



City of Colorado Springs

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

Meeting Minutes City Council

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Tuesday, October 24, 2023

10:00 AM

Council Chambers

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1. Call to Order and Roll Call

President Helms called the meeting to order at 10:00 AM.

Present: 9 - Councilmember Yolanda Avila, President Pro Tem Lynette Crow-Iverson, Councilmember Dave Donelson, President Randy Helms, Councilmember Nancy Henjum, Councilmember David Leinweber, Councilmember Mike O'Malley, Councilmember Brian Risley, and Councilmember Michelle Talarico

2. Invocation and Pledge of Allegiance

The Invocation was made by Pastor Jeff Anderson, Senior Faith Based Outreach Advisor to Congressman Doug Lamborn.

President Helms led the Pledge of Allegiance.

3. Changes to Agenda/Postponements

Sarah B. Johnson, City Clerk, stated items 4B.N. has been requested to be removed from the Consent Calendar.

Consensus of Council agreed to this change on 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.)

4A. Second Presentation:

- 4A.A. [23-420](#) Ordinance No 23-57 Certifying Delinquent Stormwater Fees and Charges to the El Paso County Treasurer for Collection

Presenter:

Richard Mulledy, P.E., Stormwater Enterprise Manager

Attachments: [Exhibit A](#)

[Ordinance StormwaterFees-Certification](#)

[Signed Ordinance No. 23-57.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

- 4A.B. [ZONE](#)
[23-0018](#) Ordinance No. 23-58 amending the zoning map of the City of Colorado Springs pertaining to 8.197 acres located at 4415 Grinnell Blvd from APD APZ-2 AP-O (Airport Planned Development Accident Potential Subzone 2 with Airport Overlay) to MX-M APZ-2 AP-O (Mixed-Use Medium Accident Potential Subzone 2 with Airport Overlay).
(Quasi-Judicial)

Presenter:

Drew Foxx, Planner II, Planning and Community Development

Peter Wysocki, Planning Director, Planning and Community Development

Attachments: [Staff Report](#)

[Peak Zone Change Ordinance](#)

[Figure 1 Project Statement](#)

[Figure 2 Exhibits A & B](#)

[Figure 3 Land Use Statement](#)

[Figure 4 COPN-22-0003](#)

[Figure 5 Peak Innovation Project Statement](#)

[Vicinity Map](#)

[Peak Zone Change - staff presentation](#)

[Signed Ordinance No. 23-58.pdf](#)

This Ordinance was finally passed on the Consent Calendar.

4B. First Presentation:

4B.A. [23-555](#) City Council Regular Meeting Minutes October 10, 2023

Presenter:
Sarah B. Johnson, City Clerk

Attachments: [10-10-2023 City Council Meeting Minutes Final](#)

The Minutes were approved on the Consent Calendar.

4B.B. [23-365](#) A Resolution authorizing acquisition of approximately 562 acres and recognizing a partial donation

Presenter:
Troy Stover, Business Park Development Director, Colorado Springs Airport

Attachments: [562-acre LandAcquisitionRegSession ppt](#)
[Signed Resolution No. 145-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.C. [23-398](#) A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Barnes & Powers North Business Improvement District

Presenter:
Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan - Barnes Powers North BID](#)
[10-9-23 BID Presentation - Council Work Session](#)
[Res. Barnes and Powers North BID 2024 Approval Without Exhibit E](#)
[Signed Resolution No. 146-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.D. [23-399](#) A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Barnes & Powers South Business Improvement District

Presenter:
Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Development

Attachments: [2024 Operating Plan - Barnes Powers South BID](#)
[Res. Barnes and Powers South BID 2024 Approval Without Exhibit E](#)
[Signed Resolution No. 147-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.E. [23-400](#) A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Briargate Center Business Improvement District

Presenter:
Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [Briargate Center BID 2024 Operating Plan and Budget](#)
[Res. Briargate Center BID 2024 Approval Without Exhibit E](#)
[Signed Resolution No. 148-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.F. [23-401](#) A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Catalyst Campus Business Improvement District

Presenter:
Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2023-10-4 2024 Catalyst Campus Operating Plan \(Final\)](#)
[Res. Catalyst Campus BID 2024 Approval Without Exhibit E](#)
[Signed Resolution No. 149-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.G. [23-402](#) A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Creekwalk Marketplace Business Improvement District

