



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, November 27, 2017

12:00 PM

Council Chambers

1. Call to Order

- Present** 8 - Councilmember Yolanda Avila, Councilmember Merv Bennett, Councilmember David Geislinger, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, President Richard Skorman, and Councilmember Tom Strand
- Excused** 1 - President Pro Tem Jill Gaebler

2. Changes to Agenda

Eileen Lynch Gonzalez, City Council Administrator, requested that item 9.A. be moved to 1:00pm and the Closed Executive Session be moved to 4:00pm. Consensus of Council agreed to these changes on the agenda.

3. Regular Meeting Comments

Eileen Gonzalez, City Council Administrator, said staff requested that the items related to Patriot Park which are being requested to be postponed to the December 12, 2017 City Council meeting, be addressed under item 4. of the meeting agenda. Consensus of Council agreed to this change on the agenda.

4. Review of Previous Meeting Minutes

- 4.A. [17-1391](#) City Council Work Session Minutes November 13, 2017

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [11-13-2017 City Council Work Session Meeting Minutes Final](#)

The minutes of the November 13, 2017 Work Session meeting were approved by Consensus of Council.

5. Executive Session

5A. Open

5B. Closed

- 5B.A.** [17-1385](#) In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(a), (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: (1) legal advice and negotiation consultation with the City Attorney regarding litigation related to a real property matter; and (2) legal advice and negotiation consultation with the City Attorney regarding pending litigation related to employment matters.

Presenter:
Wynetta Massey, City Attorney

Marc Smith, Division Chief, Corporate Legislative Counsel, stated 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 involves (1) legal advice and consultation with the City Attorney regarding litigation related to a real property matter; and (2) legal advice and negotiation consultation with the City Attorney regarding pending litigation related to employment matters.

Council President Skorman polled Council regarding the desire to proceed with a Closed Session. At least two-thirds of Council agreed to proceed in closed executive session.

6. Staff and Appointee Reports

- 6.A.** [16-702](#) Agenda Planner Review

Presenter:
Eileen Lynch Gonzalez, City Council Administrator

Attachments: [112717Agenda Planner Review MEMO](#)

There were no comments on this item.

7. Presentations for General Information

There were no Presentations for General Information.

8. Items for Introduction

- 8.A. [17-1291](#) A resolution approving a nomination process and governance policy for the Local Crime Prevention Planning Team in accordance with Colorado House Bill 17-1326

Presenter:

Dace West, Vice President of Community Impact, The Denver Foundation

Patrick Horvath, Deputy Vice President of Programs, The Denver Foundation

Attachments: [121217 Transforming Safety - Resolution](#)
[112717 Exhibit A Transforming Safety - governance policies](#)
[112717 Exhibit B Transforming Safety - nomination process](#)
[HB17_1326_signed](#)
[Signed Resolution 161-17](#)

Patrick Horvath, Deputy Vice President of Programs, The Denver Foundation, gave a brief overview of Colorado House Bill 17-1326 (HB 1326). He explained that The Denver Foundation was selected to steward the nomination process for the formation of the local crime prevention planning team and administer the \$1.3 million in grant funds and \$500K in small business loans for Southeast Colorado Springs and North Aurora. Mr. Horvath said that they are requesting Council approval of the nomination process to create the local planning team. Mr. Horvath described the nomination process, configuration, the criteria, and duties of the local planning team. Mr. Horvath said that [transformingsafety.org](#) is already up and running and they will be adding to it as information is received.

Councilmember Pico asked who would be responsible for the nomination process. Mr. Horvath said the six member team consisting of four local community members, one Denver Foundation staff member, and one staff member of the Colorado Criminal Justice Reform Coalition would select the members of the planning team.

Councilmember Strand commented that one of the most important tasks would be defining the boundaries of Southeast and suggested that the planning team use the 4th City Council District boundary already established by the City Clerk's Office. Mr. Horvath said that the local planning team would be responsible for determining that. Councilmember Strand also suggested coordinating with School District 11 regarding

some of the solutions that they have already implemented. Mr. Horvath agreed to bring that suggestion to the local planning team.

Councilmember Geislinger asked if it was a statutory mandate that the local planning team define the geographical boundaries and not City Council. Mr. Horvath confirmed it was. Councilmember Geislinger also asked if City Council could have input in selecting the members of the planning team. Mr. Horvath said the six member team, which is selected by the Denver Foundation, would choose the local planning team.

