



City of Colorado Springs

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

Meeting Minutes City Council

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

1:00 PM

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. Invocation and Pledge of Allegiance

The Invocation was made by Reverend Dr. Chuck Stephens from First United Methodist Church.

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.)

President Skorman announced that the 2019 Budget was on the Consent Calendar and offered to pull it off the Consent Calendar if anyone would like to comment on it. There were no comments.

4A. Second Presentation:

**4A.A. [CPC PUZ
18-00070](#)**

Ordinance No. 18-106 amending the zoning map of the City of Colorado Springs pertaining to 28.58 acres of land from PUD/A (Planned Unit Development and Agricultural) to PUD (Planned Unit Development; commercial and residential, 20 dwelling units per acre, maximum height of 45-feet in Parcel A and 70-feet in Parcel B for office and commercial uses), located northwest of the New Life Drive and Federal Drive intersection.

(QUASI-JUDICIAL)

Presenter:

Peter Wysocki, Director Planning and Community Development
Daniel Sexton, Senior Planner, Planning and Community Development

- Attachments:** [ZC ORD FoothillsFarm](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Zone Change Exhibit](#)
[Signed Ordinance 18-106](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.B.** [CPC PUZ 18-00068](#) Ordinance No. 18-107 amending the Zoning Map of the City of Colorado Springs relating to 7.8 acres located south and west of the intersection at Red Cavern Road and Crisp Air Drive, establishing the PUD (Planned Unit Development - attached single-family residential (townhomes); 9.00 dwelling units per acre maximum; 30-foot maximum building height) zone district..

(Quasi-Judicial)

Presenter:

Matthew Bingman, DRE Permit Center Administrator, Planning & Community Development
Peter Wysocki, Director of Planning and Community Development

- Attachments:** [ZC_ORD_NorthForkTownhomes](#)
[Exhibit A - Legal Description](#)
[Exhibit B - Zoning Exhibit](#)
[Signed Ordinance 18-107](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.C.** [CPC ZC 18-00093](#) Ordinance No. 18-108 amending the zoning map of the City of Colorado Springs pertaining to 0.75-acre located at 1565 and 1581 York Road from OC (Office Complex) to C-6/CR (General Business with conditions of record)

(Quasi-Judicial)

Presenter:

Chris Staley, Planner II, Planning and Community Development
Peter Wysocki, Planning Director

Attachments: [ZC_ORD_YorkRoad](#)
[Exhibit A - York Road Legal](#)
[Exhibit B - York Road](#)
[Signed Ordinance 18-108](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.D.** [18-0487](#) Ordinance No. 18-109 Approving the Annual Budget for Colorado Springs Utilities and Appropriating Monies for the Several Purposes Named in the Annual Colorado Springs Utilities Budget for the Year Ending December 31, 2019

Presenter:

Tamela Monroe, Chief Planning and Finance Officer
Aram Benyamin, Chief Executive Officer

Attachments: [2019 Annual Budget Formal Ord-Revised.docx](#)
[10-23-2018 CC Budget Presentation Final.pptx](#)
[Signed Ordinance 18-109](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.E.** [18-0533](#) Ordinance No. 18-110 Identifying and Accepting the Annual Sources of Funds for Colorado Springs Utilities for the Year Ending December 31, 2019

Presenter:

Tamela Monroe, Chief Planning and Financial Officer
Aram Benyamin, Chief Executive Officer

Attachments: [2019 Appropriation Accept Source Funds Ord-Revised.docx](#)
[Signed Ordinance 18-110](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

- 4B.A.** [18-0571](#) City Council Regular Meeting Minutes October 23, 2018

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [10-23-2018 City Council Meeting Minutes Final.pdf](#)
[Issues for Decision 2019 Rate Case Hearing 10-23-18 City Council Meeting.pdf](#)

The Minutes were approved on the Consent Calendar.

- 4B.B.** [18-0513](#) A Resolution Supporting the City of Colorado Springs Sponsorship of a

School Yard Initiative Grant Application to Great Outdoors Colorado on Behalf of Atlas Preparatory School

Presenter:

Tilah Larson, Senior Grants Analyst

Karen Palus, Director of Parks, Recreation and Cultural Services

Attachments: [10-22-18 - AtlasPrepSponsorshipSupportRES](#)

[10-22-18 - Atlas GOCO IGA](#)

This Resolution was adopted on the Consent Calendar.

