



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, November 9, 2021

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 Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, Councilmember Mike O'Malley, President Pro Tem Richard Skorman, President Tom Strand, and Councilmember Wayne Williams

Councilmember Murray and President Pro Tem Skorman attended the meeting virtually.

2. Invocation and Pledge of Allegiance

The Invocation was made by Reverend Lynn Smith the Colorado Springs Police Department.

President Strand led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

President Strand stated the Planning Department requested item 4B.N. be removed from the Consent Calendar and postponed to the November 23, 2021 City Council meeting items 4B.O. and 4B.P. be removed from the Consent Calendar.

Consensus of Council agreed to these changes 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. [21-555](#)** Ordinance No. 21-87 Amending Ordinance no. 20-92 (2021 Appropriation Ordinance) for a Supplemental Appropriation to the Trails, Open Space and Parks Fund in the Amount of \$1,475,000 to Complete the Phase I Acquisition of up to 260 Acres of Property for the Purpose of Public Open Space and Trails

Presenter:

Britt Haley, Trails, Open Space and Parks (TOPS) Program Manager
David Deitemeyer, Senior Landscape Architect

Attachments: [Appropriation Ordinance.FisherCanyonPhaseI](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.B. [21-551](#)** Ordinance No. 21-88 Amending Ordinance No. 17-94 by Changing the Name of the SW Downtown Business Improvement District to the Park Union Business Improvement District
(Legislative)

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department
Peter Wysocki, Planning and Community Development Director

Attachments: [Ordinance](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.C. [CPC V](#)
[21-0011321-516](#)** Ordinance No. 21-89 vacating portions of a public right-of-way known as Metzler Avenue and Creekwalk Court consisting of 0.528-acres.
(Legislative)

Related Files: CPC MP 93-176-A5MN21, CPC ZC 21-00112, and
CPC CP 18-00097-A2MJ21

Presenter:

Ryan Tefertiller, Planning Manager, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments: [ORD VROW MetzlerAve&CreekwalkCt](#)

[Exhibit A - CreekwalkCt&Metzler ROW VacationLegalDescription](#)

[Exhibit B - Creekwalk North ROW Vacation Plat](#)

This Ordinance was finally passed on the Consent Calendar

4A.D. [CPC ZC 21-00112](#)

Ordinance No. 21-90 amending the zoning map of the City of Colorado Springs relating to 0.308-acres located at 130 Metzler St. from R5 (Multi-Family Residential) to C5 (Intermediate Business).

(Quasi-Judicial)

Related Files: CPC MP 93-176-A5MN21, CPC V 21-00113, and CPC CP 18-00097-A2MJ21

Presenter:

Ryan Tefertiller, Planning Manager, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments: [ORD ZC CreekwalkNorthParcelE](#)

[Exhibit A - Creekwalk North Parcel E Zone Change](#)

[Exhibit B - Creekwalk North Parcel E Zone Change](#)

[Signed Ordinance 21-90](#)

This Ordinance was finally passed on the Consent Calendar

4A.E. [21-503](#)

Ordinance No. 21-91 amending Colorado Springs Utilities' Ordinances No. 20-83 and No 20-84 for Supplemental Appropriations to Budget and Annual Sources of Funds.

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [10-26-2021 - 2021 Supplemental Budget Ordinance](#)

[Signed Ordinance 21-91](#)

This Ordinance was finally passed on the Consent Calendar

4B. First Presentation:

4B.A. [21-671](#) City Council Regular Meeting Minutes October 26, 2021

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [10-26-2021 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

4B.B. [21-528](#) A resolution finding a petition for annexation of the area known as Park Vista Addition No. 9 consisting of 1.29 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of December 14, 2021 for the Colorado Springs City Council to consider the annexation of the area.

(Legislative)

Presenter:

Katie Carleo, Planning Manager, Planning & Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [RES_SetHearingDate_ParkVistaAddNo.9_Annex](#)

[Exhibit A - Annexation Petition](#)

[Vicinity Map](#)

[Signed Resolution 150-21](#)

This Resolution was adopted on the Consent Calendar.

4B.C. [21-653](#) An ordinance including certain property into the boundaries of the Creekwalk Marketplace Business Improvement District located along South Nevada Avenue.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Attachments: [Ordinance](#)

[Exhibit A- Petition For Inclusion - Creekwalk Marketplace BID](#)

[Exhibit B \(Draft\) Notice of Inclusion - Creekwalk Marketplace BID](#)

[PowerPoint](#)

[1- Applicant Budget Committee Presentation - Creekwalk Marketplace BID](#)

[2- Creekwalk BID Map 10.19.21](#)

This Ordinance was approved on first reading on the Consent Calendar

- 4B.D.** [21-606](#) A Resolution Setting the Street Lighting Service Revenue Requirement for the Period of January 1, 2022 Through December 31, 2022

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [11-09-2021 MG 2022 SL Rev Req-Resolution](#)
[11-09-2021 MG 2022 SL COSS Summary](#)
[Signed Resolution 151-21](#)

This Resolution was adopted on the Consent Calendar.

- 4B.E.** [CPC A](#)
[21-00094R](#) A resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Bear Creek Canyon Addition No. 1 Annexation (Legislative)

Presenter:

Katie Carleo, Land Use Planning Manager, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [RES FindingofFacts BearCreekCanyonAdditionNo.1](#)
[EXHIBIT A_Legal_BEAR CREEK CANYON](#)
[Planner Affidavit_Bear Creek Canyon](#)
[Surveyor Affidavit_Bear Creek Canyon](#)
[Vicinity Map_Bear Creek Canyon Park Addition No.1](#)
[Signed Resolution 152-21](#)

This Resolution was adopted on the Consent Calendar.

