



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, March 22, 2022

10:00 AM

Council Chambers

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1. Call to Order and Roll Call

Present: 9 - Councilmember Yolanda Avila, Councilmember Dave Donelson, Councilmember Stephannie Fortune, President Pro Tem Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, Councilmember Mike O'Malley, President Tom Strand, and Councilmember Wayne Williams

2. Invocation and Pledge of Allegiance

The Invocation was made by Chaplain Kristen Michalski from the Colorado Springs Fire Department.

President Strand led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

There were no changes to the Agenda.

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. [22-095](#)** Ordinance No. 22-15 excluding a 12.234-acre parcel from the boundaries of the Powers & Woodmen Commercial Business Improvement District located along Woodmen Road.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [PowersWoodmenExclusionORD-2022-02-14](#)

[Exhibit A - Petition for Exclusion of Property](#)

[Exhibit B -Notice of Exclusion](#)

[Sined Ordinance 22 15](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.B. [22-088](#)** Ordinance No. 22-16 declaring the organization of the Colorado Springs Briargate General Improvement District 2021, approving a mill levy not to exceed 4.409 mills, and approving a maintenance schedule describing the areas to be maintained along with the description of the maintenance, and providing the effective date of this ordinance

Presenter:

Charae McDaniel, Chief Financial Officer

Eric Becker, Special Improvement Maintenance District Administrator

Attachments: [Briargate GID 2021 Formation Ordinance](#)

[Exhibit A - Legal Description Page 1](#)

[Exhibit A - Legal Description Page 2](#)

[Exhibit A - GID Borders Map](#)

[Sined Ordinance 22 16](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.C. [22-110](#)** Ordinance No. 22-17 Amending Ordinance No. 21-112 (2022 Appropriation Ordinance) for a Supplemental Appropriation to the Pikes Peak-America's Mountain Enterprise Fund in the Amount of \$500,000 for Contract Extensions Related to the Summit Complex Construction Project and Shuttle Operations

Presenter:

Chris Wheeler, City Budget Manager

Charae McDaniel, Chief Financial Officer

Karen Palus, Parks, Recreation and Cultural Services Director

Attachments: [Ordinance-Supplemental Approp for PPAM](#)
[Sined Ordinance 22 17](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.D. [22-122](#)** Ordinance No. 22-18 Amending Ordinance No. 21-112 (2022 Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$2,819,000 to Complete the Phase II Acquisition of up to 85 Acres of Property for the Purpose of Public Open Space and Trails

Presenter:

Britt Haley, Parks, Recreation & Cultural Services Department, Trails, Open Space and Parks Program Manager
David Deitemeyer, Parks, Recreation & Cultural Services Department, Senior Landscape Architect

Attachments: [Appropriation Ordinance.FisherCanyonPhaseII](#)
[Sined Ordinance 22 18](#)

This Ordinance was finally passed on the Consent Calendar

4B. First Presentation:

- 4B.A. [22-176](#)** City Council Regular Meeting Minutes March 8, 2022

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [3-8-2022 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

- 4B.B. [22-171](#)** Appointments to Boards, Commissions, and Committees

Presenter:

Michael Montgomery, Deputy City Council Administrator

Attachments: [032222 Boards Commissions and Committee Appointments](#)

This Item was approved on the Consent Calendar.

- 4B.C. [22-107](#)** Resolution approving the Second Amendment to the Service Plan for Peak Metropolitan District Nos. 1-3 to modify the Inclusion Area Boundaries and to allow for Limited Security Services as an Operations and Maintenance Function

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning &

Development Department
Peter Wysocki, Planning and Community Development Director

Attachments: [Resolution](#)

[PowerPoint PeakMD 2022 SP Amendment](#)

[2019 Service Plan Amendment- Resolution 22-19](#)

[Original Service Plan - Resolution 95-18](#)

[Signed Resolution 28-22](#)

[Exhibit 1 - 2022 Service Plan Amendment](#)

This Resolution was adopted on the Consent Calendar.

4B.D. [22-111](#)

A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of the Vistas at West Mesa Metropolitan Senior Cash-Flow Bonds in an amount not to exceed \$1,700,000 and related bond documents for a district located east of Centennial Boulevard and north of Fillmore Road.

