



COMMISSIONERS:
MARK WALLER (CHAIR)
LONGINOS GONZALEZ, JR. (VICE-CHAIR)

HOLLY WILLIAMS
STAN VANDERWERF
CAMI BREMER

MINUTES

(Audio and audio/video copies of the meeting are available at the Office of the Clerk and Recorder)

Board of County Commissioners (“BOCC”) Meeting

Tuesday, March 12, 2019, 9:00 AM

Centennial Hall Auditorium

200 S. Cascade Avenue, Colorado Springs, Colorado

PRESENT: WALLER, VANDERWERF, GONZALEZ, WILLIAMS AND BREMER

ABSENT: N/A

PRESENT LATER: N/A

Call to Order

1. Invocation

INVOCATION GIVEN BY PASTOR JOHN PETHTEL, SPRINGS LIFE CHURCH

2. Pledge of Allegiance to the Flag of the United States of America

PLEDGE LED BY BEN LEESON, CLERK TO THE BOARD TECHNICIAN

3. Staff Emergency Items

4. Consent to Appoint Deputy District Attorney(s)

a. Consent to appoint Deputy District Attorneys. (Dan May, District Attorney)

BOCC ACTION: VANDERWERF, STAN MOVED/WILLIAMS, HOLLY SECONDED TO APPROVE. (5 - 0)

5. Changes/Postponements/Notice of Next Meeting

6. Comments by Elected Officials and Commissioner Liaison Report(s)

7. Community Service Organization Reports

8. Consent Calendar

a. Request to approve the Board of County Commissioners February 26 and 28, 2019 Minutes. (Kristy Smart, Clerk to the Board Manager)

b. Request to approve appointment to the Community Development Advisory Board. (Ingrid Mobley, Administrative Assistant - Administrative Services)

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- c. Request to approve appointment and reappointment to the Highway Advisory Commission. (Ingrid Mobley, Administrative Assistant - Administrative Services)
- d. Resolution to issue one (1) Ambulance Service License to Ute Pass Health Services District. (Ted Sayer, ESA Business Analyst - Department of Public Works) **(RESOLUTION NO. 19-71)**
- e. Application by 7-Eleven Inc., d/b/a 7-Eleven 38107H, to transfer ownership of the existing Fermented Malt Beverage Liquor License (7-Eleven 38107A) located at 229 Gleneagle Gate View, El Paso County. (Kristy Smart, Clerk to the Board Manager)
- f. Request to establish the survey area and set April 9, 2019 as the hearing date on the application by Nana's Kitchen Inc., d/b/a Nana's Kitchen, for a Hotel & Restaurant Liquor License to be located at 11882 Stapleton Dr., El Paso County, CO. (Kari Parsons, Project Manager/Planner II)
- g. Final release of Letter of Credit No. 201705 for Grading and Erosion Control (Earthwork) of Paint Brush Hills Filing No. 13 C&D subdivision in the amount of \$63,731.00. (Scot Cuthbertson, Interim Executive Director - Department of Public Works/Jennifer Irvine, County Engineer - Department of Public Works)
- h. Final release of Letter of Credit No. 201803 for Grading and Erosion Control in Lorson Ranch East subdivision in the amount of \$321,788.00. (Scot Cuthbertson, Interim Executive Director - Department of Public Works/Jennifer Irvine, County Engineer - Department of Public Works)
- i. Final release of SC7002871W for Road Damage Collateral of Nextera/Golden West Wind Farm project in the amount of \$426,200.00. (Scot Cuthbertson, Interim Executive Director - Department of Public Works/Jennifer Irvine, County Engineer - Department of Public Works)
- j. A resolution to approve and accept Right of Way and a Non-Exclusive Permanent Easement for a portion of Mesa Ridge Parkway from David D. Jenkins. (Scot Cuthbertson, Interim Executive Director - Department of Public Works/Jennifer Irvine, County Engineer - Department of Public Works) **(RESOLUTION NO. 19-72)**
- k. Resolution to approve a Memorandum of Agreement and to approve and accept a Temporary Construction Easement Agreement (TE-12) associated with the Meridian Road/Falcon Park and Ride Improvements Project. (Scot Cuthbertson, Interim Executive Director - Department of Public Works/Jennifer Irvine, County Engineer - Department of Public Works) **(RESOLUTION NO. 19-73)**
- l. Procurement and Contracts Consent Calendar: (Eileen Gonzales, Contracts and Procurement Manager)
 - 1. Award of a Construction Contract to RMC Consultants, Inc. for the Fountain Creek Channel Stabilization at Riverside Project for the

