



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, October 13, 2020

10:00 AM

Council Chambers

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1. Call to Order

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

2. Invocation and Pledge of Allegiance

The Invocation was made by Tiffany Keith from the First United Methodist Church and Kateri Kerwin from the Navajo Nation.

President Skorman led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

There were no changes to 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.** [20-476](#) Ordinance No. 20-61 amending 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 a Change to the Sales and Use Tax Rate from Three and Twelve One-Hundredths Percent (3.12%) to Three and Seven One-Hundredths Percent (3.07%)

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [SalesTax-SalesTaxArt7Ch2-ORD-2020-09-04-final](#)
[Signed Ordinance 20-61.pdf](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.B.** [20-492](#) Ordinance No. 20-62 amending Multiple Sections under Part 11 (Road Repair, Maintenance, and Improvements Sales and Use Tax Fund) to Article 6 (City Funds) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as Amended, Regarding the Road Repair, Maintenance, and Improvements Sales and Use Tax Fund

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [SalesTax-RoadRepairTaxFundCh1-ORD-2020-09-04](#)
[Signed Ordinance 20-62.pdf](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.C.** [20-479](#) Ordinance No. 20-63 amending multiple sections of Part 1 (Conduct of Elections) of Article 1 (General Municipal Elections) of Chapter 5 (Elections) of the Code of the City of Colorado Springs 2001, as amended, pertaining to election ballots

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [DraftClerk-BallotORD-2020](#)
[Signed Ordinance 20-63.pdf](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.D.** [CPC ZC](#)
[20-00067](#) Ordinance No. 20-64 amending the zoning map of the City of Colorado Springs pertaining to 4.99 acres located at 2845 Resnik Drive establishing the M-1/AO (Light Industrial with Airport Overlay) zone.

(Legislative)

Related Files: CPC ZC 20-00067 and CPC DP 20-00068

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

- Attachments:** [ZC ORD AllenBuilders](#)
[Exhibit A - legal description](#)
[Exhibit B - Zoning Depiction](#)
[Context Map](#)
[Aerial Vicinity Map](#)
[VICINITY MAP](#)
[Signed Ordinance 20-64.pdf](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.E.** [CPC V 20-00031](#) Ordinance No. 20-65 vacating portions of a public right-of-way known as Banning Lewis Parkway consisting of 6.446 acres.

(Legislative)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:
Katelynn Wintz, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

- Attachments:** [VROW ORD BanningLewisParkway](#)
[Exhibit A - Row Vacation](#)
[Signed Ordinance 20-65.pdf](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.F.** [CPC PUZ 20-00029](#) Ordinance No. 20-66 amending the zoning map of the City of Colorado Springs relating to 32.44 acres located at Redcloud Peak Drive and Banning Lewis Parkway from R5/SS/AO (Multi-family Residential with Streamside and Airport Overlays) to PUD/AO (Planned Unit Development: Single-family detached, 3.5-7.99 dwelling units per acre, 35-foot maximum building height with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [ZC ORD BLRVillageB1](#)
[Exhibit A - Zone Change](#)
[Exhibit B - Zone Change](#)
[Signed Ordinance 20-66.pdf](#)

This Ordinance was finally passed on the Consent Calendar

4A.G. [CPC PUZ 20-00077](#)

Ordinance No. 20-67 amending the zoning map of the City of Colorado Springs pertaining to 58.69 acres located north and west of the Highway 83 and Shoup Road intersection from A (Agriculture) to PUD (Planned Unit Development: single-family detached, 2-3.5 dwelling units per acre with a 35-foot maximum building height) .

(Quasi-Judicial)

Related File: CPC PUD 20-00078

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development
Peter Wysocki, Planning & Community Development Director

Attachments: [ZC ORD FlyingHorseTurinII](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Legal Description Depicted](#)
[Signed Ordinance 20-67.pdf](#)

This Ordinance was finally passed on the Consent Calendar

4A.H. [CPC ZC 20-00086](#)

Ordinance No. 20-68 amending the zoning map of the City of Colorado Springs pertaining to 1.48-acre from Planned Business Center with Conditions of Record and Streamside and Airport Overlays (PBC/cr/SS/AO) to Planned Business Center with Conditions of Record, and Streamside and Airport Overlays (PBC/cr/SS/AO), located at 3855 and 3865 Tutt Boulevard.

