



City of Colorado Springs

Regular Meeting Agenda - Final City Council

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

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Tuesday, September 22, 2020

10:00 AM

Council Chambers

How to Watch the Meeting

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Facebook Page @coscity Council | SPRINGS TV - Comcast Channel 18 / 880 (HD)
- CenturyLink Channel 18

How to Comment on Agenda Items

Before the meeting, you may email general comments for items not on the agenda or comments regarding agenda items to: allcouncil@coloradosprings.gov

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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:

4B. First Presentation:

4B.A. [20-528](#) City Council Regular Meeting Minutes September 8, 2020

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [9-8-2020 City Council Meeting Minutes Final.pdf](#)**4B.B.** [20-447](#) A resolution approving the Transit Services Division's 2020 - 2023 Title VI Program, which documents how services are provided without regard to race, color, or national origin

Presenter:

Craig Blewitt, Transit Services Division Manager
Kristin Tighe, Milligan and Company**Attachments:** [Council Resolution - Title VI Approval](#)
[Council Memo 08-24-2020](#)
[MMT Title VI Draft - Revised July 15](#)
[MMT Title VI Program 2020](#)**4B.C.** [20-480](#) Request for a Public Hearing for the Consideration of Resolutions Setting Natural Gas, Electric, Water and Wastewater Rates Within the Service Areas of Colorado Springs Utilities and Certain Changes to Natural Gas and Electric Rate Schedules

Presenter:

Scott Shewey, Chief Planning and Finance Officer, Colorado Springs Utilities

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities

4B.D. [20-476](#) 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 Three and Twelve One-Hundredths Percent (3.12%) to Three and Seven One-Hundredths Percent (3.07%)

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [SalesTax-SalesTaxArt7Ch2-ORD-2020-09-04-final](#)

- 4B.E.** [20-492](#) An Ordinance Amending Multiple Sections under 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, Regarding the Road Repair, Maintenance, and Improvements Sales and Use Tax Fund

Presenter:

Charae McDaniel, Chief Financial Officer

Attachments: [SalesTax-RoadRepairTaxFundCh1-ORD-2020-09-04](#)

- 4B.F.** [20-479](#) An ordinance amending multiple sections of Part 1 (Conduct of Elections) of Article 1 (General Municipal Elections) of Chapter 5 (Elections) of the Code of the City of Colorado Springs 2001, as amended, pertaining to election ballots

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [DraftClerk-BallotORD-2020](#)

- 4B.G.** [CPC ZC 20-00067](#) An Ordinance amending the zoning map of the City of Colorado Springs pertaining to 4.99 acres located at 2845 Resnik Drive establishing the M-1/AO (Light Industrial with Airport Overlay) zone.

(Legislative)

Related Files: CPC ZC 20-00067 and CPC DP 20-00068

Presenter:

Lonna Thelen, Principal Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments: [ZC ORD AllenBuilders](#)
[Exhibit A - legal description](#)
[Exhibit B - Zoning Depiction](#)
[Context Map](#)
[Aerial Vicinity Map](#)
[VICINITY MAP](#)
[Staff - Allen Builders - LJT](#)
[CPC Minutes-Consent draft](#)
[CPC Staff Report Allen Builders](#)
[Development Plan](#)
[Project statement](#)
[Vision Map](#)
[7.5.603.B Findings - ZC](#)

- 4B.H.** [CPC DP 20-00068](#) The Allen Builders Development Plan establishing a light industrial use located at 2845 Resnik Drive.

(Quasi-Judicial)

Related Files: CPC ZC 20-00067 and CPC DP 20-00068

Presenter:

Lonna Thelen, Principal Planner, Planning and Community Development

Peter Wysocki, Director, Planning and Community Development

Attachments: [Development Plan](#)
[7.5.502.E Development Plan Review](#)

- 4B.I.** [CPC MP 87-00381-A25 MJ20](#) A Resolution of the City Council of the City of Colorado Springs, Colorado, approving a major amendment to the Banning Lewis Ranch Master Plan.