- 4B.C.** [18-0514](#) A Resolution Supporting the City of Colorado Springs Sponsorship a a School Yard Initiative Grant Application to Great Outdoors Colorado on Behalf of Colorado Early Colleges

Presenter:

Tilah Larson, Senior Grants Analyst

Karen Palus, Director of Parks, Recreation and Cultural Services

Attachments: [10-22-18 - CECSponsorshipSupportRES](#)

[10-22-18 - IGA - CEC](#)

This Resolution was adopted on the Consent Calendar.

- 4B.D.** [18-0515](#) A Resolution Supporting the City of Colorado Springs Sponsorship of a School Yard Initiative Grant Application to Great Outdoors Colorado on Behalf of Colorado Springs Charter Academy

Presenter:

Tilah Larson, Senior Grants Analyst

Karen Palus, Director of Parks, Recreation and Cultural Services

Attachments: [10-22-18 - CSCASponsorshipSupportRES](#)

[10-22-18 - IGA - CSCA](#)

This Resolution was adopted on the Consent Calendar.

- 4B.E.** [18-0530](#) An Ordinance repealing Section 507 (License Fees Enumerated) of Part 5 (License Fees) of Article 1 (General Business License Provisions) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, pertaining to business license fees

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [Clerk-BusinessLicenseResolutionSettingAndRepealORD-2018-10-16.d](#)
[ocx](#)

This Ordinance was approved on first reading on the Consent Calendar.

- 4B.F.** [18-0490](#) A Resolution directing the Chief Executive Officer of Colorado Springs Utilities to execute an agreement for short-term water service with Donala Water and Sanitation District

Presenter:

Jenny Bishop, P.E. Senior Project Engineer, Water Resource Planning
Aram Benyamin, Chief Executive Officer

Attachments: [Donala Short-Term Water Service Contract Resolution Final.docx](#)
[Donala Bridge Water Services Agreement DRAFT with Donala changes.pdf](#)
[Donala Bridge Contract 10 17 2018 UB Presentation .pptx](#)
[Signed Resolution 121-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.G.** [18-0318](#) A Resolution Approving the 2019 Budget for the Pikes Peak Regional Building Department

Presenter:

Charae McDaniel, Chief Financial Officer
Roger Lovell, Building Official, Pikes Peak Regional Building Department
Virginia Koultschitzka, Regional Building Counsel, Pikes Peak Regional Building Department
Ryan Johanson, CPA, Finance Director, Pikes Peak Regional Building Department

Attachments: [2018 PPRBD Budget Resolution-10.31.17](#)
[2019 RBD Budget - Final.pdf](#)
[Exhibit A: 2018 Budget -RBD](#)
[2019 Budget - Final CS.pptx](#)
[Signed Resolution 122-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.H.** [18-0525](#) An Ordinance amending Section 102 and creating new Section 121 (Limitations on Feeding of Wildlife) of Article 7 (Regulations of Animals-General Provisions) of Chapter 6 (Neighborhood Vitality/ Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the feeding wildlife and providing penalties for the violation thereof.

Presenter:

Bret Waters, Deputy Chief of Staff

Attachments: [FeedingWildlifeCh6ORD-2018-09-19-Draft.docx](#)
[Wildlife Feeding Ordinance_Oct22.pptx](#)

This Ordinance was approved on first reading on the Consent Calendar.

- 4B.I.** [18-0536](#) An Ordinance amending Section 104 (Right to Trial by Jury; Jail; Exceptions) of Part 1 (Trial by Jury) of Article 4 (Jury Provision) of Chapter 11 (Municipal Court) of the Code of the City of Colorado Springs 2001, as amended, pertaining to jury trial eligibility regarding Limitations on Feeding of Wildlife

Presenter:
Bret Waters, Deputy Chief of Staff

Attachments: [FeedingWildlife-PenaltiesCh11ORD-2018-10-15](#)

This Ordinance was approved on first reading on the Consent Calendar.

- 4B.J.** [18-0488](#) A Resolution Setting the Street Lighting Service Revenue Requirement for the Period of January 1, 2019 through December 31, 2019

Presenter:
Sonya Thieme, Rates Manager
Aram Benyamin, Chief Executive Officer

Attachments: [MG Street Lighting Rev Req - Resolution and COSS Summary 11-13-18.pdf](#)
[Signed Resolution 123-18](#)

This Resolution was adopted on the Consent Calendar.

