



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, March 14, 2017

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. [CPC A
16-00107](#)**

Ordinance No. 17-13 for annexation of the Hartsuiker Addition pertaining to 1.134 acres; .523 acres consists of the subject property and .611 acres consists of Ruby Drive right-of-way.

(Legislative)

Related Files: [CPC A 16-00107R](#), [CPC ZC 16-00108](#)

Presenter:

Mike Schultz, Principal Planner, Land Use Review

Peter Wysocki, Planning and Development Director, Planning and Development Department

Attachments:

[AX-HartsuikerAdditionORD-2017-02-21](#)

[Exhibit A - Hartsuiker Legal Description for Annexation](#)

[Exhibit B - Annex Agreement - INCOMPLETE](#)

[Vicinity Map - Hartsuiker](#)

4A.B. [CPC ZC
16-00108](#)

Ordinance No. 17-14 establishing the R-2/AO/CR (Two-Family Residential with Airport Overlay and Conditions of Record) pertaining to .523 of an acre located at the northeast corner of Copper Drive and Ruby Drive.

(Legislative)

Related Files: CPC A 16-00107R, CPC A 16-00107

Presenter:

Mike Schultz, Principal Planner, Land Use Review
Peter Wysocki, Planning and Development Director, Planning and Development Department

Attachments: [ZoningChangeCopper RubyORD-2017-02-21](#)

[Exhibit A - Zone Change Legal](#)

[Exhibit B - Zone Change Exhibit](#)

4A.C. [CPC A
16-00109](#)

Ordinance No. 17-15 annexing to the City of Colorado Springs that area known as the Bowen Addition consisting of .849-acre for property located at the southeast corner of Silver Drive and Ruby Drive.

(Legislative)

Related Files: CPC A 16-00109R, CPC ZC 16-00110

Presenter:

Mike Schultz, Principal Planner, Land Use Review
Peter Wysocki, Planning and Development Director, Planning and Development Department

Attachments: [AX-BowenAdditionORD-2017-02-17](#)

[Exhibit A - Bowen Addition Legal](#)

[Exhibit B - Annexation Agreement Signed](#)

[Vicinity Map - Bowen](#)

- 4A.D.** [CPC ZC
16-00110](#) Ordinance No. 17-16 establishing an R-2/AO/CR (Two-Family Residential with Airport Overlay and Conditions of Record) pertaining to .849-acre located at the southeast corner of Silver Drive and Ruby Drive and associated with the Bowen Addition Annexation.
(Legislative)

Related Files: CPC A 16-00109R, CPC A 16-00109

Presenter:
Mike Schultz, Principal Planner, Land Use Review
Peter Wysocki, Planning and Development Director, Planning and Development Department

Attachments: [ZoningChangeBowenAdditionORD-2017-02-17](#)
[Exhibit A - Bowen Legal](#)
[Exhibit B - Bowen Exhibit](#)

4B. First Presentation:

- 4B.A.** [17-871](#) City Council Regular Meeting Minutes February 28, 2017

Presenter:
Sarah B. Johnson

Attachments: [2-28-2017 City Council Minutes - Final](#)

- 4B.B.** [17-872](#) Appointments to Boards and Commissions

Presenter:
Jacquelyn Puett, Assistant to Council

Attachments: [031417 Boards and Commissions](#)

- 4B.C.** [17-822](#) A Resolution Adopting the Intergovernmental Agreement Establishing the Administration and Governance of the Pikes Peak Regional Law Enforcement Records Management System

Presenter:
Sue Autry, Police Administrative Services Manager

Attachments: [File #17-822 - Resolution](#)
[031417 Exhibit A \(IGA\)](#)

4B.D. [17-817](#)

A Resolution approving changes to the Independent Ethics Commission's Rules of Procedure

Presenter:

Tracy Lessig, City Attorney Division Chief - Employment

Attachments:

[2017-2-27IECRulesRES](#)

4B.E. [17-809](#)

An ordinance excluding a 13.151-acre parcel from the Interquest North Business Improvement District.

