



City of Colorado Springs

Regular Meeting Agenda - Final

City Council

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

City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Tuesday, December 8, 2015

1:00 PM

Council Chambers

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Changes to Agenda/Postponements
4. Consent Calendar

These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council. (Any items called up for separate consideration shall be acted upon following the Mayor's Business.)

4A. Second Presentation:

- 4A.A.** [15-00693](#) Ordinance No. 15-88 repealing Ordinance No. 14-105 and adopting the City of Colorado Springs - 2016 Salary Structure for Civilian and Sworn Municipal Employees

Attachments: [Ordinance Approving Salary Ranges 2016.docx](#)
[2016 Salary Schedule 10-05-15.pdf](#)

- 4A.B.** [15-00706](#) Ordinance No. 15-89 amending the zoning map of the city of Colorado Springs pertaining to 0.84 acres, located at 4216 Date Street.

(Quasi-Judicial Matter)

Attachments: [Rezone Ord Date Street](#)
[Exhibit A- LEGAL](#)

- 4A.C.** [15-00708](#) Ordinance No. 15-90 amending the zoning map of the City of Colorado Springs pertaining to 16.406 acres located at 8145 North Union Boulevard.

(Quasi-Judicial Matter)

Attachments: [Mtn Vistas at Briargate-ORD.docx](#)
[Exhibit A- LEGAL](#)

- 4A.D.** [15-00713](#) Ordinance No. 15-91 amending the zoning map of the city of Colorado Springs pertaining to 4.31 acres, located at 4081 Tutt Boulevard.

(Quasi-Judicial Matter)

Attachments: [Zoning-4081TuttBlvd-2015-11-16](#)
[Exhibit A-Legal Description](#)

- 4A.E.** [15-00551](#) Ordinance No. 15-92 amending Section 202 (Deposit and Expenditure of Revenues) and Section 203 (Biannual Independent Audit) of Part 2 (Deposit and Expenditure of Revenues) of Article 6 (Trails, Open Space and Parks Program) of Chapter 4 (Parks, Recreation and Cultural Services) of the Code of the City of Colorado Springs 2001, as amended, pertaining to expenditure of revenues and independent audit

Attachments: [11-9-15 - Ordinance - TOPS City Code Revision for Council](#)

- 4A.F.** [15-00647](#) Ordinance No. 15-93 creating a new Article 14 (Construction Defect Claims in Common Interest Communities) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to required homeowner consent for construction defect claims related to common interest communities, builder rights to repair construction defects in common interest communities, and the effect of the City Building Code in construction defect claims related to common interest communities.

Attachments: [112415 Construction Defects slides](#)
[112415 ConstDefects adopted with applicability changes](#)

4B. First Presentation:

- 4B.A.** [15-00749](#) City Council Meeting Minutes November 24, 2015

Attachments: [2015-11-24 Minutes Draft](#)

4B.B. [15-00618](#) Boards and Commissions

Attachments: [12.08.15 Boards and Commissions](#)

4B.C. [15-00688](#) A Resolution of Acceptance Supporting the Agreement Between the City of Colorado Springs and the State Board of the Great Outdoors Colorado Trust Fund for the Inspire Initiative "Out the Door Pikes Peak!"

Attachments: [12-8-15 - GOCO Inspire City Council Resolution of Support 2015 \(v3\)](#)
[12-8-15 - Inspire Grant Agreement](#)

4B.D. [15-00748](#) A Resolution Approving the 2016 Budget for Pikes Peak Regional Building Department

Attachments: [120715 2016 PPRBD Budget Resolution.docx](#)
[Exhibit A - 2016 Budget PPRBD.PDF](#)

5. Recognitions

6. Citizen Discussion

7. Mayor's Business

8. Items Called Off Consent Calendar

9. Utilities Business

9.A. [15-00670](#) Review and Approval of Decision and Order and Resolution Setting Electric Rates within the Service Area of Colorado Springs Utilities

Attachments: [2016_DO_Electric-12-1-15](#)
[Electric Resolution](#)
[Electric Tariffs - Final](#)

9.B. [15-00671](#) Review and Approval of Decision and Order and Resolution Setting Natural Gas Fuel and Capacity Rates within the Service Area of Colorado Springs Utilities

Attachments: [2016_DO_Gas-12-1-15](#)
[Natural Gas Resolution](#)
[Natural Gas Tariffs - Final](#)