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Department of Public Works (Engineering Division) at a cost not to exceed \$2,765,347.50. (IFB# 19-015)

2. Approval of a Purchase Order to Larry H. Miller Chrysler Dodge for the purchase of 13 Dodge Chargers for the El Paso County Sheriff's Office (EPSO) at a cost of \$359,034.00. (State Pricing Agreement # 113488)
 3. Approval of a Purchase Order to Motorola Solutions, Inc., for the purchase of 232 hand-held law enforcement radios for the El Paso County Sheriff's Office (EPSO) at a cost of \$807,248.06. (State of Colorado Pricing Agreement # 2016-160)
 4. Award of a Construction Contract and Purchase Order to North Star Design-Build, LLC for design and construction of a Vactor Pit Roof Structure for the Department of Public Works/Engineering Division at a total not-to-exceed cost of \$184,235.00. (IFB 19-013)
 5. Contract Amendment #4 and Change Order to Wilson & Company for Civil Engineering Planning and Design Services for a sub-regional drainage system associated with Gleneagle Drive, Struthers Road and North Gate Blvd drainage within the Smith Creek Drainage Basin for the Department of Public Works (Engineering Division) at a cost not to exceed \$207,678.00. (CON#10-077)
9. Land Use Consent Calendar
- a. A request by Platte Valley, LLC, for approval of a vacation and replat to create three (3) industrial lots. The 4.67 acre property is zoned I-2 (Limited Industrial) and is located on the east side of Amelia Street and in the southeast quadrant of the intersection of Terminal Avenue and Amelia Street. The parcel is not located within a small area master plan. (Parcel No. 54073-17-012) (Len Kendall, Planner I - Planning and Community Development)

BOCC ACTION: GONZALEZ, LONGINOS MOVED/BREMER, CAMI SECONDED TO APPROVE. MOTION CARRIED (5 - 0) (RESOLUTION NO. 19-74)

10. Called-up Consent Calendar

11. Resolution to approve Third Amended and Restated Intergovernmental Agreement Among El Paso County, Colorado, the City of Colorado Springs, the City of Manitou Springs, the Town of Green Mountain Falls, and the Town of Ramah regarding the Pikes Peak Regional Transportation Authority. (Lori Seago, Senior Assistant County Attorney)

BOCC ACTION: WILLIAMS, HOLLY MOVED/VANDERWERF, STAN SECONDED TO APPROVE. MOTION CARRIED (5 - 0) (RESOLUTION NO. 19-75)

12. A request to appoint members to a new Master Plan Advisory Committee to assist the Planning and Community Development and the Planning Commission in the development of the El Paso County Master Plan. (Mark Gebhart, Planning Group)

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Manager - Planning and Community Development/Craig Dossey, Executive Director - Planning and Community Development Department)

BOCC ACTION: VANDERWERF, STAN MOVED/BREMER, CAMI SECONDED TO APPROVE. MOTION CARRIED (5 - 0)

13. A request to establish bylaws for a new Master Plan Advisory Committee to assist the Planning and Community Development and the Planning Commission in the development of the El Paso County Master Plan. (Mark Gebhart, Planning Group Manager - Planning and Community Development/Craig Dossey, Executive Director - Planning and Community Development Department)

BOCC ACTION: WILLIAMS, HOLLY MOVED/GONZALEZ, LONGINOS SECONDED TO APPROVE. MOTION CARRIED (5 - 0)

