



City of Colorado Springs

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

Meeting Minutes Council Work Session

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Monday, November 7, 2022

10:00 AM

Council Chambers

How to Watch the Meeting

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Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

1. Call to Order and Roll Call

- Present** 8 - Councilmember Yolanda Avila, Councilmember Dave Donelson, Councilmember Stephannie Fortune, President Pro Tem Randy Helms, Councilmember Nancy Henjum, Councilmember Bill Murray, President Tom Strand, and Councilmember Wayne Williams
- Excused** 1 - Councilmember Mike O'Malley

Councilmember Fortune arrived at approximately 1:10 PM and attended the meeting virtually.

2. Changes to Agenda

There were no Changes to Agenda.

3. Regular Meeting Comments

There were no Regular Meeting Comments.

4. Review of Previous Meeting Minutes

- 4.A. [22-724](#) City Council Work Session Meeting Minutes October 24, 2022

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [10-24-22 City Council Work Session Meeting Minutes Final](#)

President Strand requested a follow up on items 6.B. and 6.C. Jeff Greene, Chief of Staff, agreed to provide that information.

The minutes of the October 24, 2022 Work Session were approved by Consensus of City Council.

5. Executive Session

5A. Open

There was no Open Executive Session.

5B. Closed

There was no Closed Executive Session.

6. Presentations for General Information

There were no Presentations for General Information.

7. Staff and Appointee Reports

7.A. [22-723](#) Agenda Planner Review

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 11-7-22](#)

Councilmember Williams stated Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities, announced his resignation at the end of the year and encouraged citizen input regarding the selection process.

8. Items for Introduction

8.A. [22-708](#) A Resolution of the City of Colorado Springs approving an Amended and Restated Service Plan for the Upper Cottonwood Creek Metropolitan District No. 5 serving the Wolf Ranch area in northern Colorado Springs

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

Attachments: [Resolution](#)[Exhibit 1- Final - Amended and Restated Service Plan - UCC No. 5](#)[Staff PowerPoint-UCC](#)[Amended and Restated Service Plan No. 5 Cover Letter](#)[Applicant Budget Committee Hearing Presentation - UCC MD No. 5](#)[Original Submittal Redline Comparison](#)[Redline - Deleting Exhibit C-2 - UCC MD No. 5](#)[Original Service Plan UCCMD District Nos. 2-5.pdf](#)[First Amendment to Original Service Plan UCCMD Nos. 2-5](#)[Second Amendment to Original Service Plan UCCMD Nos. 2-5](#)

Carl Schueler, Planning Manager, Comprehensive Planning, Planning and Development Department, presented the Resolution approving an Amended and Restated Service Plan for the Upper Cottonwood Creek Metropolitan District No. 5 serving the Wolf Ranch area in northern Colorado Springs. He provided a summary, a map of the location/boundaries, background, summary of the district, Exhibit E, potential bonding, future bonding options, and process. Mr. Schueler went over what would change/not change, questions/comments from the Budget Committee, and next steps.

Councilmember Henjum requested additional information regarding fee limitation. Mr. Schueler a standard fee limitation is in the policy and a model Service Plan that states there cannot be end-user debt service fees and identified the fees that are allowable.

Councilmember Murray asked what would cost the cost of infrastructure to triple. Mr. Schueler provided an overview of the developer responsibilities for public improvements.

President Pro Tem Helms stated he understands the concern regarding the increase in costs but also understands the risk the developers take with being required to build the infrastructure.

Councilmember Williams stated the homeowner ultimately pays for it whether it is through a special district or not and requested an overview of the process when a developer incurs a public infrastructure expense which is eligible for reimbursement. Mr. Schueler went over the authorization process from the City's perspective.

Councilmember Henjum asked if this development could occur at a lower mill levy. Mr. Schueler stated the developer will answer that question at the November 22, 2022 City Council meeting hearing.

Councilmember Henjum stated there needs to be an element of trust that these dollars are being using appropriately.

Councilmember Murray stated it is not the City's infrastructure once it is built. Councilmember Williams explained how the infrastructure such as roads and utility lines are managed by the City.

