



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, December 12, 2023

10:00 AM

Council Chambers

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Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

1. Call to Order and Roll Call

Present: 9 - Councilmember Yolanda Avila, President Pro Tem Lynette Crow-Iverson, Councilmember Dave Donelson, President Randy Helms, Councilmember Nancy Henjum, Councilmember David Leinweber, Councilmember Mike O'Malley, Councilmember Brian Risley, and Councilmember Michelle Talarico

Councilmember Avila arrived at approximately 10:26 AM.
Councilmember O'Malley attended the meeting virtually.

2. Invocation and Pledge of Allegiance

The Invocation was made by Chaplain Captain Tamer Sayedahmed from the United States Air Force Academy.

President Helms led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

President Helms stated Councilmember Donelson has requested item

4B.N. to be removed from the Consent Calendar.

Consensus of Council agreed to this change on 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. [23-395](#) Ordinance No. 23-62 Making and Certifying the 2023 Tax Levy for Taxes Payable in 2024 at 3.579 Mills (comprised of a general operating mill levy of 4.279 mills and a temporary tax credit of 0.70 mills) Upon Each Dollar of Assessed Valuation of All Taxable Property and a Tax Credit of 3.579 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: [TaxLevy2024-BPPT_CreditORD SB23B 11.28.23](#)

[Signed Ordinance No. 23-62.pdf](#)

This Ordinance was finally passed on the Consent Calendar

4B. First Presentation:

- 4B.A. [23-650](#) City Council Regular Meeting Minutes November 28, 2023

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [11-28-2023 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

- 4B.B. [23-570](#) A Resolution of the City Council of the City of Colorado Springs, Colorado approving the First Amendment to the Amended and Restated Consolidated Service Plan for the Bradley Heights Metropolitan District, Nos. 1, 2, and 3, for a district located in the Vicinity of Bradley Road and Marksheffel Road in Southeastern Colorado Springs.

Presenter:

Mike Tassi, Assistant Director, Planning + Neighborhood Services

Peter Wysocki, Director, Planning + Neighborhood Services

Attachments: [Bradley Heights Resolution](#)

[Cover Letter First Amendment to Amended Service Plan Bradley Heights Metro 1-3](#)

[First Amendment to the Amended and Restated Service Plan for Bradley Heights MDs 1-3 August 2023 vf - TDG 11.8.2023](#)

[Staff PowerPoint Bradley Heights](#)

[Exhibit 1 - Amended & Restated Splan Bradley Hgts April 2010.doc](#)

[Signed Resolution No. 205-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.C. [23-627](#)

A Resolution Authorizing the Acquisition of Easements from Capital Corona II, LP And MTCOR, LLC for the Academy Boulevard - Fountain To Jet Wing Drive Project

Presenter:

Gayle Sturdivant, PE, PMP, Acting Public Works Director/City Engineer
Darlene Kennedy, Real Estate Services Manager

Attachments: [2 Capital Corona - Resolution](#)

[3 Resolution - Exhibit A - Permanent Easements](#)

[4 Resolution - Exhibit B - Temporary Easements](#)

[5 Academy - Corona Capital Presentation 20231114](#)

[Signed Resolution No. 206-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.D. [23-609](#)

A Resolution approving the Intergovernmental Agreement between the City of Colorado Springs and El Paso County, Colorado, for the administration, operation and maintenance of traffic signals owned by El Paso County

Presenter:

Gayle Sturdivant, PE, PMP, Acting Public Works Director/City Engineer
Todd Frisbie, PE, PTOE, City Traffic Engineer, Public Works Department

Attachments: [COS EPC Signal System IGA 11102023](#)

[RES_I GA EPC-City Traffic Signal_11062023](#)

[Traffic Signal IGA](#)

[Signed Resolution No. 207-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.E. [23-593](#)

A Resolution Establishing 2024 Drainage Basin Fees, Bridge Fees, Detention Pond Facility and Land Fees

Presenter:

Richard Mulledy, P.E., Stormwater Enterprise Manager

Erin Powers, P.E., Stormwater Compliance Program Manager

Attachments: [SW-2024DrainageFeesRES-2023-11-13](#)