(Quasi-Judicial)

Related Files: CPC ZC 20-00086, CPC DP 20-00093

Presenter:

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

Attachments: [ZC Ord tutselfstorage](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Zone Change](#)
[Vicinity Map](#)
[Signed Ordinance 20-68.pdf](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.I. [20-509](#)** Ordinance No. 20-69 amending Section 203 (Application for License; Fees; Term; Bond and Insurance Requirements; Suspension or Revocation) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to excavation licenses

Presenter:

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [CSU-DrainagePreventionORD-Ch3-2020-09-01_FINAL](#)
[Signed Ordinance 20-69.pdf](#)

This Ordinance was finally passed on the Consent Calendar

- 4A.J. [20-510](#)** Ordinance No. 20-70 creating a new Article 10 (Underground Damage Prevention Safety Program) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to underground excavation regulations and providing penalties for the violation thereof

Presenter:

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [CSU-DamagePreventionORD-Ch12-2020-09-22CLEAN_FINAL](#)
[Signed Ordinance 20-70.pdf](#)

This Ordinance was finally passed on the Consent Calendar

4B. First Presentation:

- 4B.A. [20-548](#)** City Council Regular Meeting Minutes September 22, 2020

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [9-22-2020 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

4B.B. [20-518](#) Appointments to Boards, Commissions, and Committees

Presenter:

Michael Montgomery, Deputy Council Administrator

Attachments: [101320 Boards and Commissions](#)
[09.21.20 Downtown BID appointment](#)

This Item was approved on the Consent Calendar.

4B.C. [20-388](#) A resolution accepting and endorsing the recommendations from the Lodgers and Automobile Rental Tax (LART) Citizen Advisory Committee for expenditures from the LART special fund for inclusion in the 2021 budget

Presenter:

Charae McDaniel, Chief Financial Officer

Laurel Prud'homme, Chair, LART Citizens' Advisory Committee

Attachments: [LART Resolution - 2021 Projects - with Exhibit A](#)
[2021 LART Resolution Exhibit A \(Recommendations\)](#)
[Signed Resolution 86-20.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.D. [20-524](#) A Resolution Rescinding Resolution No. 18-11 and Establishing Licensing Fees for Cats and Dogs and Redemption Fees for Impounded Animals

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Attachment A Animal Control Fee Update](#)
[Attachment B - Other City Animal Licensing Fees](#)
[AnimalLicensingFeesRES-2020-09-08](#)
[Signed Resolution 87-20.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.E. [20-525](#) Ordinance No. 20-71 amending Multiple Sections Within Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Animal Fees

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Attachment A Animal Control Fee Update](#)
[Attachment B - Other City Animal Licensing Fees](#)
[AnimalControlFeesORD-2020-09-08](#)

This Ordinance was approved on first reading on the Consent Calendar

4B.F. [20-515](#) Ordinance No. 20-72 certifying Delinquent Stormwater Fees and Charges to the El Paso County Treasurer for Collection

Presenter:
Richard Mulledy, Stormwater Enterprise Manager

Attachments: [Ordinance StormwaterFees-CertificationOfDeliquency](#)
[Exhibit A](#)

This Ordinance was approved on first reading on the Consent Calendar

4B.G. [20-461](#) Ordinance No. 20-73 amending Ordinance No. 19-87 (2020 Appropriation Ordinance) for a supplemental appropriation to the Parking Enterprise Fund in the amount of \$1,100,000 for additional funding of smart technology parking meters

Presenter:
Scott Lee, Parking Enterprise Director
Chris Wheeler, City Budget Manager

Attachments: [Supplemental Approp Ord - Parking Enterprise for smart meters](#)

This Ordinance was approved on first reading on the Consent Calendar

4B.H. [19-731](#) Ordinance No. 20-74 amending Section 102 (Definitions), Section 105 (Prohibition on Sale of Cigarettes or tobacco products in vending machines), and Section 106 (Tobacco Product Placement) of Part 1 (No Smoking in Public Places or Workplaces Except in Those Areas Designated for Smoking) of Article 6 (Public Health and Sanitation - No Smoking in Public Places) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to limitations on tobacco products in vending machines and tobacco product placement and providing penalties for the violation thereof

Presenter:
Tom Strand, City Councilmember
Marc Smith, Corporate Division Chief and Legislative Counsel, City Attorney's Office