Presenter:
Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan - Creekwalk Marketplace BID](#)
[Res. Creekwalk Marketplace BID 2024 Approval Without Exhibit E](#)
[Signed Resolution No. 150-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.H. [23-403](#)** A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the First and Main Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan - First _ Main BID](#)
[Res. First and Main BID 2024 approval without Exhibit E](#)
[Signed Resolution No. 151-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.I. [23-462](#)** A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the First and Main Business Improvement District No. 2

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [Res. First and Main 2 BID 2024 approval without Exhibit E.docx](#)
[Revised 2024 Operating Plan - First & Main BID No. 2\(8223352.1\)-c](#)
[Signed Resolution No. 152-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.J. [23-463](#)** A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the First and Main North Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan - First _Main North BID\(8223398.1\)](#)
[Res. First and Main North BID 2024 approval without Exhibit E](#)
[Signed Resolution No. 153-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.K.** [23-464](#) A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Gold Hill North Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan- Gold Hill North BID Operating Plan and Budget](#)
[Res. Gold Hill North BID 2024 approval without Exhibit E](#)
[Signed Resolution No. 154-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.L.** [23-465](#) A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Greater Downtown Colorado Springs Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 BID Preliminary Budget to the City](#)
[Res. Greater Downtown BID 2024 approval without Exhibit E.docx](#)
[Signed Resolution No. 155-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.M.** [23-466](#) A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the GSF Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan- GSF BID Operating Plan and Budget](#)
[Res. GSF BID 2024 approval without Exhibit E](#)
[Signed Resolution No. 156-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.O. [23-468](#)

A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Interquest South Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan - Interquest South BID](#)
[Res. Interquest South BID 2024 approval without Exhibit E](#)
[Signed Resolution No. 158-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.P. [23-469](#)

A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Interquest Town Center Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan - Interquest Town Center BID](#)
[Res. Interquest Town Center BID 2024 approval without Exhibit E](#)
[Signed Resolution No. 159-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.Q. [23-470](#)

A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the MW Retail Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [Res. MW Retail BID 2024 approval without Exhibit E](#)
[Revised 2024 Operating Plan and Budget - MW Retail BID\(8219799.1\)](#)
[-c](#)
[Signed Resolution No. 160-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.R. [23-471](#)** A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Park Union Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan - Park Union BID](#)
[Res. Park Union BID 2024 approval without Exhibit E](#)
[Signed Resolution No. 161-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.S. [23-472](#)** A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Powers & Woodmen Commercial Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan and Budget - Powers and Woodmen Commercial BID](#)
[Res. Powers Woodmen BID 2024 approval without Exhibit E.docx](#)
[Signed Resolution No. 162-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

- 4B.T. [23-473](#)** A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the TrueNorth Commons Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan and Budget - TrueNorth Commons BID](#)
[Res. TrueNorth Commons BID 2024 approval without Exhibit E.docx](#)
[Signed Resolution No. 163-23.pdf](#)

This Resolution was adopted on the Consent Calendar.

4B.U. [23-551](#)

The City Clerk reports that on October 10, 2023 there was filed with her a petition for the annexation of Dublin Park Addition No. 1 Annexation. The City Clerk herewith communicates such to City Council and recommends that the petition and map be referred to the City Administration for review and recommendation regarding whether the petition is in substantial compliance with Section 31-12-107(1).

Presenter:

Sarah B. Johnson, City Clerk

Attachments: [CC Memo to Clerk Annexation Petition - ANEX-23-0019 Dublin Park.pdf](#)
[Dublin Park Addition No 1 - Annexation Plat \(9-19-2023\).pdf](#)
[Dublin Park Addition No 1 - VICINITY MAP.pdf](#)
[Signed PA Dublin Park Addition No. 1-10_07_2023.pdf](#)

This Item was approved on the Consent Calendar.

Approval of the Consent Agenda

Motion by Councilmember O'Malley, seconded by Councilmember Leinweber, 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, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

5. Recognitions

5.A. [23-558](#)

Appointments to City Council Appointed Boards and Commissions

Presenter:

Randy Helms, Council President and Councilmember District 2

Attachments: [102423 Boards Commissions and Committee Appointments](#)

President Helms presented the City Council Appointments to Boards, Commissions, and Committees (Lodging and Auto Rental Citizens' Advisory Committee).

Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the Appointments to City Council Boards, Commissions, and Committees (Lodging and Auto Rental Citizens' Advisory Committee) be approved. The

motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

President Helms presented the City Council Appointments to Boards, Commissions, and Committees (Planning Commission).

Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the Appointments to City Council Boards, Commissions, and Committees (Planning Commission) be approved. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

5.B. [23-533](#) A Resolution In recognition of National Disability Employment Awareness Month, October 2023.

Presenter:

Yolanda Avila, Councilmember District 4

Mike Sullivan, Chief Human Resource and Risk Officer

Valerie Gallegos, Human Resources Manager

Attachments: [National Disability Employment Awareness Month Resolution Signed Resolution No. 164-23.pdf](#)

Councilmember Avila read a Resolution recognizing October 2023 as National Disability Employment Awareness Month.

Indy Frazee, Chief Executive Officer, The Independent Center, provided an overview of The Independent Center, identified the employment statistics for individuals with disabilities, and spoke about the benefits related to the employment of those with disabilities.

Edgar Morales, Independent Living Skills Specialist, The Independent Center, spoke about the challenges he has faced gaining employment while having cerebral palsy and the assistance individuals can receive from The Independent Center.

Chelsea Elstad, Deaf and Hard of Hearing Specialist, expressed gratitude to be able to work at The Independent Center and the struggles deaf people experience with getting hired and the work environment. (Naomi Cowen, Staff Interpreter at The Independent Center).

Councilmember Avila spoke about her husband's experience of losing his hearing and how important it is to recognize how much individuals with disabilities bring to the community.

Mike Sullivan, Chief Human Resource and Risk Officer, expressed appreciation for the Resolution recognizing October 2023 as National Disability Employment Awareness Month

Valerie Gallegos, Human Resources Manager, and Equity, Diversity and Inclusion, (EDI), identified the role of the EDI, Americans with Disabilities (ADA) benefits for City employees.

President Helms emphasized how important this recognition is to observe the contributions of Americans with disabilities to the workforce.

Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the Resolution in recognition of National Disability Employment Awareness Month, October 2023 be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

5.C. [23-557](#) A Joint Proclamation recognizing October 30 To November 3, 2023 as National Veterans Small Business Week

Presenter:

Randy Helms, Council President and Councilmember District 2
Yemi Mobolade, Mayor of Colorado Springs
Aikta Marcoulier, Regional Administrator, Region VIII - Rocky Mountain Region, U.S. Small Business Administration

Attachments: [National Veterans Small Business Week](#)

President Helms read a Joint Proclamation recognizing October 30 to November 3, 2023 as National Veterans Small Business Week.

Mayor Yemi stated it is an honor to collaborate with City Council on this joint proclamation, expressed gratitude to Ms. Marcoulier for bringing this proclamation forward to honor National Veterans Small Business Week, and for the women and men of the armed forces who keep our community safe across the nation and globe. He stated Colorado Springs is home to over 40,000 uniformed military members as well as over 80,000 veterans and that the City will continue to support their businesses.

Aikta Marcoulier, Regional Administrator, Region VIII - Rocky Mountain Region, U.S. Small Business Administration expressed appreciation for the support of veteran-owned small business and spoke about the benefits they bring to the City and introduced several individuals who support small

businesses in the community.

Eric Phillips, Veterans Business Development Officer for the State of Colorado, and provided an overview of the Boots to Business Program.

Colonel Bob McLaughlin retired, and Kia Palmer, Mt. Carmel Veteran Service Center, provided an over of their Veteran Business Outreach Center (VBOC).

Mark Stafford, and Matt Green, veteran business owners, identified how their businesses have thrived within this community and expressed appreciation for the support of small businesses.

Councilmember Helms and Councilmember Leinweber recognized the contributions of veterans to the community.

- 5.D.** [23-574](#) A Resolution of The City Of Colorado Springs Opposing Proposition HH, An Undue Limitation On Municipal Budgets And Local Control Of Property Tax Relief

Presenter:

Dave Donelson, Councilmember District 1

Attachments: [HH Opposition Resolution](#)
[Signed Resolution No. 165-23.pdf](#)

Councilmember Donelson presented the Resolution opposing Proposition HH, an undue limitation on municipal budgets and local control of property tax relief.

Councilmember Risley stated he believes this is another prime example of State overreach, would have incredible harm for our community, is written very confusingly and as a home rule city, the City should have the ability to look out for its our own interests a

President Helms stated his is very much in favor of this Resolution

Councilmember Donelson explained some of the provisions of Proposition HH.