- 4B.F.** [CPC A](#)
[21-00094](#) An ordinance annexing to the City of Colorado Springs that area known as Bear Creek Canyon Addition No. 1 consisting of 1,369.653 acres located southwest of Highway 24 and 21st Street (Legislative)

Presenter:

Katie Carleo, Land Use Planning Manager, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

- Attachments:** [ORD_BearCreekCanyonAnnexation](#)
[EXHIBIT A Legal BEAR CREEK CANYON](#)
[CPC Staff Report_City Parks Annexations_KAC](#)
[BEAR CREEK CANYON ADD. NO. 1 ANNEXATION PLAT](#)
[FIA Memo_Bear Creek](#)
[CITY OWNED PROPERTY WITHIN EL PASO COUNTY 8](#)
[CITY PARKS ANNEXATIONS](#)
[PARKS ANNEXATIONS 3-MILE BUFFER MOVEMENT](#)
[MAJESTIC LANDSCAPES FRAMEWORK MAP](#)
[7.6.203-Annexation Conditions](#)

This Ordinance was approved on first reading on the Consent Calendar

- 4B.G.** [CPC ZC 21-00095](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 1,369.653 acres located southwest of Highway 24 and 21st Street establishing the PK (Park) zone (Legislative)

Presenter:
Katie Carleo, Land Use Planning Manager, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

- Attachments:** [ORD_BearCreekCanyonZoneChange](#)
[EXHIBIT A Legal BEAR CREEK CANYON](#)
[EXHIBIT B ZoneChange BEAR CREEK CANYON](#)
[7.5.603.B Findings - ZC](#)

This Ordinance was approved on first reading on the Consent Calendar

- 4B.H.** [CPC A 21-00092R](#) A resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Black Canyon Quarry Addition No. 1 Annexation (Legislative)

Presenter:
Katie Carleo, Land Use Planning Manager, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

- Attachments:** [RES FindingsOfFact Black Canyon Quarry](#)
[EXHIBIT A Legal BLACK CANYON QUARRY](#)
[Planner Affidavit Black Canyon Quarry](#)
[Surveyor Affidavit Black Canyon Quarry](#)
[Vicinity Map Black Canyon Quarry Addition No.1](#)
[Signed Resolution 153-21](#)

This Resolution was adopted on the Consent Calendar.

- 4B.I.** [CPC A 21-00092](#) An ordinance annexing to the City of Colorado Springs that area known as the Black Canyon Quarry Addition No. 1 Annexation consisting of 91.118 acres located northwest of Black Canyon Road and Garden Drive.
 (Legislative)

Presenter:
 Katie Carleo, Land Use Planning Manager, Planning and Community Development
 Peter Wysocki, Planning and Community Development Director

- Attachments:** [ORD BlackCanyonQuarryAnnexation](#)
[EXHIBIT A Legal BLACK CANYON QUARRY](#)
[CPC Staff Report City Parks Annexations KAC](#)
[BLACK CANYON QUARRY ADD. NO. 1 ANNEXATION PLAT](#)
[FIA Memo Black Canyon Quarry](#)
[CITY OWNED PROPERTY WITHIN EL PASO COUNTY 8](#)
[CITY PARKS ANNEXATIONS](#)
[PARKS ANNEXATIONS 3-MILE BUFFER MOVEMENT](#)
[MAJESTIC LANDSCAPES FRAMEWORK MAP](#)
[7.6.203-Annexation Conditions](#)

This Ordinance was approved on first reading on the Consent Calendar

- 4B.J.** [CPC ZC 21-00093](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 91.118 acres located northwest of Black Canyon Road and Garden Drive establishing the PK (Park) zone district.
 (Legislative)

Presenter:
 Katie Carleo, Land Use Planning Manager, Planning and Community Development
 Peter Wysocki, Planning and Community Development Director

- Attachments:** [ORD_BlackCanyonQuarryZoneChange](#)
[EXHIBIT A Legal BLACK CANYON QUARRY](#)
[EXHIBIT B_ZoneChange_BLACK CANYON QUARRY](#)
[7.5.603.B Findings - ZC](#)

This Ordinance was approved on first reading on the Consent Calendar

- 4B.K.** [CPC A](#) A resolution adopting findings of fact and conclusions of law based
[21-00086R](#) thereon and determining the eligibility for annexation of property known
as Corral Bluffs Addition No. 1 Annexation
(Legislative)

Presenter:
Katie Carleo, Land Use Planning Manager, Planning and Community
Development
Peter Wysocki, Planning and Community Development Director

- Attachments:** [RES FindingsOfFact CorralBluffsAdditionNo.1](#)
[Exhibit A - Legal CorralBluffs](#)
[Exhibit B - ZoneChange CorralBluffs](#)
[Planner Affidavit Corral Bluffs](#)
[Surveyor Affidavit Corral Bluffs](#)
[Vicinity Map Corral Bluffs Addition No.1](#)
[Signed Resolution 154-21](#)

This Resolution was adopted on the Consent Calendar.

- 4B.L.** [CPC A](#) An ordinance annexing to the City of Colorado Springs that area known
[21-00086](#) as Corral Bluffs Addition No. 1 consisting 926.103 acres located north of
Highway 94 and east of Corral Valley Road.
(Legislative)

Presenter:
Katie Carleo, Land Use Planning Manager, Planning and Community
Development
Peter Wysocki, Planning and Community Development Director

- Attachments:** [ORD_CorralBluffsAnnexation](#)
[Exhibit A - Legal_CorralBluffs](#)
[CPC Staff Report_City Parks Annexations_KAC](#)
[CORRAL BLUFFS ADD. NO. 1 ANNEXATION PLAT](#)
[FIA Memo_Corral Bluffs](#)
[CITY OWNED PROPERTY WITHIN EL PASO COUNTY 8](#)
[CITY PARKS ANNEXATIONS](#)
[PARKS ANNEXATIONS 3-MILE BUFFER MOVEMENT](#)
[MAJESTIC LANDSCAPES FRAMEWORK MAP](#)
[7.6.203-Annexation Conditions](#)

This Ordinance was approved on first reading on the Consent Calendar

- 4B.M.** [CPC ZC 21-00087](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 926.103 acres located north of Highway 94 and east of Corral Valley Road establishing the PK (Park) zone district (Legislative)

Presenter:
Katie Carleo, Land Use Planning Manager, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

- Attachments:** [ORD_CorralBluffsZoneChange](#)
[Exhibit A - Legal_CorralBluffs](#)
[Exhibit B - ZoneChange_CorralBluffs](#)
[7.5.603.B Findings - ZC](#)

This Ordinance was approved on first reading on the Consent Calendar

- 4B.Q.** [CPC A 21-00090R](#) A resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as North Gate Open Space Addition No. 1 Annexation (Legislative)

Presenter:
Katie Carleo, Land Use Planning Manager, Planning and Community Development
Peter Wysocki, Planning and Community Development Director

Attachments: [RES FindingsofFact_NorthGateOpenSpaceAnnexation](#)
[Exhibit A NORTH GATE OPEN SPACE Legal](#)
[Planner Affidavit_North Gate Open Space](#)
[Surveyor Affidavit_North Gate Open Space](#)
[Vicinity Map_North Gate Open Space Addition No.1](#)
[Signed Resolution 155-21](#)

This Resolution was adopted on the Consent Calendar.