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development Department
Peter Wysocki, Planning and Community Development Director

Attachments: [Resolution](#)

[Staff Powerpoint](#)

[Financial Plan & Projections](#)

[Vistas at West Mesa Cost Estimates 2-14-2022 v2](#)

[Draft Bond Resolution](#)

[Draft Indenture](#)

[Draft General Counsel Opinion Letter](#)

[Draft Bond Counsel Opinion Letter](#)

[Signed Resolution 29-22](#)

This Resolution was adopted on the Consent Calendar.

4B.E. [22-125](#)

A Resolution Authorizing the Acquisition of 1.905 Acres of Land and Easements from Kendal Tatum Rota and Joseph D. Rota Using PPRTA Funds for the Black Forest Rd Improvements: Woodmen Rd to Research Pky Project

Presenter:

Gayle Sturdivant, P.E. City Engineer/Deputy Public Works Director
Mike Chaves, P.E. Engineering Manager
Darlene Kennedy, Real Estate Services Manager

Attachments: [Rota Draft Resolution](#)
[Rota Property Council Presentation](#)
[Signed Resolution 30-22](#)

This Resolution was adopted on the Consent Calendar.

- 4B.F. [22-044](#)** A Resolution Authorizing a Land Exchange Between the City of Colorado Springs and Sky Sox Stadium, Inc.

Presenter:
Karen Palus, Director, Parks, Recreation & Cultural Services
Department
David Deitemeyer, Senior Landscape Architect

Attachments: [Encroachment Correction Exhibit A](#)
[Encroachment Correction Exhibit B](#)
[Coleman Park Encroachment Corrections CCWSUpdated](#)
[Coleman Park Encroachment Land Exchange ResolutionFINAL](#)
[Signed Resolution 31-22](#)

This Resolution was adopted on the Consent Calendar.

- 4B.G. [22-164](#)** Approval of an Operating Lease Extension Agreement

Presenter:
Wynetta Massey, City Attorney/Chief Legal Officer

Attachments: [UCH-MHSExtensionResolution](#)
[UCH-MHSLeaseExtensionDoc](#)
[UCH-MHSExtensionLetterAgreement](#)

This Item was approved on the Consent Calendar.

- 4B.H. [22-112](#)** A Resolution Approving an Inter-Governmental Cost-Sharing Agreement to Fund an Interlocal Funding Agreement for Colorado River Conservation Project

Pat Wells, Water Resources and Demand Management, General
Manager
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [Resolution - Irrigation Efficiency Cost-Sharing IGA](#)
[NDrip Reimbursement Agreement - IGA](#)
[Signed Resolution 32-22](#)

This Resolution was adopted on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember Donelson, seconded by President Pro Tem Helms, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

5. Recognitions

- 5.A.** [22-161](#) A Resolution of Appreciation for Vincent Niski, Chief of Police with the Colorado Springs Police Department for his 33 years of service to the City of Colorado Springs

Presenter:

Tom Strand, City Council President and At-Large City Councilmember

Attachments: [Chief Niski - Retiree Resolution \(Employee Will Attend\) \(002\)](#)

[Signed Resolution 33-22](#)

President Strand presented the Resolution of appreciation for Vincent Niski, Chief of Police with the Colorado Springs Police Department for his 33 years of service to the City.

Chief Niski expressed appreciation for the opportunity he had been given to serve the City and for the recognition.

Motion by Councilmember Donelson, seconded by Councilmember Henjum, that the Resolution of appreciation for Vincent Niski, Chief of Police with the Colorado Springs Police Department for his 33 years of service to the City of Colorado Springs be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

- 5.B.** [22-160](#) Colorado Asphalt Pavement Association "Best in Colorado" award to the Colorado Springs Airport

Presenter:

Tom Peterson, Executive Director, Colorado Asphalt Pavement Association

Mike Skinner, Director of Engineering, Colorado Asphalt Pavement Association

Arlando Gilbert, Senior Aviation Engineer, RS&H

Alex McKean, Northwest Mountain Region Airfield Service Group Leader, RS&H

Tom Peterson, Executive Director, Colorado Asphalt Pavement Association, presented the Colorado Asphalt Pavement Association "Best

in Colorado” award to the Colorado Springs Airport and gave an overview of the project.