- 4B.K.** [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](#)

This Resolution was adopted on the Consent Calendar.

- 4B.L.** [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](#)

This Ordinance was approved on first reading on the Consent Calendar.

4B.M. [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](#)

This Ordinance was approved on first reading on the Consent Calendar.

4B.N. [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](#)

This Ordinance was approved on first reading on the Consent Calendar.

4B.O. [18-0548](#)

An Ordinance adopting a plan for the defeasance and payment of the City of Colorado Springs Airport System Revenue Refunding Bonds, Series 2014, issued by the City of Colorado Springs, Colorado, acting by and through its Airport Enterprise; and authorizing and approving related documents and actions in connection therewith

Presenter:

Charae McDaniel, Chief Financial Officer
Tom Florczak, Deputy City Attorney
Greg Phillips, Director of Aviation

Attachments: [Colorado Springs Airport Bonds - 2018 Defeasance Ordinance.docx](#)
[Colorado Springs Parking Airport Bonds Defeasance 2018 Escrow Agreement.doc](#)

This Ordinance was approved on first reading on the Consent Calendar.

- 4B.P.** [18-0587](#) An Ordinance appointing the City Council Administrator and setting the salary of the City Council Administrator

Presenter:
Richard Skorman, City Council President

Attachments: [City Council Admin Ord.docx](#)

This Ordinance was approved on first reading on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember Bennett, seconded by Councilmember Strand, 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, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

5. Recognitions

- 5.A.** [18-0512](#) Introduction of the 2018/2019 Ticket to Success Class

Presenter:
Karen Palus, Director of Parks, Recreation and Cultural Services
Donna Nelson, Spirit of the Springs Program Coordinator

Donna Nelson, Spirit of the Springs Program Coordinator, said approximately forty 7th and 8th grade students participated in the Ticket to Success class. Amelia Thurman from Fountain Middle School presented her group's ideas for the proposed downtown stadium they had submitted to the Planning and Community Development Department.

There were no comments on this item.

6. Citizen Discussion

Citizen Andy Petersen from Urban Peak stated November is National Runaway and Homeless Youth Month and identified how their Night Out program raises awareness for homeless youth.

Citizen Bette Kelso stated the new City buses and hours are not adequate

for the needs of the community.

Citizen Gerald Miller presented pictures regarding the conditions of his neighborhood.

Citizen David Tone spoke about potential fires that could occur within the City.

Citizen Deborah Stout-Meininger spoke regarding the results of the November 6, 2018 election.

Citizen Coley Mason Collier spoke regarding the theft of his longboard at the library.

Citizen Michael Selzer requested the City construct buildings and structures within the community that people enjoy looking at.

Citizen Dan Boyce identified Colorado Public Radio (CPR) will now be available in Colorado Springs.

Citizen Tom Noonan suggested Mountain Metropolitan Transit offer free bus service for all active duty veterans and their families.

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

- 9.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](#)

There were no comments on this item.

Motion by Councilmember Bennett, seconded by Councilmember Murray, that the Resolution setting Wastewater Rates within the service area of Colorado Springs Utilities be adopted. The motion passed by a vote of 9-0-0

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

- 9.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](#)

There were no comments on this item.

Motion by Councilmember Strand, seconded by Councilmember Murray, that the Resolution setting Water Rates within the service area of Colorado Springs Utilities be adopted. The motion passed by a vote of 9-0-0

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

10. Unfinished Business

- 10.A.** [CPC PUZ 18-00066](#) Ordinance No. 18-111 amending the zoning map of the City of Colorado Springs pertaining 2.33 acres located northwest of Centennial Boulevard and Mule Deer Drive from PUD/HS (Planned Unit Development with Hillside Overlay: commercial) to PUD/HS (Planned Unit Development: multi-family residential, 17.17 dwelling units per acre with a maximum building height of 37 feet - 2 inches, with Hillside Overlay).