Motion by Councilmember O'Malley, seconded by Councilmember Leinweber, that the Resolution of the City Of Colorado Springs opposing Proposition HH, an undue limitation on municipal budgets and local control of property tax relief be adopted. The motion passed by a vote of 7-0-0-2

Aye: 7 - Crow-Iverson, Donelson, Helms, Leinweber, O'Malley, Risley, and Talarico

Absent: 2 - Avila, and Henjum

- 5.E.** [23-485](#) Recognition of the Colorado Park & Recreation Association Award for Community Champion Presented Posthumously to Stephanie Finley-Fortune

Presenter:

Britt Haley - Parks, Recreation and Cultural Services Director

Attachments: [10-24-23 - CPRA Award - Stephanie Finley-Fortune - PowerPoint.pptx](#)

Britt Haley, Director, Parks, Recreation and Cultural Services, presented the recognition of the Colorado Park and Recreation Association Award for Community Champion presented posthumously to Stephanie Finley-Fortune and provided an overview of the many contributions Ms. Finley-Fortune made toward the Parks System and the community.

- 5.F.** [23-486](#) Recognition of the Colorado Parks & Recreation Association Columbine Award for Renovated Park Design Presented to Panorama Park

Presenter:

Britt Haley - Parks, Recreation and Cultural Services Director

Attachments: [10-24-23 - CPRA Award - Panorama Park - PowerPoint](#)

Britt Haley, Director, Parks, Recreation and Cultural Services, presented the recognition of the Colorado Park and Recreation Association Award for Columbine Award for renovated park design presented to Panorama Park.

Several Councilmembers expressed appreciation for all the work which went into this community park renovation.

- 5.G.** [23-556](#) Recognition of the two American Planning Association (APA) Colorado Chapter Honor Awards for RetoolCOS Project

Presenter:

Peter Wysocki, Director of Planning and Neighborhood Services
Morgan Hester, Long Range Planning Division Manager

Peter Wysocki, Director of Planning and Neighborhood Services, presented the recognition of the of the two American Planning Association (APA) Colorado Chapter Honor Awards for the RetoolCOS Project and recognized many of the individuals and partners who worked on RetoolCOS.

Councilmember Henjum and Councilmember Avila expressed appreciation for all the work which went into RetoolCOS.

6. Mayor's Business

There was no Mayor's Business.

7. Citizen Discussion For Items Not On Today's Agenda

Citizen Charles Barber spoke about the importance of clean water.

Citizen Tim Leonard provided an overview of the debt issuance for eighteen Business Improvement Districts (BID) within the City where nine of the BID boards are controlled by the developer Nor'Wood.

8. Items Called Off Consent Calendar

4B.N. [23-467](#)

A Resolution of the City Council of Colorado Springs, Colorado Approving the Proposed 2024 Operating Plan and Budget for the Interquest North Business Improvement District

Presenter:

Peter Wysocki, Director, Planning and Community Development
Michael Tassi, Assistant Director, Planning and Community Development

Attachments: [2024 Operating Plan and Budget - Interquest North BID\(8242273.1\)](#)
[Res. Interquest North BID 2024 approval without Exhibit E](#)
[Signed Resolution No. 157-23.pdf](#)

Michael Tassi, Assistant Director, Planning and Community Development, presented the Resolution approving the Proposed 2024 Operating Plan and Budget for the Interquest North Business Improvement District and identified the process for the inclusion of property. He explained the operating plan approvals by City Council are required for BIDs, identified the refinements for this cycle, list of other BIDs, proposed mill levy changes, Public Improvement Fees (PIFs), boundary changes, BID websites, and next steps.

Russ Dykstra, Spencer Fane, LLC, representing the district, stated the Board had a public meeting where the budget and operating plan was discussed, presented to the Board, the Board authorized the filing of it, and is satisfied with what was submitted to the City.

Citizen Tim Hoiles ceded his time to Citizen Tim Leonard and Citizen Lisa Bigelow, spoke in opposition of the Resolution.

Councilmember Donelson asked why the additional five-acres was not included at the Board meeting. Mr. Dykstra stated that was the first presentation of the preliminary budget and the final assessed valuations and final formal budget hearing will be held in November where business owners can speak to the Board about their concerns. He stated the five acres was not included because this meeting was held in the beginning of September and since that meeting, the consideration of an inclusion of these five acres was subsequently requested to be included in what was presented to the City.