President Skorman requested that Councilmember Avila be the point of contact for City Council. Consensus of Council agreed.

President Pro Tem Gaebler arrived.

- 8.B.** [17-1102](#) A Resolution Approving the 2018 Budget for the Pikes Peak Regional Building Department

Presenter:

Charae McDaniel, Chief Financial Officer

Roger Lovell, Building Official, Pikes Peak Regional Building Department

Todd Welch, Regional Building Counsel, Pikes Peak Regional Building Department

Ryan Johanson, CPA, Finance Director, Pikes Peak Regional Building Department

Attachments: [Exhibit A: 2018 Budget -RBD](#)
[2018 PPRBD Budget Resolution-10.31.17](#)
[Signed Resolution 162-17](#)

Charae McDaniel, Chief Financial Officer, presented the 2018 budget for the Pikes Peak Regional Building Department (RBD).

Councilmember Murray asked if there will be donations made to other organizations in 2018 similar to what was donated in 2017.

Roger Lovell, Building Official, Pikes Peak Regional Building Department, said that donations are not anticipated for 2018 because the donations were due to an excess of revenue generated from the 2016 hailstorm.

President Pro Tem Gaebler asked if there was a policy being created to address future excess revenue. Mr. Lovell said that the development of a

policy was currently in process.

Councilmember Murray asked how soon that policy could be presented to Council. Mr. Lovell stated that it would have to be approved by their Advisory Board and Building Commission first.

Councilmember Geislinger asked if there was a distinction between permit fees for affordable and non-affordable housing projects. Mr. Lovell said that permit fees are based on valuation tables for the square footage of the house and there is not a reduced permit fee for affordable housing. Councilmember Geislinger asked if that could be an option in the future. Mr. Lovell said that it was possible that it could be implemented at a later time.

Councilmember Geislinger also asked if new commercial permits included multi-family residential. Mr. Lovell said that condominiums and apartment buildings would be considered commercial multi-family residential. Councilmember Geislinger requested a breakdown of commercial permits versus residential commercial permits. Mr. Lovell said that information is available on their website under the activity charts.

Councilmember Geislinger asked for data distinguishing commercial remodels versus residential remodels. Mr. Lovell agreed to provide that information.

Councilmember Pico stated that an excess of revenue should not be allowed to be donated, there should be a reduction of permit fees instead and that he does not support a budget which allows this. Mr. Lovell stated that they temporarily reduced the valuation based permit fees on April 1, 2017.

Councilmember Strand stated that he is on the RBD Commission and voted to approve a donation to the Children's Hospital and will review the policy for future excess revenue.

Councilmember Knight said the RBD budget does not identify any charitable contributions and asked what gives the board the right to spend money that was not approved by City Council. Mr. Lovell said the RBD is limited to the percentage of cash they are authorized to keep as far as budget goes and that is why they donated the excess to the community.

Councilmember Knight asked if the Resolution could be modified to include language that prohibits spending outside the budget. Councilmember Strand agreed to address that issue with the RBD Board.

President Pro Tem Gaebler requested more information on the Intergovernmental Agreement. Mr. Lovell said that the fee schedule is not based on the significant events that occur because they are very difficult to predict.

Councilmember Murray requested the carryover amount percentage that is allowed. Mr. Lovell agreed to provide that information.

Councilmember Pico commented that there needs to be legislation that changes the amount of excess revenue that is allowed to be held, not where it should be spent.

President Skorman stated that he supports that the excess revenue was donated to charity and asked if this situation has occurred frequently in the past. Mr. Lovell said this circumstance was very unusual. He also said that refunds would be tricky because most permits are pulled by the contractor so the customer may not see the refund that was issued back to the contractor.

- 8.C.** [17-1382](#) An Ordinance Authorizing and Approving The Lease-Purchase Of Certain Property and the Execution of Documents Related Thereto by the City of Colorado Springs, Colorado, in Connection With the Issuance of Refunding Certificates of Participation, Series 2018, in an Aggregate Principal Amount of Not To Exceed \$30,000,000; Ratifying Action Previously Taken Concerning Such Matters; And Providing For Other Matters Related Thereto.