(Quasi-Judicial)

Related file: CPC PUD 06-00067-A3MJ18

Presenter:
Mike Schultz, Principal Planner, Planning and Community Development
Peter Wysocki, Director Planning and Community Development

- Attachments:** [ZC_ORD - TuscanFoothillsVillage2](#)
[Exhibit A - Tuscan Foothills Village Filing No 2 - Legal Description](#)
[Exhibit B - Tuscan Foothills Village Filing No. 2 Zone Change](#)
[Exhibit-DWG](#)
[Aerial Vicinity Map](#)
[Vicinity Map](#)
[Tuscan FHV Filing 2 CPC Report](#)
[Figure 1 - Project Statement](#)
[Figure 2 - Tuscan FHV Filing 2 DP](#)
[Figure 3 - Resident Comments](#)
[Figure 3a - Additional Resident Comments](#)
[Figure 3b - Email in Opposition - Mr and Mrs Schuetz](#)
[Figure 3c - Email in Opposition - Dr Donald Reed](#)
[Figure 4 - Original Tuscan Foothills Village PUD DP](#)
[Figure 5 - Proposed and Future Open Space](#)
[Figure 6 - 2020 land Use map and master plan matrix](#)
[Figure 7 - CGS Letter](#)
[7.5.603 Findings - ZC req_CA](#)
[7.3.603 Establishment & Development of a PUD Zone](#)
[City Code Section 7.5.9 - Notice](#)
[Staff Presentation - Tuscan FHV Filing 2](#)
[Signed Ordinance 18-111](#)

There were no comments on this item.

Motion by Councilmember Murray, seconded by Councilmember Bennett, the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 2.33 acres from PUD/HS (Planned Unit Development with Hillside Overlay) to PUD/HS (Planned Unit Development: multi-family residential, 17.17 dwelling units per acre with a maximum building height of 37 feet 2 inches) with Hillside Overlay, based on the finding that the zone change request complies with the three (3) review criteria for granting a zone change in City Code Section 7.5.603(B) and the review criteria in City Code Section 7.3.603 for establishment of a PUD zone be finally passed. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Bennett, Gaebler, Geislinger, Murray, Pico, Skorman, and Strand

No: 1 - Knight

- 10.B.** [CPC CA 18-00063](#) Ordinance No. 18-112 amending Chapter 7 (Planning, Development and Building) of City Code defining and establishing standards for short term rental units

(Legislative)

Presenter:

Meggan Herington, Assistant Planning Director
Peter Wysocki, Director of Planning and Community Development

Attachments: [ORD-Short Term Rental](#)
[CPC Staff Report Short Term Rental Unit](#)
[FIGURE 1 VRBOlocations](#)
[FIGURE 2 Municipal Comparisons](#)
[FIGURE 3 ReadlinedSTR Draft](#)
[FIGURE 4 Correspondence](#)
[FIGURE 4a Additional Correspondence](#)
[FIGURE 5 Self Inspection Checklist Draft2](#)

Councilmember Bennett recused himself due to his son, daughter-in-law, and wife own and/or manage a short term rental unit in the City.

Meggan Herington, Assistant Planning Director, gave a brief summary of the proposed changes regarding the annual permit and guidelines for establishing standards for short term rental units.

Councilmember Strand asked if there was a timeframe for when the owner or property manager must respond to a reported issue. Ms. Herington stated they must respond within an hour.

Councilmember Strand requested the Ordinance be revisited in June or July 2019. Peter Wysocki, Director of Planning and Community Development, stated they will be able to present the acquired data at that time, but a revised Ordinance would require additional time.

Citizens Michael Applegate, Marie McGinnis, and Patty Krough, representing the Neighborhood Preservation Alliance, requested amendments to the Ordinance to include short term rental units be limited to owner-occupied, a cap placed on the growth of the industry, data is collected from the platforms by a third party software company, and stated this Ordinance conflicts with current City Code.

Citizen Cathy Crawley stated these houses do not meet the requirements of the fire safety self-inspection checklist.

Councilmember Avila stated she does not support this Ordinance because she does not believe it is ready and there should be an owner-occupied requirement.

Councilmember Geislinger asked about if there has been any progress made regarding a third party verification process to ensure owners of short term rental units have obtained a permit. Mr. Wysocki stated he will provide that information.

Councilmember Knight stated he will be voting for this Ordinance and requested the data be reported to Council monthly.

Councilmember Murray stated this Ordinance will assist in providing the City the information that it currently does not have.