- 4B.R.** [CPC A](#)
[21-00090](#) An ordinance annexing to the City of Colorado Springs that area known as the North Gate Open Space Addition No. 1 annexation consisting of 9.436 acres located north of North Gate Boulevard and Southwest of the Terminus of Walsen Road.
(Legislative)

Attachments: [ORD_NorthGateOpenSpaceAnnexation](#)
[Exhibit A_Legal_NORTH GATE OPEN SPACE](#)
[CPC Staff Report_City Parks Annexations_KAC](#)
[NORTH GATE OPEN SPACE ADD. NO. 1 ANNEXATION PLAT](#)
[FIA Memo_North Gate Open Space](#)
[CITY OWNED PROPERTY WITHIN EL PASO COUNTY_8](#)
[CITY PARKS ANNEXATIONS](#)
[PARKS ANNEXATIONS_3-MILE BUFFER MOVEMENT](#)
[MAJESTIC LANDSCAPES FRAMEWORK MAP](#)
[7.6.203-Annexation Conditions](#)

This Ordinance was approved on first reading on the Consent Calendar

- 4B.S.** [CPC ZC](#)
[21-00091](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 9.436 acres located north of North Gate Boulevard and southwest of the terminus of Walsen Road establishing the PK (Park) zone district.
(Legislative)

Presenter:

Katie Carleo, Land Use Planning Manager, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [ORD_NorthGateOpenSpaceZoneChange](#)
[Exhibit A_Legal_NORTH GATE OPEN SPACE](#)
[Exhibit B_ZoneChange_NORTH GATE OPEN SPACE](#)
[7.5.603.B Findings - ZC](#)

This Ordinance was approved on first reading on the Consent Calendar

Approval of the Consent Agenda

Motion by Councilmember Avila, seconded by Councilmember Donelson, 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, Helms, Henjum, Murray, O'Malley, Skorman, Strand, and Williams

5. Recognitions

5.A. [21-675](#) A Resolution honoring November 11, 2021 as Veterans Day

Presenter:

Dave Donelson, Councilmember District 1

Attachments: [Veterans Day](#)
[Signed Resolution 156-21](#)

Councilmember Donelson honored his father-in-law who served as a lieutenant in World War II and read a Resolution honoring November 11, 2021 as Veterans Day.

Jerry Edwards, retired U.S. Army Major, and Will Williams, retired Vietnam War veteran expressed appreciation for the City's support of veterans in the community.

Several Councilmember expressed gratitude for veterans, their families, and their service to the country.

Motion by Councilmember Donelson, seconded by Councilmember Helms, that the Resolution honoring November 11, 2021 as Veterans Day be adopted. The motion passed by a vote of 9-0-0-0

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

5.B. [21-674](#) A Resolution recognizing November 20, 2021 as National Adoption Day

Presenter:

Wayne Williams, Councilmember At Large

Attachments: [National Adoption Day](#)
[Signed Resolution 157-21](#)

Councilmember Williams read a Resolution recognizing November 20, 2021 as National Adoption Day and spoke about his background of adoption.

Amber Bliss, Children, Youth, and Family Services Manager, El Paso County Department of Human Services, expressed appreciation for adoptive families, the Resolution, and gave a brief overview of the adoption process.

Jill Crewes, Vice President of Programs, Raise the Future, gave a brief history of Raise the Future, formerly Adoption Exchange, and how they work to connect children with families.

Citizen Jaymen Johnson spoke about he and his brother being adopted by his stepfather.

Citizen Judy Feiland spoke regarding the difficulties involved with fostering and adopting children due to the trauma the children have experienced.

Motion by Councilmember Henjum, seconded by Councilmember Avila, that the Resolution recognizing November 20, 2021 as National Adoption Day be adopted. The motion passed by a vote of 9-0-0

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

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

Citizen Walter Lawson spoke about the need for evacuation planning in regards to wildfires.

Citizen Jaymen Johnson requested the South Nevada urban renewal project be approved with the two percent sales tax formula and spoke regarding the need for affordable housing in downtown Colorado Springs.

Citizen Anthony Caballero, Decriminalize Nature Colorado Springs, discussed the benefits of psilocybin mushrooms for military veterans with post-traumatic stress disorder (PTSD).

7. Mayor's Business

There was no Mayor's Business.

8. Items Called Off Consent Calendar

4B.N. [CPC A](#)
[21-00088R](#)

A resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Jimmy Camp Creek Addition No. 1 Annexation (Legislative)

Presenter:

Katie Carleo, Land Use Planning Manager, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [RES FindingsOfFact JimmyCampCreekAdditionNo.1](#)

[EXHIBIT A Legal JIMMY CAMP CREEK](#)

[Planner Affidavit Jimmy Camp Creek](#)

[Surveyor Affidavit Jimmy Camp Creek](#)

[Vicinity Map Jimmy Camp Creek Addition No.1](#)

This item was postponed to the November 23, 2021 City Council meeting.