(Legislative)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Development

Attachments:

[Exclusion-InterquestNBIDORD-2017-02-21](#)

[Interquest North Exclusion Transmittal Letter](#)

[Interquest North Petition for Exclusion](#)

[Interquest North Draft Notice of Exclusion](#)

[Powerpoint- Interquest North BID 2017 Exclusion](#)

4B.F. [17-852](#)

An ordinance amending Section 102 (Regular Council Meetings; Utility Board) of Part 1 (Elective Officers) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Utility Board

Presenter:

Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments:

[CS-Ch1-UtilityBoardORD-2017-01-30](#)

4B.G. [17-853](#)

An ordinance amending Section 202 (Bonds) of Part 2 (Appointive Officers; General Provisions) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Bonds and Oaths

Presenter:

Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments:

[CS-Ch1-BondsOathORD-2017-01-30](#)

- 4B.H.** [17-854](#) An ordinance Amending Section 204 (Assistants) of Part 2 (Appointive Officers; General Provisions) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Assistants

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [CS-Ch1-AssistantsORD-2017-01-31](#)

- 4B.I.** [17-855](#) An ordinance Amending Section 303 (Appoint to Acting Capacity) of Part 3 (Powers and Duties of the Mayor) of Article 2 (Officers of the City) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Acting Appointments

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [CS-Ch1-InterimActingORD-2017-02-02](#)

- 4B.J.** [17-856](#) An ordinance Amending Section 105 (Candidates for Election) of Part 1 (Employee Rules and Regulations) of Article 4 (City Employees) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Candidates for Election

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [CS-Ch1-CandidatesElectionORD-2017-01-30](#)

- 4B.K.** [17-857](#) An ordinance Amending Section 103 (Presiding Judge; Powers and Duties) of Article 2 (Judges) of Chapter 11 (Municipal Court) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Judges

Presenter:
Councilmember Don Knight
Wynetta Massey, City Attorney

Attachments: [CS-Ch11-JudgesORD-2017-01-30](#)

- 4B.L.** [17-868](#) A Resolution Authorizing Colorado Springs Utilities to Take All Actions Necessary to Remove Certain Water Rights from the State of Colorado's Water Rights Tabulations

Presenter:

Abigail Ortega, Planning Supervisor

Michael Gustafson, Senior Attorney

Jerry A. Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Attachments:

[Resolution-Abandon Water Rights Roby Chancellor draft 2-17-17](#)

- 4B.M.** [CPC MPA](#)
[00-00103-A1](#)
[MJ16](#) A major amendment to the Mesa Springs Community Plan changing 13.32 acres from medium-high density residential and public park to office/special commercial and industrial, located at the northwest corner of Centennial Boulevard and Van Buren Street.

(Legislative)

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[MesaSpringsRES-2017-03-07-clean](#)

[Exhibit A - Master Plan](#)

[CPC Staff Report Indian Hills Business Park](#)

[Figure 1 - Concept Plan](#)

[Figure 2 - Project Statement](#)

[Figure 3 - Neighborhood comments](#)

[Figure 5 - 1st CGS Geohazard Review](#)

[Figure 6 - 2nd CGS Geohazard Review](#)

[Figure 7 - Financial Impact Analysis \(FIA\)](#)

[7.5.408 MASTER PLAN REVIEW CRITERIA](#)

[CPC_02.16.17 Minutes - Indian Hills](#)

4B.N. [CPC PUZ
16-00144](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 13.32 acres located at the northwest corner of Centennial Boulevard and Van Buren Street, from PUD (Planned Unit Development; attached townhomes, 35' maximum building height, 6.68 dwelling units per acre) to PUD (Planned Unit Development; general and medical office, retail, personal improvement services, financial institutions, child care facilities, sit down restaurants, light industrial and private open space, maximum building height 35').

(Quasi-Judicial)

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[ZC ORD Indian Hills Business Park](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Vicinity Map](#)

[Figure 1 - Concept Plan](#)

[7.5.603 Criteria for granting zone changes](#)

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

4B.O. [CPC PUP
16-00145](#)

Indian Hills Business Park concept plan illustrating four office/commercial buildings and a light industrial development, located at the northwest corner of Centennial Boulevard and Van Buren Street.

(Quasi-Judicial)

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[Figure 1 - Concept Plan](#)

[7.3.605 PUD Concept Plan](#)

[7.5.501.E Concept Plans](#)

4B.P. [CPC ZC
16-00134](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 2.5 acres located at 2020, 2021 and 2030 West Colorado, from C5 (General Business), C5 P (General Business with Planned Provisional Overlay) and R2 (Two-Family Residential) to C5/CR (General Business with Conditions of Record)

(Quasi-Judicial)

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[ZC ORD Sacred Heart Catholic Church](#)

[Exhibit A - ZC Legal Description SacredHeart](#)

[Exhibit B - Vicinity Map Sacred Heart](#)

[CPC Staff Report Sacred Heart Catholic Church](#)

[FIGURE 1 - Concept Plan](#)

[FIGURE 2 - Project Statement](#)

[FIGURE 3 - Alley Vacation](#)

[FIGURE 4 - Development Plan](#)

[CPC Minutes 02.16.17 - Sacred Heart](#)

[7.5.603 Criteria for granting zone changes](#)

4B.Q. [CPC CP
16-00135](#)

Sacred Heart Catholic Church concept plan for a multi-phase expansion of the Sacred Heart Catholic Church campus, located at 2020, 2021, and 2030 West Colorado Avenue.