Motion by President Pro Tem Gaebler, seconded by Councilmember Murray, that the Ordinance amending Chapter 7 (Planning, Development and Building) of City Code defining and establishing standards for short term rental units be finally passed. The motion passed by a vote of 7-1-0-1

Aye: 7 - Gaebler, Geislinger, Knight, Murray, Pico, Skorman, and Strand

No: 1 - Avila

Recused: 1 - Bennett

11. New Business

11.A. [18-0549](#)

An ordinance amending Sections 102 (Code Adopted by Reference) and 103 (Penalty Provisions, Additions, and Modifications) of Part 1 (General Provisions) of Article 10 (Building Code Administration) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to amending provisions of the Pikes Peak Regional Building Code, 2017 Edition, formerly adopted by Ordinance No. 18-15 and reinstating the penalties for the violation thereof

(Legislative)

Presenter:

Roger Lovell, Building Official, Pikes Peak Regional Development Department

Keith Curtis, Floodplain Administrator, Pikes Peak Regional Building Department

Jina Koulchitzka, Regional Building Counsel, Pikes Peak Regional Building Department

Attachments: [RBC-AmendmentORD-2018-10-16-clean.docx](#)
[2017 PPRBC V1.0 2nd PrintingFINAL.pdf](#)
[RBD CODE UPDATE- New FIRM.pptx](#)
[fema_495.pdf](#)
[ColoradoSprings_CO.pdf](#)
[12-7-2018.Consolidated.pdf](#)

Roger Lovell, Building Official, Pikes Peak Regional Development Department, stated the amendment of the Pikes Peak Regional Building Code, 2017 Edition is due to the Federal Emergency Management Agency's (FEMA) adoption of amendments to the existing floodplain mapping and adoption of the 2017 National Electrical Code (NEC).

Councilmember Strand asked if these changes will benefit citizens in regards to flood plain insurance. Keith Curtis, Floodplain Administrator, PPRBD, confirmed it would result in a reduction in cost to residents who are no longer identified as residing in a special flood hazard area.

Motion by Councilmember Murray, seconded by Councilmember Strand, the Ordinance amending Sections 102 (Code Adopted by Reference) and 103 (Penalty Provisions, Additions, and Modifications) of Part 1 (General Provisions) of Article 10 (Building Code Administration) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to amending provisions of the Pikes Peak Regional Building Code, 2017 Edition, formerly adopted by Ordinance No. 18-15 and reinstating the penalties for the violation thereof be approved on first reading. The motion passed by a vote of 9-0-0

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

- 11.B.** [18-0595](#) A Resolution Authorizing Issuance of Debt by the Banning Lewis Ranch No. 5 Metropolitan District in the Form of Limited Tax General Obligation Bonds, Series 2018A in the Estimated Principal Amount of \$6,440,000, Series 2018B Subordinate Cash Flow Bonds in an Amount Estimated to be \$1,030,000, and Series 2018C Junior Subordinate Cash Flow Bonds in an Amount Estimated to be \$1,826,000 and Rescinding Resolution No. 107-18

Presenter:

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

Attachments: [Revised BLR District 5 Resolution.docx](#)
[BLR 5 and Regional - 2018 City Bond Resolutions - Bond Counsel comments.pdf](#)
[Signed Resolution 127-18](#)

Carl Schueler, Comprehensive Planning Manager, Planning and

Community Development Department, stated the City Council approved Resolution 107-18 authorizing issuance of debt by the Banning Lewis Ranch No. 5 Metropolitan District had numerical errors and the revised Resolutions corrects those errors and is consistent with the memo and bond documents presented at the October 9, 2018 hearing.

Councilmember Murray asked if the \$1.8M junior subordinate bonds are being held by the developer at eight percent. Mr. Schueler confirmed they were and would reduce to six percent after five years.

