



City of Colorado Springs

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

Meeting Minutes Council Work Session

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, November 13, 2018

8:30 AM

Council Chambers

1. Call to Order

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

2. Changes to Agenda

There were no changes to the Agenda.

3. Regular Meeting Comments

Councilmember Knight requested President Skorman announce prior to the Consent Calendar item that the 2019 Budget is on the Consent Calendar for the November 13, 2018 City Council meeting in case there is a request for public comment. Consensus of Council agreed.

4. Review of Previous Meeting Minutes

4.A. [18-0542](#) City Council Special Work Session Meeting Minutes October 15, 2018

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [10-15-18 City Council Special Work Session Meeting Minutes Final.pdf](#)

The minutes of the October 15, 2018 Work Session meeting were approved by Consensus of Council.

4.B. [18-0570](#) City Council Work Session Meeting Minutes October 22, 2018

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [10-22-18 City Council Work Session Meeting Minutes Final.pdf](#)

The minutes of the October 22, 2018 Work Session meeting were approved by Consensus of Council.

4.C. [18-0572](#) City Council Special Work Session Meeting Minutes October 29, 2018

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [10-29-18 City Council Special Work Session Meeting Minutes Final.pdf](#)

The minutes of the October 29, 2018 Work Session meeting were approved by Consensus of Council.

5. Executive Session

5A. Open

5A.A. [18-0557](#) Denis Prevost v. Kevin Carter, Case No. 18CV32180, District Court, El Paso County, Colorado

Presenter:
Wynetta Massey, City Attorney

Attachments: [11122018OpenCAICMemo-OpenExecutiveSession](#)
[11122018OpenNotice](#)

Marc Smith, Corporate Division Chief, Office of the City Attorney, stated the Civil Action Investigation Committee recommended the City represent Mr. Carter as required by the Colorado Governmental Immunity Act. Mr. Carter is a public employee acting within the scope of his employment. There is no current evidence nor are there any allegations suggesting Mr. Carter's actions were willful or wanton. As usual, it is further recommended that the City reserve the right not to pay any award of punitive damages.

Council President Skorman polled Council regarding authorizing the City to represent the employee. Consensus of Council agreed.

5B. Closed

6. Staff and Appointee Reports

6.A. [18-0579](#) Agenda Planner Review

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [Agenda Planner Review 11-13-18.pdf](#)

Councilmember Knight requested a status report of all the City for

Champions (C4C) projects and Councilmember Murray requested an update of the Air Force Academy project. Bret Waters, Deputy Chief of Staff, stated he will follow up on those items.

Councilmember Knight stated he is concerned the Resolution providing a cooperation agreement with the Urban Renewal Authority (URA) to use annual sales tax generated from the museum and park urban renewal areas for twenty-five years was not reviewed by the Budget Committee. He also said he does not support it being a back-to-back item at the next Work Session and City Council meetings. Mr. Waters, Deputy Chief of Staff, stated this was an error on the Agenda Planner and City Council will vote on the items at the December 11, 2018 City Council meeting.

7. Presentations for General Information

8. Items for Introduction

- 8.A. [18-0561](#) Review of Draft Decision and Order and Draft Resolution Setting Wastewater Rates within the Service Area of Colorado Springs Utilities

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division

Attachments: [2019_DO_Wastewater-10-25-18.docx](#)
[Wastewater Resolutions & Final Tariffs.pdf](#)
[Signed Resolution 125-18](#)

Chris Bidlack, City Attorney's Office, Utilities Division, presented the review of the draft decision and order and draft Resolutions setting wastewater and water rates within the service area of Colorado Springs Utilities. He stated City Council will vote on the decisions and orders at the November 13, 2018 City Council meeting.

City Council had no change to the draft documents.

- 8.B. [18-0562](#) Review of Draft Decision and Order and Draft Resolution Setting Water Rates within the Service Area of Colorado Springs Utilities

Presenter:

Chris Bidlack, City Attorney's Office-Utilities Division

Attachments: [2019_DO_Water-10-25-18.docx](#)
[Water Resolution & Final Tariffs.pdf](#)
[Signed Resolution 126-18](#)

Please see comments in Agenda item 8.A.

