



# City of Colorado Springs

## Regular Meeting Agenda - Final-revised City Council

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

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Tuesday, July 14, 2020

10:00 AM

Council Chambers

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- CenturyLink Channel 18

### How to Comment on Agenda Items

Before the meeting, you may email general comments for items not on the agenda or comments regarding agenda items to: [allcouncil@coloradosprings.gov](mailto:allcouncil@coloradosprings.gov)

During the meeting, those who wish to comment should submit their name, telephone number, and the topic or agenda item for comment via [allcouncil@coloradosprings.gov](mailto:allcouncil@coloradosprings.gov) in addition to calling +1 720-617-3426 United States, Denver (Toll) and entering this Conference ID: 436 480 628#

### 1. Call to Order

### 2. Invocation and Pledge of Allegiance

### 3. Changes to Agenda/Postponements

### 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  
20-00026](#)

Ordinance No. 20-42 amending the zoning map of the City of Colorado Springs pertaining to 4.48 acres located at 2520 Arlington Drive from R-1 6000/CU (single-family residential with a conditional use) to R5 (multi-family residential).

(Quasi-Judicial)

Related Files: CPC ZC 20-00026 and CPC CP 20-00027

Presenter:

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

**Attachments:** [ZC\\_ORD\\_SolidRockChristianCtr](#)  
[Exhibit A - Legal description](#)  
[Exhibit B - Zoning depiction](#)  
[Aerial Vicinity Map](#)

**4A.B.** [CPC A  
19-00068](#)

Ordinance No. 20-45 annexing to the City of Colorado Springs that area known as Sorpresa East Addition No. 1 consisting of 8.83 acres.

(Legislative)

Related Files: CPC A 19-00068-R, CPC A 19-00068, CPC PUZ  
19-00138, CPC PUP 19-00139

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development  
Peter Wysocki, Director of Planning & Community Development

**Attachments:** [ORD\\_AnnexSorpresaEastAdditionNo.1](#)  
[Exhibit A](#)

- 4A.C.** [CPC PUZ 19-00138](#) Ordinance No. 20-46 amending the zoning map of the City of Colorado Springs pertaining to 8.83 acres located southeast of Sorpresa Lane and Gilpin Peak Drive establishing the PUD/AO (Planned Unit Development: single-family residential, 8 DU/AC, 35-foot maximum building height with Airport Overlay) zone

(Legislative)

Related Files: CPC A 19-00068-R, CPC A 19-00068, CPC PUZ 19-00138, CPC PUP 19-00139

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development  
Peter Wysocki, Director of Planning & Community Development

**Attachments:** [ZC\\_ORD\\_SorpresaEastAdditionNo.1](#)  
[Exhibit A - Legal Desc](#)  
[Exhibit B - ZoneChangeDepiction](#)

#### **4B. First Presentation:**

- 4B.A.** [20-345](#) City Council Regular Meeting Minutes June 23, 2020

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [6-23-2020 City Council Meeting Minutes Final.pdf](#)

- 4B.B.** [20-365](#) The City Clerk reports that on July 1, 2020 there was filed with her a petition for the annexation of Lighthouse Baptist Church 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:** [Vicinity for Lighthouse](#)  
[Petition for Lighthouse](#)

- 4B.C.** [20-367](#) Appointments to Boards and Commissions

Presenter:

Michael Montgomery, Deputy Council Administrator

**Attachments:** [07142020 Boards and Commissions](#)

- 4B.D.** [20-293](#) A Resolution Approving an Economic Development Agreement Between the City of Colorado Springs and Project Next
- Presenter:  
Bob Cope, Economic Development Officer
- Attachments:** [Project Next Economic Development Agreement](#)  
[Project Next EDA City Council Work Session June 22](#)  
[Project Next Resolution](#)
- 4B.E.** [20-309](#) A Resolution Approving an Intergovernmental Agreement for Renewal of the CDL Third Party Testing Unit License between the City of Colorado Springs and the State of Colorado
- Presenter:  
Jim Muth, City Safety/Risk Management
- Attachments:** [Item 20-309 Resolution \(CDL Testing IGA\)](#)  
[City of Colorado Springs CDL IGA 2020](#)
- 4B.F.** [20-278](#) A Resolution declaring the intent of the City of Colorado Springs to issue its Multifamily Housing Revenue Bonds to finance the construction of an affordable multifamily housing development known as Academy Heights
- Presenter:  
Steve Posey, HUD Program Manager, Planning & Community Development  
Peter Wysocki, Director of Planning and Community Development
- Attachments:** [RES\\_AcademyHeightsInducement](#)  
[Prelim Inducement Res Academy Heights](#)
- 4B.G.** [20-301](#) An Ordinance Amending And Creating New Sections Within Article 7 (Sales And Use Tax) Of Chapter 2 (Business Licensing, Liquor Regulation And Taxation) Of The Code Of The City Of Colorado Springs 2001, As Amended, Pertaining To Sales Tax Marketplace Facilitators And Economic Nexus
- Presenter:  
Charae McDaniel, Chief Financial Officer
- Attachments:** [2 - SalesTax-MarketplaceFacilitatorORD-2020-06-22\(clean\)](#)