8.B. [22-710](#)

A Resolution of the City of Colorado Springs approving an Amended and Restated Service Plan for the Reagan Ranch Metropolitan District Nos. 1-4 serving an area in the west central part of Banning Lewis Ranch

Presenter:

Carl Schueler, Planning Manager- Comprehensive Planning, Planning & Development Department

Peter Wysocki, Planning and Community Development Director

Attachments: [Resolution](#)

[Exhibit 1- Amended and Restated Service Plan - North Reagan Ranch](#)

[MD Nos. 1-5](#)

[Staff PowerPoint- Reagan Ranch MD](#)

[Amended and Restated Service Plan Cover Letter - Reagan Ranch](#)

[MD Nos. 1-4](#)

[Original Service Plan](#)

[Redline Comparison - Reagan Ranch](#)

[Signed Resolution 145-21 - Approving First Amendment to SP](#)

[Budget Committee Applicant Presentation - Reagan Ranch MD Nos.](#)

[1-4](#)

Carl Schueler, Planning Manager, Comprehensive Planning, Planning and Development Department, presented the Resolution approving an Amended and Restated Service Plan for the Reagan Ranch Metropolitan District Nos. 1-4 serving an area in the west central part of Banning Lewis Ranch. He provided a summary, a map of the location/boundaries, background, overall district and development summary, Exhibit E, potential bonding, future bonding options, and process. Mr. Schueler went over what would change/not change, questions/comments from the Budget Committee, and next steps.

Councilmember Henjum asked who reviewed this proposed Service Plan and if there any concerns identified. Mr. Schueler stated City Staff,

including himself reviewed the proposed Service Plan and the only area they had questions on were why the district needed a District No. 4 and they were told that it has to do with pre-existing financing.

Councilmember Henjum asked which entity generates and oversees the Intergovernmental Agreements (IGA) between the districts. Mr. Schueler stated it is usual and customary for multiple districts to create IGAs between themselves and any governmental agency is authorized to produce IGAs.

Councilmember Henjum asked who reviews the district annual reports which are submitted to the City. Mr. Schueler explained that districts are separate quasi-judicial municipal entities and once the district is approved as a municipal the general-purpose governments, the City is a chartering entity to the district and has limited authority with respect to City involvement.

Councilmember Henjum asked if there will be a rollout of a program educating homebuyers regarding purchasing in a special district. Mr. Schueler stated they have requested the Council of Neighborhood and Organizations work on that plan.

Councilmember Murray asked what type of review goes into these requests for additional bond issuances. Mr. Schueler went over the review process and how it would be required to go before City Council for significant deviations from the initial issuance.

8.C. [22-673](#) A Resolution Establishing 2023 Drainage Basin Fees, Bridge Fees, Detention Pond Facility and Land Fees

Presenter:

Richard Mulledy, P.E., Stormwater Enterprise Manager

Attachments: [Resolution for 2023 Drainage Fees](#)
[Exhibit A - Proposed 2023 Fee Schedule](#)
[Exhibit B - Memo to Drainage Board for 2023 Fees](#)
[Exhibit C - Resolution 195-21](#)
[Exhibit D - HBA Letter of Support for 2023 Fees](#)
[Drainage Fee Adjustment 2023 Shortened for CC_correct](#)

Richard Mulledy, Stormwater Enterprise Manager, presented the Resolution establishing 2023 drainage basin fees, bridge fees, detention

pond facility, and land fees. She went over City Code 7.7.902, how drainage fees are determined, past drainage fee increases, process for the 2023 fee update, and the recommended 9.2 percent increase of the fee to include the Miscellaneous Basin fee which would be effective January 1, 2023.

Councilmember Murray asked who reviews the increases of expenses for drainage infrastructure. Mr. Mulledy stated it is reviewed by the Drainage Board and then the platting drainage fees, not the Stormwater Fees, are reimbursed to the developer.

- 8.D.** [22-408](#) A Resolution Fixing and Certifying the 2022 Tax Levy for Taxes Payable in 2023 at 5.000 Mills for the Colorado Springs Downtown Development Authority in Colorado Springs, Colorado

Presenter:

Charae McDaniel, Chief Financial Officer
Susan Edmondson, President & CEO Downtown Partnership of Colorado Springs

Attachments: [01_Res to Fix Mill Levy for DDA_11 7.22](#)
[11.07.22 DDA City Council](#)

Charae McDaniel, Chief Financial Officer, introduced the property tax mill levy of 5.0 and the 2023 budget for the Downtown Development Authority (DDA).

