY COUNCIL CHAMBERS  
CITY HALL – 107 N. NEVADA AVENUE  
JULY 10, 2012 – 1:00 P.M.**

Council met in Regular Session.

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

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1. **Invocation and Pledge of Allegiance.**

The meeting was opened with an invocation by Councilmember Herpin.

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2. **Changes to Agenda/Postponements.**

There were none.

**CONSENT CALENDAR**

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

**SECOND PRESENTATION:**

A-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 presented for final passage.

A-2. 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 presented for final passage.

**FIRST PRESENTATION:**

B-1. Resolution No. 94-12 was presented: "A RESOLUTION GRANTING PERMISSION TO CLOSE CONSENSUAL TRANSACTIONS FOR THE ACQUISITION OF PROPERTY FOR SOUTHERN DELIVERY SYSTEM PROJECT IMPROVEMENTS".

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Motion by Bennett, second by Herpin, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present.

Ayes: Bennett, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams  
Noes: None  
Absent: Czelatdko

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4. **Resolutions of Appreciation.**

Resolution No. 95-12 was presented: "A RESOLUTION SUPPORTING THE COLORADO SPRINGS PROMISE NEIGHBORHOOD COMMUNITY GROUP IN ITS APPLICATION FOR A U.S. DEPARTMENT OF EDUCATION PROMISE NEIGHBORHOOD PLANNING GRANT".

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

Ayes: Bennett, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams  
Noes: None  
Absent: Czelatdko

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Resolution No. 96-12 was presented: "A RESOLUTION OF APPRECIATION DESIGNATING JULY AS PARK AND RECREATION MONTH".

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

Ayes: Bennett, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams  
Noes: None  
Absent: Czelatdko

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Brian Kates, Program Coordinator at Parks, Recreation, and Cultural Services, spoke regarding the B.A.M. (Be Active Movement) Program, a promotion to highlight the City's parks and encourage a healthy, outdoor lifestyle.

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President Hente recognized Boy Scout Troop 21 who was in attendance.

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Before recognizing the nominees, President Hente announced this is the final group of *The Mayor's 100 Teens*; that Council is transitioning to a new program, in conjunction with Leadership Pikes Peak. He recognized Jody Krisco and Jody Derington for their work in The Mayor's 100 Teens Program.

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Kyla Acker – Doherty High School; Katie Tomlinson – Widefield High School; and Anthony Kelly – Colorado Springs Christian School, were introduced as representatives of the Mayor's 100 Teens.

### CITIZEN DISCUSSION

Shanti Toll, representative of Friends of the Historic Colorado Springs City Auditorium (FoHCA), spoke regarding revitalization of the City Auditorium and requested Council act as an advocate for an open dialogue with the citizens.

Elizabeth Reed and Richard Breidenbach, Board member of GASP of Colorado, spoke regarding designating the Senior Heritage Plaza as a smoke-free environment.

President Hente stated Aimee Cox, Council Administrator, will report to Council regarding the matter.

Eric Verlo spoke in opposition to the upcoming proposed "no panhandling" ordinance.

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5. Motion by Herpin, second by Bennett, that the Minutes of the regular Council Meeting of June 12, 2012, and the Special Called Session of June 27, 2012, be approved as written. The motion unanimously carried. Absent, Councilmember Czelatdko.

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6. **Mayor's Communications.**

Laura Neumann, Chief of Staff, announced that in response to the Waldo Canyon wildfire, Mayor Bach and his wife have joined with community leaders to form *Colorado Springs Together*, a 501(c)(3) Foundation, to use private sector resources to help restore damaged neighborhoods and rebuild spirit in impacted communities.

Regarding Item No. 13 on today's agenda, Ms. Neumann stated the Mayor is not taking a position on the franchise proposal of CenturyLink, although he still has concerns about an acceptable, minimal coverage for households having a \$65,000 or less income.

### UTILITIES BUSINESS

7. **Public Hearing for the consideration of resolutions regarding certain changes to Utilities Rules and Regulations and setting Water Rates for 2013 and 2014 within the service areas of Colorado Springs Utilities.**

Chris Melcher, City Attorney/Chief Legal Officer, gave an introductory briefing and overview of the proceedings.

