



City of Colorado Springs

Regular Meeting Agenda - Final

City Council

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

City Council meetings are broadcast live on Channel 18. In accordance with the ADA, anyone requiring an auxiliary aid to participate in this meeting should make the request as soon as possible but no later than 48 hours before the scheduled event.

Tuesday, November 24, 2015

1:00 PM

Council Chambers

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Changes to Agenda/Postponements
4. Consent Calendar

These items will be acted upon as a whole, unless a specific item is called for discussion by a Councilmember or a citizen wishing to address the City Council. (Any items called up for separate consideration shall be acted upon following the Mayor's Business.)

4A. Second Presentation:

4A.A. [15-00632](#)

Ordinance No. 15-83 of the City of Colorado Springs, Colorado Providing for the Extension, Betterment, Other Improvement and Equipment of the City of Colorado Springs Utilities System; Providing for the Issuance and Sale of the Commercial Paper Notes, Series A in an Aggregate Principal Amount of Not to Exceed \$75,000,000 and Series B in an Aggregate Principal Amount of Not to Exceed \$75,000,000 Payable Out of the Net Revenues to be Derived from the Operation of the City of Colorado Springs Utilities System; Authorizing the Execution by the City of Two Dealer Agreements, Two Issuing and Paying Agent Agreements and Two Fee Agreements; and Providing Other Matters Relating Thereto

Attachments:

[Commercial Paper Ordinance 11-2-15](#)

- 4A.B.** [15-00478](#) Ordinance No. 15-85 making and certifying the 2015 tax levy for taxes payable in 2016 at 4.279 mills upon each dollar of assessed valuation of all taxable property and a tax credit of 2.139 mills upon each dollar of assessed valuation of all taxable business personal property within the corporate limits of the City of Colorado Springs

Attachments: [TaxLevy2016-BPPT_CreditORD-rev-11-11-15-no temporary.docx](#)

- 4A.C.** [15-00667](#) Ordinance No. 15-87 vacating the alley between 1206 Milky Way and 1109 Northstar Drive consisting of 2,240 square feet.

(Legislative Matter)

Attachments: [VacatingROWMilkyWayNorthstar_ORD-2015-10-29](#)

[Exhibit A- Legal Description](#)

[FIGURE 1](#)

4B. First Presentation:

- 4B.A.** [15-00725](#) City Council Meeting Minutes November 10, 2015

Attachments: [2015-11-10 Minutes Draft](#)

- 4B.B.** [15-00616](#) Boards and Commissions

Attachments: [11.24.15 Boards & Commissions](#)

[Ordinance 15-79 MMJ moratorium](#)

- 4B.C.** [15-00583](#) A Resolution Approving The Amended & Restated Bylaws of the Memorial Health System Enterprise

Attachments: [MHSE-CCResApprovingBdBdlaws-final](#)

[2015BoardBylaws](#)

- 4B.D.** [15-00660](#) A Resolution approving an Intergovernmental Agreement between the City of Colorado Springs and El Paso County Colorado, for the purpose of snow removal and snow and ice control on roadway segments

Attachments: [Streets-IGA_SnowRemovalRES-2015-10-16](#)

[Exhibit A - EPC DOT - CS Public Works Snow IGA 2015](#)

- 4B.E.** [15-00693](#) An Ordinance Repealing Ordinance No. 14-105 and Adopting the City of Colorado Springs - 2016 Salary Structure for Civilian and Sworn Municipal Employees

Attachments: [Ordinance Approving Salary Ranges 2016.docx](#)

[2016 Salary Schedule 10-05-15.pdf](#)

- 4B.F.** [15-00706](#) An ordinance amending the zoning map of the city of Colorado Springs pertaining to 0.84 acres, located at 4216 Date Street. (Quasi-Judicial Matter)

Attachments: [Rezone Ord Date Street](#)
[Exhibit A- LEGAL](#)
[CPC Agenda Report-AnotherAttic](#)
[CPC Record of Decision-AnotherAttic](#)
[Criteria-7.5.603-ZC Criteria](#)

- 4B.G.** [15-00707](#) Another Attic, Ltd. Concept Plan (Quasi-Judicial Matter)

Attachments: [Criteria-7.5.501E-Concept Plan criteria](#)

- 4B.H.** [15-00708](#) An ordinance amending the zoning map of the City of Colorado Springs pertaining to 16.406 acres located at 8145 North Union Boulevard. (Quasi-Judicial Matter)

Attachments: [Mtn Vistas at Briargate-ORD.docx](#)
[Exhibit A- LEGAL](#)
[CPC Agenda Report-Mtn VistaBriargate](#)
[CPC Record of Decision-MtnVstaBriargate](#)
[Criteria-7.5.603-ZC Criteria](#)