- 8.C.** [18-0559](#) A Resolution Approving the Intergovernmental Agreement for Fire Protection Services Between the City of Colorado Springs and the Colorado Centre Metropolitan District

Presenter:

Fire Chief Ted Collas, Colorado Springs Fire Department

Attachments: [Resolution-CSFD CCMD-IGA-2018-09-14-FINAL](#)
[CCMD-CSFD-IGA_FINAL \(2\).docx](#)

Fire Chief Ted Collas, Colorado Springs Fire Department (CSFD), presented the Intergovernmental Agreement (IGA) with Colorado Centre Metropolitan District (CCMD) for fire protection services. Chief Collas stated the City has been assisting CCMD with fire protection services since 1992 and this IGA will include CCMD purchasing an additional fire engine for the CSFD.

Councilmember Strand asked why the term of the IGA was set for eighteen years. Chief Collas stated the CSFD replaces fire engines every seventeen years.

- 8.D.** [18-0485](#) A Resolution Accepting a Donation of Real Property Consisting of Approximately 2.54 Acres from Larry D. Webster and Harriet R. Webster to the City of Colorado Springs

Presenter:

Britt Haley - Parks Development Manager

Karen Palus - Parks, Recreation and Cultural Services Manager

Attachments: [Resolution Webster Donation Garden of the Gods Park Assemblage](#)
[Rampart Range Road](#)
[Webster Donation Map Depiction](#)
[Signed Resolution 124-18](#)

Britt Haley, Parks Development Manager, presented the request accepting a donation of real property consisting of approximately 2.54 acres from Larry D. Webster and Harriet R. Webster for the assemblage to the Garden of the Gods Park.

Councilmember Knight asked if there were any caveats with this donation. Ms. Haley stated there were not.

Councilmember Strand asked if there was a value assessed with this property. Kelly Billingsley, Real Estate Specialist II, stated they do not estimate valuation on donated property.

- 8.E. [18-0516](#) Authorization of Briargate Center Business Improvement District to refinance an estimated \$3,544,500 in previously issued debt as a Limited Tax General Obligation Refunding Loan. (Legislative Item)

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Development Department

Attachments: [Resolution_BriargateCenter_BID](#)

[Figure 1 - Briargate letter 10.23.18](#)

[Figure 2 - Final Commitment Letter with Term Sheet](#)

[Figure 3 - Briargate Center BID 2018 Loan Agreement](#)

[Figure 4 - Briargate Center BID 2018 Custodial Agreement](#)

Carl Schueler, Comprehensive Planning Manager, Planning and Development Department, provided a summary of the request for the Briargate Center Business Improvement District to refinance an estimated \$3,544,500 in previously issued debt as a limited tax general obligation refunding loan. He presented the district location map, gave a brief overview of the Budget Committee questions, and the original funded improvements.

Councilmember Murray asked if the owner or developer of the property will keep up to eight percent of the debt. Mr. Schueler stated it does not apply in this situation because it is not related-party debt, it is arms-length debt.

- 8.F. [18-0387](#) A Resolution Levying General Property Taxes to Help Defray the Cost of Debt Service on the General Obligation Refunding Bonds, Series 2014 of the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the 2019 Budget Year

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [01_Res to Set Mill Levy for Briargate GID_11 27 18](#)

Charae McDaniel, Chief Financial Officer, explained that after the

November 27, 2018 City Council meeting, Council will adjourn and then re-convene as each of the General Improvement District (GID) Boards to adopt their mill levies, budgets, and appropriate the funding for 2019. Ms. McDaniel said the Briargate GID and the Colorado Springs Marketplace at Austin Bluffs GID mill levies will remain the same as 2018. Ms. McDaniel stated the Colorado Springs Spring Creek GID will be lowered from 12.0 to 6.0 mills because it will be paid off in 2020.

There were no comments on this item.

- 8.G.** [18-0386](#) A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Briargate GID 2019 Budget](#)
[02 Res to Adopt Budget and Appropriate for Briargate GID 11 27 18](#)

Please see comments in Agenda item 8.F.

- 8.H.** [18-0594](#) An Ordinance amending Ordinance No. 17-116 (2018 Appropriation Ordinance) for a supplemental appropriation to the General Fund in the amount of \$5,713,000 to provide for the execution of the lease purchase of vehicles and equipment

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Supplemental Approp Ordinance for Capital Lease.docx](#)

Charae McDaniel, Chief Financial Officer, presented the request for a supplemental appropriation to the City's general fund in the amount of \$5,713,000 to provide for the execution of the lease purchase of vehicles and equipment for the purchase of fleet vehicles for the Colorado Springs Police Department (CSPD). She stated there will be an exact revenue offset so there is no impact to the general fund balance.

There were no comments on this item.