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Bill Cherrier, Utilities Chief Planning and Finance Officer, and Monica Whiting, Utilities General Manager of Customer Revenue and Services, gave a PowerPoint presentation regarding the Water Rate Case and related modifications to Utilities Rules and Regulations.

Denny Nester, City Auditor, reported the proposed Water Rate Case filing for 2013 and 2014 has been properly supported; that there was one observation for consideration in future rate cases which is related to the new rate option for the large, non-seasonal rates; that as Mr. Cherrier indicated, they did not include projections of whom might qualify for that rate option and the impact it may have on revenues coming into the program in the future; that after further discussion, an estimate of approximately an \$800,000 impact was provided; that in the future, the City Auditor's Office requests a projection of who the users will be and what the impact of those rate options would be.

Judith Lee inquired whether the fees are being increased for the proposed fracking for oil and gas exploration.

Mr. Cherrier stated Utilities has not differentiated between any specific customers under the non-residential customer class; that the rates would fall under current, normal, non-residential customer class, and does not preclude Council and the Board from directing those in the future.

Jack Johnston, District Manager for Pueblo West Metropolitan District; Roy Heald, General Manager for Security Water and Sanitation Districts; and Curtis Mitchell, Customer Service Manager for City of Fountain Utilities, spoke regarding the Southern Delivery System (SDS), stating it is important to the citizens; that they have had, or will also have, water rate increases to help pay for the SDS project going forward; that some of the increases are not solely for SDS, but to also maintain their current water infrastructure; that they applaud the project management team and the cost savings realized thus far on the SDS construction and are looking forward to being able to analyze the effects they will have on the rate increases in the years to come; it is encouraging to know the project may come in under budget.

Councilmember Williams spoke in support of the proposed water rates for 2013 and 2014.

Councilmember Bennett inquired whether there are any issues related to the impact of the Waldo Canyon fire that could affect water rate increases in the future.

In response to Councilmember Bennett, Jerry Forte, Utilities Chief Executive Officer, stated they are still trying to put costs together and he does not have a firm answer at this time; that as they move forward, they hope to present at least a preliminary estimate of what costs have been incurred; that it is unclear at this time whether there would be any impacts on rates.

Chris Bidlack, Utilities City Attorney, summarized the issues of consideration and stated the Decisions and Orders will be brought back to Council at the Informal Council Meeting of July 23, 2012.

President Hente declared the Public Hearing closed.

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8. Resolution No. 97-12 was presented: "A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN TO CONDEMN CERTAIN RIGHTS OF WAY FOR SOUTHERN DELIVERY SYSTEM PROJECT IMPROVEMENTS RELATED TO PIPELINE CONSTRUCTION".

Lymon Ho, Land Acquisition Manager for SDS, clarified there is an error in the memo submitted to Council, in the Summary, under Item No. 2; that the disagreement with the one owner is not in regard to compensation, but to the easement language. He gave an overview and PowerPoint presentation of the proposed resolution, stating there are five easements left to acquire out of a total 17; that the proposed resolution is to preserve the schedule for construction and avoid costs of delays to the consumers; that to date, they have been unable to reach final agreements, but are continuing negotiations; that a court process will only be used as a last resort.

In response to a question from Councilmember Dougan, Mr. Ho stated that for all but one of the remaining properties, a price has been agreed upon.

Bernadine Bonfadini stated she met with Colorado Springs Utilities this morning and some terms have been met, but it is a matter of finalizing them.

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

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

President Hente declared the motion carried.

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9. Resolution No. 98-12 was presented: "A RESOLUTION AUTHORIZING THE USE OF EMINENT DOMAIN TO CONDEMN CERTAIN PROPERTY RIGHTS OF WAY FOR SOUTHERN DELIVERY SYSTEM PROJECT IMPROVEMENTS RELATED TO THE UPPER WILLIAMS CREEK RESERVOIR".