- 4B.H.** [20-302](#) An Ordinance Amending Article 9 (Lodgers, Campgrounds And Automobile Rental Tax) Of Chapter 2 (Business Licensing, Liquor Regulation And Taxation) Of The Code Of The City Of Colorado Springs 2001, As Amended, Pertaining To Lodgers, Campgrounds And Automobile Rental Tax  
Presenter:  
Charae McDaniel, Chief Financial Officer

**Attachments:** [SalesTax-LART\\_ORD-2020-06-17](#)

- 4B.I.** [20-303](#) A Resolution Approving The Intergovernmental Agreement Between The City Of Colorado Springs And Colorado Department Of Revenue For The Purpose Of Permitting Access To The Sales And Use Tax Software (SUTS System)  
Presenter:  
Charae McDaniel, Chief Financial Officer

**Attachments:** [4 - Resolution for Finance-CDOR SUTS IGA - 07-13-20](#)  
[5 - Exhibit A - IGA - SUTS User Agreement CDOR Local Jurisdiction](#)

- 4B.J.** [20-372](#) Request for approval of settlement amount in Case No. 13CV1469  
  
Presenter:  
Wynetta Massey, City Attorney/Chief Legal Officer

## **5. Recognitions**

- 5.A.** [20-294](#) A Resolution Designating July as National Park and Recreation Month  
  
Presenter:  
Karen Palus - Parks, Recreation and Cultural Services Director

**Attachments:** [071420 - 2020 Park and Rec Month Resolution](#)

- 5.B.** [20-343](#) Rental Housing Assistance Awareness Day  
  
Presenter:  
Dave Geislinger, Council Member

**Attachments:** [Rental Housing Assistance Awareness Day](#)

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

## **7. Mayor's Business**

## **8. Items Called Off Consent Calendar**

**9. Utilities Business**

- 9.A.**    [20-260](#)    An ordinance of the City of Colorado Springs, Colorado approving and authorizing the execution and delivery of the Standby Bond Purchase Agreement among the City of Colorado Springs, Colorado, Wells Fargo Bank, National Association, as Tender Agent, and TD Bank, N.A., the Fee Agreement between the City of Colorado Springs, Colorado and TD Bank, N.A., and the Official Statement for the Utilities System Revenue Bonds previously issued by the City to which the Agreement relates; ratifying certain action heretofore taken.

Presenter:

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

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

**Attachments:**    [CSU Ordinance Approving Replacement SBPA](#)  
[Summary of Ordinance Approving Replacement SBPA \(2007A Bonds\) 4816-06](#)  
[Plan of Finance Update CC 7-14-20](#)

- 9.B.**    [20-129](#)    Public Hearing for the Consideration of a Resolution for Certain Changes to the Utilities Rules and Regulations Tariff

Presenter:

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

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

**Attachments:**    [07-14-20 CC 2020 Mid-Year Rate Case Resolution](#)  
[Rate Hearing Agenda 2020 Mid-Year](#)  
[City Attorney Instructions Mid-Year 2020](#)  
[2020 Mid-year Rate Case Supplemental Filing](#)  
[07-14-20 CC 2020 Mid-Year Rate Case Hearing](#)

**10. Unfinished Business**

- 10.A.**    [20-282](#)    Ordinance No. 20-44 creating the Citizens' Accountability Advisory Committee to the City Council of the City of Colorado Springs

Presenter:

Richard Skorman, City Council President and Third District Representative

Wayne Williams, City Council At-Large Representative

**Attachments:**    [LETAC ORD](#)

**10.B.** [CPC PUZ  
20-00002](#)

Ordinance No. 20-43 amending the zoning map of the City of Colorado Springs pertaining to 7.29 acres located north and east of the Austin Bluffs Parkway and Research Parkway intersection from PUD/CR/AO (Planned Unit Development with a Condition of Record and Airport Overlay) to PUD/AO (Planned Unit Development: 30-foot maximum building height, single-family attached units, density range of 8 to 11.99 dwelling units per acre with an Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MP 07-00061-A8MN20, CPC PUZ 20-00002, CPC PUD 20-00003