- 8.I.** [18-0392](#) A Resolution Levying General Property Taxes to Help Defray the Cost of Debt Service on the General Obligation Bonds of the Colorado Springs

Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the 2019 Budget Year

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [01 Res to Set Mill Levy for MAB GID 11 27 18](#)

Please see comments in Agenda item 8.F.

- 8.J. [18-0393](#) A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Marketplace at Austin Bluffs General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [MAB GID 2019 Budget Revised 10-23-18](#)

[02 Res to Adopt Budget for MAB GID 11 27 18](#)

Please see comments in Agenda item 8.F.

- 8.K. [18-0395](#) A Resolution Levying General Property Taxes to Help Defray the Cost of Debt Service on the General Obligation Refunding Bonds, Series 2005 of the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the 2019 Budget Year

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [01 Res to Set Mill Levy for Spring Creek GID 11 27 18](#)

Please see comments in Agenda item 8.F.

- 8.L. [18-0396](#) A Resolution Summarizing Expenditures and Revenues, Adopting a Budget, and Appropriating Funds for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the Calendar Year Beginning on the First Day of January 2019 and Ending on the Last Day of December 2019

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Spring Creek GID 2019 Budget](#)

[02 Res to Adopt Budget for Spring Creek GID 11 27 18](#)

Please see comments in Agenda item 8.F.

- 8.M.** [18-0398](#) A Resolution Setting and Certifying the 2018 Tax Levy for Taxes Payable in 2019 at 5.000 Mills for the Colorado Springs Downtown Development Authority in Colorado Springs, Colorado

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [01. Res to Set Mill Levy for DDA. 11.27.18](#)

Charae McDaniel, Chief Financial Officer, presented the property tax mill levy and the 2019 budget for the Downtown Development Authority. She said the mill levy remains the same as 2018 at 5.0 mills.

There were no comments on this item.

- 8.N.** [18-0399](#) A Resolution Appropriating Funds in the Amounts of, and for the Purposes Set Forth Below, for the Colorado Springs Downtown Development Authority in Colorado Springs Colorado, for the 2019 Budget Year

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [02. Res to Appropriate for DDA. 11.27.18](#)

Charae McDaniel, Chief Financial Officer, presented the property tax mill levy and the 2019 budget for the Downtown Development Authority. She said the mill levy remains the same as 2018 at 5.0 mills.

There were no comments on this item.

- 8.O.** [18-0431](#) An Ordinance Repealing Ordinance No. 17-113 and Adopting the City of Colorado Springs - 2019 Salary Structure for Civilian and Sworn Municipal Employees

Presenter:

Mike Sullivan, Human Resources Director

Charae McDaniel, Chief Financial Officer

Attachments: [11-13-18 - Ordinance - 2019 Salary Schedule](#)
[2019 Salary Schedule](#)

Charae McDaniel, Chief Financial Officer, presented the updated 2019 salary structure for civilian and sworn employees. She stated based on the findings of the salary survey, in conjunction with a salary consultant, and market movement, the proposed salary ranges change for 2019 have been

increased by 3-5 percent.

Councilmember Strand asked where an employee is placed within the payroll zone minimum and zone maximum is determined. Ms. McDaniel stated it is based on experience and the level of difficulty in recruiting for the position.

- 8.P.** [18-0400](#) A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at 4.409 mills upon each dollar of assessed valuation within the Briargate Special Improvement Maintenance District

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Briargate SIMD map](#)
[2019 Briargate signed budget letter.pdf.1](#)
[Resolution re Mill Levy for Briargate SIMD_11.27.18](#)

Charae McDaniel, Chief Financial Officer, stated the 2018 tax levies for the Special Improvement Maintenance Districts are remaining the same as they were in 2018.

Councilmember Geislinger commented that the issues associated with the Briargate SMID are continuing to be addressed.

- 8.Q.** [18-0401](#) A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 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: [Colo Ave Gateway SIMD map](#)
[2019 Colo Ave Gateway Signed Budget Letter.1](#)
[Resolution re Set Mill Levy for Colo Ave Gateway SIMD_11.27.18](#)

Please see comments in Agenda item 8.P.

- 8.R.** [18-0402](#) A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at 3.935 mills upon each dollar of assessed valuation within the Nor'wood Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Norwood SIMD map](#)
[2019 Signed Norwood Budget](#)
[Resolution re Set Mill Levy for Norwood SIMD 11.27.18](#)

Please see comments in Agenda item 8.P.

- 8.S.** [18-0403](#) A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 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: [Old Colo City SIMD map](#)
[2019 Old Colo City signed budget letter](#)
[Resolution re Set Mill Levy for Old Colorado City SIMD 11.27.18](#)

Please see comments in Agenda item 8.P.