Mr. Ho gave an overview and PowerPoint presentation on the proposed resolution, stating the owners have declined to meet with Colorado Springs Utilities to discuss the sale of the property and have filed an application with El Paso County to form a Metropolitan District to create a regional water storage facility; that securing the Upper Williams Creek Reservoir land now, will avoid future encroachment and land-use conflicts; that the proposed resolution will avoid delays and higher costs for Utilities customers; that they will continue negotiations to reach agreements and will only use the court process if necessary.

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

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

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President Hente declared the motion carried.

**NEW BUSINESS**

10. **Certification of the ballot question as it will appear on the Special Municipal Mail Ballot Election of August 28, 2012.**

Cindy Conway, Deputy City Clerk, sated this item is before City Council to certify the ballot language as it will appear on the August 28, 2012 Special Municipal Election Mail Ballot as follows:

Issue 1A: "Shall the City of Colorado Springs be authorized to lease the Memorial Health System to the University of Colorado Health system pursuant to the terms and conditions approved by City Council on June 27, 2012, as set forth in Resolution No. 89-12, and to take all other actions necessary to accomplish this purpose?"

Motion by Martin, second by Bennett, that the certification of the ballot question for the August 28, 2012 Special Municipal Mail Ballot Election be approved. The motion unanimously carried. Absent, Councilmember Czelatdko.

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11. Ordinance No. 12-50 entitled "AN ORDINANCE AMENDING SECTIONS 807 (INSPECTION; SURRENDER) AND 810 (PROHIBITED ACTS) OF PART 8 (PAWNBROKERS) OF ARTICLE 3 (SALES OF GOODS AND SERVICES) OF CHAPTER 2 (BUSINESS LICENSING, LIQUOR REGULATION AND TAXATION) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO INSPECTION, SEIZURE OF PROPERTY, HOLD ORDER, AND ADMINISTRATIVE HEARING TO DETERMINE POSSESSION OF PERSONAL PROPERTY" was introduced and read.

Pete Carey, Police Chief, gave an overview and summary of the proposed ordinance.

Motion by Herpin, second by Martin, that the ordinance be passed as introduced.

Ayes: Bennett, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams  
Noes: None  
Absent: Czelatdko

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12. **Oil and Gas Committee Recommendations.**

Councilmember and Chair of the Oil and Gas Committee, Val Snider, introduced Chris Melcher, City Attorney/Chief Legal Officer.

Mr. Melcher gave a presentation and overview of local regulation for oil and gas development; that under the Colorado Oil and Gas Conservation Act (COGCA), the State is responsible for administering and regulating Colorado's oil and gas resources and activity; that local

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jurisdictions retain their authority to regulate the use of land within their jurisdictional limits and address environmental concerns; that when there is a conflict of law between Federal, State and local Home Rule municipalities, there is a legal doctrine which governs and provides guidance for resolving those potential conflicts; that the Colorado Supreme Court has ruled local jurisdictions cannot prohibit oil and gas development within their boundaries, however, they can regulate use of land and certain types of activities associated with use and development of those resources. He stated many local governments in Colorado have regulations governing oil and gas development; that the Colorado Springs Oil and Gas Committee, with the assistance of an oil and gas consultant, spent an extensive amount of time reviewing those regulations.

Councilmember Williams stated an Agricultural zone is currently required before drilling occurs, and approximately ten acres is needed to drill; that she proposes that be the minimum lot size.

Dick Anderwald, Director of Planning and Community Development, stated he is the Local Government Designee (LGD) and the single point of contact between the City and the COGCC. He gave an overview of his role, responsibilities, and actions that have been implemented thus far, as well as issues that have been addressed with the State.

Councilmember Snider and Committee Member John Maynard, gave a PowerPoint presentation on the research and findings of the Oil and Gas Committee, stating recommendations were made for City staff to provide options, draft regulations, and provide legislative advice on future oil and gas regulatory and oversight policy options.

