



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, November 10, 2020

10:00 AM

Council Chambers

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1. Call to Order

Present: 9 - Councilmember Yolanda Avila, Councilmember Jill Gaebler, Councilmember David Geislinger, Councilmember Don Knight, Councilmember Bill Murray, Councilmember Andy Pico, President Richard Skorman, President Pro Tem Tom Strand, and Councilmember Wayne Williams

2. Invocation and Pledge of Allegiance

The Invocation was written by by Chaplin Cindy Fitzkee, from the Colorado Springs Police Department (CSPD) and read by Councilmember Geislinger.

President Skorman led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

Sarah B. Johnson, City Clerk, stated the appellant withdrew item 12.A.

Consensus of Council agreed to this change on the agenda.

12.A. [CPC CU 20-00060](#) An appeal of the Planning Commission's decision to approve the Sundance at Rock Creek Conditional Use Development plan for a 240

unit apartment complex located southwest of the intersection of Pine Oaks Road and Highway 115.

(Quasi-Judicial)

Presenter:

Lonna Thelen, Principal Planner, Planning and Community Development
Peter Wysocki, Director, Planning and Community Development

Attachments: [Applicant Appeal Statement](#)
[Staff - Sundance at Rock Creek- LJT](#)
[Vicinity Map](#)
[Aerial Vicinity Map](#)
[CPC Staff Report Sundance at Rock Creek](#)
[Conditional Use Development Plan](#)
[Project Statement](#)
[Public Comments](#)
[Context Map](#)
[Access Road Applicant Comments](#)
[PlanCOS Vibrant Neighborhoods Framework Map](#)
[7.5.704 Conditional Use Review](#)
[7.5.502.E Development Plan Review](#)

Motion by Councilmember Williams, seconded by President Pro Tem Strand, to accept the appellant's withdrawal of the appeal. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, Strand, and Williams

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.** [CPC ZC 20-00008](#) Ordinance No. 20-80 amending the zoning map of the City of Colorado Springs pertaining to 0.73-acre from Intermediate Business with Planned Provisional Overlay (C5/P) to Intermediate Business (C5), located at 4430 Forrest Hill Road.

(Quasi-Judicial)

Related Files: CPC ZC 20-00008, CPC DP 20-00009, CPC NV

20-00069, and CPC NV 20-00070

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [ZC ORD 4430ForrestHillRoad](#)

[Exhibit A - Legal](#)

[Exhibit B - Zone Change](#)

[Vicinity Map](#)

This Ordinance was finally passed on the Consent Calendar

4A.B. [20-545](#)

Ordinance No. 20-81 amending Ordinance No. 19-87 (2020 Appropriation Ordinance) for a supplemental appropriation to the Grant Fund in the amount of \$67,013,392, the Airport Grant Fund in the amount of \$24,340,290, and the CDBG Grant Fund in the amount of \$1,811,610 for the Coronavirus Aid, Relief, and Economic Security Act (CARES) grants funding response to and recovery from the coronavirus pandemic.

Presenter:

Charae McDaniel, Chief Financial Officer
Jen Vance, Grants Manager

Attachments: [CARES Act GrantsSuppAppORD-2020-09-17](#)

[Granicus File 20-545 CARES Grant Supplemental Appropriation PowerPoint 10.12.20](#)

This Ordinance was finally passed on the Consent Calendar

4A.C. [20-570](#)

Ordinance No. 20-82 Repealing Ordinance No. 17-37 and Dissolving the Colorado Springs Commission on Aging

Presenter:

Jill Gaebler, City Councilmember

Attachments: [CommissionAgingDissolutionORD-2020-09-22](#)

[Ord-no.-17-37 Comm Aging](#)

This Ordinance was finally passed on the Consent Calendar

4B. First Presentation:

4B.A. [20-617](#)

City Council Regular Meeting Minutes October 27, 2020

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [10-27-2020 City Council Meeting Minutes Final.pdf](#)
[10-27-20 2021 DO Gas.pdf](#)

The Minutes were approved on the Consent Calendar.

4B.B. [20-611](#) Appointments and Removals to Boards, Commissions, and Committee

Presenter:
Michael Montgomery, Deputy Council Administrator

Attachments: [111020 Boards and Commissions](#)

This Item was approved on the Consent Calendar.

4B.C. [20-597](#) The City Clerk reports that on October 15, 2020 there was filed with her a petition for the annexation of Date Joint Venture Addition No. 1 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [property description date](#)
[vicinity date](#)
[petition date](#)

This Item was approved on the Consent Calendar.

4B.D. [20-601](#) The City Clerk reports that on October 21, 2020 there was filed with her a petition for the annexation of Advanced Technology Campus Addition No. 1 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [Advanced Technology Campus Addition No 1 Petition](#)
[Advanced Technology Campus Addition No 1 Vicinity](#)

This Resolution was adopted on the Consent Calendar.