Motion by Councilmember O'Malley, seconded by President Pro Tem Crow-Iverson, that the Resolution approving the proposed 2024 Operating Plan and Budget for the Interquest North Business Improvement District be adopted. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

No: 1 - Donelson

9. Utilities Business

- 9.A.** [23-443](#) A Resolution Approving an Agreement to Annex and to Provide Water and Wastewater Service Outside the City Limits to 5180 Topaz Drive in Park Vista Estates Addition

Presenter:

Todd Sturtevant, Manager, Customer Utilities Connections
Travas Deal, Chief Executive Officer, Colorado Springs Utilities

Attachments: [FINAL DRAFT - 5180 Topaz Dr \(O'Driscoll 2023\) - Park Vista Agreement To Annex 8-28-23](#)
[FINAL - City Council - Agreement to Annex - 5180 Topaz Drive 20230818](#)
[Signed Resolution No. 166-23.pdf](#)

Todd Sturtevant, Manager, Customer Utilities Connections, presented the Resolution approving an agreement to annex and to provide water and wastewater service outside the City limits to 5180 Topaz Drive and 5315 Silver Drive in Park Vista Estates Addition. He provided an overview of the service request, provision of water/wastewater service, Colorado Springs Utilities (CSU) considerations, agreement to annex, City Code 12.4.305, service without annexation, and next steps.

Councilmember O'Malley stated the wells have gone dry for these residents and asked how many residences are located in this enclave. Mr.

Sturtevant stated there are 558 residences. Councilmember O'Malley stated that by doing these annexations piece meal, it takes up CSU and City time and also costs the residents a large amount of money.

Councilmember Henjum asked if this area could be annexed into the City all at once. Peter Wysocki, Director, Planning and Community Development, stated the City does have the authority to do unilateral annexations, but it has been the policy of the City not to do unilateral annexations, but there are significant stormwater infrastructure issues in this area as well.

Councilmember Donelson stated he supports providing the water service for these residents, but he does not support a unilateral annexation.

Councilmember O'Malley stated they should look at commercial solutions for this.

Councilmember Leinweber requested these citizens be informed of their options. Mr. Wysocki stated they will do a robust public outreach with AnnexCOS which will provide some direction.

Councilmember Leinweber asked if the stormwater infrastructure issues in this area is affecting City properties. Mr. Wysocki confirmed it is.

Councilmember Risley underscored the urgency of streamlining the annexation process even before AnnexCOS is completed.

Motion by Councilmember Avila, seconded by Councilmember Donelson, that the Resolution approving an agreement to annex and to provide water and wastewater service outside the City limits to 5180 Topaz Drive in Park Vista Estates Addition be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

9.B. [23-565](#)

A Resolution Approving an Agreement to Annex and to Provide Water and Wastewater Service Outside the City Limits to 5315 Silver Drive in Park Vista Estates Addition

Presenter:

Todd Sturtevant, Manager, Customer Utilities Connections
Travas Deal, Chief Executive Officer, Colorado Springs Utilities

Attachments: [FINAL - 5315 Silver Dr \(Thomas 2023\) - Park Vista Agreement To Annex 20231016](#)
[FINAL - CSU-Water WW 5315 Silver Drive Resolution](#)
[FINAL - City Council \(10-24\) - Agreement to Annex - 5315 Silver Drive \(Thomas\) 20231016](#)
[Signed Resolution No. 167-23.pdf](#)

Please see comments in Agenda item 9.A.

**Motion by Councilmember Henjum, seconded by Councilmember Talarico, that this Resolution be adopted Proposed Motion:
Motion for City Council to approve the Resolution approving an Agreement to Annex and to Provide Water and Wastewater Service Outside the City limits to 5315 Silver Drive in Park Vista Estates Addition. The motion passed by a vote of**

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

- 9.C. [23-438](#)** Public Hearing for the Consideration of Resolutions Setting Electric, Natural Gas, and Certain Water Rates Within the Service Areas of Colorado Springs Utilities, and Certain Changes to Electric and Natural Gas Rate Schedules, and Utilities Rules and Regulations.

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

Chris Bidlack, Senior Attorney, City Attorney's Office

Attachments: [2 - Rate Hearing Agenda-2024 Rate Case 10-24-23](#)
[3 - City Attorney Instructions-2024 Rate Case 10-24-2023](#)
[4 - Issues For Decision-2024 Rate Case](#)

Chris Bidlack, Senior Attorney, Colorado Springs Utilities (CSU) Division, presented the 2024 CSU Rate Case Hearing agenda and read the Colorado Springs Utilities rate setting standards and the quasi-judicial role of City Council. Mr. Bidlack polled Council concerning if any members had received any ex parte communications. There were no ex parte communications disclosed.