Motion by Councilmember Bennett, seconded by Councilmember Strand, the Resolution authorizing Issuance of Debt by the Banning Lewis Ranch No. 5 Metropolitan District in the form of Limited Tax General Obligation Bonds, Series 2018A in the estimated principal amount of \$6,440,000, Series 2018B Subordinate Cash Flow Bonds in an amount estimated to be \$1,030,000, and Series 2018C Junior Subordinate Cash Flow Bonds in an amount estimated to be \$1,826,000 and rescinding Resolution no. 107-18 be adopted. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Bennett, Gaebler, Geislinger, Knight, Pico, Skorman, and Strand

No: 1 - Murray

- 11.C. [18-0596](#)** A Resolution Authorizing Issuance of Debt by the Banning Lewis Ranch Regional Metropolitan District No. 1 in the Form of Limited Tax General Obligation Bonds, Subordinate Cash Flow Bonds, and Junior Subordinate Cash Flow Bonds, Series 2018A, Series 2018B and Series 2018C in the Estimated Aggregate Principal Amount of \$13,794,000 and Rescinding Resolution No. 108-18

Presenter:

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

Attachments: [Revised BR Regional District Debt RES #2.docx](#)

[BLR 5 and Regional - 2018 City Bond Resolutions - Bond Counsel comments.pdf](#)

[Signed Resolution 128-18](#)

Please see comments in Agenda item 11.B.

Motion by Councilmember Strand, seconded by Councilmember Bennett, that the Ordinance authorizing Issuance of Debt by the Banning Lewis Ranch Regional Metropolitan District in the form of General Obligation Bonds, Series 2018A, Series 2018B and Series 2018C in the estimated aggregate principal amount of \$13,794,000 and rescinding Resolution no. 18-18 be adopted. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Bennett, Gaebler, Geislinger, Knight, Pico, Skorman, and Strand

No: 1 - Murray

- 11.D. [18-0582](#) A Resolution authorizing free parking in the downtown municipal garages on the Saturdays and Sundays of November 24 and 25, December 1 and 2, 8 and 9, 15 and 16, 22 and 23, 2018; and, free on-street metered parking in Old Colorado City on the Saturdays of November 24, December 1, 8, 15, 22, 2018

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [Res to Approve Free Holiday Parking 11-13-18](#)
[Signed Resolution 129-18](#)

President Skorman recused himself from this item due to his ownership of a downtown business.

Charae McDaniel, Chief Financial Officer, stated on the Saturdays and Sundays of November 24 and 25, December 1 and 2, 8 and 9, 15 and 16, 22 and 23, 2018 the Downtown Development Authority (DDA) requested the free parking be offered in the downtown municipal garages and the on-street metered parking will remain functional. She stated Old Colorado City will have free on-street metered parking on the Saturdays of November 24, December 1, 8, 15, 22, 2018.

Councilmember Strand asked what the financial impact to the City will be. Ms. McDaniel stated there will be less of a fiscal impact to the Parking Enterprise to offer free parking in the garages versus metered parking and in 2017 the impact from free metered parking was approximately \$33,000.

Councilmember Pico asked how citizens will be informed. Ms. McDaniel stated the DDA and Old Colorado City will be doing the marketing on it.

Councilmember Knight asked if December 24, 2018 could be included. President Pro Tem Gaebler stated the stakeholders have not been notified of that day.

Citizen Tom Noonan stated there should also be free bus service for those days.

Motion by Councilmember Murray, seconded by Councilmember Strand, that the Ordinance authorizing free parking in the downtown municipal garages and free on-street metered parking in Old Colorado City during the 2018 holiday shopping season be adopted. The motion passed by a vote of 8-0-0-1

Aye: 8 - Avila, Bennett, Gaebler, Geislinger, Knight, Murray, Pico, and Strand

Recused: 1 - Skorman

- 11.E. [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 stated this development meets the one logical potential purchaser in accordance with City Code. Mr. Phillips provided a summary of the acreage, proposed purpose of each parcel to be sold, and identified the economic impact for the community.

Councilmember Strand asked what the cost per acre is. Mr. Phillips stated it is still in the process of being appraised.

Citizen Tom Noonan commented he is concerned about how the one logical purchaser was determined and requested bus service to the Colorado Springs Airport. Councilmember Knight, a member of the Re-Write Committee for the Real Estate Manual, stated when the property has been actively on the market for three years, the one logical potential purchaser is easily determined. Mr. Phillips stated they are working towards bus service by increasing potential ridership by developing the business park.