4B.E. [20-357](#) A Resolution Approving the 2021 Budget for Pikes Peak Regional Building Department

Presenter:

Charae McDaniel, Chief Financial Officer
Roger Lovell, Building Official, Pikes Peak Regional Building
Department
Ryan Johanson, CPA, Finance Director, Pikes Peak Regional Building
Department

Attachments: [2021 PPRBD Budget Resolution-11.10.20](#)
[2021 Budget Final](#)
[2021 Budget Presentation - City Council Work Session](#)

This Resolution was adopted on the Consent Calendar.

- 4B.F. [20-506](#)** A resolution approving the Transit Services Division's Public Transportation Agency Safety Plan (PTASP) and establishing safety performance targets for public transportation operations.

Presenter:
Craig Blewitt, Transit Services Division Manager
Wendy Patterson, Transit Operations Administrator

Attachments: [MMT Safety Plan 2020 Slides.pptx](#)
[MMT Safety Plan-2020.pdf](#)
[Safety Plan Resolution.docx](#)

This Resolution was adopted on the Consent Calendar.

- 4B.G. [20-572](#)** A Resolution Authorizing the Acquisition of Property to be used in Support of the Lower Williams Creek Site Projects

Presenter:
Jessica Davis, Land Resource Manager, Colorado Springs Utilities
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [CC-AcquisitionCorundumPropertyRES-2020-09-28.docx](#)
[Exhibits A and B Signed](#)

This Resolution was adopted on the Consent Calendar.

- 4B.H. [20-577](#)** A Resolution Setting the Street Lighting Service Revenue Requirement for the Period of January 1, 2021 Through December 31, 2021

Presenter:
Scott Shewey, Chief Planning and Finance Officer, Colorado Springs
Utilities
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [11-10-2020 MG 2021 SL Rev Req-Resolution](#)
[11-10-2020 MG 2021 SL COSS Summary](#)

This Resolution was adopted on the Consent Calendar.

Approval of the Consent Agenda

Motion by President Pro Tem Strand, seconded by Councilmember Williams, 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

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, Strand, and Williams

5. Recognitions

5.A. [20-614](#) A Proclamation recognizing November 11, 2020 as Veterans Day

Presenter:

Tom Strand, City Council President Pro Tem/Councilmember At-large

Attachments: [Veterans Day 2020](#)

President Pro Tem Strand recognized the veterans serving on City Council and read a Proclamation in honor and support for a day of remembrance and community commemoration recognizing November 11, 2020 as Veterans Day.

Dr. Christopher Linski, Retired U.S. Army Veteran, Post Commander of VFW Pikes Peak Post 4051, provided a brief history of veterans and expressed appreciation for their sacrifices.

Bob McLaughlin, Retired U.S. Army Retired Colonel, Director, Mt. Carmel, spoke about the birthday of the Marine Corps and the contributions of veterans in the community.

President Pro Tem Strand, Councilmember Avila, and Councilmember Murray expressed appreciation for veterans and the public support of veterans.

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

There was no Citizen Discussion.

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

- 9.A.** [20-540](#) Ordinance No. 20-83 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, 2021

Presenter:

Scott Shewey, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2021 Annual Budget Formal Ord](#)
[2020-10-27 CC Prelim Budget](#)

There were no comments on this item.

Motion by Councilmember Williams, seconded by Councilmember Murray, that the proposed Ordinance 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, 2021 be finally passed. The motion passed by a vote of 7-2-0-0

Aye: 7 - Avila, Gaebler, Geislinger, Murray, Skorman, Strand, and Williams

No: 2 - Knight, and Pico

- 9.B.** [20-541](#) Ordinance No. 20-84 Identifying and Accepting the Annual Sources of Funds for Colorado Springs Utilities for the Year Ending December 31, 2021

Presenter:

Scott Shewey, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2021 Annual Source Funds Ord](#)

There were no comments on this item.

Motion by President Pro Tem Strand, seconded by Councilmember Murray, that the Ordinance identifying and accepting the annual sources of funds for Colorado Springs Utilities for the year ending December 31, 2021 be finally passed. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, Strand, and Williams

- 9.C. [20-576](#) Consideration of a Resolution Setting Natural Gas Rates Within the Service Area of Colorado Springs Utilities and Certain Other Changes to the Natural Gas Rate Schedules

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2021 D&O Gas 10-28-20](#)

[Natural Gas Resolution](#)

[11-10-2020 CC D&O-Natural Gas Resolutions & Tariffs](#)

There were no comments on this item.

Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the resolution setting natural gas rates within the service area of Colorado Springs Utilities and certain other changes to the natural gas rate schedules be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, Strand, and Williams

- 9.D. [20-619](#) Consideration of a Resolution Setting Electric Rates Within the Service Area of Colorado Springs Utilities and Certain Other Changes to the Electric Rate Schedules

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2021 D&O Electric 10-28-20](#)

[Electric Resolution](#)

[11-10-2020 CC D&O-Electric Resolutions & Tariffs](#)

There were no comments on this item.