Presenter:

Charae McDaniel, Chief Financial Officer

Tom Florczak, Deputy City Attorney

Attachments: [Ordinance-Colorado Springs Refunding COPs](#)

[COP lease refinance - Powerpoint](#)

Charae McDaniel, Chief Financial Officer, stated that the City is proposing to refinance the current Certificates of Participation (COP) for the lease of the United States Olympic Committee (USOC) building to allow the City to take advantage of historically low interest rates without extending the end date of the lease. Ms. McDaniel identified the members of the refunding

team, the details of the current COPs, and the proposed COPs.

Councilmember Murray asked how much principal has already been paid on these bonds. Ms. McDaniel agreed to provide that information.

Councilmember Knight stated that the Budget Committee did not have any issues with this proposal.

- 8.D. [17-1381](#) Ordinance No. 17-111 repealing Ordinance No. 17-12 (approving the salary of the City Council Administrator) and prescribing the salary of the City Council Administrator

Presenter:
Council President Richard Skorman

Attachments: [2018GonzalezSalaryOrdinance](#)
[Signed Ordinance 17-111](#)

There were no comments on this item.

- 8.E. [17-1380](#) Ordinance No. 17-112 repealing Ordinance No. 17-11 (approving the salary of the City Auditor) and prescribing the salary of the City Auditor

Presenter:
Council President Richard Skorman

Attachments: [2018NesterSalaryOrdinance](#)
[Signed Ordinance 17-112](#)

There were no comments on this item.

- 8.F. [17-1045](#) Ordinance No. 17-113 repealing Ordinance No. 16-112 and adopting the City of Colorado Springs - 2018 Salary Structure for Civilian and Sworn Municipal Employees

Presenter:
Mike Sullivan, Human Resources Director
Charae McDaniel, Chief Financial Officer

Attachments: [Ordinance Approving Salary Ranges 2018](#)
[2018 Salary Schedule.pdf](#)
[Signed Ordinance 17-113](#)

Councilmember Knight commented that he and Councilmember Strand serve on the Budget Committee and are in full concurrence of the proposed salary structure.

Mike Sullivan, Human Resources Director, presented the updated 2018 salary structure for civilian and sworn employees. Mr. Sullivan stated that based on the market analysis, the proposed salary ranges change for 2018 have been increased by 1.3 percent, that they have increased the zone minimum and maximum, that ranked salary structures were brought halfway to market, and unclassified hourly and seasonal were structured to reflect the new increase in minimum wage.

Councilmember Bennett asked if the salary structure will be reviewed more frequently. Mr. Sullivan said that the salary survey is completed with the use of a consultant every four years.

- 8.G.** [17-1095](#) A Resolution Fixing and Certifying the 2017 Tax Levy for Taxes Payable in 2018 at 4.409 Mills Upon Each Dollar of Assessed Valuation Within the Briargate Special Improvement Maintenance District

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Resolution re Mill Levy for Briargate SIMD 12.12.17](#)

[Briargate SIMD map](#)

[2018 Briargate SIMD signed budget letter](#)

[Signed Resolution 140-17](#)

Charae McDaniel, Chief Financial Officer, stated the 2017 tax levies for the Special Improvement Maintenance Districts are remaining the same as they were in 2016.

Councilmember Geislinger requested more information regarding the Briargate Special Improvement Maintenance District (SIMD) due to the parcels located within the district that were excluded from paying the assessment when the district was developed. Wynetta Massey, City Attorney, agreed to provide more information.

Councilmember Murray asked if the Briargate SIMD mill levy could be changed to zero. Ms. Massey said that if that is done, it cannot be increased and no maintenance will be provided to the properties in that district. Jeff Greene, Chief of Staff, stated that the administration does not support the request to reduce the district mill levy to zero.

Councilmember Knight said that the last five districts are using their fund

reserves and requested that their 2020 budgets include increasing their reserves. Ms. McDaniel said that the reserves are generally only used to fund personnel positions, but will address that for their 2020 budget.

Councilmember Murray requested a list from the City of amenities that would not be supported if the Briargate SIMD mill levy was reduced to zero. Ms. McDaniel said that she will coordinate that request with Jon Carlson, SIMD Unit Administrator, Parks, Recreation and Cultural Services Department.