Susan Edmondson, President and CEO Downtown Partnership of Colorado Springs, provided an overview of the Downtown district boundaries, goals, storefront business openings, grants, residential growth, Artspace affordable housing for creatives, Tax Increment Financing, Opportunity Zone impact, Cottonwood Center for the Arts, Gateways Initiative, AdAmAn Alley, marketing, 2023 goals, needs, and concerns.

President Strand asked what the largest grant issued was. Ms. Edmondson stated \$50,000.

President Strand asked what the rent will be in the creative district. Ms. Edmondson stated it will be for residents with sixty percent or lower of Average Median Income (AMI).

Councilmember Henjum asked if the recently passed building materials rebate will assist with the creatives district project. Ms. Edmondson

confirmed it will.

Councilmember Donelson asked how many families reside in the apartments downtown. Ms. Edmondson stated she does not have that exact information, but three-bedroom units are starting to increase. Councilmember Donelson asked if there were any incentives for families with children. Ms. Edmondson stated she will provide additional census information regarding that.

Councilmember Donelson requested additional information on how the creatives housing project will benefit the City. Ms. Edmondson stated she will provide that information.

Councilmember Avila and Councilmember Williams spoke in support of the housing for creatives project which has been years in the making.

Councilmember Fortune requested additional information regarding public safety concerns. Ms. Edmondson went over the security measures they implement and their collaboration with the Colorado Springs Police Department.

Councilmember Avila asked if the downtown shuttle, Zeb, is successful. Ms. Edmondson confirmed that it is, and ridership continues to grow.

Councilmember Henjum asked if they partner with the Homeless Outreach Team. Ms. Edmondson confirmed they do as a non-criminal resource.

Councilmember Henjum asked if a grocery store is planned for downtown. Ms. Edmondson stated the density of residential is getting closer to being able to support a downtown grocery store.

Councilmember Murray asked if the DDA pays for any of the CSPD patrol. Ms. Edmondson stated they do not.

President Strand stated the community has conveyed that they want more lighting on the trees. Ms. Edmondson stated they have as many trees lights as they can afford.

8.E. [22-409](#)

A Resolution Approving the 2023 Budget for the Colorado Springs Downtown Development Authority in Colorado Springs Colorado

Presenter:
 Charae McDaniel, Chief Financial Officer
 Susan Edmondson, President & CEO Downtown Partnership of
 Colorado Springs

Attachments: [DDA Preliminary Letter to the City](#)
[02 Res to Approve Budget for DDA 11.7.22](#)

Please see comments in Agenda item 8.D.

- 8.F. [22-400](#) A resolution fixing and certifying the 2022 annual assessment mill levy for assessments payable in 2023 at 0.00 (zero) mills upon each dollar of assessed valuation within the Briargate Special Improvement Maintenance District

Presenter:
 Charae McDaniel, Chief Financial Officer

Attachments: [Signed Briargate SIMD Budget Memo](#)
[Briargate SIMD map](#)
[Resolution re Mill Levy for Briargate SIMD 11 7 22](#)

Charae McDaniel, Chief Financial Officer, presented the Resolutions fixing and certifying the 2022 annual assessment mill levy for assessments payable in 2023 upon each dollar of assessed valuation within the Briargate Special Improvement Maintenance District (SIMD), Colorado Avenue Gateway SIMD, Nor'wood SIMD, Old Colorado City Security and Maintenance District, Platte Avenue SIMD, Stetson Hills SIMD, and Woodstone SIMD and stated the 2023 mill levies for the seven SIMDs in the City are remaining the same as they were in 2022 with exception of the Briargate Special Improvement Maintenance District (SIMD) in which the mill levy will be changed to 0.0 mills due to the new Briargate 2021 Business Improvement District.

There were no comments on this item.

- 8.G. [22-401](#) A resolution fixing and certifying the 2022 annual assessment mill levy for assessments payable in 2023 at 1.009 mills upon each dollar of assessed valuation within the Colorado Avenue Gateway Special Improvement Maintenance District

Presenter:
 Charae McDaniel, Chief Financial Officer

Attachments: [2023 cgw signed budget letter](#)
[Colo Ave Gateway SIMD map](#)
[Resolution re Fix Mill Levy for Colo Ave Gateway SIMD 11.7.22](#)

Please see comments in Agenda item 8.F.