Greg Phillips, Director of Aviation, Colorado Springs Airport, stated he is proud of the work which was done on this project.

5.C. [22-172](#) A Resolution recognizing March 2022 as Women’s History Month

Presenter:

Stephannie Fortune, Councilmember District 3

Attachments: [Women's History Month](#)

[Signed Resolution 34-22](#)

Councilmember Fortune recognized women leaders in the community Wynetta Massey, City Attorney, Charae McDaniel, Chief Financial Officer, Emily Evans, City Council Administrator, Mary Weeks, Chief Information Officer, Lisa Barbato, Colorado Springs Utilities System Planning Projects Officer, Jamie Fabos, Chief Communications Officer, Karen Palus, Parks, Recreation, and Cultural Services Department Director, Gayle Sturdivant, Deputy Director of Public Works, Susan Wheelen, Director, El Paso County Public Health Department, Sarah Johnson, City Clerk, Laura Neumann, former Chief of Staff, Kathy Loo, Jan Martin, Jill Gaebler, and Sallie Clark. She read the Resolution recognizing March 2022 as Women’s History Month.

Jeff Greene, Chief of Staff, also recognized Mary Ellen McNally who received the Lifetime Spirit of the Springs Award.

Councilmember Henjum there is a great presentation on women in Colorado history at the Pioneer’s Museum.

Motion by Councilmember Williams, seconded by President Pro Tem Helms, that the Resolution recognizing March 2022 as Women’s History Month be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O’Malley, Strand, and Williams

5.D. [22-134](#) A Resolution recognizing April 4th to April 10th as National Public Health Week

Presenter:

Dave Donelson, Councilmember District 1

Susan Wheelan, Director, El Paso County Public Health

Attachments: [National Public Health Week](#)
[Signed Resolution 35-22](#)

Councilmember Donelson read the Resolution recognizing April 4th to April 10th as National Public Health Week.

Several Councilmembers expressed appreciation for all the work done by the El Paso County Public Health especially during the pandemic.

Susan Wheelan, Director, El Paso County Public Health, introduced some of the members of her team and expressed appreciation for their, the City's, City Council's, and the community's support.

Motion by Councilmember Avila, seconded by Councilmember Henjum, that the Resolution recognizing April 4th to April 10th as National Public Health Week be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

5.E. [22-136](#) A Resolution recognizing April 3rd to April 9th as National Library Week

Presenter:

Wayne Williams, Councilmember At Large

Elyse Jones, Community Partnership Coordinator, Pikes Peak Library District

Attachments: [National Library Week](#)
[Signed Resolution 36-22](#)

Councilmember Williams read the Resolution recognizing April 3rd to April 9th as National Library Week.

Councilmember Avila recognized Pikes Peak Library District Chief Librarian John Spears.

Several Councilmembers spoke about the importance of libraries in communities.

Dora Gonzales, Board of Trustees, Pikes Peak Library District, introduced several members of the Pikes Peak Library District and gave a brief overview of the Pikes Peak Library District.

Motion by Councilmember O'Malley, seconded by President Pro Tem Helms, that the Resolution recognizing April 3rd to April 9th as National Library Week be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

- 5.F. [22-192](#) A Resolution in appreciation of Pikes Peak Library District Chief Librarian John Spears

Presenter:

Nancy Henjum, Councilmember District 5

Attachments: [John Spears](#)

[Signed Resolution 37-22](#)

Councilmember Murray read the Resolution in appreciation of Pikes Peak Library District Chief Librarian John Spears

Several Councilmembers expressed appreciation for Mr. Spears.

Councilmember Donelson stated he will be voting no on this Resolution due to the statements Mr. Spears made to the media after his resignation.

Mr. Spears expressed appreciation for the staff of the Pike Peak Library District, the community, opportunities he had been given, and the Resolution.