Motion by Councilmember Avila, seconded by Councilmember Donelson, that the Resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Jimmy Camp Creek Addition No. 1 Annexation be postponed to the November 23, 2021 City Council meeting. The motion passed by a vote of 9-0-0-0 The motion passed by a vote of 9-0-0-0

4B.O. [CPC A 21-00088](#)

An ordinance annexing to the City of Colorado Springs that area known as the Jimmy Camp Creek Addition No. 1 annexation consisting of 378.416 acres located east of Highway 24 and southwest of South Blaney Road.
(Legislative)

Presenter:

Katie Carleo, Land Use Planning Manager, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [ORD JimmyCampCreekAnnexation](#)

[EXHIBIT A Legal JIMMY CAMP CREEK](#)

[CPC Staff Report City Parks Annexations KAC](#)

[JIMMY CAMP CREEK ADD. NO. 1 ANNEXATION PLAT](#)

[FIA Memo Jimmy Camp Creek](#)

[CITY OWNED PROPERTY WITHIN EL PASO COUNTY 8](#)

[CITY PARKS ANNEXATIONS](#)

[PARKS ANNEXATIONS 3-MILE BUFFER MOVEMENT](#)

[MAJESTIC LANDSCAPES FRAMEWORK MAP](#)

[7.6.203-Annexation Conditions](#)

Katie Carleo, Land Use Planning Manager, Planning and Community Development, stated this item was removed from the Consent Calendar in order to amend the legal description of the Jimmy Camp Creek Addition No. 1 annexation to remove parcels 9 and 10 from the annexation.

Motion by Councilmember Williams, seconded by Councilmember O'Malley, that the Ordinance annexing to the City of Colorado Springs that area known as the Jimmy Camp Creek Addition No. 1 annexation located east of Highway 24 and southwest of South Blaney Road based upon the findings that the annexation complies with the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203, with instructions to staff to amend the legal description to remove parcels 9 and 10 from the annexation be approved on first reading. The motion passed by a vote of 9-0-0-0

- 4B.P.** [CPC ZC 21-00089](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 378.416 acres located east of Highway 24 and southwest of South Blaney Road establishing the PK (Park) zone (Legislative)

Presenter:

Katie Carleo, Land Use Planning Manager, Planning and Community Development

Peter Wysocki, Planning and Community Development Director

Attachments: [ORD JimmyCampCreekZoneChange](#)

[EXHIBIT A Legal JIMMY CAMP CREEK](#)

[EXHIBIT B Zone Change JIMMY CAMP CREEK](#)

[7.5.603.B Findings - ZC](#)

Please see comments in Agenda item 4B.O.

Motion by Councilmember Williams, seconded by Councilmember O'Malley, that the Ordinance establishing a PK (Park) zone district based upon the findings that the change of zone request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B), with instructions to staff to amend the legal description to remove parcels 9 and 10 from the zone district be approved on first reading. The motion passed by a vote of 9-0-0-0

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

9. Utilities Business

- 9.A.** [21-466](#) Public Hearing for the Consideration of Resolutions Regarding Certain Changes to Colorado Springs Utilities' Electric, Natural Gas, Water and Wastewater Rate Schedules and Utilities Rules and Regulations

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [Agenda 2022 Rate Case](#)
[City Attorney Instructions-2022 Rate Case 10-5-21 SS](#)
[Issues For Decision-2022 Rate Case](#)
[2021 Supplemental Budget & Sources of Funds](#)

Chris Bidlack, Senior Attorney, Colorado Springs Utilities (CSU) Division, presented the 2022 CSU Rate Case Hearing agenda and read the Colorado Springs Utilities rate setting standards and the quasi-judicial role of City Council. Mr. Bidlack polled Council concerning if any members had received any ex parte communications. Councilmember Williams disclosed that City Council had received some memos sent from the generic City Council email box.

Tristan Gearhart, Chief Planning and Finance Officer, CSU, gave an overview of the 2022 rate case Resolutions setting electric, natural gas, water, and wastewater rates within the service areas of CSU and certain changes to electric, natural gas, and wastewater rate schedules and Utilities Rules and Regulations.

Jacqueline Rowland, City Auditor, confirmed the supporting documents for the rate changes in the rate case were prepared accurately and consistently with adequate disclosure for any methodology changes.

Citizen Jaymen Johnson requested an example of an industrial-non-metered item and if the two inch to twelve inch connection fees could be included in a metropolitan district consideration. Mr. Gearheart stated some examples would be traffic cameras, data communication condensers and other wireless devices and explained the connection fees are based on the size of the connection to the CSU system and are available to all entities.

Mr. Bidlack polled City Council regarding the issues for decision for the setting of natural gas service, electric service, water service, and wastewater service rates. Please see attached documents for additional details on City Council's direction for the proposed terms and conditions.

There were no comments on this item.

- 9.B.** [21-604](#) An ordinance Approving the Annual Budget for Colorado Springs Utilities and Appropriating Monies for the Several Purposes Named in the Colorado Springs Utilities' Annual Budget for the Year Ending

December 31, 2022

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [11-09-2021 CC 2022 Budget Ordinance](#)

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities (CSU), presented the Ordinance approving the annual budget for CSU and appropriating monies for the several purposes named in the CSU annual budget for the year ending December 31, 2022 and the Ordinance identifying and approving the CSU annual sources of funds for the year ending December 31, 2022. He stated the budget is approximately \$1.236B which is an eleven percent increase from the 2021 budget largely due to capital project expenditures, programs, and fuel costs. Mr. Gearhart gave an overview of how the funding of the budget is appropriated from rates, debt borrowings, and the contribution and aid of construction from customers obtaining extensions from the CSU system.

There were no comments on this item.

Motion by Councilmember Williams, seconded by Councilmember Henjum, that the Ordinance approving the annual budget for Colorado Springs Utilities and appropriating monies for the several purposes named in the Colorado Springs Utilities' annual budget for the year ending December 31, 2022 be approved on first reading. The motion passed by a vote of 9-0-0-0

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

- 9.C.** [21-605](#) An ordinance identifying and approving the Colorado Springs Utilities' Annual Sources of Funds for the Year Ending December 31, 2022

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [11-09-2021 CC 2022 Source of Funds Ordinance](#)
[2022 Annual Budget & Sources of Funds](#)

Please see comments in Agenda item 9.B.

Motion by Councilmember Williams, seconded by Councilmember Helms, that the Ordinance identifying and approving the Colorado Springs Utilities' annual sources of funds for the year ending December 31, 2022 be approved on first reading. The motion passed by a vote of 9-0-0-0

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

9.D. [21-504](#) A Resolution Setting the Electric Cost Adjustment Effective November 15, 2021

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [11-09-2021 CC Mtg-ECA Resolution](#)

[Sheet 2.9 E Rate Tbl - Final](#)

[Sheet 2.9 E Rate Tbl - Redline](#)

[Schedule 1 ECA-ECC](#)

[Signed Resolution 158-21](#)

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities (CSU), presented the Resolutions increasing the Electric Cost Adjustment (ECA) rate to 4.74 cents per kilowatt hour and the Gas Cost Adjustment (GCA) rate to 8.13 cents effective November 15, 2021. He went over the United States Energy Information Administration's winter fuels outlook, how customers can receive financial assistance if needed, managing cost, natural gas prices as of October 1, 2021, ECA and GCA projections for October 2021. He provided a sample bill impact for November rate action, estimated sample bill impact for November 2021 to May 2022, and sample total monthly bill reference.