- 8.T.** [18-0404](#) A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at \$1.10 per front footage of real property within the Platte Avenue Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Platte Ave SIMD map](#)
[2019 Platte Ave Signed Budget Letter.1](#)
[Resolution re Set Mill Levy for Platte Ave SIMD 11.27.18](#)

Please see comments in Agenda item 8.P.

- 8.U.** [18-0405](#) A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 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: [Stetson Hills SIMD map](#)
[2019 Stetson Hills signed budget letter](#)
[Resolution re Set Mill Levy for Stetson Hills SIMD 11.27.18](#)

Please see comments in Agenda item 8.P.

- 8.V. [18-0406](#) A resolution fixing and certifying the 2018 annual assessment mill levy for assessments payable in 2019 at 3.615 mills upon each dollar of assessed valuation within the Woodstone Special Improvement Maintenance District

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [Woodstone SIMD map](#)
[2019 Woodstone signed budget letter](#)
[Resolution re Set Mill Levy for Woodstone SIMD_11.27.18](#)

Please see comments in Agenda item 8.P.

- 8.W. [18-0371](#) An Ordinance Making and Certifying the 2018 Tax Levy for Taxes Payable in 2019 at 4.279 Mills Upon Each Dollar of Assessed Valuation of All Taxable Property and a Tax Credit of 4.279 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: [TaxLevy2019-BPPT_CreditORD](#)

Charae McDaniel, Chief Financial Officer, presented the Ordinance making and certifying the 2018 tax levy for taxes payable in 2019 at 4.279 mills. She stated the mill levy will remain the same as 2018.

There were no comments on this item.

- 8.X. [18-0430](#) Annual Appropriation Ordinance Adopting the Annual Budget and Appropriating Funds for the Several Purposes Named in Said Budget for the Year Ending December 31, 2019

Presenter:
Charae McDaniel, Chief Financial Officer

Attachments: [2019 Budget Ordinance](#)

Charae McDaniel, Chief Financial Officer, presented the 2019 budget.

Councilmember Knight asked if park watering and election expenses are covered in the multi-year funds. Ms. McDaniel stated amounts are not

actively being carried forward for those expenses, but they are identified as separate projects which will be carried forward.

- 8.Y. [CPC MP 18-00113](#) A resolution adopting the Mill Street Neighborhood Plan, replacing the 2003 Mill Street Preservation Plan and expanding the Plan's geographic scope.

Presenter:

Catherine Duarte, Senior Analyst, Community Development Division

Attachments: [Staff Report Mill Street](#)
[Figure 1 - Mill Street Neighborhood Plan](#)
[Figure 2 - MillStreetNP_emails](#)
[Figure 3 - Year built map](#)
[Mill Street Full Appendix](#)
[7.5.408 MASTER PLAN REVIEW CRITERIA](#)
[Fiscal Impact Analysis.Mill Street](#)
[Stakeholder Letter to City Council SRM](#)
[Resolution Mill Street Neighborhood Plan](#)

Catherine Duarte, Senior Analyst, Community Development Division, presented the Resolution adopting the Mill Street Neighborhood Plan and said the plan was unanimously approved by the Downtown Partnership and the Planning Commission.

Anna Laybourn, Principal with Design Workshop, gave an overview of the plan, identified the borders of the neighborhood, neighbor context and conditions, public outreach, plan themes, and the immediate actions taking place.

Councilmember Geislinger commented he would like to see a focus on preserving housing affordability for local residents and that there is an outreach to Colorado Springs Utilities to see what incentives are available in terms of energy efficiency.

Councilmember Pico stated he is concerned the plan identifies the Drake Power Plant as being decommissioned in 2023 which has not been approved by the Colorado Springs Utilities Board. Ms. Laybourn stated she will correct the plan.

President Pro Tem Gaebler stated the plan mentions working with El Paso County in regards to air quality when it should be Colorado Springs

Utilities.

Councilmember Murray and Councilmember Avila commented that residents should be informed of the proposed height of the new buildings because it will significantly change their view. Ms. Duarte stated they will keep the neighborhood engaged in the process.

Councilmember Knight stated Sierra Club is not a viable resource for a City document and requested Colorado Springs Utilities provide the air quality report.

- 8.Z.** [18-0563](#) A resolution authorizing the disposal of surplus City-owned property to project jungle (“Purchaser”), as the one logical, potential purchaser.