- 8.H.** [22-402](#) A resolution fixing and certifying the 2022 annual assessment mill levy for assessments payable in 2023 at 3.935 mills upon each dollar of assessed valuation within the Norwood Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [2023 Norwood Signed Budget Letter](#)
[Resolution re Set Mill Levy for Norwood SIMD 11.7.22](#)
[Norwood SIMD map](#)

Please see comments in Agenda item 8.F.

- 8.I.** [22-403](#) A resolution fixing and certifying the 2022 annual assessment mill levy for assessments payable in 2023 at 13.416 mills upon each dollar of assessed valuation within the Old Colorado City Security & Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [2023 OCC Signed Budget Letter](#)
[Old Colo City SIMD map](#)
[Resolution re Set Mill Levy for Old Colorado City SIMD 11.7.22](#)

Please see comments in Agenda item 8.F.

- 8.J.** [22-404](#) A resolution fixing and certifying the 2022 annual assessment mill levy for assessments payable in 2023 at \$1.10 per front footage of real property within the Platte Avenue Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [2023 Platte Avenue Signed Budget Letter](#)
[Platte Ave SIMD map](#)
[Resolution re Set Mill Levy for Platte Ave SIMD 11.7.22](#)

Please see comments in Agenda item 8.F.

- 8.K.** [22-405](#) A resolution fixing and certifying the 2022 annual assessment mill levy for

assessments payable in 2023 at 3.858 mills upon each dollar of assessed valuation within the Stetson Hills Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [2023 SH Signed Budget Letter](#)
[Resolution re Set Mill Levy for Stetson Hills SIMD_11.7.22](#)
[Stetson Hills SIMD map](#)

Please see comments in Agenda item 8.F.

- 8.L. [22-406](#) A resolution fixing and certifying the 2022 annual assessment mill levy for assessments payable in 2023 at 3.615 mills upon each dollar of assessed valuation within the Woodstone Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [2023 WS budget letter](#)
[Resolution re Set Mill Levy for Woodstone SIMD_11.7.22](#)
[Woodstone SIMD map](#)

Please see comments in Agenda item 8.F.

- 8.M. [22-379](#) Ordinance No. 22-87 Making and Certifying the 2022 Tax Levy for Taxes Payable in 2023 at 3.854 Mills (comprised of a general operating mill levy of 4.279 mills and a temporary tax credit of 0.425 mills) Upon Each Dollar of Assessed Valuation of All Taxable Property and a Tax Credit of 3.854 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: [TaxLevy2023-BPPT_CreditORD](#)

Charae McDaniel, Chief Financial Officer, presented the Ordinance certifying the 2022 tax levy for taxes payable in 2023 at 3.854 mills upon each dollar of assessed valuation of all taxable property and stated they anticipate the property tax mill levy revenue will exceed the Taxpayer Bill of Rights (TABOR) property tax limit. She stated a temporary mill levy credit reduction of 0.35 mills can be established for the amount of taxes paid and there will be approximately \$1.55 million refunded.

President Strand asked who will receive that refund. Ms. McDaniel stated real property taxpayers.

- 8.N.** [22-682](#) Review of Draft Decision and Order and Draft Resolution Setting Certain Electric Rates within the Service Area of Colorado Springs Utilities and Regarding Certain Changes to the Electric Rate Schedules

Presenter:

Chris Bidlack, City Attorney's Office - Utilities Division

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2023 Rate Case - DO_Electric-11-8-22](#)

[2023 Rate Case - Electric Resolution](#)

[2023 Rate Case - Final Electric Tariffs](#)

[Signed Resolution No. 185-22](#)

Chris Bidlack, City Attorney's Office, Utilities Division, presented the review of the draft decision and order and draft Resolutions setting electric rates, natural gas rates, water rates, and wastewater rates within the service area of Colorado Springs Utilities (CSU) as well as certain changes to the Utilities Rules and Regulations (URR) of CSU. He stated City Council will vote on these items at the November 8, 2022 City Council meeting.

City Council had no changes to the draft documents.

- 8.O.** [22-683](#) Review of Draft Decision and Order and Draft Resolution Regarding Certain Changes to the Natural Gas Rate Schedules of Colorado Springs Utilities

Presenter:

Chris Bidlack, City Attorney's Office - Utilities Division

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2023 Rate Case - DO_Natural Gas-11-8-22](#)

[2023 Rate Case - Natural Gas Resolution](#)

[2023 Rate Case - Final Natual Gas Tariffs](#)

[Signed Resolution No. 186-22](#)

Please see comments in Agenda item 8.N.