President Strand asked if residents have to have a certain income level in order to qualify to receive assistance through Project COPE. Mr. Gearhart stated the program is administered through CSU, is funded by contributions from customers and employees who donate to the program, and there is an evaluation process on a situation-by-situation process.

Councilmember Henjum asked how the price forecasts are calculated. Mr. Gearhart stated there are natural gas hubs around the country which publish the price forecasts.

Councilmember Avila stated she is very concerned with how this huge spike in utilities will affect low income rate payers. Mr. Gearhart went over the programs available to assist customers.

President Strand asked if the rate increase is expected to last

approximately six months. Mr. Gearhart stated the ECA and GCA filings are on a quarterly basis so they anticipate they will be back before City Council in February 2022.

Councilmember Williams stated City Council does not have control over commodity prices which has caused the larger fluctuation in utility rates.

Motion by Councilmember Henjum, seconded by Councilmember O'Malley, that the Resolution setting the Electric Cost adjustment Effective November 15, 2021 be adopted. The motion passed by a vote of 9-0-0-0

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

- 9.E.** [21-505](#) A Resolution Setting the Gas Cost Adjustment Effective November 15, 2021

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [11-09-2021 CC Mtg-GCA Resolution](#)

[G Sheet 2.4 Rate Tbl - Final](#)

[G Sheet 2.4 Rate Tbl - Redline](#)

[Schedule 1 GCA-GCC](#)

[Signed Resolution 159-21](#)

Please see comments in Agenda item 9.D.

Motion by Councilmember Williams, seconded by Councilmember O'Malley, that the Resolution setting the Gas Cost Adjustment effective November 15, 2021 be adopted. The motion passed by a vote of 9-0-0-0

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

10. Unfinished Business

- 10.A.** [21-645](#) Ordinance No. 21-92 Amending Ordinance 02-101 Creating the Citizens' Transportation Advisory Board.

Presenter:

Scott Barnhart, CTAB Chair

Alex Armani-Munn, ATAC Chair

Attachments: [ORD CTAB \(8-21-21\)](#)

[Exhibit A Ord 02-101](#)

[Exhibit B Res 132-13](#)

Scott Barnhart, Citizens' Transportation Advisory Board (CTAB) Chair,

presented the Ordinance to change the member composition of CTAB to incorporate the Alternative Transportation Advisory Committee (ATAC) to combine the two committees into one thirteen-member board.

President Strand requested an overview of the function of CTAB. Mr. Barnhart stated CTAB acts as an advisory board to City Council on all transportation issues.

Councilmember Avila stated this is a very important board to advising Council and requested an annual update from CTAB.

Councilmember Henjum asked how citizens can contact CTAB. Mr. Barnhart stated the meetings are publically posted and there is additional information on the City's website.

Motion by Councilmember Williams, seconded by Councilmember Henjum, that the Ordinance amending Ordinance 02-101 creating the Citizens' Transportation Advisory Board be finally passed. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Donelson, Helms, Henjum, Murray, Skorman, Strand, and Williams

No: 1 - O'Malley

11. New Business

- 11.A. [21-648](#) A Resolution Amending Resolution 132-13 and Approving the Active Transportation Advisory Committee Ad Hoc Subcommittee of the Citizens' Transportation Advisory Board and Updating the Member Composition

Presenter:

Scott Barnhart, CTAB Chair

Alex Armani-Munn, ATAC Chair

Attachments: [ATAC-RES AdHocSucommittee-2021-08-13](#)

[Exhibit A Ord 02-101](#)

[Exhibit B Res 132-13](#)

[Signed Resolution 160-21](#)

Please see comments in Agenda item 10.A.

Motion by Councilmember Henjum, seconded by Councilmember Williams, that the Resolution amending Resolution 132-13 and approving the Active Transportation Advisory Committee Ad Hoc Subcommittee of the Citizens' Transportation Advisory Board and updating the member composition be adopted. The motion passed by a vote of 9-0-0-0

Aye: 8 - Avila, Donelson, Helms, Henjum, Murray, Skorman, Strand, and Williams

No: 1 - O'Malley

- 11.B. [21-387](#) An Ordinance Making and Certifying the 2021 Tax Levy for Taxes Payable in 2022 at 3.929 Mills (comprised of a general operating mill levy of 4.279 mills and a temporary tax credit of 0.35 mills) Upon Each Dollar of Assessed Valuation of All Taxable Property and a Tax Credit of 3.929 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: [TaxLevy2022-BPPT_CreditORD](#)

Charae McDaniel, Chief Financial Officer, presented the Ordinance certifying the 2021 tax levy for taxes payable in 2022 at 4.279 mills upon each dollar of assessed valuation of all taxable property.

There were no comments on this item.

Motion by Councilmember Donelson, seconded by Councilmember Helms, that the Ordinance making and certifying the 2021 tax levy for taxes payable in 2022 at 3.929 mills (comprised of a general operating mill levy of 4.279 mills, and a temporary tax credit of 0.35 mills) upon each dollar of assessed valuation of all taxable property and a tax credit of 3.929 mills upon each dollar of assessed valuation of all taxable business personal property within the corporate limits of the City of Colorado Springs be approved on first reading. The motion passed by a vote of 9-0-0

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

- 11.C. [AR CM2 19-00124](#) The Maizeland & Murray CMRS development plan to allow modification of an existing 99'-3" monopole tower located northeast of Constitution Avenue and Avondale Circle, and addressed as 2499 Avondale Drive.