(Legislative)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [CoverMemo_BLR Village B_KAW_1](#)
[RES_BanningLewisRanchMPA](#)
[Exhibit A - Master Plan Amendment](#)
[Fiscal Impact Analysis BLR Village B1](#)
[BLR Village B Staff presentation_KAW](#)
[CPC Report BLR Village B1](#)
[Major Master Plan Amendment](#)
[Row Vacation](#)
[Zone Change](#)
[Concept Plan](#)
[Project Statement](#)
[PlanCOS Vision Map](#)
[District 49 Letter](#)
[Context Map](#)
[7.5.408 Master Plan](#)
[CPC_Minutes_BLR Village B1_draft](#)

4B.J. [CPC V
20-00031](#)

An Ordinance vacating portions of a public right-of-way known as Banning Lewis Parkway consisting of 6.446 acres.

(Legislative)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [VROW_ORD_BanningLewisParkway](#)
[Exhibit A - Row Vacation](#)
[Row Vacation](#)
[7.7.402.C Vacation Procedures](#)

4B.K. [CPC PUZ
20-00029](#)

An Ordinance amending the zoning map of the City of Colorado Springs relating to 32.44 acres located at Redcloud Peak Drive and Banning Lewis Parkway from R5/SS/AO (Multi-family Residential with Streamside and Airport Overlays) to PUD/AO (Planned Unit Development: Single-family detached, 3.5-7.99 dwelling units per acre, 35-foot maximum building height with Airport Overlay).

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [ZC_ORD_BLRVillageB1](#)
[Exhibit A - Zone Change](#)
[Exhibit B - Zone Change](#)
[7.3.603 Establishment & Development of a PUD Zone](#)
[7.5.603.B Findings - ZC](#)

4B.L. [CPC PUP
20-00030](#)

A PUD Concept Plan for the Banning Lewis Ranch Village B1 project to allow a single-family residential development with ancillary public and private improvements located northeast of Redcloud Peak Drive and future Banning Lewis Parkway.

(Quasi-Judicial)

Related Files: CPC MP 87-00381-A25MJ20, CPC V 20-00031, CPC PUZ 20-00029, and CPC PUP 20-00030

Presenter:

Katelynn Wintz, Senior Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments:

[Concept Plan](#)

[7.3.605 PUD Concept Plan](#)

[7.5.501.E Concept Plans](#)

4B.M. [CPC PUZ
20-00077](#)

An ordinance amending the zoning map of the City of Colorado Springs pertaining to 58.69 acres located north and west of the Highway 83 and Shoup Road intersection from A (Agriculture) to PUD (Planned Unit Development: single-family detached, 2-3.5 dwelling units per acre with a 35-foot maximum building height) .

(Quasi-Judicial)

Related File: CPC PUD 20-00078

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community
Development

Peter Wysocki, Planning & Community Development Director

Attachments:

[ZC_ORD_FlyingHorseTurinII](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Legal Description Depicted](#)

[Development Plan](#)

[Public Comment](#)

[Vicinity Map](#)

[Presentation - Flying Horse Turin II - Staff](#)

[CPC Staff Report - Flying Horse Turin II](#)

[Project Statement](#)

[CPC_Minutes-Consent_draft](#)

[7.5.603.B Findings - ZC](#)

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

4B.N. [CPC PUD
20-00078](#)

A development plan for the Flying Horse Turin II project proposing 95 single-family detached residential lots located at north and west of the Highway 83 and Shoup Road intersection.

(Quasi-Judicial)

Related File: CPC PUZ 20-00077

Presenter:

Hannah Van Nimwegen, Senior Planner, Planning & Community Development

Peter Wysocki, Planning & Community Development Director

Attachments:

[Development Plan](#)

[7.5.502.E Development Plan Review](#)

[7.3.606 PUD Development Plan](#)

4B.O. [CPC ZC
20-00086](#)

An Ordinance amending the zoning map of the City of Colorado Springs pertaining to 1.48-acre from Planned Business Center with Conditions of Record and Streamside and Airport Overlays (PBC/cr/SS/AO) to Planned Business Center with Conditions of Record, and Streamside and Airport Overlays (PBC/cr/SS/AO), located at 3855 and 3865 Tutt Boulevard.