(Quasi-Judicial)

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[FIGURE 1 - Concept Plan](#)

[7.5.501.E Concept Plans](#)

- 4B.R.** [CPC DP
16-00136](#) Sacred Heart Catholic Church development plan for the expansion of the Sacred Heart Catholic Church campus, located at 2020, 2021, and 2030 West Colorado Avenue.

(Quasi-Judicial)

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[FIGURE 4 - Development Plan](#)

[7.5.502.E Development Plan Review](#)

- 4B.S.** [CPC V
16-00137](#) An ordinance vacating .142-acre of City right-of-way located between 20th Street and 21st Street from West Colorado Avenue to West Pikes Peak Avenue.

(Legislative)

Presenter:

Lonna Thelen, Principal Planner, Planning & Community Development

Peter Wysocki, Planning and Community Development Director

Attachments:

[ORD_VacationROW - Alley](#)

[Exhibit A - Legal Sacred Heart](#)

[Exhibit B - Alley Vacation](#)

[7.7.402.C Vacation Procedures](#)

5. Recognitions

- 5.A.** [16-779](#) Recognition of MATHCOUNTS regional competition winners

Presenter:

Mike Bartusek, Pikes Peak Regional Coordinator

- 5.B.** [17-864](#) Resolution of Appreciation for Dale R. Fox on the Occasion of his Retirement as a Police Sergeant with the City of Colorado Springs Police Department

Presenter:

Merv Bennett, City Council President

Attachments:

[Dale Fox Resolution v2](#)

6. Citizen Discussion

7. Mayor's Business**8. Items Called Off Consent Calendar****9. Utilities Business****10. Unfinished Business**

- 10.A. [16-767](#) Ordinance No. 17-11 repealing Ordinance No. 15-42 (approving the salary of the City Auditor) and prescribing the salary of the City Auditor

Presenter:

Council President Merv Bennett and Councilmember Andy Pico, Audit Committee.

Attachments: [2016-12-29NesterSalary](#)

- 10.B. [17-803](#) Ordinance No. 17-12 amending Section 2 of Ordinance No. 15-53 (approving the salary of the City Council Administrator)

Presenter:

Council President Merv Bennett

Attachments: [2016-12-29GonzalezSalary](#)

11. New Business

- 11.A. [16-762](#) A resolution approving the 2017 Action Plan for the use of Federal Block Grant Funds (CDBG, HOME, ESG) provided through the U.S. Department of Housing and Urban Development.

Presenter:

Aimee Cox, Manager, Community Development

Attachments: [2017 Action Plan Activity comparison_Feb1_2017](#)
[2017 City Council AAP Resolution](#)
[Colorado Springs 2017 Action Plan Draft_Mar6 w cover](#)
[Public hearing comment summary_Mar6_2017](#)

- 11.B. [17-848](#) An ordinance amending Part 1 (Medical Marijuana License Code) of Article 2 (Marijuana) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to Medical Marijuana License Code.

Presenter:

Bret Waters, Deputy Chief of Staff

Lee McRae, License Enforcement Officer in the City Clerk's Office

Attachments:

[Clerk-MMJLicenseCodeORD-2017-02-14.docx](#)

[MJ Working Group Report-2017-02-27 \(Location Cap and Testing Facilites\).ppt](#)

- 11.C. [17-850](#) An ordinance creating Section 212 (Unlawful Transfer of Marijuana) 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 marijuana and providing penalties for the violation thereof.

(Legislative)

Presenter:

Bret Waters, Deputy Chief of Staff

Attachments:

[Old_welcomeMJ-UnlawfulTransferCh9-ORD-2017-02-17.docx](#)

- 11.D. [CPC CA
17-00018](#) An ordinance amending Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to marijuana uses and providing remedies for the violation thereof.