Attachments: [Tobacco Placement ORD-2020-09-15-clean.docx](#)
[HB2020a 1001 signed](#)
[HB20-1001 State Bill Summary](#)

This Ordinance was approved on first reading on the Consent Calendar

- 4B.I. [20-539](#)** Ordinance No. 20-75 creating a new Section 213 (Unlawful Transfer of Tobacco and Tobacco Products) of Part 2 (Other Dangerous Weapons and Substances) of Article 7 (Dangerous Weapons and Substances) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the unlawful transfer of tobacco and tobacco products and providing penalties for the violation thereof

Presenter:
 Tom Strand, City Councilmember
 Marc Smith, Corporate Division Chief and Legislative Counsel, Office of the City Attorney

Attachments: [Tobacco Possession Transfer ORD-2020-09-15-clean.docx](#)

This Ordinance was approved on first reading on the Consent Calendar

Approval of the Consent Agenda

Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, that all matters on the Consent Calendar be passed, adopted, and approved by unanimous consent of the members present. The motion passed by a vote of 9-0-0

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

5. Recognitions

- 5.A. [20-552](#)** A Proclamation celebrating October 5th as World Habitat Day

Presenter:
 David Geislinger, Councilmember District 2
 Kris Medina, Executive Director/CEO, Pikes Peak Habitat for Humanity

Attachments: [World Habitat Day 2020](#)

Councilmember Geislinger read the Proclamation recognizing October 5th as World Habitat Day.

Kris Medina, Executive Director/CEO, Pikes Peak Habitat for Humanity, expressed appreciation for the support of City Council and gave an update of the efforts of the Pikes Peak Habitat for Humanity. She stated Habitat for Humanity will be celebrating their 35th birthday in January 2021, have

served approximately 180 families, and gave an overview of the City's affordable housing plan, HomeCOS, and the Ridge at Sand Creek development.

- 5.B. [20-553](#) A Resolution acknowledging the second Monday in October as Indigenous Peoples Day in Colorado Springs

Presenter:

Richard Skorman, Council President/Councilmember District 3
Monycka Snowbird

Attachments: [IDP Resolution](#)
[Signed Resolution 88-20.pdf](#)

Citizens Monycka Snowbird, Jenifer Lewis, and Anna Cordova, and spoke in support of Indigenous Peoples Day.

President Skorman read a Proclamation recognizing October 13, 2020, the second Monday in October, as Indigenous Peoples Day.

Councilmember Geislinger, Councilmember Avila, Councilmember Pico, and President Skorman gave an overview of the accomplishments and expressed appreciation of the Indigenous People in the region.

Motion by Councilmember Avila, seconded by Councilmember Geislinger, that the Resolution be adopted. The motion passed by a vote of 9-0-0

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

- 5.C. [20-554](#) A Proclamation recognizing October 2020 as Disability Employment Awareness Month

Presenter:

Yolanda Avila, Councilmember District 4

Attachments: [Disability Employment Awareness Month 2020](#)

Councilmember Avila stated October is also White Cane Month, the unemployment rate for Americans with disabilities is approximately seventy percent, and she read a Proclamation recognizing October 2020 as Disability Employment Awareness Month.

Mike Sullivan, Human Resources and Risk Officer, stated National Disability Employment Awareness Month is a time to celebrate the contributions of Americans with disabilities to our city's workforce and economic strength. He stated it is estimated that 61 million Americans and one in four adults live with a disabilities and the City has been very

successful with its Reasonable Accommodation Program.

- 5.D. [20-555](#) A Proclamation in commemoration of the 100th anniversary of the ratification of the 19th Amendment to the United States Constitution

Presenter:

Yolanda Avila, Councilmember District 4

Attachments: [100 Year Anniversary of 19th Amendment](#)

Councilmember Avila gave a brief history of the 19th Amendment to the United States Constitution which granted women the right to vote and read a Proclamation in commemoration of the 100th anniversary of the ratification of the 19th Amendment to the United States Constitution.

President Skorman, Councilmember Geislinger, and Councilmember Williams expressed appreciation for the Proclamation.

- 5.E. [20-558](#) A Proclamation recognizing October 2020 as Cyber Security Awareness Month

Presenter:

Wayne Williams, Councilmember At-Large

Chris Dittmann, Cyber Security Analyst, City of Colorado Springs

Attachments: [Cyber Security Awareness Month Final](#)

Councilmember Williams read a Proclamation recognizing October 2020 as Cyber Security Awareness Month and explained how important cyber security is.