Tristan Gearhart, Chief Planning and Finance Officer, CSU, gave an overview of the 2024 rate case Resolutions setting electric, natural gas, water, and wastewater rates within the service areas of CSU and certain changes to electric, natural gas, and wastewater rate schedules, and Utilities Rules and Regulations.

Councilmember Risley asked what the Colorado Clean Heat Plan Charge

represents to the ratepayers. Mr. Gearhart stated compliance with that law really relates to about \$2.7 million that we need to spend on those type of programs which mean for our customers we collected through a rider, is approximately \$0.75 per month for a residential/small commercial customer, \$6.20 for a larger commercial customer or an industrial customer that's about \$6.20 a month that would be for the larger commercial, and \$62.00 for industrial type customers.

Jacqueline Rowland, City Auditor, stated they did not have any issues and they had a note in regard to one item, but it did not affect the rate case or the rate increase.

Councilmember Donelson asked if there has not an increase in the electric service rate since 2018. Mr. Gearhart confirmed that is correct.

Councilmember O'Malley stated if everything in the geopolitical realm stayed the same, what would they be looking at. Mr. Gearhart stated looking at the full bill which includes base rates, fuel rates, geopolitical forces, weather conditions domestically and locally which can all play factors in natural gas prices, He stated there are current market conditions and what we typically see through a winter which is gas prices increase through the winter and cold climates because supply of natural gas goes down.

Mr. Bidlack polled City Council regarding the issues for decision for the setting of natural gas service, electric service, water service, and wastewater service rates. Please see attached documents for additional details on City Council's direction for the proposed terms and conditions.

- 9.D.** [23-550](#) An Ordinance identifying and approving the Colorado Springs Utilities' Annual Sources of Funds for the Year Ending December 31, 2024

Presenter:

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Travas Deal, Chief Executive Officer, Colorado Springs Utilities

Attachments: [2024 Annual Budget & Sources of Funds](#)
[10-24-2023 CC 2024 Source of Funds Ordinance.docx](#)

Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities (CSU), presented the Ordinance identifying and approving the CSU annual sources of funds for the year ending December 31, 2024 and

the Ordinance approving the annual budget for CSU and appropriating monies for the several purposes named in the CSU annual budget for the year ending December 31, 2024. He stated the budget is approximately \$1.5B which is a 3.7 percent decrease from the 2023 budget largely due to fuel costs. Mr. Gearhart gave an overview of the proposed 2024 budget, funding 2024 appropriation, and next steps.

Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the Ordinance identifying and approving the Colorado Springs Utilities' Annual Sources of Funds for the Year Ending December 31, 2024 be approved on first reading. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

- 9.E. [23-549](#)** An Ordinance Approving the Annual Budget for Colorado Springs Utilities and Appropriating Monies for the Several Purposes Named in the Colorado Springs Utilities' Annual Budget for the Year Ending December 31, 2024

Presenter:

Travas Deal, Chief Executive Officer, Colorado Springs Utilities
Tristan Gearhart, Chief Planning and Finance Officer, Colorado Springs Utilities

Attachments: [2024 Annual Budget & Sources of Funds 10-24-2023 CC 2024 Budget Ordinance.docx](#)

Please see comments in Agenda item 9.D.

Motion by Councilmember Donelson, seconded by Councilmember Talarico, that the Ordinance approving the Annual Budget for Colorado Springs Utilities and appropriating monies for the several purposes named in the Colorado Springs Utilities' Annual Budget for the year ending December 31, 2024 be approved on first reading. The motion passed by a vote of 9-0-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

10. Unfinished Business

There was no Unfinished Business.

11. New Business

- 11.A. [23-519](#)** A Resolution Authorizing the Use of Possession and Use and/or Eminent Domain to Acquire Certain Easements Needed for the Broadmoor Area Bridge Maintenance Project

Presenter:

Gayle Sturdivant, PE, PMP, City Engineer/Acting Public Works Director
Darlene Kennedy, Real Estate Services Manager

Attachments: [1 Project Location Map](#)
[2 Broadmoor Bluffs CIPP Resolution](#)
[3 Broadmoor Bridge Exhibits A-H FINAL](#)
[4 Broadmoor Area Property Acquisition Presentation](#)
[Signed Resolution No. 168-23.pdf](#)

Gayle Sturdivant, City Engineer/Acting Public Works Director, presented the Resolution authorizing the use of a possession and use and eminent domain to acquire real property interests owned by J S. Nelson Commack and Scot Tebo, Stephen Anderson, and Earnestine Brown for the Broadmoor Area Bridge Maintenance Project - Cured in Place Pipe (CIPP). She provided an overview of the project location, project purpose, easement limits, negotiation history, project timeline, and next steps.