- 8.H. [17-1096](#) A Resolution Fixing and Certifying the 2017 Tax Levy for Taxes Payable in 2018 at 1.009 Mills Upon Each Dollar of Assessed Valuation Within the Colorado Avenue Gateway Special Improvement Maintenance District

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Resolution re Set Mill Levy for Colo Ave Gateway SIMD 12.12.17](#)
[Colo Ave Gateway SIMD map](#)
[2018 cgw signed budget letter](#)
[Signed Resolution 141-17](#)

Please see comments in Agenda item 8.G

- 8.I. [17-1097](#) A Resolution Fixing and Certifying the 2017 Tax Levy for Taxes Payable in 2018 at 3.935 Mills Upon Each Dollar of Assessed Valuation Within the Norwood Special Improvement Maintenance District

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Resolution re Set Mill Levy for Norwood SIMD 12.12.17](#)
[Norwood SIMD map](#)
[2018 nw signed budget letter.docx](#)
[Signed Resolution 142-17](#)

Please see comments in Agenda item 8.G

- 8.J. [17-1098](#) A Resolution Fixing and Certifying the 2017 Tax Levy for Taxes Payable in 2018 at 13.416 Mills Upon Each Dollar of Assessed Valuation Within the Old Colorado City Security & Maintenance District

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Resolution re Set Mill Levy for Old Colorado City SIMD 12.12.17](#)
[Old Colo City SIMD map](#)
[2018 OCC SIMD signed budget letter.docx](#)
[Signed Resolution 143-17](#)

Please see comments in Agenda item 8.G

- 8.K.** [17-1099](#) A Resolution Fixing and Certifying the 2017 Tax Levy for Taxes Payable in 2018 at \$1.10 per Front Footage of Real Property of Assessed Valuation Within the Platte Avenue Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Resolution re Set Mill Levy for Platte Ave SIMD 12.12.17](#)
[Platte Ave SIMD map](#)
[2018 Platte SIMD signed budget letter](#)
[Signed Resolution 144-17](#)

Please see comments in Agenda item 8.G

- 8.L.** [17-1100](#) A Resolution Fixing and Certifying the 2017 Tax Levy for Taxes Payable in 2018 at 3.858 Mills Upon Each Dollar of Assessed Valuation Within the Stetson Hills Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Resolution re Set Mill Levy for Stetson Hills SIMD 12.12.17](#)
[Stetson Hills SIMD map](#)
[2018 sh signed budget letter](#)
[Signed Resolution 145-17](#)

Please see comments in Agenda item 8.G

- 8.M.** [17-1101](#) A Resolution Fixing and Certifying the 2017 Tax Levy for Taxes Payable in 2018 at 3.615 Mills Upon Each Dollar of Assessed Valuation Within the Woodstone Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Resolution re Set Mill Levy for Woodstone SIMD_12.12.17](#)
[Woodstone SIMD map](#)
[2018 Woodstone SIMD budget letter signed](#)
[Signed Resolution 146-17](#)

Please see comments in Agenda item 8.G

- 8.N.** [17-1046](#) Ordinance No. 17-115 making and certifying the 2017 Tax Levy for taxes payable in 2018 at 4.279 mills upon each dollar of assessed valuation of all taxable property and a tax credit of 4.279 mills upon each dollar of assessed valuation of all taxable business personal property within the Corporate Limits of the City of Colorado Springs

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Ordinance-TaxLevy2018-BPPT_Credit](#)
[Signed Ordinance 17-115](#)

Charae McDaniel, Chief Financial Officer, stated that this Ordinance for the general fund property tax will continue the one hundred percent credit for the business personal property tax that was effective last year and that the mill levy will remain the same at 4.279 mills.

There were no comments on this item.

- 8.O.** [17-1048](#) Ordinance No. 17-116 approving the Annual Appropriation Ordinance Adopting the Annual Budget and Appropriating Monies for the Several Purposes Named in Said Budget for the Year Ending December 31, 2018

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Appropriation Ordinance 11.20.17.docx](#)
[Signed Ordinance 17-116](#)

Charae McDaniel, Chief Financial Officer, presented the 2018 budget and stated that it included the modifications that were made at the City Council Budget Markup Sessions.

There were no comments on this item.

- 8.P.** [17-1103](#) A Resolution Setting and Certifying the 2017 Tax Levy for Taxes Payable in 2018 at 5.000 Mills for the Colorado Springs Downtown Development Authority in Colorado Springs, Colorado

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [01 Res to Set Mill Levy for DDA 12.12.17](#)
[Signed Resolution 158-17](#)

Charae McDaniel, Chief Financial Officer, presented the property tax mill levy and the budget for the Downtown Development Authority.

There were no comments on this item.