Councilmember Williams and President Skorman expressed appreciation for the City's Information Technology (IT) Department and for all their work in cyber security.

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

Citizens Anthony Caballero, Zachary Short, and Eric Kawczynski spoke about their backgrounds, PTSD, and requested the legalization of entheogenic plants.

Citizen George Foley spoke against the legalization of entheogenic plants.

Peter Wysocki, Planning and Community Development Director, stated the project at 2424 Garden of the Gods is a quasi-judicial item, 350 participants attended the October 7, 2020 neighborhood meeting, and a

public hearing has not been scheduled because staff is still reviewing the applications. He stated the earliest this project will go before the Planning Commission is December 2020 and if it is approved, it will go before City Council the second meeting in January 2021. Councilmember Knight requested City Council be notified when Administrative approval has been granted and the date it goes before the Planning Commission. Mr. Wysocki stated there will not be any Administrative decisions made because it will all go through Planning Commission and City Council.

Councilmember Pico read two emails received from Andrea Holzer and Cathia Bell who spoke against the double taxation they are receiving from the Falcon Fire District.

7. Mayor's Business

There was no Mayor's Business.

8. Items Called Off Consent Calendar

There were no items called off the Consent Calendar.

9. Utilities Business

There was no Utilities Business.

10. Unfinished Business

There was no Unfinished Business.

11. New Business

There was no New Business.

12. Public Hearing

12.A. [CPC A 18-00116R](#)

A resolution adopting the findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Mazariegos Addition No. 1.

(Legislative)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC 19-00141, CPC PFP 20-00082

Presenter:

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

Attachments: [RES MazariegosFindingsofFact](#)
[Exhibit A - MazariegosLegalDescription](#)
[Planner Affidavit Mazariegos Annexation.docx](#)
[Clerk Affidavit Mazariegos Annexation-signed](#)
[Surveyor Affidavit Mazariegos Annexation-signed](#)
[Signed Resolution 89-20.pdf](#)

Katie Carleo, Principal Planner, Planning and Community Development, presented the proposed Mazariegos Addition No. 1 annexation. She presented a map of the site location and gave a brief background of the property, vicinity, surrounding uses and enclave analysis. She gave an overview of proposed annexation, proposed development, fiscal impact analysis, stakeholder process, and staff recommendations.

Councilmember Geislinger asked if there is a risk that the cost of the road maintenance which is currently under El Paso County will fall on the homeowners in the last of the parcels annexed into the City. Ms. Carleo stated the City is working with El Paso County regarding the Park Vista enclave to take the best approach to stormwater and traffic concerns. Jeff Greene, Chief of Staff, stated the City and the County have been discussing how to address the \$5M to \$10M stormwater improvements which are needed in the Park Vista area.

Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, that the Resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Mazariegos Addition No. 1 Annexation and approving an annexation agreement be adopted. The motion passed by a vote of 9-0-0

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

- 12.B.** [CPC A 18-00116](#) Ordinance No. 20-76 annexing to the City of Colorado Springs that area known as Mazariegos Addition No. 1 consisting 0.165 of an acre.

(Legislative)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC 19-00141, CPC PFP 20-00082

Presenter:

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

Attachments: [ORD MazariegosAdditionNo.1Annexation](#)
[Exhibit A - MazariegosLegalDescription](#)
[Exhibit B - Mazariegos Annexation Agreement](#)

Please see comments in Agenda item 12.A.

Motion by Councilmember Geislinger, seconded by President Pro Tem Strand, that the Ordinance annexing into the City of Colorado Springs the area known as Mazariegos Addition No. 1, based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203 be approved on first reading. The motion passed by a vote of 9-0-0

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

- 12.C.** [CPC ZC 19-00141](#) Ordinance No. 20-77 amending the zoning map of the City of Colorado Springs pertaining to 0.165 of an acre located at 4221 Date Street establishing a R-5 (Multi-Family Residential) zone

(Legislative)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC 19-00141, CPC PFP 20-00082

Presenter:

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

Attachments: [ZC_ORD_MazariegosAdditionNo.1](#)

[Exhibit A_ZC LegalDescription](#)

[Exhibit B_ZC Depiction](#)

Please see comments in Agenda item 12.A.