Earnestine Brown, property owner, stated she does not feel like she received a fair offer, and she is opposed to this Resolution.

Veronica Brown, daughter of Earnestine Brown, stated she feels the offer was unreasonable.

President Helms asked if evaluations were made on this property. Ms. Sturdivant confirmed there was, and Ms. Brown countered offered two times and the City accepted the first counteroffer of \$3,000.

Councilmember Donelson asked for the offer amounts. Ms. Sturdivant stated the evaluation offer was \$1,500, Ms. Brown's first counteroffer was \$3,000, and her second counteroffer was ten times the evaluation offer.

Councilmember Donelson asked if there were any other properties which were needed for this project. Ms. Sturdivant stated there were twenty-one properties total and today they are presenting three of them.

Councilmember Risley asked if easement projects like this allows the City to do the work that needs to be done and any disturbance that would be caused to the property would be returned to its original condition upon completion of the work. Ms. Sturdivant confirmed that it is a permanent public improvement easement and the City would do the repair work as part of the project anything that was disturbed on the property would be restored to its existing condition. In the future the City could go in and clean

out any needed drainage issues.

Councilmember Leinweber asked if any of the nearby trees will need to be removed. Ms. Sturdivant stated they would not, and the project is minimally invasive.

Councilmember Donelson asked if the City would be willing to settle with Ms. Brown at \$3,000 today instead of proceeding with the possession and use or eminent domain action. Ms. Sturdivant stated the City would settle today at that price if no further action was necessary.

Motion by Councilmember Leinweber, seconded by Councilmember Talarico, that the Resolution authorizing the use of eminent domain to acquire certain easements needed for the Broadmoor Area Bridge Maintenance Project be adopted. The motion passed by a vote of 9-0-0

Aye: 9 - Avila, Crow-Iverson, Donelson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

- 11.B.** [URA 23-034](#) A Resolution making certain legislative findings and approving the Gold Hill Mesa Commercial Urban Renewal Plan.

Related File: URA 23-035, URA 23-046, URA 23-093

Presenter:

Jariah Walker, CSURA Executive Director

Attachments: [RES_GHMCommercialURAPlan](#)
[Exhibit A-Gold Hill Commercial URA Plan](#)
[URA PLAN Gold Hill Mesa Commercial Final 3-4-2022](#)
[CPC Staff Report_GHM Commercial URA_RGS](#)
[URA Impact Report Gold Hill Mesa Commercial Final 2-1-2023](#)
[Gold Hill Mesa Commercial Urban Renewal Plan](#)
[Conditions Survey](#)
[Aerial](#)
[Vision Map](#)
[GHM URA_MD Boundary Map-Graphic](#)
[CPC Minutes 2.8.23 Gold Hill Mesa URA DRAFT](#)
[URA Gold Hill Presentation_JS-TIF-Master-V2](#)
[URA Gold Hill PresentationPart 2 Financial Analysis](#)
[Signed Resolution No. 169-23.pdf](#)

Jariah Walker, Colorado Springs Urban Renewal Authority (CSURA) Executive Director, introduced the Resolutions approving a substantial modification to the amended Gold Hill Mesa Urban Renewal Plan,

terminating the existing Gold Hill Mesa Commercial Urban Renewal Plan, approving the Gold Hill Mesa Commercial Urban Renewal Plan, and Cooperation Agreement between the CSURA and the City to promote redevelopment and assist with financing of public improvements for the Gold Hill Mesa Commercial Urban Renewal Project and to approve the amount of annual sales tax increment revenue allocated.

Citizens Mark Long, Justin Burns, Brian Wortinger, Marjorie Valin, Shane Ryan, Maverick Ryan, John Wolf, Paul Casey, and Jessica Lee, spoke in support of the project,

Citizens Bill Wysong, Dana Duggan, and Scott Hiller spoke in opposition of the project.

Councilmember Donelson asked if this site on a Superfund sites. Paul Casey, Environmental Engineer, stated the Gold Hill Mesa is in the Environmental Protection Agency (EPA) database, but did not meet the standard of the hazardous waste scoring system to be put on the National Priority List (NPL).