- 9.C.** [15-00672](#) Review and Approval of Decision and Order and Resolution Setting Water Rates within the Service Area of Colorado Springs Utilities
- Attachments:** [2016 DO Water-12-1-15](#)
[Water Resolution](#)
[Water Tariffs - Final](#)
- 9.D.** [15-00673](#) Review and Approval of Decision and Order and Resolution Regarding Changes to the Utilities Rules and Regulations
- Attachments:** [2016 DO URR-12-1-15](#)
[URR - Tariffs - Final](#)
[URR Resolution](#)
- 9.E.** [15-00745](#) A Resolution Setting the Electric Cost Adjustment Effective January 1, 2016
- Attachments:** [ECA Resolution 12-08-2015](#)
[ECA Schedule 1 01-01-2016](#)
[ECA Sheet 31 - Final](#)
[Sheet 31 - Red Line](#)
- 9.F.** [15-00746](#) A Resolution Setting the Gas Cost Adjustment Effective January 1, 2016
- Attachments:** [GCA Schedule 1 01-01-2016](#)
[GCA Sheet 10a - Final](#)
[GCA Sheet 10a - Red Line](#)
[GCA Resolution 12-08-2015](#)
- 9.G.** [15-00674](#) Resolution Directing the Chief Executive Officer of Colorado Springs Utilities to Execute the Augmentation Water Lease between Colorado Springs Utilities and PF, LLC
- Attachments:** [Seven Falls Resolution](#)
[Seven Falls Aug Lease Final 10-30-15](#)
[7FALLS- 11-6-15 draft of Schedule A \(00083856\).pdf](#)

10. Unfinished Business

- 10.A.** [15-00668](#) Ordinance No. 15-94 Identifying and Accepting the Annual Sources of Funds for Colorado Springs Utilities for the Year Ending December 31, 2016
- Attachments:** [2016 Appropriation Accept Source Funds Ord](#)

- 10.B.** [15-00669](#) Ordinance No. 15-95 Approving the Annual Budget for Colorado Springs Utilities and Appropriating Monies for the Several Purposes Named in the Annual Colorado Springs Utilities Budget for the Year Ending December 31, 2016

Attachments: [2016 Annual Budget Formal Ord](#)

- 10.C.** [15-00701](#) Ordinance No. 15-96 Adding a New Part 11 (Road Repair, Maintenance and Improvements Sales and Use Tax Fund) to Article 6 (City Funds) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, to Establish the Road Repair, Maintenance and Improvements Sales and Use Tax Fund

Attachments: [Ordinance establishing Road Repair Tax Fund -FINAL-2015-11-12v5.docx](#)

- 10.D.** [15-00702](#) Ordinance No. 15-97 Amending 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 a Change to the Sales and Use Tax Rate from Two and Five-Tenths Percent (2.5%) to Three and Twelve One-Hundredths Percent (3.12%)

Attachments: [Tax-RoadRepairTaxSCRUB-ORD-2015-11-11FINALDRAFTv5.docx](#)

- 10.E.** [15-00711](#) Ordinance No. 15-98 amending the zoning code of the City of Colorado Springs pertaining to 51.05-acres, located northwest of Centennial Boulevard and Fillmore Street from PBC (Planned Business Center), OC (Office Complex), and PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development with 1,032,000 square feet maximum of commercial, office and civic uses and 200 foot maximum building height).

(Quasi-Judicial Matter)

Attachments: [penrose ordinance](#)
[Exhibit A-Penrose SF Legal description](#)
[Vicinity Map](#)
[Criteria-7.3.603](#)
[Criteria-7.5.603-ZC Criteria](#)

11. New Business

- 11.A. [15-00739](#) A resolution to authorize the Colorado Springs Airport to submit an application to and accept and execute a loan with the Colorado Department of Transportation State Infrastructure Bank - Aviation Division in an amount not to exceed \$5,000,000 to fund Passenger Facility Charge (PFC) projects at the Colorado Springs Airport

Attachments: [Airport- Resolution - Apply CDOT SIB Loan Aviation Division.docx](#)
[AAC Letter of Support-Apply SIB Loan.pdf](#)
[Airport-Apply SIB Support 2013 2014 Resolutions.pdf](#)

- 11.B. [15-00596](#) An ordinance adding Section 210 of Part 2 (Other Dangerous Weapons and Substances) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the possession of marijuana paraphernalia by persons under the age of eighteen (18), and providing penalties for the violation thereof

Attachments: [MJ PAR ORD - rev-11-19-2015](#)

- 11.C. [15-00744](#) An Ordinance Amending Ordinance No. 14-101 (2015 Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the Amount of \$1,345,000 for Transfer to the Colorado Springs Health Foundation

Attachments: [Supplemental Approp Ord for MHS Margin Share.docx](#)