(Quasi-Judicial)

Related Files: CPC ZC 20-00086, CPC DP 20-00093

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments:

[ZC_Ord_tuttselfstorage](#)

[Exhibit A - Legal Description](#)

[Exhibit B - Zone Change](#)

[Vicinity Map](#)

[CC_Tutt Self-Storage_staff_DJS](#)

[CPC Report_Tutt Self-Storage](#)

[Development Plan](#)

[Development Plan Project Statement](#)

[Zone Change Project Statement](#)

[PlanCOS Vision Map](#)

[CGS Correspondence](#)

[Context Map](#)

[Zone Change Exhibit](#)

[CPC_Minutes-Consent_draft](#)

[7.5.603 Findings - ZC](#)

[7.3.507.A.B. PlannedProvisionalOverlayCR](#)

4B.P. [CPC DP
20-00093](#)

A Development Plan for the Tutt Self-Storage project to allow the development of a commercial building for an indoor mini-warehouse use.

(Quasi-Judicial)

Related Files: CPC ZC 20-00086, CPC DP 20-00093

Presenter:

Daniel Sexton, Principal Planner, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development

Attachments: [Development Plan](#)
[7.5.502.E Development Plan Review](#)

4B.Q. [20-453](#)

Resolution to approve CARES Act Substantial Amendment 1 to the 2020-2024 Consolidated Plan/2020 Annual Action Plan and Citizen Participation Plan

Presenter:

Catherine Duarte, AICP
Senior Analyst, Community Development Division

Attachments: [RES_2020 CARES Act substantial amendment](#)
[Colorado Springs ConPlan Amendment 1](#)
[Revised Citizen Participation Plan Jul2020](#)
[Amendment 1_2020-2024 ConPlan and 2020 Action Plan_Sept4 CC presentati](#)

4B.R. [20-141](#)

A resolution extending the suspension of the Rules of the City Council of the City of Colorado Springs and authorizing the conduct of electronic or telephonic quasi-judicial hearings and executive sessions during the period of the state of emergency declared for the City of Colorado Springs and resulting from a public health emergency caused by the 2019 Novel Coronavirus

Presenter:

Wynetta Massey, City Attorney

Attachments: [City Council Resolution Electronic Meetings 09-03-20 clean.docx](#)
[City Council Resolution Electronic Meetings 09-03-20_redline.pdf](#)
[Proclamation and declaration of Emergency - Mayor Suthers.pdf](#)
[Signed Resolution 19-20.pdf](#)
[Signed Resolution 23-20.pdf](#)
[Signed Resolution 40-20.pdf](#)

5. Recognitions

- 5.A. [20-520](#) A Proclamation celebrating October 2020 as Arts Month in the Pikes Peak Region

Presenter:
Jill Gaebler, Councilmember District 5

Attachments: [Arts Month Final](#)

- 5.B. [20-522](#) A Proclamation honoring September 26th to October 4th as the 7th Annual Creek Week

Presenter:
Richard Skorman, City Council President

Attachments: [Creek Week 2020](#)

- 5.C. [20-498](#) Resolution in support of October 2020 as Fire Prevention Month in Colorado Springs

Presenter:
Deputy Fire Marshal Kris Cooper, Colorado Springs Fire Department

Attachments: [2020 Fire Prevention Month Resolution.docx](#)

- 5.D. [20-517](#) Appointments to Law Enforcement Transparency and Accountability Commission

Presenter:
Michael Montgomery, Deputy Council Administrator

Attachments: [LETAC Appointments](#)
[Signed Ordinance 20-44](#)

6. Citizen Discussion For Items Not On Today's Agenda**7. Mayor's Business****8. Items Called Off Consent Calendar****9. Utilities Business**

- 9.A.** [20-509](#) An Ordinance amending Section 203 (Application for License; Fees; Term; Bond and Insurance Requirements; Suspension or Revocation) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, pertaining to excavation licenses