Stephanie Edwards, Executive Vice President, Gold Hill Mesa, representing the applicant, read a letter from the EPA regarding the site.

Councilmember Donelson read a portion of a memo provided by the Colorado Geographical Survey (CGA) and asked if their recommended mitigation had been done. Ms. Edwards confirmed they had as well as they hired a third party nationally renowned company and read a follow up memo from CGS stating they have no objections to the plan development.

Mr. Walker and Rylan Hoffman, Gold Mesa, representing the applicant stated these items before City Council today is for URA designation and future plans and documentation will be submitted at those times.

John Olson Planner, Urban Landscapes, clarified that they did receive approvals on the concept plan which included CGS Filing 11 which was also plotted and recorded, and Filing 12 was also an approved development plan, but they have taken both of those back to amend for the builders change and modification of their homes so those are in review.

Councilmember Risley stated this is an URA matter, not a land use matter, or not a development plan application and Council should refocus on the

topic at hand and the other discussions will come in time.

Motion by Councilmember Leinweber, seconded by Councilmember Talarico, that the Resolution making certain legislative findings and approving the Gold Hill Mesa Commercial Urban Renewal Plan be adopted. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

No: 1 - Donelson

- 11.C.** [URA 23-035](#) A Resolution approving a cooperation agreement between the Colorado Springs Urban Renewal Authority and the City of Colorado Springs to promote redevelopment and assist with financing of public improvements for the Gold Hill Mesa Commercial Urban Renewal Project and to approve the amount of annual sales tax increment revenue allocated pursuant to Colorado Revised Statute Section 31-25-107(9)(a) (II)

Related File: URA 23-034

Presenter:

Jariah Walker, CSURA Executive Director

Attachments: [RES_GHMCommercialCooperationAgreement](#)
[Exhibit A - GHM Commercial Cooperation Agreement](#)
[Signed Resolution No. 170-23.pdf](#)

Please see comments in Agenda item 11.B.

Motion by Councilmember Henjum, seconded by Councilmember Talarico, that the Resolution approving a cooperation agreement between the Colorado Springs Urban Renewal Authority and the City of Colorado Springs to promote redevelopment and assist with financing of public improvements for the Gold Hill Mesa Commercial Urban Renewal Project and to approve the amount of annual sales tax increment revenue allocated pursuant to Colorado Revised Statute Section 31-25-107(9)(a)(II) be adopted. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

No: 1 - Donelson

- 11.D.** [URA 23-046](#) A Resolution making certain legislative findings and approving a substantial modification to the amended Gold Hill Mesa Urban Renewal Plan.

Related File: URA 23-034

Presenter:

Jariah Walker, CSURA Executive Director

Attachments: [RES Amended GHM Substantial Modification Exhibit A - Resolution 68-15](#)
[Exhibit B - AmendedGHMURA](#)
[CPC Staff Report GHM Amended URA RGS Amended Gold Hill Mesa Urban Renewal Plan Amended Area](#)
[Aerial](#)
[Vision Map](#)
[CPC Minutes 2.8.23 Gold Hill Mesa URA DRAFT](#)
[Signed Resolution No. 171-23.pdf](#)

Please see comments in Agenda item 11.B.

Motion by Councilmember Avila, seconded by Councilmember Henjum, that the Resolution making certain legislative findings and approving a substantial modification to the amended Gold Hill Mesa Urban Renewal Plan be adopted. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

No: 1 - Donelson

- 11.E. [URA 23-093](#)** A Resolution to terminate the existing Gold Hill Mesa Commercial Urban Renewal Plan.

Related File: URA 23-034, URA 23-035

Presenter:

Jariah Walker, CSURA Executive Director

Attachments: [RES Existing GHM Commercial Termination](#)
[Signed Resolution No. 172-23.pdf](#)

Please see comments in Agenda item 11.B.

Motion by Councilmember Leinweber, seconded by Councilmember Henjum, that the Resolution to terminate the existing Gold Hill Mesa Commercial Urban Renewal Plan be adopted. The motion passed by a vote of 8-1-0-0

Aye: 8 - Avila, Crow-Iverson, Helms, Henjum, Leinweber, O'Malley, Risley, and Talarico

No: 1 - Donelson

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, President Helms adjourned the meeting at 3:40 PM.

Sarah B. Johnson, City Clerk