- 8.Q.** [17-1104](#) A Resolution Appropriating Funds in the Amounts of, and for the Purposes Set Forth Below, for the Colorado Springs Downtown Development Authority in Colorado Springs Colorado, for the 2018 Budget Year

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [02 Res to Appropriate for DDA 12.12.17](#)
[Signed Resolution 159-17](#)

Please see comments in Agenda item 8.P.

- 8.R.** [17-1350](#) Ordinance No. 17-110 amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the amount of \$1,214,210 for transfer to the Colorado Springs Health Foundation

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Supplemental Approp Ord for MHS Revenue Share-2017](#)
[Signed Ordinance 17-110](#)

Charae McDaniel, Chief Financial Officer, explained the process for the transfer of \$1,214,210 from the Memorial Health System Enterprise Fund to the Colorado Springs Health Foundation.

There were no comments on this item.

- 8.S.** [17-1359](#) A resolution authorizing the acquisition of property utilizing the use of possession and use agreements, for the West Colorado Avenue Reconstruction Project (Westside Avenue Action Plan)

Presenter:

Mike Chaves, Engineering Programs Manager

Attachments: [ColoradoAvePosUseAgrRES-2017-11-3](#)

[Exhibit A - West Co Ave - City of COS Parcels 11-16-2017-PU](#)

[Signed Resolution 153-17](#)

Mike Chaves, Engineering Programs Manager, presented the West Colorado Avenue reconstruction project limits, the proposed improvements, and the property acquisitions that have occurred since 2016. Mr. Chavez stated that there are still fifty-eight parcels that need to be acquired to complete the construction. Mr. Chavez identified the three segments of the project as well as a map of the remaining parcels that require possession and use.

Councilmember Bennett asked if the easements related to the undergrounding of utilities were included in the list of acquisitions. Mr. Chavez confirmed they were.

Councilmember Knight asked if all fifty-eight property owners have been contacted. Brad Rodenberg, TRS Corp, said that ninety percent of them have been given notice.

Councilmember Bennett requested an update of the property located at 3740 West Colorado. Mr. Rodenberg said that there was an immediate possession hearing in October where the City was granted possession and the property owner was granted thirty days to vacate any items that might be in the structure.

- 8.T. [17-1375](#) A resolution increasing drainage basin fees for the Sand Creek drainage basin (Legislative)

Presenter:

Travis Easton, P.E., Public Works Director

Brian Kelley, P.E., Stormwater Capital Programs Manager

Attachments: [ResSand Creek Incremental Increase \\$58](#)

[Exhibit A Sand Creek DB \\$58 Incremental Increase](#)

[Signed Resolution 156-17](#)

Brian Kelley, P.E., Stormwater Capital Programs Manager presented the proposed \$58.00 per acre increase for the Sand Creek drainage basin fees. Mr. Kelley gave a brief background of the drainage basin and

identified the increase in infrastructure costs.

There were no comments on this item.

- 8.U.** [17-1376](#) A resolution establishing 2018 Drainage Basin Fees, Bridge Fees, Detention Pond Facility and Land Fees

Presenter:

Travis Easton, P.E., Public Works Director

Brian Kelley, P.E., Stormwater Capital Programs Manager

Attachments: [ResDrainageFeeIncrease2018](#)

[Exhibit A 2018 Drainage Fee schedule - Copy](#)

[Exhibit B 2017 Drainage Fee schedule](#)

[Exhibit C 2018 Drainage Fees Memo to Drainage Board 11.2.2017](#)

[Exhibit D 101817 HBA Drainage Fee Letter](#)

[11-02-17 Drainage Board Minutes](#)

[CC Drainage Fee Adjustment 2018](#)

[Signed Resolution 157-17](#)

Brian Kelley, P.E., Stormwater Capital Programs Manager, provided a review of how the drainage fee and detention pond land fees are determined each year, gave a brief history of past drainage fee increases, the process for the 2018 drainage fees, and the recommended adjustment to the 2018 drainage fees.

There were no comments on this item.

- 8.V.** [17-1369](#) Consideration of a Resolution Regarding Rescinding the Current Interstate Open Access Transmission Tariff in its Entirety

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division

Jerry A. Forte, P.E., CEO, Colorado Springs Utilities

Attachments: [1 - OATT Rescind Resolution.pdf](#)

Chris Bidlack, City Attorney's Office-Utilities Division, stated that this was the next step in the rate case process and that Council will vote on the decisions and orders at the November 28, 2017 City Council meeting.

There were no comments on this item.

