



## Legislation Details (With Text)

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**Title:** A Resolution Authorizing The Acquisition Of Real Property Owned By School District No. 11, a/k/a Colorado Springs School District 11

**Presenter:**  
Greg Phillips, Director of Aviation  
Colorado Springs Airport

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. D-11 Resolution-12.30.pdf, 2. Exhibit B - FAA Letter - D11 COS 163 Determination, 3. Exhibit A - D-11 Property Legal Description, 4. Resolution 11-21

Date	Ver.	Action By	Action	Result
1/26/2021	1	City Council	adopted	Pass
1/11/2021	1	City Council Work Session	referred	

A Resolution Authorizing The Acquisition Of Real Property Owned By School District No. 11, a/k/a Colorado Springs School District 11

**Presenter:**  
Greg Phillips, Director of Aviation  
Colorado Springs Airport

**Summary:**  
The Colorado Springs Municipal Airport (“Airport”) requests City Council authorize the purchase of an approximately 10-acre parcel of undeveloped land. The Property is situated completely within the boundaries of the Airport. Accordingly, purchasing the Property is in the public’s interest as it is necessary to ensure the Airport will control the Property and remove all risk that the Property will be developed into an incompatible land use to the Airport or that a development will interfere with or frustrate other Airport development and leasing opportunities.

**Background:**  
The Property is landlocked within the boundaries of the Airport and adjacent to the eastern runways. Accordingly, the Property is in a noise sensitive area and situated so that future Airport development in this area would likely be frustrated.

The acquisition of the Property is in the public’s interest and is needed by the Airport to: (i) prevent a school from being constructed within an area of non-compatible land use with the Airport; (ii) prevent D-11 from subleasing the Property to another user that may be incompatible with the airport; and (iii)

ensure proper land use in perpetuity, thereby removing the risks associated with incompatible land uses and interference with Airport development, provide revenue generation and development opportunities for the Airport, and allow the Airport to engage in further negotiations with Peterson Air Force Base to lease the Property for base expansion.

A City Real Estate Services Department approved appraiser determined that the fair market value ("FMV") of the Property is \$85,000. The parties negotiated a purchase agreement for the sale of the Property that is supported by the appraisal.

The Federal Aviation Administration ("FAA") determined that, in accordance with the FAA Reauthorization Act of 2018, Section 163, it does not have authority over this transaction. However, the FAA advised the Airport that it must not pay more than the FMV for the Property and, if purchased, the Property must be included in the Airport's Layout Plan in accordance with Federal Grant Assurance 29.

**Previous Council Action:**

N/A

**Financial Implications:**

The Airport will use its capital funds to purchase the Property. No other State or federal funding will be used. However, the Airport will follow the FAA's processes for property acquisition thereby reserving the opportunity to receive reimbursement for a portion of the purchase price via future Airport Improvement Program grant funding.

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

The Airport Advisory Commission intends to hold a special meeting in early January 2021, to discuss this matter and issue its recommendation to City Council prior to the January 11, 2021, work session.

**Stakeholder Process:**

N/A

**Alternatives:**

City Council may choose not to authorize the purchase of the Property which will subject to the Airport to the associated risks of not controlling the Property.

**Proposed Motion:**

The Airport suggests the following motion: City Council moves to approve Resolution authorizing the acquisition of the D-11 Property and authorizing the City Real Estate Services Manager to execute all documents necessary to acquire the approximately 10 acre parcel of land."

N/A