- 8.P.** [22-684](#) Review of Draft Decision and Order and Draft Resolution Setting Water Rates within the Service Area of Colorado Springs Utilities and Regarding Certain Changes to Water Rate Schedules

Presenter:

Chris Bidlack, City Attorney's Office - Utilities Division
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2023 Rate Case - DO Water-11-8-22](#)
[2023 Rate Case - Water Resolution](#)
[2023 Rate Case - Final Water Tariffs](#)
[Signed Resolution No. 187-22](#)

Please see comments in Agenda item 8.N.

- 8.Q.** [22-685](#) Review of Draft Decision and Order and Draft Resolution Setting Wastewater Rates within the Service Area of Colorado Springs Utilities and Regarding Certain Changes to Wastewater Rate Schedules

Presenter:

Chris Bidlack, City Attorney's Office - Utilities Division
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2023 Rate Case - DO Wastewater-11-8-22](#)
[2023 Rate Case - Wastewater Resolution](#)
[2023 Rate Case - Final Wastewater Tariffs](#)
[Signed Resolution No. 188-22](#)

Please see comments in Agenda item 8.N.

- 8.R.** [22-686](#) Review of Draft Decision and Order and Draft Resolution Regarding Certain Changes to Utilities Rules and Regulations of Colorado Springs Utilities

Presenter:

Chris Bidlack, City Attorney's Office - Utilities Division
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2023 Rate Case - DO URR-11-8-22](#)
[2023 Rate Case - URR Resolution](#)
[2023 Rate Case - Final URR Tariffs](#)
[Signed Resolution No. 189-22](#)

Please see comments in Agenda item 8.N.

- 8.S.** [22-720](#) Review of Draft Decision and Order and Draft Resolution Regarding Certain Changes to Colorado Springs Utilities' Open Access Transmission Tariff

Presenter:

Chris Bidlack, City Attorney's Office - Utilities Division
Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2023 Rate Case - DO OATT-11-8-22](#)
[2023 Rate Case - OATT Resolution](#)
[2023 Rate Case - Final OATT Tariffs](#)
[Signed Resolution No. 190-22](#)

Please see comments in Agenda item 8.N.

9. Items Under Study

There were no Items Under Study.

10. Councilmember Reports, Open Discussion and Takeaways

Councilmember Fortune expressed appreciation for all the support she has received and will continue to work on some important projects.

Councilmember Murray congratulated the United States Air Force Academy (USAFA) Falcons for beating the Army Black Knights this past weekend.

Councilmember Donelson stated he attended the Veteran's Day Parade, Colorado Springs Police Department graduation, and the Pikes Peak Association of Realtors installation of Officers. He also encouraged everyone to vote tomorrow.

Councilmember Avila stated she attended the Colorado College versus USAFA soccer game with President Pro Tem Helms, spoke at Sand Creek High School, and requested that neighborhoods be given notice when street work is going to be performed so they are more informed of the situation.

President Stand stated he attended the grand opening of the Colorado Springs Fire Department Station 23, funeral services for El Paso County Deputy Sheriff Henry Allen and Patrick William Morentz.

President Pro Tem Helms stated he attended the Commander in Chief Trophy football game in Dallas, TX and then visited his hometown of Idabel, OK who suffered devastating effects from tornado damage.

Councilmember Henjum stated she attended the strategy planning session of the Downtown Partnership at Catalyst Campus, 100th birthday celebration of Bee Vradenburg, panel for the Youth Documentary Academy

at Cornerstone at Colorado College, Pikes Peak Suicide Prevention Partnership Gala, and a Homeowner's Association (HOA) meeting in her neighborhood and she, President Pro Tem Helms, and Councilmember Avila have been invited by the Chamber of Commerce and EDC to participate on a panel on November 15, 2022 at University of Colorado Springs Campus Downtown regarding what it takes to run for City Council.

Councilmember Williams stated he attended the ribbon-cutting ceremony for the extension of Centennial Boulevard, the Chamber and EDC Gala, Afterlife party at the City Auditorium, Henry Allen's funeral service, and Transformation Project meeting.

11. Adjourn

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

Sarah B. Johnson, City Clerk