- 4B.I.** [15-00709](#) Mountain Vistas at Briargate Concept Plan (Quasi-Judicial Matter)

Attachments: [Criteria-7.5.501E-Concept Plan criteria](#)

- 4B.J.** [15-00713](#) An ordinance amending the zoning map of the city of Colorado Springs pertaining to 4.31 acres, located at 4081 Tutt Boulevard. (Quasi-Judicial Matter)

Attachments: [Zoning-4081TuttBlvd-2015-11-16](#)
[Exhibit A-Legal Description](#)
[CPC Agenda Report-TuttComm](#)
[CPC Record of Decision-TuttCommercial](#)
[Criteria-7.5.603-ZC Criteria](#)

- 4B.K.** [15-00714](#) Tutt Commercial Center Development Plan (Quasi-Judicial Matter)

Attachments: [Criteria-7.5.502-DP Criteria](#)

5. Recognitions

6. Citizen Discussion

7. Mayor's Business

8. Items Called Off Consent Calendar

9. Utilities Business

- 9.A.** [15-00570](#) Public Hearing for the Consideration of Resolutions Regarding Certain Changes to Utilities Rules and Regulations and Setting Electric, Natural Gas and Water Rates Within the Service Areas of Colorado Springs Utilities

Attachments: [Fall Rate Cases City Auditors Report Final 20151124](#)
[2016 City Attorney Instructions-11-18-15](#)
[2016 Rate Hearing Agenda-11-18-15](#)
[2016 Rate Hearing - Issues For Decision - 11-18-15](#)

- 9.B.** [15-00664](#) A Resolution Setting the Street Lighting Service Revenue Requirement for the Period of January 1, 2016 Through December 31, 2016

Attachments: [MG Street Lighting Rev Req - Resolution 11-24-15](#)
[MG 2016 Street Lighting COSS Summary](#)

- 9.C.** [15-00665](#) Limited Water and Wastewater Development Charge Credit Transfers

Attachments: [Meter Credit TransferORD-2015-11-24](#)

- 9.D.** [15-00668](#) An Ordinance Identifying and Accepting the Annual Sources of Funds for Colorado Springs Utilities for the Year Ending December 31, 2016

Attachments: [2016 Appropriation Accept Source Funds Ord](#)

- 9.E.** [15-00669](#) An Ordinance 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, 2016

Attachments: [2016 Annual Budget Formal Ord](#)

10. Unfinished Business

- 10.A.** [15-00663](#) Ordinance No. 15-84 modifying Section 201 (General Penalty) of Part 2 (General Penalty of Article 1 (Administration) of Chapter 1 (Administration, Personnel, and Finance) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the assessment of an Information Technology Surcharge on certain Summons and Complaints filed in Municipal Court

Attachments: [Ordinance to Modify City Code for IT Surcharge](#)

- 10.B.** [15-00479](#) Ordinance No. 15-86. The Annual Appropriation Ordinance adopting the annual budget and appropriating monies for the several purposes named in said budget for the year ending December 31, 2016

Attachments: [Appropriation Ordinance for 2016 Budget](#)
[Memo Attachments A-G for 2016 Budget Appropriation Ordinance](#)

11. New Business

- 11.A.** [15-00551](#) An ordinance amending Section 202 (Deposit and Expenditure of Revenues) and Section 203 (Biannual Independent Audit) of Part 2 (Deposit and Expenditure of Revenues) of Article 6 (Trails, Open Space and Parks Program) of Chapter 4 (Parks, Recreation and Cultural Services) of the Code of the City of Colorado Springs 2001, as amended, pertaining to expenditure of revenues and independent audit

Attachments: [11-9-15 - Ordinance - TOPS City Code Revision for Council](#)

- 11.B.** [15-00647](#) An ordinance creating a new Article 14 (Construction Defect Claims in Common Interest Communities) of Chapter 6 (Neighborhood Vitality/Community Health) of the Code of the City of Colorado Springs 2001, as amended, pertaining to required homeowner consent for construction defect claims related to common interest communities, builder rights to repair construction defects in common interest communities, and the effect of the City Building Code in construction defect claims related to common interest communities.

