



## Legislation Details (With Text)

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**On agenda:** 10/25/2022      **Final action:** 10/25/2022

**Title:** A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2023 Operating Plan and Budget for the Powers & Woodmen Commercial Business Improvement District

**Presenter:**  
Carl Schueler, Comprehensive Planning Manager  
Michael Tassi, Assistant Director, Planning and Community Development

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2023 Operating Plan and Budget - Powers and Woodmen Commercial BID, 2. Res. Powers and Woodment BID 2023 Approval With Exhibit E, 3. Signed Resolution No. 169-22

Date	Ver.	Action By	Action	Result
10/25/2022	1	City Council	adopted	Pass
10/10/2022	1	Council Work Session	referred	

A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2023 Operating Plan and Budget for the Powers & Woodmen Commercial Business Improvement District

**Presenter:**

Carl Schueler, Comprehensive Planning Manager  
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**Summary:**

The Powers & Woodmen Commercial Business Improvement District (BID) is a legal entity separate from the City of Colorado Springs. However, as required by State statute, it is necessary for City Council to review and approve the proposed 2023 Operating Plan and Budget for the BID.

The Operating Plan and Budget for this BID anticipates issuing Limited Tax General Obligation Bonds in late 2022 or early 2023 in the amount of \$2,519,000 for the purpose of financing Public Improvements as further described in Exhibit E. Other than the issuance of debt and servicing of existing debt the District does not anticipate any changes or other major activities for 2023.

**Background:**

The boundaries of this development-specific BID were established pursuant to an election in 2003. The District does not anticipate any boundary changes in 2023, however, by State law, any future district inclusions or exclusions must be approved by City Council. This BID has an elected board, comprised of individuals associated with the Nor'wood Development Group. The BID is authorized to provide the acquisition of improvements, construction of improvements, operation and maintenance

of parking facilities, roadways, lighting, driveways, public utilities, and landscaping.

This Operating Plan and Budget is provided in a format consistent with the standard template approved by Council in August 2022 for these documents.

**Previous Council Action:**

City Council approved formation of this BID in 2004 (Ordinance No. 04-52) and has approved the Operating Plan and Budget annually since its formation. City Council also approved the BID's 2010 bond issuance (see below). In 2013, City Council excluded a property from this District based on its conversion to multifamily uses (Ordinance No. 13-15). In March of 2022, City Council approved the exclusion of a 12.234-acre parcel from the boundaries of the District based on its conversion to multifamily use (Ordinance No. 22-15). State statute does not allow BIDs to tax non-commercial property.

This item was introduced in a City Council Work Session on October 10, 2022. Council had no comments or questions that were uniquely pertinent to this Operating Plan and Budget.

**Financial Implications:**

The BID issued \$1,850,000 in Limited Tax General Obligation Bonds, Series 2010 for public improvements. These bonds have an interest rate of 8.5% and are subject to optional redemption beginning December 1, 2011. As described in the 2023 Operating Plan, the District will annually review the interest rates on its bonds regarding market interest rate and evaluate possibilities to refund such bonds to the extent allowed, pursuant to the bond documents. The proposed mill levy for the BID in 2023 is 26.000 mills (1.000 mill for general expenses and 25.000 mills for debt service). This remains unchanged from the prior year. This BID does not have an associated public improvement fee (PIF) at this time.

The District estimates an outstanding developer advance balance of \$375,639 at the end of 2022 which is the balance of the interest only which does not accrue interest per the Operating Plan and Budget.

Fund balances and projected revenues are adequate to meet financial obligations. As a separate legal entity, the financial activities of the BID are separate from those of the City. Any financial obligations of this BID are specific to the property included within its boundaries and do not constitute an obligation of the City.

**City Council Appointed Board/Commission/Committee Recommendation:**

The BID Board of Directors recommends City Council's approval of the 2023 Operating Plan and Budget.

**Stakeholder Process:**

N/A

**Alternatives:**

N/A

**Proposed Motion:**

Move to approve the Resolution approving the proposed 2023 Operating Plan and Budget for the Powers & Woodmen Commercial Business Improvement District.

N/A