Motion by Councilmember Williams, seconded by President Pro Tem Helms, that the Resolution in appreciation of Pikes Peak Library District Chief Librarian John Spears be adopted. The motion passed by a vote of 8-1-1-0

Aye: 7 - Avila, Fortune, Helms, Henjum, Murray, Strand, and Williams

No: 1 - Donelson

Absent: 1 - O'Malley

- 5.G. [22-170](#) Resolution recognizing April 2022 as Fair Housing Month

Presenter:

Nancy Henjum, District 5 City Councilmember

Catherine Duarte, AICP

Community Development Division

Attachments: [2022 Fair Housing Month Resolution](#)

[Fair Housing info sheet 2022](#)

[Signed Resolution 37-22](#)

Councilmember Henjum spoke about the importance of fair housing in the community and read the Resolution recognizing April 2022 as Fair Housing Month.

Catherine Duarte, Senior Analyst, Community Development Division, gave

an overview of fair housing, how Community Development furthers it, and their partnerships.

Steve Posey, Community Development Manager, identified the events related to fair housing occurring during the month of April 2022.

Motion by President Pro Tem Helms, seconded by Councilmember Williams, that the Resolution be recognizing April 2022 as Fair Housing Month be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Donelson, Fortune, Helms, Henjum, Murray, O'Malley, Strand, and Williams

6. Citizen Discussion For Items Not On Today's Agenda

Citizen Jessica McCranie spoke about the need for citizens to be able to recycle.

Citizens Eva Syrový, Aaron Oelrich, Kurt Campbell, Caroline Lamz, Chris Hall, Cheyenne Hall, and Ryan Hunter spoke against the prohibition of motorized boating and the aeration plan for the prevention of blue/green algae at Prospect Lake.

Susan Davies, Executive Director, Trails and Open Space Coalition, shared the results of the survey regarding the prohibition of motorized boating and the aeration plan for the prevention of blue/green algae at Prospect Lake.

Kim King, Recreation and Administration Manager, Parks, Recreation, and Cultural Services Department, stated the City is obtaining the Request for Proposal (RFP) to find a solution for the health of the Prospect Lake and requested multiple options to prevent the blue/green algae. President Strand requested a copy of the RFP be provided to City Council. Ms. King agreed to provide that information. She also clarified that the Adaptive Therapeutic Recreation Waterski Program is ran by the City.

Councilmember O'Malley asked what the sunken cost would be to the City if the contract was cancelled for the aeration plan. Ms. King stated she would have to get that information from the Procurement Department.

Citizens Candace Woods, Lou Szody, Reverend Mallory Everhart, and Jaymen Johnson spoke about transgender/nonbinary inclusion, gender identity, and equal rights for the LGTBQ community.

Citizens Max Kronstadt, Frozie Abbott, and Mary Sprunger-Froese spoke regarding the results of the Mill Street neighborhood survey.

Citizens Sonja Baker, Linda Margrave, Lynnette Hettinger, Kathy Perry, and Sallie Clark spoke regarding issues concerning the Westside Community Center.

Citizen Charles Barber spoke about the need for water conservation.

Citizen Dustin Hayworth, Owner, Pet City, stated he and his sister, Bree Maestas, Owner, Pet City, have completed the Canine Care Certification Liaison status and will be meeting with breeders to help foster the program.

Citizen Conrad Chakowski spoke about public transportation, Police Officers ticketing people experiencing homeless, and the housing shortage within the City.

7. Mayor's Business

There was no Mayor's Business.

8. Items Called Off Consent Calendar

There were no items called off the Consent Calendar.

9. Utilities Business

There was no Utilities Business.

10. Unfinished Business

There was no Unfinished Business.

11. New Business

11.A. [22-096](#)

Resolution approving a First Amendment to the Service Plan for the North Meadow Metropolitan District Nos. 1-5 to allow for a Maximum Combined Debt Authorization of \$200,000,000 and for the Removal of District-specific Debt Authorizations

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department

Peter Wysocki, Planning and Community Development Director

Attachments: [Resolution](#)[Exhibit 1- First Amendment to Service Plan - North Meadow MD Nos. 1-5](#)[Staff PowerPoint](#)[Developer Presentation North Meadow SP Amendment](#)[Service Plan Amendment Cover Letter - North Meadow MD Nos. 1-5](#)[Original Service Plan - North Meadow MD Nos. 1-5](#)[Petition for Approval of First Amdt of SP2](#)[Projected Improvement Costs](#)[Example 2022 and 2032 Bond Runs](#)[Signed Resolution 39-22](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development Department, presented the Resolution approving the first amendment to the service plan for the North Meadow Metropolitan District Nos. 1-5 to allow for a maximum combined debt authorization of \$200,000,000 and for the removal of district-specific debt authorizations.