Brent Schubloom, Utilities Systems Extension Manager, gave a presentation on ground and surface water quality, stating the COGCC has extensive and comprehensive rules, but has not adopted statewide water sampling or quality regulations at this time; that the Oil and Gas Committee agreed this is one of the most important issues to be addressed. He stated the Colorado Oil and Gas Association (COGA) has established a water testing program, which the Committee recommends incorporating into the local regulations, such that baseline testing and monitoring is mandatory and required for all operators working within the City; that El Paso County was pursuing similar regulations, but was advised by the State Attorney General that implementing such regulations may be subject to pre-emption, which would operationally conflict with State interests; that they are in the process of revising their regulation and are formalizing an IGA with the COGCC to implement a program and navigate the pre-emption issue; that the City could adopt a program similar to El Paso County, and based on community input, it strongly supports a program to include testing and sampling.

In response to a question from President Hente, Mr. Melcher stated the City cannot regulate whether an oil and gas operator can use fracking (hydraulic fracturing); that it is a State jurisdictional issue and regulated as an operational activity, but the City can regulate where oil and gas extraction can occur and several aspects of how it occurs, including fees and types of permits.

Councilmember Williams requested the City Attorney's office review a ten-acre minimum required for drilling, to determine if it can be codified into the regulations.

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Councilmember Leigh requested information relating to the number of acres required for drilling.

Mr. Melcher stated the questions of acreage will be researched and reported back to Council.

Councilmember Herpin stated Aurora, Colorado has a 1,000-ft. setback and inquired as to how it can justify 1,000 feet at the maximum, when the State is 350 feet.

Mr. Melcher stated several localities have tried to create further restrictions or guidelines and Aurora is one example, where it has a 1,000-ft. setback with regard to certain types of uses; that it depends on what operators are willing to litigate.

Councilmember Williams stated during the budget process, Council approved an additional Code Enforcement Officer and there was mention of using that position during the Oil and Gas process, and inquired if that discussion could be further considered.

Mr. Melcher suggested Staff draft regulations with the recommendations of the Oil and Gas Committee, and a few additional options, and submit them to the Planning Commission for its review; that the recommendations would then be presented to City Council for action.

Councilmember Dougan stated when the 6-month moratorium was adopted, it was her understanding it was to allow time to review the issue prior to allowing any work by the industry; that while the City cannot prohibit oil and gas drilling, there are a few areas of potential concerns, which have already been addressed by the County and already gone through the process of drafting regulations; that she does not understand why the City is repeating the same work that has already been addressed. She requested City staff be directed to meet with the County about its regulations.

Motion by Dougan, that City staff be directed to review the County regulations and work with it to determine whether the City can adopt some of the same regulations.

President Hente declared the motion died for lack of a second.

Motion by Snider, second by Williams, that the recommendations of the Oil and Gas Committee be considered and City Staff be directed to draft regulations and present options for City Planning Commission review; that the draft regulations and options will be brought to City Council for approval, with the City Attorney's research of a 10-acre minimum for a drilling permit and consideration of a Code Enforcement Officer for oil and gas operations.

In response to questions from Council, Mr. Melcher stated Staff is meeting with the County regarding its regulations; that regarding the existing annexation agreement, the Attorney's Office has been communicating with the Ultra Corporation and it understands, with regard to the regulations, it does not eliminate the need to go before the local government. He stated there are other operators that own mineral rights within the City limits that are not subject to the annexation agreement and have different parcels, so they may move more quickly once this process is completed; that not only Ultra and Banning Lewis Ranch are affected, but other potential operators within the City limits as well.

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Councilmember Bennett inquired if Councilmember Snider would consider amending his motion to include the timelines noted in the "Next Steps" of the presentation to include the Planning Commission holding the public hearing on the draft regulations in August and forwarding the recommended regulations to City Council for consideration in September.

Councilmember Snider, with the consent of Councilmember Williams, accepted the proposed amendment to the motion.

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**Councilmember Dougan was excused.**

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Lotus spoke in opposition stating the public has had little opportunity to communicate with Council and the Oil and Gas Committee; that further research is necessary; that there are communities in the United States and worldwide that have prohibited oil and gas exploration.