Attachments: [112415 Construction Defects slides](#)
[112415 RegSession_CommonInterest_ConstructionDefects REDLINE](#)
[112415 CRS 38-33.3-103\(8\)](#)
[112415 RegSession_CommonInterest_ConstructionDefects CLEAN](#)

- 11.C. [15-00685](#) South Nevada Avenue Area Urban Renewal Plan
(Legislative Matter)
- Attachments:** [south nevada ura plan presentation](#)
[Attachment 1 south nevada ura plan resolution](#)
[Attachment 2 South Nevada URA Plan Legal Description](#)
[Attachment 3 Final South Nevada Avenue URA Plan](#)
[Attachment 4 Conditions Survey Results](#)
- 11.D. [15-00701](#) An Ordinance Adding a New Part 11 (Road Repair, Maintenance and Improvements Sales and Use Tax Fund) to Article 6 (City Funds) of Chapter 1 (Administration, Personnel and Finance) of the Code of the City of Colorado Springs 2001, as amended, to Establish the Road Repair, Maintenance and Improvements Sales and Use Tax Fund
- Attachments:** [Ordinance establishing Road Repair Tax Fund -FINAL-2015-11-12v5.docx](#)
- 11.E. [15-00702](#) An Ordinance Amending Article 7 (Sales and Use Tax) of Chapter 2 (Business Licensing, Liquor Regulation and Taxation) of the Code of the City of Colorado Springs 2001, as amended, Pertaining to a Change to the Sales and Use Tax Rate from Two and Five-Tenths Percent (2.5%) to Three and Twelve One-Hundredths Percent (3.12%)
- Attachments:** [Tax-RoadRepairTaxSCRUB-ORD-2015-11-11FINALDRAFTv5.docx](#)
- 11.F. [15-00460](#) A resolution fixing and certifying the 2015 tax levy for taxes payable in 2016 at 4.409 mills upon each dollar of assessed valuation within the Briargate Special Improvement Maintenance District
- Attachments:** [Resolution re Mill Levy for Briargate SIMD](#)
[Briargate SIMD boundary map](#)
[Briargate SIMD 2016 Budget Letter](#)
- 11.G. [15-00461](#) A resolution fixing and certifying the 2015 tax levy for taxes payable in 2016 at 1.009 mills upon each dollar of assessed valuation within the Colorado Avenue Gateway Special Improvement Maintenance District
- Attachments:** [Resolution re Set Mill Levy for Colorado Avenue Gateway SIMD](#)
[Colorado Avenue Gateway SIMD boundary map](#)
[Colorado Avenue Gatteway SIMD 2016 Budget Letter](#)
- 11.H. [15-00462](#) A resolution fixing and certifying the 2015 tax levy for taxes payable in 2016 at 3.935 mills upon each dollar of assessed valuation within the Nor'wood Special Improvement Maintenance District
- Attachments:** [Resolution re Set Mill Levy for Norwood SIMD](#)
[Norwood SIMD boundary map](#)
[Norwood SIMD 2016 Budget Letter](#)

- 11.I. [15-00463](#) A resolution fixing and certifying the 2015 tax levy for taxes payable in 2016 at 13.416 mills upon each dollar of assessed valuation within the Old Colorado City Security & Maintenance District

Attachments: [Resolution re Set Mill Levy for Old Colorado City SIMD](#)
[Old Colorado City SIMD boundary map](#)
[Old Colorado City 2016 Budget Letter](#)

- 11.J. [15-00464](#) A resolution fixing and certifying the 2015 tax levy for taxes payable in 2016 at \$1.10 per front footage of real property of assessed valuation within the Platte Avenue Special Improvement Maintenance District

Attachments: [Resolution re Set Mill Levy for Platte Avenue SIMD](#)
[Platte Avenue SIMD boundary map](#)
[Platte Avenue SIMD 2016 Budget Letter](#)

- 11.K. [15-00465](#) A resolution fixing and certifying the 2015 tax levy for taxes payable in 2016 at 3.858 mills upon each dollar of assessed valuation within the Stetson Hills Special Improvement Maintenance District

Attachments: [Resolution re Set Mill Levy for Stetson Hills SIMD](#)
[Stetson Hills SIMD boundary map](#)
[Stetson Hills SIMD 2016 Budget Letter](#)

- 11.L. [15-00466](#) A resolution fixing and certifying the 2015 tax levy for taxes payable in 2016 at 3.615 mills upon each dollar of assessed valuation within the Woodstone Special Improvement Maintenance District

Attachments: [Resolution re Set Mill Levy for Woodstone SIMD](#)
[Woodstone SIMD boundary map](#)
[Woodstone SIMD 2016 Budget Letter](#)

- 11.M. [15-00467](#) A resolution setting and certifying the 2015 tax levy for taxes payable in 2016 at 5.000 mills for the Colorado Springs Downtown Development Authority in Colorado Springs, Colorado

Attachments: [Resolution to Set Mill Levy for DDA](#)
[Exhibit A DDA Board Resolution](#)
[2016 DDA Budget Prelim](#)