Presenter:

Greg Phillips
Director of Aviation
Colorado Springs Airport

Attachments: [10-29-18-Airport-Jungle RES-2018-10-29 \(12\).docx](#)

[Exhibit A- JungleBusiness Park.pdf](#)

[Exhibit B Jungle18 acres.pdf](#)

[Exhibit C JungleFAA letter.pdf](#)

[Ltr of Support Auth Disposal of City Property Oct24.2018.pdf](#)

[Land Sale-City Council_10_31_18 GP rev.pptx](#)

[Signed Resolution 130-18](#)

Greg Phillips, Director of Aviation, Colorado Springs Airport, presented the Resolutions authorizing the disposal of seven surplus City-owned property within Peak Innovation Park to project jungle, project rodeo, and five director parcels. He presented maps of the parcels, identified the economic impact to the community, and the formation of Peak Metro District. Mr. Phillips stated this development meets the one logical potential purchaser in accordance with City Code.

Councilmember Pico requested the appraised price of the properties. Michael Gendill, Office of the City Attorney, stated they will provide that information as it becomes available and it will be at least fair market value.

Councilmember Murray requested a right of first refusal for the property value if it is not developed within a certain amount of time. Mr. Phillips stated it is their understanding construction will begin very quickly. Mr.

Gendill stated there will be deed restrictions in place with each of the transactions.

Councilmember Geislinger asked if project Jungle and project Rodeo were on a very fast timeline. Mr. Phillips stated construction for both projects is scheduled to begin in January 2019.

Mr. Phillips also introduced the members of the Airport Advisory Committee present at the meeting.

- 8.AA.** [18-0564](#) A resolution authorizing the disposal of surplus City-owned property to Project Rodeo ("Purchaser"), as the one logical, potential purchaser.

Presenter:
Greg Phillips
Director of Aviation
Colorado Springs Airport

Attachments: [Exhibit A- RodeoBusiness Park.pdf](#)
[Exhibit B Rodeo70 acres.pdf](#)
[Exhibit C RodeoFAA letter.pdf](#)
[Ltr of Support Auth Disposal of City Property Oct24.2018.pdf](#)
[10-29-18-Airport-Rodeo RES-2018-10-29.docx](#)
[Signed Resolution 131-18](#)

Please see comments in Agenda item 8.Z.

- 8.AB.** [18-0565](#) A resolution authorizing the disposal of surplus City-property to Garrett Baum (Purchaser), as the one logical, potential purchaser.

Presenter:
Greg Phillips
Director of Aviation
Colorado Springs Airport

Attachments: [Exhibit A- BaumBusiness Park.pdf](#)
[Exhibit B BaumDirector Parcels.pdf](#)
[Exhibit C BaumFAA letter.pdf](#)
[Exhibit D- Baumdirector parcels.pdf](#)
[Ltr of Support Auth Disposal of City Property Oct24.2018.pdf](#)
[10-29-18- Airport-Baum-RES-2018-10-29 \(2\).docx](#)
[Signed Resolution 132-18](#)

Please see comments in Agenda item 8.Z.

- 8.AC.** [18-0566](#) A resolution authorizing the disposal of surplus City-property to William R. Branyan (Purchaser), as the one logical, potential purchaser.

Presenter:
Greg Phillips
Director of Aviation
Colorado Springs Airport

Attachments: [Exhibit A- BranyanBusiness Park.pdf](#)
[Exhibit B BranyanDirector Parcels.pdf](#)
[Exhibit C BranyanFAA letter.pdf](#)
[Exhibit D- Branyandirector parcels.pdf](#)
[Ltr of Support Auth Disposal of City Property Oct24.2018.pdf](#)
[10-29-18- Airport-Branyan-RES-2018-10-29.docx](#)
[Signed Resolution 133-18](#)

Please see comments in Agenda item 8.Z.

- 8.AD.** [18-0567](#) A resolution authorizing the disposal of surplus City-property to Bonner G. Gilmore (Purchaser), as the one logical, potential purchaser.

Presenter:
Greg Phillips
Director of Aviation
Colorado Springs Airport

Attachments: [Exhibit A- GilmoreBusiness Park.pdf](#)
[Exhibit B GilmoreDirector Parcels.pdf](#)
[Exhibit C GilmoreFAA letter.pdf](#)
[Exhibit D- Gilmoredirector parcels.pdf](#)
[Ltr of Support Auth Disposal of City Property Oct24.2018.pdf](#)
[10-29-18- Airport-Gilmore-RES-2018-10-29.docx](#)
[Signed Resolution 134-18](#)

Please see comments in Agenda item 8.Z.