Councilmember Leigh stated there appears to be a presumption that Council and the Oil and Gas Committee are not doing due diligence and that is not the case; that if anyone has documentation and research related to not only this issue, but other issues as well, they should submit them to Council and it will be reviewed and included in its due diligence.

Mr. Melcher stated the Oil and Gas Committee received a great deal of information from citizens, either at the meetings, or via email, which was forwarded to Council addressing various concerns and issues that have been addressed in other states; that many of the concerns raised were concerns that may best be addressed at the State level.

Lorena Townsend inquired if the moratorium is not extended what is the ramification, since there are no regulations currently in place in regard to drilling.

Mr. Melcher stated anyone who has property zoned Agricultural may submit a request for a permit to engage in oil and gas activity; the City would then need to process that permit which could be lengthy and would probably run beyond the time it would take to amend the Code.

Ms. Townsend then requested the moratorium be reinstated until the issue is resolved.

Mr. Melcher stated to his knowledge, there will not be any drilling activity within City limits until this process is completed; that if that were to change, he would report back to Council.

John Crandall, Eric Verlo, Mary Talbott, Judith Lee, and Kirby Hughes, representative for the Conservation Committee of the Sierra Club, spoke in opposition citing there has been a lack of public input to express their concerns of the harms of fracking; that Council can consider prohibiting oil and gas exploration and fracking, and protect the citizens and natural community; urged Council to expand the proposed areas of regulation; that while it is important to expand the economic base, it should not negatively impact the tourist industry, including the quality of air, water, and the aesthetic value of the community; that there are areas where State Regulations do not adequately protect the community; recommends standardizing an air-

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quality monitoring program using the County Health Department; conduct water-quality testing based on water quality maps, local inspections, regulate waste disposal, prohibit storage pits, and require comprehensive planning; hold meetings to inform public; the 2013 priorities and strategies put forth by City Council lists "Enhance the Safety of our Citizens", "Grow Economic Prosperity" and under that topic is, "Plan for Oil and Gas Development"; that it appears Council already has plans to get money from oil and gas, which is why the public has the idea it is not going to actually listen to the citizens, who overwhelmingly want Council to protect them first; the Sierra Club would never advocate placing a polluting industry in a metropolitan area; that in addition to ground and surface water quality, larger setbacks need to be established for production; air emission equipment is highly polluting and should be moved away from the population and wildlife centers; recommends 1,000 to 1,500 feet for the subset of equipment; considerations should also be given to wind directions and land forms that could redirect wind.

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**Councilmember Dougan returned.**

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**Councilmember Williams was excused.**

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Councilmember Snider stated oil and gas operators must conform to State and Federal air-quality standards.

Brad Johnson, Ultra Petroleum Corporation, Vice President of Reservoir Engineering and Development, stated Ultra supports the position of the COGCC, the State Attorney's Office, and others, regarding the specific role in oil and gas regulation; that it also supports the Local Government Designee (LGD) process that addresses specific local issues. He stated since its initial permitting efforts, and during drilling operations earlier this year, Ultra has participated in the State Regulatory process and LGD process and believes they are working well. He encouraged Council to leverage the resources of the State and County efforts regarding the regulations; that Ultra remains committed to continue working with the City to address issues.

Jim Lockhart, Conservation Chair for the Local Pikes Peak Sierra Club, stated C.R.S., 34-60-127 addresses the City's land-use powers which are unimpaired by the Oil and Gas Conservation Act; that a State Agency cannot oust a City from its lawful land-use; that the way an operator conducts oil and gas operations can be determined by a land-use plan.

Ellen Johnson Faye, Scott Olson, and Walter Lawson spoke in opposition citing concerns regarding elevating the rights of a corporation, over the rights of citizens; urged Council to bear in mind the legacy it will leave behind and the well-being of the community; requested an in-depth cost-analysis of having an oil and gas industry in Colorado Springs to determine if it is of long-term benefit to the community; that Council has the authority to keep the Banning Lewis Ranch zoned residential and to find developers who can do something else with that property; natural areas are protected, but equal protection is not afforded to the City and human life; that there are several acres in the County and does not understand why operations have to be

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done in the City; that counties and cities elsewhere have realized State oversight is not enough to protect the quality of life; requested Council provide reasonable oil and gas rules by MOU and IGA to limit drilling to the 7,000 acres the City is committed to.