- 8.W.** [17-1370](#) Consideration of a Resolution Regarding Adopting the Interstate Open

Access Transmission Tariff in its Entirety

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division
Jerry A. Forte, P.E., CEO, Colorado Springs Utilities

Attachments: [2018_D&O_OATT-11-17-17.docx](#)
[2 - OATT Resolution Adopt.pdf](#)
[Signed Resolution 133-17](#)

Please see comments in Agenda item 8.V.

- 8.X.** [17-1371](#) Consideration of a Resolution Regarding Changes to the Utilities Rules and Regulations

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division
Jerry A. Forte, P.E., CEO, Colorado Springs Utilities

Attachments: [2018_D&O_URR-11-17-17.docx](#)
[3 - URR Resolution and General Rules.pdf](#)
[Signed Resolution 134-17](#)

Please see comments in Agenda item 8.V.

- 8.Y.** [17-1372](#) Consideration of a Resolution Setting Electric Rates within the Service Area of Colorado Springs Utilities

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division
Jerry A. Forte, P.E., CEO, Colorado Springs Utilities

Attachments: [2018_D&O_Electric-11-17-17.docx](#)
[4 -Electric Resolution and Rate Schedules.pdf](#)

Please see comments in Agenda item 8.V.

- 8.Z.** [17-1373](#) Consideration of a Resolution Setting Water Rates within the Service Area of Colorado Springs Utilities

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division
Jerry A. Forte, P.E., CEO, Colorado Springs Utilities

Attachments: [2018_D&O_Water-11-17-17.docx](#)
[5 - Resolution and Rates Water.docx.pdf](#)
[Signed Resolution 136-17](#)

Please see comments in Agenda item 8.V.

- 8.AA.** [17-1388](#) An ordinance for the inclusion of certain property into the Creekwalk Marketplace Business Improvement District

(Legislative)

Presenter:

Conrad Olmedo, Comprehensive Planner II, Planning & Community Development

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Attachments: [ORD_CreekwalkMarketplaceBID](#)

[Exhibit A_CMBID - Petition](#)

[Exhibit B_CMBID Notice of Inclusion](#)

[CMBID - Submittal Letter](#)

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development, gave a brief history of the Creekwalk Marketplace Business Improvement District (BID) and presented a map of the proposed inclusion of properties which are all zoned C-5.

Councilmember Murray asked if there was a benefit for BIDs to include these properties. Mr. Schueler said that developers prefer to get these properties together because it is financially beneficial for ongoing operational maintenance and public improvements.

President Pro Tem Gaebler asked who oversees the property taxes and expenses for public improvement. Mr. Schueler said that the district provides an audit report to the Budget and Finance Department of the City and Council approves the actual issuance of debt.

- 8.AB.** [17-1389](#) A Resolution Appointing Members to the Canyon Creek Metropolitan District No. 2 Board of Directors

Presenter:

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

Attachments: [CanyonCreekRES-2017-11-20](#)

[Letter to City of Colorado Springs regarding appointment of Board of Directors, 2017-11-06](#)
[Resumes](#)

[History of Inclusions and Exclusions, 2017-11-14](#)

[Signed Resolution 154-17](#)

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development Department, said the Canyon Creek Metropolitan District No. 2 Board of Directors was completely vacated due to property exclusion and now requires Council to appoint or re-appoint board members. He identified the original 2008 district boundaries as well as the current district boundaries. Mr. Schueler listed the directors who are requesting to be appointed.

Councilmember Pico asked how the individuals would be eligible to be re-appointed if they were previously excluded. Blair Dickhoner, representative of the district, said individuals had to re-qualify under a new option contract where they purchase property and pay taxes on it.

Councilmember Knight asked how District No. 2 still exists if there are no residential properties in it. Mr. Schueler identified the new properties that had been added since 2008.

Councilmember Knight asked if the property owners were provided notice to serve on the Board of Directors. Mr. Dickhoner said that there is requirement for publication of notice, but those properties are owned by LLCs which do not qualify to serve on the Board of Directors.

9. Items Under Study

9.A. [17-1368](#) Banning Lewis Ranch Economic and Fiscal Impact Analysis

Presenter:

Bob Cope, Economic Development Manager

Carson Bise, President, TischlerBise, Inc.

Julie Herlands, Principal, TischlerBise, Inc.