Presenter:

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities
T

Attachments: [CSU-DrainagePreventionORD-Ch3-2020-09-01_FINAL](#)
[Damage Prevention Presentation](#)

- 9.B.** [20-510](#) An Ordinance creating a new Article 10 (Underground Damage Prevention Safety Program) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, pertaining to underground excavation regulations and providing penalties for the violation thereof

Presenter:

Aram Benyamin, Chief Executive Officer, Colorado Springs Utilities
T

Attachments: [CSU-DrainagePreventionORD-Ch12-2020-09-01_FINAL](#)
[DamagePreventionOrdinanceRedline](#)

10. Unfinished Business

11. New Business

- 11.A. [20-488](#) Resolution Authorizing the Bradley Ranch Metropolitan District to Issue Debt in the form of Limited Tax General Obligation Bonds in A Principal (par) Amount Not to Exceed \$ 8,391,822

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development
Peter Wysocki, Director, Planning & Community Development Department

Attachments:

[Resolution Bradley Ranch MD](#)

[Bradley Ranch PowerPoint](#)

[Attachment 1-Bradley Ranch - Financing - Cover Letter](#)

[Attachment 2- BRMD 2020 - Authorizing Resolution](#)

[Attachment 3- Bradley Ranch MD](#)

[Attachment 4- Bradley Ranch Bond Issuance - Opinion of Compliance Letter - 2](#)

[Attachment 5- Executed FA Cert Bradley Ranch](#)

[Attachment 6- Bradley Retainage City Letter](#)

- 11.B. [20-487](#) Resolution Authorizing the Sands Metropolitan District No. 2 to Issue Debt in the form of Limited Tax General Obligation Bonds in Principal (par) Amount Not to Exceed \$12,315,000

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning & Community Development

Attachments:

[Resolution Sands Metro Dist No. 2](#)

[PowerPoint](#)

[Attachment 1- The Sands Metro District No. 2 - Authorizing Resolution \(clean v2](#)

[Attachment 2- The Sands - Financing - Cover Letter - August 18 2020](#)

[Attachment 3- The Sands MD 8.20.20](#)

[Attachment 4-TSMD No. 2 - Pledge Agreement v3](#)

[Attachment 5- The Sands MD 1-3 - District Boundary Map\(3774662.1\)](#)

[Attachment 6- The Sands MD No 2 Bond Issuance - Opinion of Compliance Let](#)

[Attachment 7- External Financial Advisor Certification](#)

[Attachment 8- District Budget Committee Response RE Allocation of Costs. 08;](#)

[Attachment 9- Cost Allocation Exhibit](#)

- 11.C. [20-409](#) Resolution Authorizing the Woodmen Heights Metropolitan District No. 2 to Issue Debt in the form of a Series 2020A Refinancing Loan, a Series 2020B-1 Taxable Bond and a Series 2020B-2 Tax-Exempt Bond

Presenter:

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

Peter Wysocki, Planning and Community Development Director

Attachments:

[WHMDRES-2020-08-25](#)

[Attachment 1- WHMD 2020 Bond transmittal letter 8-20](#)

[Attachment 2- Woodmen Heights MD Presentation](#)

[Attachment 3-Term Sheets - Woodmen Heights MD](#)

[Attachment 4- Loan Agreement - Woodmen Heights MD No. 2](#)

[Attachment 5- WHMD Financial Projections](#)

[Attachment 6- WHMD General Counsel Bond Opinion Form](#)

[Attachment 7- Woodmen Heights Metropolitan District No.1 Series 2005 Project](#)

[Attachment 8- 2015 Certified C Bonds Costs as of 7.22.14 v2](#)

[Attachment 9- Indenture 2020B-1 Subordinate Current Interest Bond 08-26-20](#)

[Attachment 10 -Indenture 2020B-2 Subordinate Cash Flow Bond - 08-26-20](#)

12. Public Hearing

13. Added Item Agenda

14. Executive Session

15. Adjourn