[Exhibit A - Proposed 2024 Fee Schedule](#)

[Exhibit B - Memo to Drainage Board for 2024 Fees](#)

[Exhibit C - Resolution 202-22](#)

[Exhibit D - HBA Letter of Support for 2024 Fees](#)

[2024 Drainage Fees Presentation_Final](#)

[Signed Resolution No. 208-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.F. [23-594](#) A Resolution Establishing 2024 Stormwater Review Fees

Presenter:

Richard Mulledy, P.E., Stormwater Enterprise Manager

Erin Powers, P.E., Stormwater Compliance Program Manager

Attachments: [SW-ReviewFeesRES-2023-11-13](#)

[Exhibit A - Proposed 2024 Review Fee Schedule](#)

[Exhibit B - Resolution 128-19](#)

[Exhibit C - HBA Letter of Support for 2024 Fees](#)

[Exhibit D - Review Fee Comparison](#)

[Signed Resolution No. 209-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.G. [23-607](#) A Resolution Authorizing the Acquisition of Real Property Identified by El Paso County Tax Schedule Number 6510001001 Near Bradley Substation

Presenter:

Jessica K. Davis, Land Resource Manager, Colorado Springs Utilities

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2 - CC Resolution Bradley Solar_Final](#)

[3 - CC Presentation_Property Acquisition_Bradley Solar_Final](#)

[Signed Resolution No. 210-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.H. [23-637](#) Quarterly Recognition for City Employee Retirees

Presenter:

No presenter - employee will not be present. Please place on consent agenda.

Attachments: [Q4 2023 Retiree Resolution \(Employee\(s\) Will Not Attend\)](#)

This Item was approved on the Consent Calendar.

4B.I. [23-640](#)

The City Clerk reports that on November 20, 2023 there was filed with her a petition for the annexation of Space Village Addition No 2 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: [Memo to Clerk Annexation Petition Space Village Addition No 2.doc](#)

[Space Village Addition No 2 - Annexation Petition.pdf](#)

[Space Village Addition No 2 - Annexation Plat-11X17.pdf](#)

[Space Village Addition No 2 - Legal Description.pdf](#)

[Space Village Addition No 2 - Vicinity Map.pdf](#)

This Item was approved on the Consent Calendar.

4B.J. [23-641](#)

The City Clerk reports that on November 20, 2023 there was filed with her a petition for the annexation of Space Village Addition No 3 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: [Memo to Clerk Annexation Petition Space Village Addition No 3.doc](#)

[Space Village Addition No 3 - Annexation Petition.pdf](#)

[Space Village Addition No 3 - Annexation Plat-11X17.pdf](#)

[Space Village Addition No 3 - Legal Description.pdf](#)

[Space Village Addition No 3 - Vicinity Map.pdf](#)

This Item was approved on the Consent Calendar.

4B.K. [23-642](#)

The City Clerk reports that on November 20, 2023 there was filed with her a petition for the annexation of Air Lane 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: [Air Lane Addition No 1 - Annexation Petition.pdf](#)
[Air Lane Addition No 1 - Annexation Plat-11X17.pdf](#)
[Air Lane Addition No 1 - Legal Description.pdf](#)
[Air Lane Addition No 1 - Vicinity Map.pdf](#)
[Memo to Clerk Annexation Petition_Air Lane Addition No 1.doc](#)

This Item was approved on the Consent Calendar.

4B.L. [23-643](#)

The City Clerk reports that on November 20, 2023 there was filed with her a petition for the annexation of Air Lane Addition No 2 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: [Air Lane Addition No 2 - Annexation Petition.pdf](#)
[Air Lane Addition No 2 - Annexation Plat-11X17.pdf](#)
[Air Lane Addition No 2 - Legal Description.pdf](#)
[Air Lane Addition No 2 - Vicinity Map.pdf](#)
[Memo to Clerk Annexation Petition_Air Lane Addition No 2.doc](#)

This Item was approved on the Consent Calendar.