- 8.AE.** [18-0568](#) A resolution authorizing the disposal of surplus City-property to Michelle M. McDonald (Purchaser), as the one logical, potential purchaser.

Presenter:
Greg Phillips
Director of Aviation
Colorado Springs Airport

Attachments: [Exhibit A- McDonaldBusiness Park.pdf](#)
[Exhibit B McDonaldDirector Parcels.pdf](#)
[Exhibit C McDonaldFAA letter.pdf](#)
[Exhibit D- McDonalddirector parcels.pdf](#)
[Ltr of Support Auth Disposal of City Property Oct24.2018.pdf](#)
[10-29-18- Airport-McDonald-RES-2018-10-29.docx](#)
[Signed Resolution 135-18](#)

Please see comments in Agenda item 8.Z.

- 8.AF. [18-0569](#)** A resolution authorizing the disposal of surplus City-property to J. Sean O'Hearn (Purchaser), as the one logical, potential purchaser.

Presenter:
Greg Phillips
Director of Aviation
Colorado Springs Airport

Attachments: [Exhibit A- O'HearnBusiness Park.pdf](#)
[Exhibit B O'HearnDirector Parcels.pdf](#)
[Exhibit C O'HearnFAA letter.pdf](#)
[Exhibit D- O'Hearndirector parcels.pdf](#)
[Ltr of Support Auth Disposal of City Property Oct24.2018.pdf](#)
[10-29-18- Airport-O'Hearn-RES-2018-10-29 \(3\).docx](#)
[Signed Resolution 136-18](#)

Please see comments in Agenda item 8.Z.

- 8.AG. [18-0540](#)** An Ordinance amending Section 203 (Candidate and Committee Funds Reporting and Disclosures; Conduits) of Part 2 (Fair Campaign Practices; Candidate and Committee Funds and Disclosures) of Article 2 (Campaign Disclosures) of Chapter 5 (Elections) of the Code of the City of Colorado Springs 2001, as amended, pertaining to campaign finance

Presenter:
Jill Gaebler, City Council President Pro-Tem
Sarah B. Johnson, City Clerk
Rebecca Greenberg, Senior Attorney, Corporate Division, City Attorney Office

Attachments: [Election-CampaignFinanceORD-2018-11-05.docx](#)

President Pro Tem Gaebler stated this proposed ordinance addresses the need for additional transparency and expands the requirement to disclose

the name of the committee or candidate making campaign finance expenditure from only newspaper communications to now include certain types of advertising. She said the proposal also includes the requirement for each expenditure to include an itemization of the expense.

Councilmember Knight stated it is unfair to the public for candidates and committees to not itemize the expenditures.

Sarah B. Johnson, City Clerk, stated the revised language of the proposed Ordinance states "A candidate or committee that publishes a communication in a newspaper, magazine, outdoor advertising facility, direct mailing, handbill, internet-based advertising, or broadcast through radio, television, or other technologies shall disclose in the communication the name of the committee or candidate making the expenditure. The disclosure shall be clear, legible, and conspicuous."

Councilmember Pico stated he is concerned about requiring a "paid for by" notice on handbills. Ms. Johnson explained that a citizen who is not a candidate or member of a political or small issue committee can pass out flyers that do not include the "paid for by" disclaimer.

Councilmember Knight asked if billboards and 4'x8' signs are included. Ms. Johnson said billboards are included and asked if Council would prefer to include any signs requiring a Planning Department permit to have a disclaimer. Consensus of Council agreed.

Councilmember Murray stated this Ordinance could conflict with freedom of speech. President Pro Tem Gaebler stated it would only include paid communication, not free communication.

Councilmember Geislinger stated he supports this Ordinance, but believes the twenty dollar contribution amount was too low. Ms. Johnson stated this language mirrors existing City Code and state law.

Councilmember Pico requested the proposed Ordinance mirror state law in as many aspects as possible and any paid internet-based advertising should be included.

Councilmember Geislinger and President Skorman stated identifying contributors for every twenty dollars will become prohibitive.

Councilmember Knight stated identifying the contributions is already within City Code, but this would detail where the money is spent.

President Skorman stated he is comfortable with everything except handbills. President Pro Tem Gaebler stated there is a difference between a citizen handing out a flyer and having paid canvassers go door-to-door with professionally printed handbills. Ms. Johnson reiterated that this only applies to candidates, political committees, and small-issue committees.