Presenter:

Morgan Hester, Planning Supervisor, Planning and Community Development

Ben Bolinger, Assistant City Attorney

Attachments: [2499 Avondale Dr. CMRS Dev Plan](#)
[Federal Court Order - Maizeland CMRS](#)

Morgan Hester, Planning Supervisor, Planning and Community, presented the Maizeland and Murray CMRS development plan to allow modification of an existing 99'-3" monopole tower located at 2499 Avondale Drive. She gave an overview of the site location, current site condition, proposed

tower modification, and development plan.

Ben Bolinger, Senior Attorney, City Attorney's Office, stated at the conclusion of the hearing in November 2019, City Council denied the application for modification by a vote of 8-1 which subsequently resulted in a lawsuit being filed in the United States District Court for Colorado which the City lost and the judge issued an order in which the judge declared that federal law required the City to approve the application.

Councilmember Henjum and Councilmember Helms asked what would happen if the City is found to be in contempt. Mr. Bolinger stated there would most likely be a fine and another lawsuit.

Councilmember Strand stated this is not a public hearing, City Council will not be making additional findings, and today's discussion will not constitute evidence in the quasi-judicial application. He stated he will allow the citizens to speak regarding their concerns, however they will not be considered as evidence or testimony in this matter. President Strand stated these types of facilities are governed by federal law and citizens may contact their United States Congressional Representative or Senators regarding the federal process.

Citizens Sally Maddox, Nathan Patton, Andrew Gilbert, Suzanne Albertson, and Doug Clark, spoke in opposition to the modification of the existing monopole tower located at 2499 Avondale Drive.

Councilmember Williams asked what the City's options are for seeking legal reviews of the summary judgement. Mr. Bolinger stated there are none due to when they received the judgment, they reviewed it, consulted with outside counsel, determined there were no appealable issues, and agreed with Vertical Bridge Development, LLC, not to appeal in exchange for them not collecting their costs ordered by the court.

Councilmember Donelson asked if there was a valid reason for the application to be originally denied. Mr. Bolinger stated City Council denied it based on their interpretation of federal criteria, but the court determined that denial was incorrect.

Councilmember Donelson asked if the pole should have been removed due to the abandonment period. Mr. Bolinger stated under the old City

Code, it was the obligation of the wireless carrier to inform the City when they removed their antennas. Ms. Maddox stated she submitted a ticket through the City Code Enforcement Office to have the abandoned pole removed.

Councilmember Donelson asked if this item could be postponed for two weeks for additional review. Mr. Bolinger stated it is time to comply with the court order and approve the application.

Councilmember Henjum asked if this issue could be appealed further. Mr. Bolinger stated it could not because the City Attorney's Office has determined there are no appealable issues and has agreed not to appeal it.

Councilmember Donelson asked if the application could be denied on different grounds than the first denial. Mr. Bolinger stated it could not.

Councilmember Murray stated the City Attorney's Office failed to defend the interests of City Council and he will be voting against it.

Councilmember Williams asked if the deadline to appeal has passed. Mr. Bolinger stated he is not sure when the deadline was, but there has been an agreement made with Vertical Bridge Development, LLC, that they not collect their costs and the City agreed to not appeal.

Councilmember Avila asked why City Council has to vote on this item if this is an Administrative decision. President Strand stated it was the recommendation of the City Attorney's Office.

Motion by President Strand, seconded by Councilmember Williams, that the CMRS development plan for Maizeland and Murray (2499 Avondale Drive), based upon the findings and declaration made by the United States District Court for the District of Colorado, pursuant to an Order Granting Plaintiff's Motion for Summary Judgment and Denying Defendant's Motion for Summary Judgment in the matter of Vertical Bridge Development, LLC v. City of Colorado Springs be approved. The motion passed by a vote of 5-4-0-0

Aye: 5 - Avila, Helms, Skorman, Strand, and Williams

No: 4 - Donelson, Henjum, Murray, and O'Malley

11.D. [21-646](#)

An ordinance amending Section 102 (Definitions), section 120 (Roadside Sale of Animals Prohibited), and creating Section 122 (Pet Store Sales Prohibited) of Article 7 (Regulation of Animals - General Provision) of Chapter 6 (Neighborhood Vitality / Community Health)

pertaining to the prohibition of sales and certain other transactions involving dogs or cats by pet stores and providing penalties for the violation thereof

Presenter:

Tom Strand, Council President Pro Tem / Councilmember At-Large

Attachments: [PetStoreORD-2021-10-14](#)

[Opposition Document 1 - Combined Legislation and PACFA](#)

[Propoents of Ord. Document 1 PP - Colorado Springs Nov. 9 2021](#)

President Strand introduced the Ordinance creating Section 122 (Pet Store Sales Prohibited) of Article 7 (Regulation of Animals - General Provision) of Chapter 6 (Neighborhood Vitality / Community Health) pertaining to the prohibition of sales and certain other transactions involving dogs or cats by pet stores and providing penalties for the violation thereof.

Amy Jesse, Public Policy Director, Puppy Mills, The Humane Society of the United States, an overview of the benefits to the City, puppy mill to Pet City pipeline, Blue Ribbon Puppies (Odon, IN), presented USDA/state inspection photos of Blue Ribbon Puppies' breeders, Lorilee Thomas (Whiting, KS) and John Bontrager Jr (Dalton, WI). Ms. Jess went over the requirements of responsible breeders,

Citizen Julia Archer identified where residents will obtain their next pet, details of Canine Care Certified, lack of transparency, and the thriving pet store industry. She shared local success stories, online puppy sellers, and potential results of approving the proposed Ordinance.

Dustin Hayworth and Bree Maestas, owners of Pet City, identified why the proposed Ordinance is a bad idea, their history, who they are now, how they choose their breeders, photos of the Blue Ribbon facility, and the takeaway. Ms. Maestas stated the State of Colorado passed the Pet Animal Care Facility Act (PACFA) in 1984 dedicated to protecting the welfare of pet animals and HB21-1102 passed in 2021 holds pet stores to a higher level of transparency to consumers.

Councilmember Williams asked when the leases expire at the Citadel and Chapel Hills Mall. Ms. Maestas stated she has four years remaining on a ten-year lease in the Citadel Mall. Mr. Hayworth just negotiated a ten-year lease, but has not signed it yet.

