



City of Colorado Springs

Regular Meeting Agenda - Final City Council

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

City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Tuesday, December 13, 2016

1:00 PM

Council Chambers

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. [16-659](#) Ordinance No. 16-117 amending Ordinance No. 15-86 (2016 Appropriation Ordinance) for a Supplemental Appropriation to the Memorial Health System Enterprise Fund in the Amount of \$1,217,000 for Transfer to the Colorado Springs Health Foundation

Presenter:
Kara Skinner, Chief Financial Officer

Attachments: [Supplemental Approp Ord for MHS Enterprise Fund-Transf to CSHF](#)

4A.B. [CPC ZC
16-00039](#)

Ordinance No. 16-118 amending the zoning map of the City of Colorado Springs pertaining to 4.592 acres located south of Harrison High School on Janitell Road from R (Estate Single-Family Residential) to C-6/cr (General Business with conditions of record).

(Quasi-Judicial)

Related File: CPC CP 16-00040

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development

Peter Wysocki, Director Planning and Community Development

Attachments:

[ZC ORD Harrison Sub](#)

[Exhibit A - Harrison Subdivision Legal Description](#)

[Exhibit B - Harrison Vicinity Map](#)

4A.C. [CPC PUZ
16-00094](#)

Ordinance No. 16-119 amending the zoning map of the City of Colorado Springs pertaining to 12.73 acres located near the intersection of Grand Cordera Parkway and Argentine Pass Trail from PBC/AO (Planned Business Center with Airport Overlay) and PUD/AO (Planned Unit Development; mixed residential, including assisted senior living, 50-foot 7-inch maximum building height, 24.99 dwelling units per acre with Airport Overlay) to PUD/AO (Planned Unit Development; multi-family residential, 45-foot maximum building height, 22 dwelling units per acre with Airport Overlay)

(Quasi-Judicial)

Related File: CPC PUD 16-00095

Presenter:

Katie Carleo, Principal Planner, Planning & Community Development

Peter Wysocki, Director Planning and Community Development

Attachments:

[ZC ORD Crowne at Briargate](#)

[Exhibit A Legal Description Crowne at Briargate](#)

[Exhibit B Crowne Zoning Exhibit](#)

[Crowne at Briargate Vicinity Map](#)

- 4A.D.** [16-633](#) Ordinance No. 16-120 amending Ordinance No. 07-113 pertaining to the Public Art Commission of the Pikes Peak Region

Presenter:
Councilmember Tom Strand
Jon Khoury, Chair
Renee Congdon, City Attorney's Office

Attachments: [112216 PACPPR-BoardMembershipORD](#)

- 4A.E.** [16-557](#) Ordinance No. 16-121 amending provisions of the Pikes Peak Regional Building Code, 2011 edition, formerly adopted by Ordinance 11-34, as amended by Ordinances 13-6 and 16-23, and amending Sections 102 (Code Adopted by Reference) and 103 (Penalty Provisions, Additions and Modifications) of Part 1 (General Provisions) of Article 10 (Building Code Administration) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended.

Presenter:
Meggan Herington, Planning Manager, Planning and Development Department
Roger Lovell, Regional Building Official

Attachments: [112216 RBC-Amendment Final 10 28 16](#)

- 4A.F.** [16-462](#) Ordinance No. 16-123 assessing costs for work performed in building demolition at 418 East Cucharras Street, charging the work against the property upon which the work was done and certifying this assessment to the County Treasurer for collection as a priority lien.

Presenter:
Mike Chaves, P.E., CIP Engineering Manager
Aaron Egbert, P.E., Senior Engineer

Attachments: [DemolitionORD-2016-10-07 Final Version](#)

4B. First Presentation:

- 4B.A.** [16-733](#) City Council Meeting Minutes November 22, 2016

Presenter:
Sarah Johnson, City Clerk

Attachments: [2016-11-22 Minutes Draft](#)

- 4B.B.** [16-740](#) Appointments to Boards and Commissions

Presenter:
Jacquelyn Puett, Assistant to Council

Attachments: [121316 Boards and Commissions](#)

4B.C. [16-732](#)

The City Clerk reports that on November 7, 2016 there was filed with her a petition for the Kum & Go Store 689 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: [Kum & Go #689 petition and vicinity map.pdf](#)
[Kum & Go #689 plat map #1..pdf](#)
[Kum & Go #689 plat map #2.pdf](#)

4B.D. [16-744](#)

The Mail Ballot plan for the April 4, 2017 General Municipal Election

Presenter:

Sarah B Johnson, City Clerk

Attachments: [DRAFT - Complete Election Mail Ballot Plan 442017.pdf](#)

4B.E. [16-734](#)

Resolution setting two public hearings to receive public comment on the renewal of the Comcast cable franchise agreement

Presenter:

Bret Waters, Deputy Chief of Staff

Attachments: [ComcastFranchiseRenewalRES-PublicComment-2016-11-29 KV rev](#)

5. Recognitions**5.A. [16-746](#)**

Resolution of Appreciation for Shane White on the Occasion of his Retirement as the Litigation Division Chief for the City of Colorado Springs City Attorney's Office.