Ms. Johnson stated the current City Code does require expenditures to include a description. She asked if Council prefers the word "itemization" be replaced with "detailed listing of the source and purpose of the expenditures". Consensus of Council agreed.

Councilmember Strand requested "handbill" be removed and "publishes a communication in a..." be changed to "publishes in a...". He stated he does not agree with the itemization requirement.

Councilmember Pico stated itemization becomes complicated when a third party is involved with purchasing and also would like handbills removed. Councilmember Geislinger stated agents should be required to disclose source and purpose as well.

- 8.AH.** [18-0576](#) The April 2, 2019 General Municipal Election and Potential May 21, 2019 Mayoral Run-Off Election Mail Ballot plan.

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [Election Mail Ballot Plan 04022019 complete.pdf](#)

Sarah B. Johnson, City Clerk, presented the mail ballot plan for the April 2, 2019 general municipal election and potential May 21, 2019 Mayoral run-off election. She stated candidates can begin picking up the filing packets January 2, 2019.

Councilmember Knight, Chair of the Budget Committee, stated if there is Mayoral run-off election, there is \$350,000 available from the 2018 budget.

- 8.AI.** [18-0580](#) Resolution Revising the Membership Structure of the Lodgers and Automobile Rental Tax (LART) Citizen's Advisory Committee

Presenter:

Laurel Prud'homme, LART Citizen's Advisory Committee Chair
Jacquelyn Puett, Assistant to Council, Liaison to the LART Citizen's
Advisory Committee

Attachments: [LART Res 106-01](#)

[LART_MembershipRES-2018-08-9 \(Clean copy\)](#)

Laurel Prud'homme, LART Citizen's Advisory Committee Co-Chair, presented the Resolution revising the membership structure of the Lodgers and Automobile Rental Tax (LART) Citizen's Advisory Committee from seven members to eleven to include additional representatives from the community to promote tourism.

Councilmember Pico asked for the reason behind the request to expand the number of members. President Pro Tem Gaebler stated it was requested in order to add more representatives from the hotel industry for four quadrants of the City.

Councilmember Knight stated the term of the memberships for the four new members should be identified in the Resolution and said the residency requirement should only be for the business, but not the owner.

Councilmember Murray asked how expanding the hotel and motel industry representation will benefit the LART. Ms. Prud'homme stated it allows representation for different quadrants of the City. President Pro Tem Gaebler stated a majority of LART funding comes from the lodging industry and they should have a voice in how the money is spent.

8.AJ. [CPC MP
18-00123](#)

A resolution making certain legislative findings and approving the Tejon and Costilla Urban Renewal Plan.

Related Files: 18-0584

Presenter:

Peter Wysocki, Director Planning and Community Development
Jariah Walker, CSURA Executive Director
Bob Cope, Economic Development Officer

Attachments: [RES tejon costilla URA plan](#)
[condition study tejon and costilla street final](#)
[Tejon Costilla Plan](#)
[Tax Forecast and CIR Tejon Costilla](#)
[vicinity map](#)
[Tejon and Costilla URA CPC staff report](#)
[City Council Work Session_FINAL 11-07-18](#)

Brett Waters, Deputy Chief of Staff, stated the Tejon and Costilla Urban Renewal Plan and cooperation agreement with the Colorado Springs Urban Renewal Authority (CSURA) was presented to the Budget Committee on August 14, 2018 and City Council will vote on the items at the December 11, 2018 City Council meeting.

Peter Wysocki, Director Planning and Community Development, presented the Resolution approving the Tejon and Costilla Urban Renewal Plan and the proposed tax sharing agreement with the CSURA for funding qualifying public improvements built by the project. He stated the Planning Commission has determined this plan is in alignment with the City's comprehensive plan and the CSURA has recommended adoption.

Wynn Palermo, Chair CSURA, stated this plan will redevelop a blighted corner of downtown.

Jariah Walker, Executive Director CSURA, explained the School District 11 School Board approved the plan on October 24, 2018 with a full pledge and the CSURA will be meeting with the Pikes Peak Library District and El Paso County later this week.

Jim DiBiase, Olive Real Estate Group, presented the conditions study for the partial block of Tejon and Costilla, gave an overview of the project, the existing conditions and elevation of Tejon and Costilla Streets, the proposed streetscape, parking, the economic impact on the community, and the breakdown of the Tax Increment Financing (TIF).

Councilmember Geislinger asked how many jobs created will be available for local residents. Mr. DiBiase stated the only positions that may be outsourced would be the General Manager or Sales Manager positions.