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development

Peter Wysocki, Planning & Community Development Director

**Attachments:**

[Ordinance](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Legal Description Depicted](#)

[Surrounding Zoning & Land Uses](#)

[Vicinity Map](#)

[7.5.603.B Findings - ZC](#)

[7.3.603 Establishment & Development of a PUD Zone](#)

**11. New Business**

- 11.A.** [20-239](#) A Resolution of the City Council of the City of Colorado Springs Approving Issuance of Limited Tax General Obligation Series 2020 Bonds by the Interquest Town Center Business Improvement District in an Amount Not to Exceed \$2,860,000

(Legislative Item)

Presenters:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

**Attachments:**

[Resolution](#)

[ITC PowerPoint](#)

[Attachment 1- Transmittal Letter](#)

[Attachment 2- Draft District Bond Resolution](#)

[Attachment 3- Bond Details](#)

[Attachment 4- Preliminary Financing Numbers](#)

[Attachment 5- Draft General Counsel Opinion](#)

[Attachment 6- Draft Bond Counsel Opinion](#)

[Attachment 7- External Financial Advisor Opinion](#)

[Attachment 8- Summary of Improvements Costs](#)

[Attachment 9- Improvements Map](#)

[Attachment 10- Summary of Interest Rates for Privately Placed Debt](#)

[Attachment 11 Interquest Town Center Cost Detail](#)

[Attachment 12.a- 2020-06-01 RBCCM Memo for Interquest Town Center BID\\_v](#)

[Attachment 12.b- 2020-06-02 Interquest TC Comps - Corrected](#)

- 11.B.** [20-225](#) A Resolution declaring the intention of the City of Colorado Springs, Colorado, to hold a Special Municipal Election and to participate in a Coordinated Election to be held on Tuesday, November 3, 2020, and providing the effective date of this resolution.

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:**

[Reso to Participate in Nov Election](#)



- 11.C. [20-386](#) An Emergency Ordinance Requiring the Public to Utilize Face Coverings in Public Places Within the City of Colorado Springs Due to the Public Health Emergency Caused by the 2019 Novel Coronavirus, and Providing Penalties for Violation Thereof

Presenter:  
Richard Skorman, City Council President

**Attachments:** [Emerg Face Covering-ORD-2020-07-10 \(003\).docx](#)

## **12. Public Hearing**

- 12.A. [AR R](#)  
[20-00323-HP](#)  
[B](#) An appeal of the Historic Preservation Board's denial of a Report of Acceptability for the removal and replacement of a window on the eastern elevation of the residence located at 1611 Wood Avenue.

(Quasi-Judicial)

Presenter:  
Gaby Serrano, Planner II, Planning and Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [Notice&Appeal Statement](#)  
[Project Statement](#)  
[June 1, 2020 Historic Preservation Board Minutes](#)  
[1999 Building Permit Plans](#)  
[PPRBD - Deputy Building Official Response](#)  
[Vicinity Map](#)  
[Section 7.5.1605.C](#)  
[7.5.906 \(B\) Appeal](#)  
[Old North End Historic Preservation Overlay Zone Districts Standards](#)

- 12.B. [AR R](#)  
[20-00354-HP](#)  
[B](#) An appeal of the Historic Preservation Board's denial of a Report of Acceptability for the removal of eight (8) windows and installation of four (4) windows in the existing sunroom on the southern elevation of the residence located at 1611 Wood Avenue.

(Quasi-Judicial)

Presenter:

Gaby Serrano, Planner II, Planning and Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [Project Statement for the Report of Acceptability](#)  
[Sunroom photos](#)  
[1999 Building Permit Plans - Sunroom](#)  
[Section 7.5.1605.C](#)  
[7.5.906 \(B\) Appeal](#)

### **13. Added Item Agenda**

### **14. Executive Session**

- 14.A. [20-375](#) In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(a) and (b), the City Council, in Open Session, is to determine whether it will hold an electronic Closed Executive Session. The issue to be discussed involves legal advice and consultation with the City Attorney regarding a land conveyance matter.

The President of Council shall poll the City Councilmembers, and, upon consent of two-thirds of the members present, may conduct an electronic Closed Executive Session. Each City Councilmember participating in the electronic Closed Executive Session shall affirmatively state for the record that no other member of the public not authorized to participate in the electronic Closed Executive Session is present or able to hear the matters discussed as part of the electronic Closed Executive Session. If consent to the electronic Closed Executive Session is not given, the item may be discussed in Open Session or withdrawn from consideration.

Presenter:

Wynetta Massey, City Attorney

**Attachments:** [07142020Closed.docx](#)

### **15. Adjourn**