Councilmember Murray stated his concern was with the applicant only being able to justify \$106M in debt, not the \$200M being requested. Mr. Schueler stated the overall \$200M is related to the ultimate debt amount to be issued by this district. Tim Siebert, Nor'Wood Development Group, stated the \$200M debt limit is for all districts combined and is subject to the mill levy cap. He stated the total cost of improvements estimate is \$197.7M so they rounded it up to \$200M as their cap.

Councilmember Murray requested additional information regarding mixing the commercial and residential issues for this district. Mr. Siebert, stated a good portion of the improvements are shared infrastructure items for both commercial and residential such as Banning Lewis Parkway, the regional detention facilities, and common landscape elements.

Councilmember Murray stated he will be voting no and requested an audit be conducted in three years.

Citizen Jaymen Johnson spoke in opposition of metropolitan districts.

Motion by Councilmember Donelson, seconded by President Pro Tem Helms, that the Resolution approving a first amendment to the Service Plan for the North Meadow Metropolitan District Nos. 1-5 to allow for a maximum combined debt authorization of \$200,000,000 and for the removal of district-specific debt authorizations be adopted. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Donelson, Fortune, Helms, Henjum, O'Malley, Strand, and Williams

No: 1 - Murray

11.B. [22-075](#)

A resolution of the City Council of the City of Colorado Springs, Colorado approving the issuance of debt by the North Meadow Metropolitan District No. 5 in the form of either Limited Tax General Obligation Cash Flow Bonds or a combination of Senior Limited Tax General Obligation Capital Appreciation and Subordinate General Obligation Bonds in an aggregate amount not to exceed \$110,000,000 in an area located along East Woodmen Road.

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Director of Planning & Community Development

Attachments: [Resolution](#)

[North Meadow MD - Applicant Presentation](#)

[Bond Issuance Cover Letter - North Meadow \(Updated\)](#)

[Public Improvements Costs](#)

[F.2 North Meadow MD#3-2 Financial Plan, NRLF+B3, Feb1](#)

[F.3 North Meadow MD#3-5 Financial Plan, NR A3 Snr CF, Feb1](#)

[Authorizing Resolution \(Cashflow Bonds\) - North Meadow](#)

[Authorizing Resolution \(Seniors and Subs\)- North Meadow](#)

[62326534 v 3 Bond Counsel Opinion \(Cashflow Bonds\) - D5 Issuer](#)

[62326644 v 3 Bond Counsel Opinion \(GO Subordinate\) - North Meadow D3 Issuer](#)

[62326675 v 3 Bond Counsel Opinion \(GO Senior\) - North Meadow, D3 Issuer](#)

[Cashflow GC Opinion - North Meadow, D5 Issuer](#)

[Senior and Subordinate North Meadow GC Opinion Form](#)

[North Meadow MD - D.A Davidson Letter](#)

[Signed Resolution 40-22](#)

Please see comments for Agenda item 11.A.

Motion by Councilmember Williams, seconded by President Pro Tem Helms, that the Resolution approving the issuance of debt by the North Meadow Metropolitan District No. 5 in the form of either Limited Tax General Obligation Cash Flow Bonds or a combination of Senior Limited Tax General Obligation Capital Appreciation and Subordinate General Obligation Bonds in an aggregate amount not to exceed \$110,000,000 in an area located along East Woodmen Road be adopted. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Donelson, Fortune, Helms, Henjum, O'Malley, Strand, and Williams

No: 1 - Murray

12. Public Hearing

There was no Public Hearing.

13. Added Item Agenda

There were no items added to the Agenda.

14. Executive Session

There was no Executive Session.

15. Adjourn

There being no further business to come before City Council, Council adjourned.

Sarah B. Johnson, City Clerk