Motion by Councilmember Williams, seconded by Councilmember Pico, that the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 0.165 of an acre located at 4221 Date Street establishing a R-5 (Multi-Family Residential) zone, 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) be approved on first reading. The motion passed by a vote of 9-0-0

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

- 12.D.** [CPC PFP 20-00082](#) Mazariegos Preliminary-Final Plat for property located at 4221 Date Street consisting of .165-acre.

(Quasi-Judicial)

Related Files: CPC A 18-00116R, CPC A 18-00116, CPC ZC 19-00141, CPC PFP 20-00082

Presenter:

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

Attachments: [MAZARIEGOS PRELIMINARY FINAL PLAT](#)[7.7.102 Subdivision Plats](#)[7.7.204 Preliminary Plat Requirements](#)[7.7.303 Final Plat Req - Subdivision Plats Review Criteria](#)

Please see comments in Agenda item 12.A.

Motion by Councilmember Pico, seconded by Councilmember Geislinger, that the Mazariegos Preliminary-Final Plat, based upon the findings the proposal meets the review criteria for subdivision plats as set forth in City Code Section 7.7.102; for preliminary plat as set forth in City Code Section 7.7.204; and for final plat as set forth in City Code Section 7.7.303 be approved. The motion passed by a vote of 9-0-0

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

- 12.E.** [CPC A 19-00064R](#) A resolution adopting the findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Dickerson Addition No. 1 Annexation

(Legislative)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

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

Attachments: [RES_DickersonFindingOfFact](#)[Exhibit A - DickersonAnnexationLegal](#)[Planner Affidavit_Dickerson Annexation.docx](#)[Clerk Affidavit_Dickerson Annexation-signed](#)[Surveyor Affidavit_Dickerson Annexation-signed](#)[Signed Resolution 90-20.pdf](#)

Katie Carleo, Principal Planner, Planning and Community Development, presented the proposed Dickerson Addition No. 1 annexation. She presented a map of the site location and gave a brief background of the property, vicinity, surrounding uses and enclave analysis. She gave an overview of proposed annexation, proposed development, fiscal impact analysis, stakeholder process, and staff recommendations.

Councilmember Geislinger requested City Council be kept apprised of any developments regarding the larger negotiations in this area. Jeff Greene, Chief of Staff, stated he has the support of the Administration.

Citizens George Foley and Hope Lamonica asked if the annexation will involve the completion of sidewalks, driveways, and drainage systems at 4260 Rosalie Street because the development will cause flooding on his property. Ms. Carleo stated the annexed property will be required to meet the City's standards for stormwater and water quality, but is not required to make any improvements outside of their property and in front of their property on the street. David Hostetler, Land Development Consulting Inc., representing the applicant, stated the drainage report has been approved and if they made curb and gutter improvements, it would create an island which would not be beneficial to the unimproved areas.

Erin Powers, P.E., Senior Technical Engineer, Stormwater Enterprise, stated these properties have been analyzed for stormwater and on-site water quality treatment as part of a larger drainage master plan and have been required to have approved grading and erosion control plans based on the City's criteria. She stated part of the drainage report review process involves identifying downstream capacity.

Councilmember Knight asked what protection the City has in place in regards to grading or landscaping to ensure they are not causing damage to adjacent property owners. Ms. Powers stated final grading plans are required for properties larger than one-acre or part of a larger plan of development and are reviewed down to the one-foot level. Marc Smith, Corporate Division Chief, City Attorney's Office, stated City Code controls the development review process, and have to meet the standards of the City's grading plan, but cross-lot drainage is a private civil matter between homeowners.

Councilmember Williams asked if this area is in a drainage basin and will have to pay drainage basin fees. Ms. Powers confirmed it is.

Motion by Councilmember Pico, seconded by Councilmember Williams, that the Resolution adopting findings of fact and conclusions of law based thereon and determining the eligibility for annexation of property known as Dickerson Addition No. 1 Annexation and approving an annexation agreement be adopted. The motion passed by a vote of 9-0-0

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

- 12.F.** [CPC A 19-00064](#) Ordinance No. 20-78 annexing to the City of Colorado Springs that area known as Dickerson Addition No. 1 consisting of 0.414 of an acre.

(Legislative)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

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

Attachments: [ORD DickersonAdditionNo.1Annex](#)
[Exhibit A - DickersonAnnexationLegal](#)
[Exhibit B Dickerson Annexation Agreement](#)

Please see comments in Agenda item 12.E.

Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, that the Ordinance annexing into the City of Colorado Springs the area known as Dickerson Addition No. 1, based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203 be approved on first reading. The motion passed by a vote of 9-0-0

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

- 12.G.** [CPC ZC 20-00055](#) Ordinance No. 20-79 amending the zoning map of the City of Colorado Springs pertaining to 0.331 of an acre located southwest of Siferd Boulevard and Rosalie Street establishing the R-5 (Multi-family Residential) zone.

(Legislative)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

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

Attachments: [ZC ORD DickersonAdditionNo.1](#)
[Exhibit A](#)
[Exhibit B](#)

Please see comments in Agenda item 12.E.

Motion by President Pro Tem Strand, seconded by Councilmember Geislinger, that the Ordinance establishing .331-acre as R-5 (Multi-family Residential) 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) be approved on first reading. The motion passed by a vote of 9-0-0

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

- 12.H.** [CPC PFP 20-00056](#) Dickerson Preliminary-Final Plat for property located southwest of Siferd Boulevard and Rosalie Street consisting of .331-acre.

(Quasi-Judicial)

Related Files: CPC A 19-00064R, CPC A 19-00064, CPC PFP 20-00056, CPC ZC 20-00055

Presenter:

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

Attachments: [DICKERSON PRELIMINARY FINAL PLAT](#)

[7.7.102 Subdivision Plats](#)

[7.7.204 Preliminary Plat Requirements](#)

[7.7.303 Final Plat Req - Subdivision Plats Review Criteria](#)

Please see comments in Agenda item 12.E.

Motion by Councilmember Pico, seconded by Councilmember Geislinger, that the Dickerson Preliminary-Final Plat, based upon the findings the proposal meets the review criteria for subdivision plats as set forth in City Code Section 7.7.102; for preliminary plat as set forth in City Code Section 7.7.204; and for final plat as set forth in City Code Section 7.7.303 be approved. The motion passed by a vote of 9-0-0-0

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

13. Added Item Agenda

President Skorman polled City Council as to who would be the City Council representatives on the Law Enforcement Accountability Commission (LETAC). President Pro Tem Strand and Councilmember Avila stated they would like to represent City Council. Councilmember Murray recommended President Pro Tem Strand and Councilmember Williams as representatives. President Skorman polled City Council regarding Councilmember Avila, President Pro Tem Strand, and Councilmember Williams representing City Council on LETAC. Consensus of City Council agreed.

14. Executive Session

There was no Executive Session.

15. Adjourn

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

Sarah B. Johnson, City Clerk

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:

- 16.A. [20-328](#) Request to set November 24, 2020 as the Public Hearing date for consideration of adopting the proposed 2021 Colorado Springs Briargate General Improvement District Budget and to advertise as required by law

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Briargate GID 2021 Budget](#)

Councilmember Williams requested future General Improvement District Budget Public Hearings not be set during the week of Thanksgiving. Charae McDaniel, Chief Financial Officer, stated they will try to accommodate that request.

Motion by Boardmember Geislinger, seconded by Boardmember Strand, to establish November 24, 2020 as the date of the Public Hearing to consider the 2021 Colorado Springs Briargate General Improvement District budget be approved. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, 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:

- 16.B. [20-329](#) Request to set November 24, 2020 as the Public Hearing date for consideration of adopting the proposed 2021 Colorado Springs Marketplace at Austin Bluffs General Improvement District Budget and to advertise as required by law

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [MAB GID 2021 Budget](#)

There were no comments on this item.

Motion by Boardmember Williams, seconded by Boardmember Strand, to establish November 24, 2020 as the date of the Public Hearing to consider the 2021 Colorado Springs Marketplace at Austin Bluffs General Improvement District budget be approved. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Gaebler, Geislinger, Knight, Murray, Pico, 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:

- 16.C.** [20-330](#) Request to set November 24, 2020 as the Public Hearing date for consideration of adopting the proposed 2021 Colorado Springs Spring Creek General Improvement District Budget and to advertise as required by law

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Spring Creek GID 2021 Budget](#)

There were no comments on this item.

Motion by Boardmember Strand, seconded by Boardmember Williams, to establish November 24, 2020 as the date of the Public Hearing to consider the 2021 Colorado Springs Spring Creek General Improvement District budget be approved. The motion passed by a vote of 9-0-0

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