4B.M. [23-644](#)

The City Clerk reports that on November 20, 2023 there was filed with her a petition for the annexation of Air Lane Addition No 3 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: [Air Lane Addition No 3 - Annexation Petition.pdf](#)
[Air Lane Addition No 3 - Annexation Plat-11X17.pdf](#)
[Air Lane Addition No 3 - Legal Description.pdf](#)
[Air Lane Addition No 3 - Vicinity Map.pdf](#)
[Memo to Clerk Annexation Petition_Air Lane Addition No 3.doc](#)

This Item was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember Leinweber, seconded by Councilmember Talarico, 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 8-0-1-0

Aye: 8 - Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

Excused: 1 - Avila

5. Recognitions

5.A. [23-655](#) A Resolution Of The City Of Colorado Springs Opposing The Governor's Interference With Home Rule Municipal Budgets

Presenter:

Lynette Crow-Iverson, Council President Pro Tem and Councilmember At Larger

Attachments: [Opposition of Governor's Interference in Home Rule Municipal Budgets Signed Resolution No. 211-23.pdf](#)

President Pro Tem Crow-Iverson read the Resolution opposing the Governor's interference with home rule municipal budgets.

There were no comments on this item.

Motion by Councilmember Leinweber, seconded by Councilmember Talarico, that the Resolution of the City of Colorado Springs opposing the Governor's interference with home rule municipal budgets be adopted. The motion passed by a vote of 8-0-1-0

Aye: 8 - Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

Excused: 1 - Avila

6. Mayor's Business

6.A. [23-614](#) Nomination to reappoint Jacob Pruitt for a three-year term on the Colorado Springs Health Foundation Board of Trustees, beginning on January 1, 2024, and expiring on December 31, 2026.

Presenter:

Yemi Mobolade, Mayor of Colorado Springs

Jamie Fabos, Chief of Staff, presented the nomination to reappoint Jacob Pruitt for a three-year term on the Colorado Springs Health Foundation Board of Trustees.

Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the nomination to reappoint Jacob Pruitt for a three-year term on the Colorado Springs Health Foundation Board of Trustees, beginning on January 1, 2024, and expiring on December 31, 2026 be approved. The motion passed by a vote of 8-0-1-0

Aye: 8 - Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

Excused: 1 - Avila

- 6.B.** [23-615](#) Nomination to reappoint Erik Wallace, MD for a three-year term on the Colorado Springs Health Foundation Board of Trustees, beginning on January 1, 2024, and expiring on December 31, 2026.

Presenter:

Yemi Mobolade, Mayor of Colorado Springs

Jamie Fabos, Chief of Staff, presented the nomination to reappoint Erik Wallace, MD for a three-year term on the Colorado Springs Health Foundation Board of Trustees.

Councilmember Henjum expressed appreciation for Dr. Wallace's commitment to serve on the Board and his service to the community.

Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the nomination to reappoint Erik Wallace for a three-year term on the Colorado Springs Health Foundation Board of Trustees, beginning on January 1, 2024, and expiring on December 31, 2026 be approved. The motion passed by a vote of 8-0-1-0

Aye: 8 - Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

Excused: 1 - Avila

- 6.C.** [23-648](#) Nomination to appoint Anne Cesare to the Colorado Springs Health Foundation Board representative from UC Health Memorial Hospital, effective immediately beginning on December 12, 2023.

Presenter:

Yemi Mobolade, Mayor of Colorado Springs

Jamie Fabos, Chief of Staff, presented the nomination to appoint Anne Cesare for the Colorado Springs Health Foundation Board representative from UC Health Memorial Hospital.

Councilmember Risley and Councilmember Henjum expressed appreciation for Ms. Cesare's commitment to serve on the Board and her service to the community.

Motion by Councilmember Leinweber, seconded by President Pro Tem Crow-Iverson, that the nomination to appoint Anne Cesare as the Colorado Springs Health Foundation Board representative from UC Health Memorial Hospital, effective immediately beginning on December 12, 2023 be approved. The motion passed by a vote of 8-0-1-0.

Aye: 8 - Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

Excused: 1 - Avila

- 6.D.** [23-649](#) Nomination to appoint Father Augustine Nellary as the Colorado Springs Health Foundation Board representative from Penrose-St. Francis Health Services, effective immediately beginning on December 12, 2023.