Motion by Councilmember Pico, seconded by Councilmember Geislinger, that the Ordinance authorizing the City Real Estate Services Manager and Mayor to execute all documents necessary to dispose of approximately 18 acres (full legal descriptions to be provided prior to disposal), of surplus City property, situated in the Peak Innovation Park, in Colorado Springs, El Paso County, Colorado, and to obtain the Mayor's signature on the Quitclaim Deed to convey the Property to the

Purchaser as the one logical, potential purchaser be adopted. The motion passed by a vote of 9-0-0-0

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

- 11.F. [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 11.E.

Motion by Councilmember Pico, seconded by Councilmember Strand, that the Ordinance authorizing the City Real Estate Services Manager and Mayor to execute all documents necessary to dispose of approximately 18 acres (full legal descriptions to be provided prior to disposal), of surplus City property, situated in the Peak Innovation Park, in Colorado Springs, El Paso County, Colorado, and to obtain the Mayor's signature on the Quitclaim Deed to convey the Property to the Purchaser as the one logical, potential purchaser be adopted. The motion passed by a vote of 9-0-0-0

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

- 11.G. [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 11.E.

Motion by Councilmember Strand, seconded by Councilmember Murray, that the Resolution authorizing the City Real Estate Services Manager and Mayor to execute all documents necessary to dispose of 1/10 of one acre, more or less, of surplus City property, situated in the Peak Innovation Park, in Colorado Springs, El Paso County, Colorado, and to obtain the Mayor's signature on the Quitclaim Deed to convey the property to the Purchaser as the one logical, potential purchaser and authorize the Mayor to sign all necessary petitions and other documents for the inclusion of certain real property into the boundaries of the Peak Metropolitan Districts be adopted. The motion passed by a vote of 9-0-0

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

- 11.H. [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 11.E.

Motion by Councilmember Murray, seconded by Councilmember Bennett, that the Resolution authorizing the City Real Estate Services Manager and Mayor to execute all documents necessary to dispose of 1/10 of one acre, more or less, of surplus City property, situated in the Peak Innovation Park, in Colorado Springs, El Paso County, Colorado, and to obtain the Mayor's signature on the Quitclaim Deed to convey the property to the Purchaser as the one logical, potential purchaser and authorize the Mayor to sign all necessary petitions and other documents for the inclusion of certain real property into the boundaries of the Peak Metropolitan Districts be adopted. The motion passed by a vote of 9-0-0

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

- 11.I. [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 11.E.

Motion by Councilmember Bennett, seconded by Councilmember Murray, that the Resolution authorizing the City Real Estate Services Manager and Mayor to execute all documents necessary to dispose of 1/10 of one acre, more or less, of surplus City property, situated in the Peak Innovation Park, in Colorado Springs, El Paso County, Colorado, and to obtain the Mayor's signature on the Quitclaim Deed to convey the property to the Purchaser as the one logical, potential purchaser and authorize the Mayor to sign all necessary petitions and other documents for the inclusion of certain real property into the boundaries of the Peak Metropolitan Districts be adopted. The motion passed by a vote of 9-0-0

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

- 11.J. [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 11.E.

Motion by Councilmember Strand, seconded by Councilmember Murray, that the Resolution authorizing the City Real Estate Services Manager and Mayor to execute all documents necessary to dispose of 1/10 of one acre, more or less, of surplus City property, situated in the Peak Innovation Park, in Colorado Springs, El Paso County, Colorado, and to obtain the Mayor's signature on the Quitclaim Deed to convey the property to the Purchaser as the one logical, potential purchaser and authorize the Mayor to sign all necessary petitions and other

documents for the inclusion of certain real property into the boundaries of the Peak Metropolitan Districts be adopted. The motion passed by a vote of 9-0-0-0

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

- 11.K.** [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 11.E.

Motion by Councilmember Murray, seconded by Councilmember Bennett, that the Resolution authorizing the City Real Estate Services Manager and Mayor to execute all documents necessary to dispose of 1/10 of one acre, more or less, of surplus City property, situated in the Peak Innovation Park, in Colorado Springs, El Paso County, Colorado, and to obtain the Mayor's signature on the Quitclaim Deed to convey the property to the Purchaser as the one logical, potential purchaser and authorize the Mayor to sign all necessary petitions and other documents for the inclusion of certain real property into the boundaries of the Peak Metropolitan Districts be adopted. The motion passed by a vote of 9-0-0-0

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

12. Public Hearing

There was no Public Hearing.

13. Added Item Agenda

There were no items added to the Agenda.

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