Presenter:

Wynetta Massey, City Attorney

Attachments: [Shane White Resolution of Appreciation](#)

6. Citizen Discussion**7. Mayor's Business**

- 7.A. [16-742](#) Appointment of Jackie Jaramillo to fill an unexpired term on the Colorado Springs Housing Authority Board, expiring on April 1, 2018.

Presenter:
Mayor John Suthers

Attachments: [Jackie_s Bio2013_rev.10.29.16_Redacted](#)
[CSHA December 13 2016 Memo](#)

8. Items Called Off Consent Calendar

9. Utilities Business

- 9.A. [16-725](#) An Ordinance Submitting A Charter Amendment To The Registered Qualified Electors Of The City At The General Municipal Election To Be Held April 4, 2017, Relating To Sale Or Conveyance Of Units Of Colorado Springs Utilities And Amending Section 6-80 Of The City Charter

Presenter:
Christian Nelson, Strategy & External Affairs
Jerry Forte, P.E., CEO, Colorado Springs Utilities

Attachments: [Charter-Amendment-SaleConveyanceCSU-2016-12-5](#)

- 9.B. [16-726](#) An Ordinance Amending Multiple Sections Within Chapter 1 (Administrative, Personnel, And Finance) of the Code of the City of Colorado Springs 2001, As Amended, Pertaining To Colorado Springs Utilities

Presenter:
Christian Nelson, Strategy & External Affairs
Jerry Forte, P.E., CEO, Colorado Springs Utilities

Attachments: [CSU-ChiefExecCh1ORD-2016-11-23](#)

- 9.C. [16-743](#) An Ordinance Amending Article 1 (General Provisions) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, As Amended, Pertaining To Colorado Springs Utilities

Presenter:
Christian Nelson, Strategy & External Affairs
Jerry Forte, P.E., CEO, Colorado Springs Utilities

Attachments: [CSU-ChiefExecCh12ORDINANCE-2016-12-13](#)

- 9.D. [16-738](#) A Resolution Accepting a Donation of a 3.407 Acre Parcel of Real Property from Norris Properties, LLC to the City of Colorado Springs

Presenter:

Lyman Ho, SDS Land Acquisition Manager
Jerry Forte, P.E., CEO, Colorado Springs Utilities

Attachments: [Resolution Accepting Donation_Norris Properties LLC](#)

10. Unfinished Business

- 10.A. [16-468](#) Ordinance No. 16-122 amending all sections of Article 3 (Code of Ethics) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended.

Presenter:

Tracy Lessig, Division Chief-Employment, City Attorney's Office
Andy Pico, City Council Member, District 6

Attachments: [112116 Ordinance Ethics Code](#)
[112116 Ordinance Ethics Code redline](#)

- 10.B. [CPC PUZ
16-00102](#) Ordinance No. 16-124 amending the zoning map of the City of Colorado Springs pertaining to 116.82 acres located south of Old Ranch Road and north of Cordera Crest Avenue from A (Agriculture) to PUD (Planned Unit Development; single-family detached residential, 2.63 dwelling units per acre, 36-foot maximum building height).

(Quasi-Judicial)

Related Files: CPC MPA 007-00061-A4MJ16, CPC PUP 16-00103,
CPC PUD 16-00104

Presenter:

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

Attachments: [ZC ORD Cordera 4&5](#)
[Exhibit A Legal Cordera 4&5](#)
[Exhibit B Cordera PUD Zoning 4&5](#)
[Vicinity Map_Cordera 4&5](#)
[FIGURE 7 Cordera PUD Zoning 4&5](#)
[7.5.603 Criteria for granting zone changes](#)
[7.3.603 Establishment & Development of a PUD Zone](#)

11. New Business

- 11.A. [CPC CA 16-00008](#) An Ordinance repealing and reordaining Section 906 (Appeals) of Part 9 (Notice, Hearings and Appeals) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to appeals.

(Legislative)

Presenter:

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

Attachments:

[PPlanning Commission Staff Report Second Reconsideration 10-20-16](#)

[Attachment 1 Ord Plan Dev-Appeals 2016-Oct 5 clean \(2\)](#)

[Attachment 2 Ord Plan Dev-Appeals 2016-Oct 5-redline](#)

[Attachement 3- Version B -Jul 20 \(w Clerk's edits\)\(Councilman Knight Recon](#)

[CPC October 20 Meeting Minutes - Appeal item](#)

12. Public Hearing

13. Added Item Agenda

14. Executive Session

The Closed Executive Session will be held at 3:00 p.m.

- 14.A. [16-721](#) In accord with City Charter art. III, § 3-60(d) and its incorporated Colorado Open Meetings Act, C.R.S. § 24-6-402(4)(b) and (e), the City Council, in Open Session, is to determine whether it will hold a Closed Executive Session. The issues to be discussed involve: (1) legal advice and consultation with the City Attorney regarding pending litigation related to a regulatory matter; (2) legal advice and negotiation consultation with the City Attorney regarding a franchise agreement; and (3) legal advice and consultation with the City Attorney regarding settlement of a pending litigation matter related to a Utilities permitting matter.

Presenter:

Wynetta Massey, City Attorney

15. Adjourn