Presenter:

Yemi Mobolade, Mayor of Colorado Springs

Jamie Fabos, Chief of Staff, presented the nomination to appoint Father Augustine Nellary for the Colorado Springs Health Foundation Board representative from Penrose-St. Francis Health Services.

Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the nomination to appoint Augustine Nellary, PhD as the Colorado Springs Health Foundation Board representative from Penrose-St. Francis Health Services, effective immediately beginning on December 12, 2023 be approved. The motion passed by a vote of 8-0-1-0.

Aye: 8 - Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

Excused: 1 - Avila

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

Citizen Diana Ramser spoke about a Colorado Springs Utilities sewer line backup in her basement and about the struggles she and her family have encountered regarding the cost of cleanup and repairs.

Citizen Phil McClean spoke about a carport in his neighborhood which is in violation of City Code.

Citizen Rose Porter spoke in favor of a building height restriction for downtown Colorado Springs and against increasing density.

Citizen Sandy Sutter spoke against the proposed Blodgett Open Space

Master Plan and the lack of public input.

8. Items Called Off Consent Calendar

- 4B.N.** [ZONE-23-00](#) First reading of an ordinance amending the zoning map of the City of Colorado Springs relating to 9.62 acres located in the northwest corner of Elkton Drive and Rusina Road from MX-N/HS-O/WUI-O (Mixed Use Neighborhood Scale with Hillside and Wildland Urban Interface Overlays) to MX-M/WUI-O (Mixed-Use Medium Scale with Hillside and Wildland Urban Interface Overlays) for the purpose of setting a public hearing date for January 9, 2024, and providing notice of the ordinance.

[23](#)

Presenter:

Tamara Baxter, Senior Planner, Planning and Community Development Department

Peter Wysocki, Planning Director, Planning and Community Development Department

Attachments: [ORD_ZC_Point of the Pines Garden Assisted Living](#)

[Staff Rpt Point of Pines Villas](#)

[Project Statement_Land Use Statement](#)

[Project Statement_Zone Change](#)

[CONTEXT MAP](#)

[Zone Change Exhibit](#)

[Public Comment](#)

[Public Comment Response](#)

[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

[Additional Public Comments](#)

[CPC_Point of the Pines Minutes](#)

[Signed Ordinance No. 23-69.pdf](#)

Mike Tassi, Assistant Director, Planning and Neighborhood Services, presented the first reading only to set the public hearing for January 9, 2024 for the Ordinance to amend the zoning map of the City pertaining to 9.62 acres located at the northwest corner of Elkton Drive and Rusina Road from MX-N/HS-O-/WUI-O (Mixed Use Neighborhood Scale with Hillside and Wildland Urban Interface Overlays) to MX-M/HS-O/WUI-O (Mixed-Use Medium Scale with Hillside and Wildland Urban Interface Overlay).

President Helms stated he supports having the first reading of the zone change Ordinances to set the hearing date and to not having it be on the Consent Calendar.

Councilmember Donelson stated he is against voting yes for the first reading of these Ordinances without being allowed to ask questions or have public input and recommended the public hearing be held on the first reading.

Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 9.62 acres located at the northwest corner of Elkton Drive and Rusina Road from MX-N/HS-O-/WUI-O (Mixed-Use Neighborhood Scale with Hillside and Wildland Urban Interface Overlays) to MX-M/HS-O/WUI-O (Mixed-Use Medium Scale with Hillside and Wildland Urban Interface Overlay) for the purpose of providing notice and setting a public hearing date for January 9, 2024, to consider the Point of the Pines Garden Assisted Living zone change Ordinance be approved on first reading. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

No: 1 - Donelson

9. Utilities Business

There was no Utilities Business.

10. Unfinished Business

There was no Unfinished Business.

11. New Business

There was no New Business.

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

Councilmember Henjum wished everyone peace during the holiday season.

President Helms wished everyone a happy holiday season.

Citizen Janice Moglen read a poem called "Let There Be Light".

There being no further business to come before City Council, President Helms adjourned the meeting at 10:45 AM.

Sarah B. Johnson, City Clerk