Citizen Ashley Main, Abby Parrent, Francelle Moore, Douglas and Grace Fetag, Lauren Rombach, Pam Horton, Roland Halpern, Susan Repp, John Lieberman, Ellen Keslar, Vicky Allinger, Valerie Hunter-Goss, Bonnie Warnerowski, Susan Steritt, Christine Vercilino, Elizabeth Oreck, and Sanda Savatman, spoke in favor of the proposed Ordinance.

Citizens Judy Crouse Derek Johnson, Monica Piery, Debbie Maestes, Cynthia Hayworth, Justin Hays-Smith, Edward Lopez, Angelo Maestes, Jalene Davis, Jaime Wagner, Katrina Tafoya, Ken Brady, Michael Kenworthy, Molina Frank, Amy Carson, Ronnie Huddleson, Yence Larson, Lynn Gerber, Elizabeth Coulson, and Ayla Hever-Robertson spoke in opposition of the proposed Ordinance.

Ms. Jesse stated she is attempting to show the facts from the Colorado Department of Agriculture and federal and state agencies, there has been years of discussions regarding compromise with no success, and she does not want to harm the relationship between the pet stores and rescue shelters.

Councilmember Henjum asked if the photos presented were within the last three years and from breeders used by the pet stores. Ms. Jesse confirmed they were with the exception of the Blue Ribbon collage photos which were connected to the broker they use.

Ms. Maestas stated they do more than they are asked to do and their inspection reports show that.

Councilmember Henjum stated it appears that the pet stores are making movement away from breeders which do not treat their dogs humanely so she does not understand why the relationship with the advocates is so contentious. Ms. Maestas stated they attempted mediation, but the proposition that they only buy their dogs from Colorado breeders would be very difficult because the breeders can make more money selling retail rather than wholesale. She stated another compromise discussed would be for them to purchase only from Canine Care breeders within the next two years which they are already working toward.

President Pro Tem Skorman stated he struggles with the notion of commercial breeding because of the what the life of the mother and father

dogs would entail. Ms. Maestas explained that the standards of Canine Care breeders are six years old or six litters and then the dogs are re-homed which she feels is reasonable.

Councilmember Helms stated City Council has received notification that the American Kennel Club (AKC) and the Pet Industry Joint Advisory Council (PIJAC) does not support this Ordinance. Ms. Jesse stated the AKC is a pure bred dog registry organization and they have partnerships with pet stores because they make money from puppies who are registered with them and PIJAC is a national trade group for pet stores.

President Strand asked if the Ordinance passes if the pet stores will go out of business. Ms. Maestas confirmed they would because their stores are not designed to house older dogs, their employees are trained on training and socializing puppies, and sourcing puppies from non-profit shelters, they would not be permitted to make a profit on the sale of those puppies. She stated they have a very high rent being located in the mall and the sale of supplies is very low.

Councilmember Williams recommended deleting the word "kept" from the definition of pet store. Councilmember Murray stated he believes it should remain.

Councilmember Williams stated this proposed Ordinance has nothing to do with lending, there are no restrictions on pricing or interest rates by sellers, it is not about transparency, puppy mills, conditions for dogs and cats, or commercial breeding, but it targets two brick and mortar businesses of the 126 sellers located in El Paso County. He stated requiring the stores to buy only from Colorado breeders is illegal under the Constitution's commerce laws and by targeting existing businesses, it would fall under the Constitution's Takings Clause.

President Pro Tem Skorman asked if pet stores agreed to get all of their pets from Canine Certified breeders if The Humane Society of the United States would still want the Ordinance in place. Ms. Jesse confirmed they would because there are issues with the Canine Care program.

Councilmember Murray stated by encouraging bulk sales, it encourages puppy mills which need to be stopped.

Councilmember Henjum stated she does not think this proposed Ordinance is the solution to tackle the problem of bad breeders.

Councilmember Williams amended the motion by changing the word "retail store" to "establishment", deleting the word "kept" from the definition of pet store, and include breeders with more than \$10,000 in annual revenue to the standards.

Motion by Councilmember Williams, seconded by President Pro Tem Skorman, that the Ordinance amending Section 102 (Definitions), section 120 (Roadside Sale of Animals Prohibited), and creating Section 122 (Pet Store Sales Prohibited) of Article 7 (Regulation of Animals – General Provision) of Chapter 6 (Neighborhood Vitality / Community Health) pertaining to the prohibition of sales and certain other transactions involving dogs or cats by pet stores and providing penalties for the violation thereof as amended by changing the word "retail store" to "establishment", deleting the word "kept" from the definition of pet store, and include breeders with more than \$10,000 in annual revenue to the standards be approved on first reading. The motion failed by a vote of 4-5-0-0

Aye: 4 - Henjum, Murray, Skorman, and Williams

No: 5 - Avila, Donelson, Helms, O'Malley, and Strand

Councilmember Donelson stated he does not believe this proposed Ordinance would be effective in accomplishing the goal of the humane treatment of animals and that it would harm two local businesses.

Councilmember Avila stated the word kept should remain in the Ordinance because it protects where the puppies are kept or housed at night.

Councilmember Helms stated he believes this problem needs to be addressed at a federal level and does not support hurting a family-owned business who is trying to address some of these issues and do the right thing.

Councilmember Henjum asked what Pet City's commitment is to the community to not buy puppies from inhumane breeders. Mr. Hayworth stated their commitment is to continue to raise the quality of their breeders to ensure the best quality of pets coming into the City and the best model for that is through the Canine Cares program.

President Strand stated he has been waiting for three to four years to see movement in the right direction from the state and the owners of Pet City and has not seen it at all, this Ordinance does not affect interstate trade or the opportunity for these two businesses to continue.

Motion by Councilmember Murray, seconded by Councilmember Avila, that the Ordinance amending Section 102 (Definitions), section 120 (Roadside Sale of Animals Prohibited), and creating Section 122 (Pet Store Sales Prohibited) of Article 7 (Regulation of Animals – General Provision) of Chapter 6 (Neighborhood

Vitality / Community Health) pertaining to the prohibition of sales and certain other transactions involving dogs or cats by pet stores and providing penalties for the violation thereof be approved on first reading. The motion failed by a vote of 4-5-0-0

Aye: 4 - Avila, Murray, Skorman, and Strand

No: 5 - Donelson, Helms, Henjum, O'Malley, 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.