Motion by President Pro Tem Strand, seconded by Councilmember Murray, that the Resolution setting electric rates within the service area of Colorado Springs Utilities and certain other changes to the electric rate schedules be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, Strand, and Williams

- 9.E. [20-620](#) Consideration of a Resolution Setting the Water Rate for Augmentation (W1G) Service of Colorado Springs Utilities

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2021 D&O Water 10-28-20](#)
[Water Resolution](#)
[11-10-2020 CC D&O-Water Resolutions & Tariffs](#)

There were no comments on this item.

Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the Resolution setting the water rate for augmentation (W1G) service of Colorado Springs Utilities be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, Strand, and Williams

9.F. [20-575](#) Consideration of a Resolution Setting the Wastewater Rate for Contract Service - Outside City Limits (S9C) Service of Colorado Springs Utilities

Presenter:
 Chris Bidlack, City Attorney's Office-Utilities Division
 Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2021 D&O Wastewater 10-28-20](#)
[Wastewater Resolution](#)
[11-10-2020 CC D&O-Wastewater Resolutions & Tariffs](#)

There were no comments on this item.

Motion by Councilmember Murray, seconded by Councilmember Geislinger, that the Resolution setting the wastewater rate for contract service - outside city limits (S9C) service of Colorado Springs Utilities be adopted. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, Strand, and Williams

10. Unfinished Business

There was no Unfinished Business.

11. New Business

11.A. [20-502](#) Resolution Approving a Third Amendment to the Service Plan for the Colorado Crossing Metropolitan District Nos. 1-3 Increasing the Maximum Debt Authorization from \$35,000,000 to \$50,000,000.

Presenter:
 Carl Schueler, Comprehensive Planning Manager, Planning and Community Development
 Peter Wysocki, Director, Planning and Community Development

Attachments: [Resolution Colorado Crossing Amendment](#)
[Exhibit 1- Third Amendment to the Consolidated Service Plan](#)
[Colorado Crossing Metro Dist Amendment and Debt Issuance PowerPoint](#)
[1- Letter to City of Colorado Springs re Proposed Third Amendment to Consolidated Service Plan \(9.14.2020\)](#)
[2- Petition to City - Third Amendment](#)
[3- Updated Applicant Presentation](#)
[4- Improvement Summary and Map - Service Plan Amendment](#)

Carl Schueler, Planning Manager, Comprehensive Planning, Planning and Development Department, presented the Resolution approving a third amendment to the service plan for the Colorado Crossing Metropolitan District Nos. 1-3 increasing the maximum debt authorization to \$50M and the Resolution authorizing Colorado Crossing Metropolitan District No. 2 to issue debt in the form of Series 2020A-1, Series 2020A-2 and Series 2020B-2 Limited Tax General Obligation Bonds.

Meghan Becher, Esq. McGeady Becher, P.C., representing the applicant, gave an overview of the request and update.

Councilmember Murray stated he will be reluctantly supporting this project as a one-off and does not agree with the use of Series 2020B-2 Limited Tax General Obligation Bonds.

Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, that the Resolution approving a third amendment to the service plan for the Colorado Crossing Metropolitan District Nos. 1-3 increasing the maximum debt authorization from \$35,000,000 to \$50,000,000 be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, Strand, and Williams

11.B. [20-503](#) Resolution Authorizing Colorado Crossing Metropolitan District No. 2 to Issue Debt in the form of Series 2020A-1, Series 2020A-2 and Series 2020B-2 Limited Tax General Obligation Bonds

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments: [Resolution](#)

- [1A- Applicant Presentation for 11-10-20](#)
- [1- Letter to City of Colorado Springs re Bond Issuance Submittal](#)
- [2- Term Sheet - Colorado Crossing\) \(as of 9.30.2020\)](#)
- [3- 2020 Bonds Anticipated Use Exhibit](#)
- [4- A-1 Base Case \(9.30.2020\)](#)
- [5- A-2, B-2 Model \(9.30.2020\)](#)
- [6- CO Crossing MD Indenture \(A-1\)](#)
- [7- CO Crossing MD Indenture \(A-2\)](#)
- [8-CO Crossing MD No. 2 Pledge Agreement \(A1\)](#)
- [9- CO Crossing MD Indenture \(B-2\)](#)
- [10- CO Crossing MD No. 2 Pledge Agreement \(A1\)](#)
- [11- CO Crossing MD No. 2 Pledge Agreement \(A2B2\)](#)
- [12- Form of General Counsel Opinion](#)
- [13- Net Present Value Analysis- Sep16](#)
- [14- District Boundary Exhibit](#)
- [15- District Maintenance Exhibit](#)
- [16- Updated Finance Plan Approval Request - Oct 27 2020](#)
- [17- Community Meeting Notice - October 28, 2020](#)
- [18- 10-26-20 Applicant Presentation](#)

Please see comments in Agenda item 11.A.

Motion by Councilmember Geislinger, seconded by President Pro Tem Strand, that the Resolution authorizing Colorado Crossing Metropolitan District No. 2 to issue debt in the form of Series 2020A-1, Series 2020A-2 and Series 2020B-2 Limited Tax General Obligation Bonds be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, Strand, and Williams

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