Attachments: [11.27.17 Item 9.A File 17-1368.pptx](#)

[COS BLR Economic Impact Analysis_11.27.2017.pdf](#)

[COS BLR Fiscal Impact Analysis_11.27.2017.pdf](#)

[COS BLR Appendix_LOS_11.27.17.pdf](#)

Bob Cope, Economic Development Manager, provided background on TischlerBise, Inc. and their analysis process for the Banning Lewis Ranch economic and fiscal impact analysis.

Councilmember Murray stated that Council did not receive any material prior to the start of this meeting and requested that this item be withdrawn. President Skorman stated that this presentation is for informational purposes and with consent of Council, denied the request.

Carson Bise, President, TischlerBise, Inc. identified the differences between economic and fiscal impacts on a community, their methodologies and assumptions, land uses, and the growth summary.

President Pro Tem Gaebler asked if the analysis report of 24K housing units reflected only new houses that were planned to be built or included houses that were already built. Julie Herlands, Principal, TischlerBise, Inc said she will provide the information on how many were existing housing units.

Councilmember Pico asked about the density ratio of the current master plan. Mr. Bise said that as information becomes available on the future of Banning Lewis Ranch, the City will be updated of the changes.

Councilmember Murray asked if the annexation agreement modification would be for the entire property even though the analysis was done for less than one third of Banning Lewis Ranch. Mr. Bise confirmed it would be.

Ms. Herlands, presented the fiscal impact results of revenue and costs. She identified the cumulative projected revenue, the general fund projected revenue, the special revenue fund, and other potential revenue. She presented the projected costs to serve, projected capital impacts, and costs,

Councilmember Murray asked if the residential streets and intersections would be the responsibility of the City. Ms. Herlands said those are projected to be private sector costs. Councilmember Murray requested the cost for other road infrastructures such as Marksheffel Road that will have to be improved due to the increase in volume.

Councilmember Knight stated that two years after a road is built, the City

takes over maintenance of that street. Ms. Herlands said that maintenance cost is reflected under operating costs. Councilmember Knight also asked whether the fire department vehicle replacement schedule of seventeen years and the police vehicle maintenance and replacement schedule had been considered. Ms. Herlands said that they are incorporated with the current operations schedule.

Councilmember Pico asked if the capital cost for the police and fire substations would be partially funded by the developers and if it is included in the report. Ms. Herland said that the analysis reflected the overall cost and the developer funded portion was reflected in special revenue.

Mr. Bise presented the long term projected economic impacts, projected jobs, the twenty-two year summary, the Colorado Springs Utilities projections, and the summary of the fiscal and economic impacts

Councilmember Knight asked why planning and development was projected so low. Ms. Herlands said that they met with each of the departments to determine what was needed. Councilmember Knight also asked why road maintenance cost was projected low. Ms. Herlands said that the cost included both salaries and ongoing maintenance.

Councilmember Knight commented that inflation factors should be taken into consideration in regards to vehicle replacement and salaries especially in regards to police and fire being brought to market within two years. Ms. Herland said that they equate both the revenue and costs based on current valuation because it is calculated for the next year budget rather than having to explain the differences if they based it on inflation.

Councilmember Knight commented that the projection of \$434 million in revenue from Colorado Springs Utilities (CSU) is a misperception because they are a non-profit entity so there would be a decrease in rates or additional expenditures that would account for that revenue. He said a more realistic number to look at would be the potential transfer payment increase from CSU to the City.

Councilmember Knight requested the schedule for when this item will come before Council again. Jeff Greene, Chief of Staff, said that they will provide that schedule prior to December 1, 2017.

Councilmember Bennett asked if it was considered a conservative analysis. Mr. Bise said that it was.

Councilmember Murray asked if the Gallagher Amendment was used for the analysis of property taxes. Mr. Bise said the analysis was based on fixed current levels because they are not assuming any inflation of the property values over time.

Mr. Cope stated that very little development has occurred since 1988 in Banning Lewis Ranch. He identified the negative economic and fiscal impacts to the City as a result of the current annexation agreement of this area as well as the potential positive impacts that could occur as a result of the proposed annexation agreement.

Councilmember Murray requested updated maps for this area. Mr. Cope agreed to provide that information.

Councilmember Knight commented that he is concerned that the cost to serve in the first ten years will be 100K-200K in the negative, but believes that over time the development will pay for itself.

10. Councilmember Reports and Open Discussion

There were no Councilmember Reports and there was no Open Discussion.

11. Adjourn

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

Sarah B. Johnson, City Clerk