- 11.D. [15-00705](#) Authorization for Gold Hill Mesa Metropolitan District No. 2 to issue up to \$6,360,000 in Debt as a Limited Tax General Obligation Loan (Legislative Matter)

Attachments: [GHM 2 PowerPoint Slides](#)
[GHM Loan City Resolution](#)
[0-Summary of GHM MD #2 2015 Loan Refi](#)
[1-Gold Hill Mesa District Loan Resolution](#)
[2-Gold Hill Mesa District Loan Agreement \(2\)](#)
[3-Custodial Agreement \(2\)](#)
[4-Financial Plan](#)
[5-District General Council Opinion Letter](#)
[6-External Advisor Letter](#)
[7-Commitment Letter Gold Hill Mesa](#)

- 11.E. [15-00729](#) Resolution Approving a Cooperation Agreement Between the Colorado Springs Urban Renewal Authority and the City of Colorado Springs to Promote Redevelopment and Assist With Financing of Public Improvements for the Gold Hill Mesa Commercial Area Urban Renewal Project and to Approve the Amount of Annual Sales Tax Increment Revenue Allocated Pursuant to Colorado Revised Statute § 31-25-107(9)(a)(II)

Attachments: [2015-11-17 GoldHillMesaCommercialCooperationAgreement](#)
[GHM 2% Financial Summary 10-21-15](#)
[Eligible Improvements 10-22-15](#)
[GHM Cooperation Agreement-rev3-READY4WS-11-16-2015](#)
[8D.Council -Sales tax sharing 11-23-15](#)
[8D. Gold Hill Mesa Commercial Work Session](#)
[8D. GHM Commercial Presentation](#)

- 11.F. [15-00696](#) Resolution Approving a Cooperation Agreement between the Colorado Springs Urban Renewal Authority and the City of Colorado Springs to Promote Redevelopment and Assist With Financing of Public Improvements for the South Nevada Urban Renewal Project and to Approve the Amount of Annual Sales Tax Increment Revenue Allocated Pursuant to Colorado Revised Statute § 31-25-107(9)(a)(II)

Attachments: [2015-11-17 SouthNevadaCooperationAgreement](#)
[11-18-15 Attachment 2 - South Nevada Plan of Finance](#)
[11-18-15 Attachment 3 - South Nevada TIF Funded Improvements](#)
[11-18-15 Attachment 4 - South Nevada Eligible TIF Expenses](#)
[S Nev Cooperation Agreement-rev-READY4WS-11-17-2015](#)
[11-18-15 Attachment 5 - South Nevada Ivywild Group URA Improvement Plan.r](#)
[8E.South Nevada URA Work Session](#)
[8E.Project Cost Return on Investment](#)
[8E. South Nevada Corridor Area Presentation at Council Work Session 02](#)

12. Public Hearing

- 12.A.** [15-00737](#) A resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Mountain Valley Preserve hereinafter more specifically described in exhibit "A".
(Legislative Matter)

Attachments: [Resolution -Findings of Fact and Conclusions of Law](#)
[Exhibit A-Annexation Legal](#)
[Enclave Map](#)
[Mountain Valley Preserve Presentation](#)
[MVP_Clerks Affidavit](#)
[MVP Planner Affidavit](#)
[MVP_Surveyor Affidavit](#)
[CPC Record of Decision MVP 9-17-15](#)
[CPC Agenda Report MVP Annex](#)
[Criteria-7.6.203-Annexation Conditions](#)

- 12.B.** [15-00738](#) Mountain Valley Preserve Annexation Concept Plan
(Quasi-Judicial Matter)

Attachments: [Mountain Valley Preserve CP](#)
[Criteria-7.3.605-PUD Concept Plan criteria](#)
[Criteria-7.5.501E-Concept Plan criteria](#)

- 12.C.** [15-00735](#) An ordinance annexing to the City of Colorado Springs that area known as Mountain Valley Preserve consisting of 44.71 acres
(Legislative Matter)

Attachments: [MVP Annex ORD](#)
[Exhibit A-Annexation Legal](#)
[Exhibit B- Annex Agreement](#)
[Criteria-7.6.203-Annexation Conditions](#)

- 12.D.** [15-00736](#) An ordinance amending the Zoning Map of the City of Colorado Springs relating to 37.35 acres located east of Marksheffel Road and south of Dublin Boulevard establishing the PUD/AO zone.
(Legislative Matter)

Attachments: [MVP Zoning ORD](#)
[Exhibit A -Zoning Ordinance Legal](#)
[Criteria-7.3.603](#)
[Criteria-7.5.603-ZC Criteria](#)

13. Added Item Agenda

14. Executive Session

15. Adjourn