(Legislative)

Presenter:

Peter Wysocki, Director of Planning and Development

Attachments:

[Plan_Dev-ZoningMJUsesOtherORD-2017-02-28-Final](#)

[CPC Staff Report_MJ ordinance](#)

[CPC_DraftMinutes_02.16.17-MJ \(2\)](#)

- 11.E. [16-718](#)** An ordinance amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$1,150,279 for the final payment to the Colorado Springs Convention & Visitors Bureau relating to the 2016 contract and for additional projects recommended by the LART Citizen Advisory Committee, and to the Pikes Peak - America's Mountain Fund in the amount of \$250,000 for the Summit House project
- Presenter:
Kara Skinner, Chief Financial Officer

Attachments: [2017 Attachment A - List of LART recommended projects.pdf](#)
[Ordinance for LART rev over budget + projects.docx](#)

- 11.F. [17-860](#)** An ordinance amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the Lodgers & Auto Rental Tax (LART) Fund in the amount of \$200,000 for the United States Olympic Museum project recommended by the LART Citizen Advisory Committee
- Presenter:
Kara Skinner, Chief Financial Officer

Attachments: [2017 Attachment A - List of LART recommended projects.pdf](#)
[Ordinance for LART USOM project.docx](#)

- 11.G. [17-858](#)** An ordinance amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$2,486,100, to the City Funded CIP Fund in the amount of \$1,582,300, to the Patty Jewett Golf Course Fund in the amount of \$41,900, and to the Stetson Hills SIMD Fund in the amount of \$66,780, for repairs related to the 2016 hail storm and the 2017 wind storm
- Presenter:
Kara Skinner, Chief Financial Officer

Attachments: [Ordinance for GF, CTF, CIP, PJ, Stetson - 02-27-17.docx](#)

- 11.H. [17-859](#) An ordinance amending Ordinance No. 16-116 (2017 Appropriation Ordinance) for a supplemental appropriation to the Conservation Trust Fund (CTF) Fund in the amount of \$570,000 for high-priority projects
- Presenter:
Karen Palus, Director of Parks, Recreation and Cultural Services
Kurt Schroeder, Parks Operations Manager
- Attachments:** [031317 - Ordinance for CTF projects.docx](#)
[3-13-17 - Conservation Trust Fund Supplemental Appropriation - Powerpoint](#)
- 11.I. [CPC CA
16-00079](#) An Ordinance Amending Part 5 (Geological Hazard Study and Mitigation) of Article 4 (Site Development Standards) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Geological Hazard Study and Mitigation.
(Legislative)
- Presenter:
Peter Wysocki, Planning and Community Development Director
- Attachments:** [Plan Dev-GeologicalHazardORD-2017-03-01-Final](#)
[3.14.17 geohazard CC presentation](#)
[CPC Staff Report geohazard ordinance](#)
- 11.J. [17-881](#) A Resolution expressing City Council's support of issue 2 on the April 4, 2017 municipal ballot, to authorize retaining and spending up to \$6,000,000 of the estimated 2016 fiscal year revenue above the 2016 fiscal year revenue and spending limitations, and a like amount of any excess revenue in fiscal year 2017, as a voter approved revenue change, with any excess revenue in fiscal years 2016 and 2017 beyond this \$6,000,000 revenue change to be refunded to taxpayers.
- Presenter:
Mayor John Suthers
Jeff H. Green, Chief of Staff
- Attachments:** [Res_SupportIssueFINAL](#)

- 11.K. [17-870](#) A resolution expressing City Council's support for Issue 3 on the April 4, 2017 municipal ballot, exempting Colorado Springs from Senate Bill 152, and reestablishing the city's authority to facilitate, partner, or coordinate with service providers to provide advanced telecommunications services to its citizens, restoring local authority that was taken away by state law

Presenter:
Councilmember Bill Murray

Attachments: [SupportForExemptionSenateBill152RES-2017-03-02](#)

12. Public Hearing

- 12.A. [17-807](#) A Resolution of the City Council of the City of Colorado Springs, Colorado acknowledging the community's participation and approving the Renew North Nevada Avenue Master Plan

(Legislative)

Presenter:
Nina Vetter, Strategic Plan and Business Process Administrator
Peter Wysocki, Planning & Development Director

Attachments: [NorthNevadaRES-2017-2-21-clean](#)
[North Nevada Fiscal Impact Memorandum](#)
[CPC Staff Rep - Renew NNA](#)
[Master Plan Criteria](#)
[Renew North Nevada Avenue - City Council Presentation](#)
[RenewNNAveMasterPlan_Draft 03.06.17_Combined](#)

13. Added Item Agenda

14. Executive Session

15. Adjourn