Bob Cope, Economic Development Officer, presented the twenty-five year

economic impact analysis and gave an overview of the breakdown of the City net revenue in regards to sales tax and Pikes Peak Rural Transportation Authority (PPRTA).

President Pro Tem Gaebler asked if other taxing authorities will be contributing to the TIF. Mr. Walker stated School District 11 will be pledging one hundred percent of the TIF to this project and El Paso County will be voting on the amount to pledge on November 15, 2018.

Councilmember Murray asked how the \$57M construction impact was calculated over twenty-five years. Mr. Cope said the construction will be completed within two to three four years, but they wanted to be consistent and illustrate the total impact.

Councilmember Murray asked how the lost sales tax will be recovered in order to support City services. Mr. Cope explained the \$284,000 average annual net revenue received is over and above the \$245,000 average annual dedicated revenue to the project.

Councilmember Pico stated the City cannot afford to give up the full two percent sales tax and recommended the City retain .5 percent of it.

Councilmember Knight commented that he questions the validity of the report because the .62 percent 2C tax is listed as RTA funds.

Councilmember Knight asked who will own and maintain the parking garage. Mr. DiBiase stated it will be privately owned and privately maintained by a third party management company. Councilmember Knight asked how it is listed as a qualified expense for public improvement if it is privately owned. Mr. DiBiase said it will be always be open to the public to create revenue to cover some of the building expense.

Councilmember Knight said he is bothered by the change that was made from the initial five years to twelve years at two percent without any prior notifications. Mr. DiBiase stated the most significant change from their original meeting is the increase in commercial interest rates.

Councilmember Knight asked if they requested the property tax and a portion of the TIF from El Paso County on the sales tax. Mr. DiBiase confirmed they did and stated El Paso County will be voting on one cent of the sales tax on November 15, 2018.

Councilmember Knight asked if the full property tax will go to the URA. Mr. Cope stated there is a negotiation process in statute where the URA will leverage with each of the taxing entities. Councilmember Knight stated the agreement is not very well written, especially the 1.5 percent ratchet-down of tax in thirteen years. Marc Smith, Corporate Division Chief, Office of the City Attorney, stated the recitals in this agreement establish legislative intent and define the term of City sales tax increment revenue, but they could also include it in the agreement. Consensus of Council agreed to include the language.

Councilmember Strand asked why School District 11 agreed to waive the property tax. Mr. Walker stated the superintendent is very supportive of infill. Councilmember Strand asked if the City would benefit more in the later years than in the early years. Mr. Cope confirmed it would because of the construction and stabilization in the early years.

Councilmember Knight stated the agreement also does not include the clause which identifies the developer will provide maintenance for the thirteen years they are receiving the full two percent. Bret Waters, Deputy Chief of Staff, stated he will research that.

Councilmember Bennett asked what the value to 2A, 2C, public safety, and TOPS would be. Mr. Cope said with the exception of 2A, those were built into the analysis.

Councilmember Knight requested the average revenue to the general fund over the next twelve years. He commented 2C will not continue for twenty-five years and should not reflect that on the analysis.

Councilmember Geislinger asked what the cost impact to the fire and police department will be. Mr. DiBiase said when this corner is redeveloped, it will reduce crime in the area and has offered to provide a satellite police station downtown free of cost to the Colorado Police Department for the first ten years.

Mr. Wysocki explained this is an infill project, identified the benefits of updating this section of the City, and stated the developer will be responsible for the initial costs of constructing the necessary improvements.

President Skorman stated he supports this project.

8.AK. [18-0584](#)

A resolution approving a Cooperation Agreement between the Colorado Springs Urban Renewal Authority and the City of Colorado Springs to promote redevelopment and assist with financing of public improvements for the Tejon and Costilla Urban Renewal project and to approve the amount of annual sales tax increment revenue allocated pursuant to Colorado Revised Statute Section 31-25-107(9)(a)(II)

Related File: CPC MP 18-00123

Presenter:

Peter Wysocki, Director Planning and Community Development
Jariah Walker, CSURA Executive Director
Bob Cope, Economic Development Officer

Attachments: [Resolution Tejon Costilla Cooperation Agreement](#)
[Tejon and Costilla Cooperation Agreement CSURA City v2](#)

Please see comments in Agenda item 8.AJ.

9. Items Under Study

There were no items under study.

10. Councilmember Reports and Open Discussion

There were no Councilmember Reports and there was no Open Discussion.

11. Adjourn

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

Sarah B. Johnson, City Clerk