A vote being taken on the motion:

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

President Hente declared the motion carried.

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13. Ordinance No. 12-51 entitled "AN ORDINANCE APPROVING A FRANCHISE AGREEMENT WITH QWEST BROADBAND SERVICES, INC., D/B/A CENTURYLINK AND THE CITY OF COLORADO SPRINGS, COLORADO" was introduced and read.

Jesse James, Interim CIO, gave an overview of the proposed ordinance.

Penny Larson, CenturyLink Vice President and Interim General Manager for Southern and Western Colorado, requested Council offer the community choice; that competition brings lower prices, and better products and services.

Jim Campbell, CenturyLink Regional Vice President for Regulatory and Legislative Affairs, stated part of the agreement contains a substantial commitment as a second entrant; that CenturyLink has committed to serve a minimum of 25% of the City within three years; that regarding red-lining and discrimination, it has never been alleged or accused of discriminating or red-lining in its deployment of broadband, telephone, or video services; that the company currently offers broadband services to over 92% of the State of Colorado, with no regulatory oversight or build-out requirement; that they have agreed to, specifically in the Franchise Agreement, that there will be no redlining or discrimination; that CenturyLink has committed to a significant investment to lower-income and will meet periodically with the City Attorney's Office to update them on their progress; that if at any time the City is unsatisfied, the issues can be addressed.

Motion by Martin, second by Leigh, that the ordinance be passed as introduced.

Reverend Patrick Dimmer, Superintendent and Vice Chairman for the Jurisdiction of Colorado Churches of God in Christ; Reverend Savannah Jackson, Associate Minister of Emanuel Baptist Church, currently serving as a Religious Affairs Chair for the Colorado Springs Branch of the NAACP; Jennifer Dodd; June Waller; and Calayna Gibbs, Youth Coordinator, spoke in opposition to the proposed ordinance, citing the following: equality and fairness must be guaranteed and in a contractual agreement, without bias or discrimination; limiting CenturyLink broadband to only a few and mostly affluent areas will broaden the educational gap between the socioeconomic divide, lessen the opportunities afforded to the children of the exempted areas, and send a message of exclusion to the areas that it is proposing to omit; intentional or not, CenturyLink's proposal raises concern for Colorado Springs minority and low-income

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communities; there is concern that those neighborhoods that benefit from the added competition may only be those wealthier neighborhoods where CenturyLink can make the most profit; broadband is no longer a luxury for affluent households, but a necessity in today's society; there has not been a response to the Senior Savvy's letters that were sent to each Councilmember and they would like some answers; specifics are very important when it comes to franchise agreements; the Declaration of Independence, the Constitution of the United States, and the Bill of Rights, protects the rights of citizens against corporate and executive privilege and stand as models of cooperative statesmanship and the art of compromise; expects Council will take a similar stand by ensuring fairness to all people regardless of race or income through the franchise agreement; some vague points in the proposed franchise agreement need to be more specific.

Justin Burns, former Chair of City of Colorado Springs Telecommunications Policy Advisory Committee and Vance Johnson, spoke in support of the proposed franchise agreement, stating it will benefit the citizens of Colorado Springs by providing competition and choice; that the feelings expressed regarding red-lining and discrimination are unfortunate, as it is strictly prohibited.

A vote being taken on the motion:

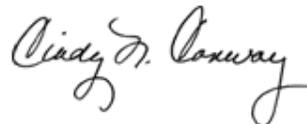
Ayes: Bennett, Hente, Herpin, Leigh, Martin  
Noes: Dougan, Snider  
Absent: Czelatdko, Williams

President Hente declared the motion carried.

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At 6:20 p.m., there being no further business to come before City Council,

COUNCIL ADJOURNED



Cindy N. Conway, CMC  
Deputy City Clerk