- 11.N. [15-00468](#) A resolution appropriating sums of money to the various funds in the amounts, and for the purposes set forth below for the Colorado Springs Downtown Development Authority in Colorado Springs Colorado, for the 2016 budget year

Attachments: [Resolutin to Appropriate Funding for DDA](#)
[Exhibit A-DDA Board Resolution](#)
[2016 DDA Budget Prelim](#)

12. Public Hearing

- 12.A. [15-00710](#) Penrose St. Francis New Campus- Master Plan Amendment
(Quasi-Judicial Matter)

Attachments: [Penrose - PP - LT - CC](#)
[CPC Agenda Report-PenSF](#)
[CPC Record of Decision-PenSF](#)
[Criteria-7.5.408-Master Plan](#)

- 12.B. [15-00711](#) An ordinance amending the zoning code of the City of Colorado Springs pertaining to 51.05-acres, located northwest of Centennial Boulevard and Fillmore Street from PBC (Planned Business Center), OC (Office Complex), and PIP-1 (Planned Industrial Park) to PUD (Planned Unit Development with 1,032,000 square feet maximum of commercial, office and civic uses and 200 foot maximum building height).
(Quasi-Judicial Matter)

Attachments: [penrose ordinance](#)
[Exhibit A-Penrose SF Legal description](#)
[Vicinity Map](#)
[Criteria-7.3.603](#)
[Criteria-7.5.603-ZC Criteria](#)

- 12.C. [15-00712](#) Penrose St. Francis New Campus - PUD Concept Plan
(Quasi-Judicial Matter)

Attachments: [Criteria-7.3.605-PUD Concept Plan criteria](#)

13. Added Item Agenda

14. Executive Session

15. Adjourn

Following adjournment of the regular City Council meeting, City Council shall reconvene as the Colorado Springs Board of Directors of the Briargate General Improvement District, for action on the following items:

- 15.A. [15-00469](#) A Public Hearing on the budget for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2016 and ending on the last day of December 2016

Attachments: [Proposed 2016 Budget for Briargate GID](#)
[Briargate GID boundary map](#)

- 15.B. [15-00470](#) A Resolution levying general property taxes to help defray the cost of debt service on the Limited Tax General Obligation Bonds Series 2014 of the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the 2016 budget year

Attachments: [Resolution to Set Mill Levy for Briargate GID](#)

- 15.C. [15-00471](#) A Resolution summarizing expenditures and revenues, adopting a budget, and appropriating monies for the Colorado Springs Briargate General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2016 and ending on the last day of December 2016

Attachments: [Resolution to Adopt Budget and Appropriate for Briargate GID](#)
[Proposed 2016 Budget for Briargate GID](#)

Following adjournment of the Board of Directors of the Colorado Springs Briargate General Improvement District, City Council shall reconvene as the Board of Directors of the Colorado Springs Marketplace at Austin Bluffs General Improvement District, for action on the following items:

- 15.D. [15-00472](#) A Public Hearing on the budget 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 2016 and ending on the last day of December 2016

Attachments: [Proposed 2016 Budget for Marketplace at Austin Bluffs GID](#)
[Marketplace at Austin Bluffs GID map](#)

- 15.E. [15-00473](#) 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 2016 budget year

Attachments: [Resolution to Set Mill Levy for Marketplace at Austin Bluffs GID](#)

- 15.F. [15-00474](#) A Resolution summarizing expenditures and revenues, adopting a budget, and appropriating monies 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 2016 and ending on the last day of December 2016

Attachments: [Resolution to Adopt Budget for Marketplace at Austin Bluffs GID](#)
[Proposed 2016 Budget for Marketplace at Austin Bluffs GID](#)

Following adjournment of the Board of Directors of the Colorado Springs Marketplace at Austin Bluffs General Improvement District, City Council shall reconvene as the Board of Directors of the Colorado Springs Spring Creek General Improvement District, for action on the following items:

- 15.G. [15-00475](#) A Public Hearing on the budget for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2016 and ending on the last day of December 2016

Attachments: [Proposed 2016 Budget for Spring Creek GID](#)
[Spring Creek GID map](#)

- 15.H. [15-00476](#) 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 2016 budget year

Attachments: [Resolution to Set Mill Levy for Spring Creek GID](#)

- 15.I. [15-00477](#) A Resolution summarizing expenditures and revenues, adopting a budget, and appropriating monies for the Colorado Springs Spring Creek General Improvement District, Colorado Springs, Colorado, for the calendar year beginning on the first day of January 2016 and ending on the last day of December 2016

Attachments: [Resolution to Adopt Budget for Spring Creek GID](#)
[Proposed 2016 Budget for Spring Creek GID](#)