14. Request to approve a resolution by the El Paso County Board of County Commissioners, El Paso County, Colorado, declaring El Paso County to be a Second Amendment Preservation County. (Longinos Gonzalez, Vice Chairman - Board of County Commissioners)

BOCC ACTION: VANDERWERF, STAN MOVED/WILLIAMS, HOLLY SECONDED TO APPROVE THE AMENDMENT TO REMOVE THE WORDS "LEADING THE CHARGE IN" FROM THE SECOND TO LAST PARAGRAPH. MOTION CARRIED (5 - 0)

BOCC ACTION: GONZALEZ, LONGINOS MOVED/WILLIAMS, HOLLY SECONDED TO APPROVE. MOTION CARRIED (5 - 0) (RESOLUTION NO. 19-76)

15. A request by Janice Newcomb for approval of a special use for a guest house with special provisions for extended family housing. The property is zoned RR-5 (Residential Rural) and is located on the northwest side of Preston Place, approximately 553 feet north of the intersection of Tracy Lane and Preston Place. The property is located within the Falcon/Peyton small area master plan. (Parcel No. 42130-01-016) (Len Kendall, Planner I - Planning and Community Development)

BOCC ACTION: VANDERWERF, STAN MOVED/WILLIAMS, HOLLY SECONDED TO APPROVE. MOTION CARRIED (5 - 0) (RESOLUTION NO. 19-77)

16. Public Comment on Items Not Scheduled on the Agenda

MARIA LILLIAN MASCARENAS SPOKE ABOUT ZONING FOR USE OF GUNS AND GUNFIRE IN UNINCORPORATED EL PASO COUNTY AND REPAIR OF ROADS IN CANTERBURY.

RON PACE SPOKE ABOUT LAW OF THE LAND.

RACHEL BECK, VICE PRESIDENT GOVERNMENT AFFAIRS – COLORADO SPRINGS CHAMBER OF COMMERCE & EDC, SPOKE ABOUT PAID FAMILY AND MEDICAL LEAVE ACT.

17. Department and Committee Reports/Non Action Items

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- a. The Security and Widefield Water Districts drinking water has been contaminated with perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA) that exceed the US EPA Health Advisory Level. In order to remove the contaminates new water treatment systems will be constructed. The new treatment systems will be completed as part of a CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) project through the Army Corps. of Engineers. The United States Air Force and the Army Corps. of Engineers would like to provide the Board of County Commissioners with an overview of the proposed project as a report item. (Nina Ruiz, Planner II - Planning and Community Development Department)

18. Addendum

19. Executive Session


- a. Pursuant to C.R.S. § 24-6-402(4)(b), (e), and (f), the County Attorney's Office is requesting an Executive Session regarding the following matters pertaining to the contract for the County Administrator and the County Administration structure, to include but not limited to, departments and personnel, to include:
 1. Conference with the County Attorney's Office for the purpose of receiving legal advice on specific legal questions;
 2. Determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators; and
 3. Personnel matter pursuant to C.R.S. § 24-6-402(4)(f)(I). (Diana May, First Assistant County Attorney)

BOCC ACTION: AT 12:21 PM VANDERWERF, STAN MOVED/GONZALEZ, LONGINOS SECONDED, TO RECESS INTO EXECUTIVE SESSION FOR THE REASONS STATED ON THE RECORD. MOTION CARRIED (5 - 0)

AT 3:13PM BREMMER, CAMI MOVED/WILLIAMS, HOLLY SECONDED, TO RECONVENE. MOTION CARRIED (4-0) WITH COMMISSIONER VANDERWERF EXCUSED. IT WAS NOTED THAT AN EXECUTIVE SESSION WAS HELD FOR THE REASONS STATED ON THE RECORD. DIRECTION WAS GIVEN BUT NO OFFICIAL ACTION WAS TAKEN.

THE MEETING ADJOURNED AT 3:13 PM.

Approval Date: March 26, 2019

By: 

Chuck Broerman
County Clerk and Recorder