16. General Improvement Districts:

Following adjournment of the regular City Council meeting, City Council shall reconvene as the Colorado Springs Board of Directors of the Briargate General Improvement District, for action on the following item:

- A. [21-417](#) A Public Hearing on the Budget for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2022 and Ending on the Last Day of December 2022

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Briargate GID 2022 Budget](#)
[CITYOFCSBRIARGATEGID-Tax-Map](#)

Charae McDaniel, Chief Financial Officer, gave an overview of the Colorado Springs Briargate General Improvement District (GID), Marketplace at Austin Bluffs, and Spring Creek proposed mill levies, budgets, and appropriations of the funding for 2022. Ms. McDaniel stated the Colorado Springs Briargate GID mill levy is not based on the November 2, 2021 ballot issue and is proposed to be reduced from 12.0 mills to 4.5 mills which will allow the debt service to be paid off in 2022.

Citizen Jaymen Johnson spoke against the lack of transparency and public education in regards to special and metropolitan districts. Ms. McDaniel explained the different types of districts within the City.

- B.** [21-418](#) A Resolution Levying General Property Taxes to Help Defray the Cost of Debt Service on the General Obligation Refunding Bonds, Series 2014 of the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the 2022 Budget Year

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [01 Res to Fix Mill Levy for Briargate GID 11 9 21](#)
[Signed Resolution 161-21](#)

Please see comments in Agenda item 16.A.

Motion by Councilmember Williams, seconded by Councilmember Helms, that the Resolution to fix and certify the 2021 mill levy at 4.500 mills on taxes payable in 2022 for the Colorado Springs Briargate General Improvement District be adopted. The motion passed by a vote of 9-0-0

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

- C.** [21-419](#) A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2022 and Ending on the Last Day of December 2022

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Briargate GID 2022 Budget](#)
[02 Res to Adopt Budget and Appropriate for Briargate GID 11 9 21](#)
[Signed Resolution 162-21](#)

Please see comments in Agenda item 16.A.

Motion by Councilmember Donelson, seconded by Councilmember Williams, that the Resolution to adopt the 2022 budget and appropriate funding for the 2022 budget year for the Colorado Springs Briargate General Improvement District be adopted. The motion passed by a vote of 9-0-0

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

Following adjournment of the Board of Directors of the Briargate General Improvement District, City Council shall reconvene as the Colorado Springs Marketplace at Austin Bluffs General Improvement District, for action on the following item:

- D. [21-420](#) A Public Hearing on the Budget for the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2022 and Ending on the Last Day of December 2022

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Market Place at Austin Bluffs GID 2022 Budget](#)
[MARKETPLACEATAUSTINBLUFFSGID-Tax-Map](#)

Charae McDaniel, Chief Financial Officer, stated the Marketplace at Austin Bluffs General Improvement District mill levy of 50 mills will remain the same as 2021.

There were no comments on this item.

- E. [21-421](#) A Resolution Levying General Property Taxes to Help Defray the Cost of Debt Service on the General Obligation Bonds of the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the 2022 Budget Year

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [01_Res to Fix Mill Levy for MAB GID_11 9 21](#)
[Signed Resolution 163-21](#)

Please see comments in Agenda item 16.D.

Motion by Councilmember Donelson, seconded by Councilmember Helms, that the Resolution to fix and certify the 2021 mill levy at 50.000 mills on taxes payable in 2022 for the Colorado Springs Marketplace at Austin Bluffs General Improvement District budget be adopted. The motion passed by a vote of 9-0-0-0

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

- F. [21-422](#) A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2022 and Ending on the Last Day of December 2022

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [02_Res to Adopt Budget for MAB GID 11 9 21](#)
[Market Place at Austin Bluffs GID 2022 Budget](#)
[Signed Resolution 164-21](#)

Please see comments in Agenda item 16.D.

Motion by Councilmember Avila, seconded by Councilmember Donelson, that the Resolution to adopt the 2022 budget and appropriate the funding for the 2022 budget year for the Colorado Springs Marketplace at Austin Bluffs General Improvement District be adopted. The motion passed by a vote of 9-0-0-0

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

Following adjournment of the Board of Directors of the Marketplace at Austin Bluffs General Improvement District, City Council shall reconvene as the Colorado Springs Spring Creek General Improvement District, for action on the following item:

- G.** [21-424](#) A Public Hearing on the Budget for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2022 and Ending on the Last Day of December 2022

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [CSSPRINGCREEKGID-Tax-Map](#)
[Spring Creek GID 2022 Budget](#)

Charae McDaniel, Chief Financial Officer, stated the Colorado Springs Spring Creek General Improvement District (GID) budget appropriation will be \$6,700 for the closeout of this fund.

President Strand asked when this GID was established. Ms. McDaniel stated 1985 and it was refinanced to save taxpayers interest funding.

Councilmember Williams explained that the Colorado Department of Local Affairs website located at https://dola.colorado.gov/dlg_portal/filings.jsf?id=21069&category=2&jfwid=Z469qTZ2tmCSgVXV81ybp01QnARcdvdc-MWvB_zl%3A1 has information regarding every taxing entity located within Colorado.

- H.** [21-425](#) A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2022 and Ending on the Last Day of December 2022

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Spring Creek GID 2022 Budget](#)
[02_Res to Adopt Budget for Spring Creek GID_11 9 21](#)
[Signed Resolution 165-21](#)

Please see comments in Agenda item 16.G.

Motion by Councilmember Williams, seconded by Councilmember Donelson, that the Resolution to adopt the 2022 budget and appropriate funding for the 2022 budget year for the Colorado Springs Spring Creek General Improvement District be adopted. The motion passed by a vote of 9-0-0

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

- I. [21-566](#) A Resolution Making and Certifying a Zero (0.00) Mill Levy for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the 2022 Budget Year

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [01_Res to Set Mill Levy for Spring Creek GID_11 9 21](#)
[Signed Resolution 166-21](#)

Please see comments in Agenda item 16.G.

Motion by Councilmember Williams, seconded by Councilmember Donelson, that the Resolution to set and certify the 2021 mill levy at zero (0.000) mills on taxes payable in 2022 for the Colorado Springs Spring Creek General Improvement District be adopted. The motion passed by a vote of 9-0-0

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

17. Adjourn

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

Sarah B. Johnson, City Clerk