



# City of Colorado Springs

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

## Meeting Minutes City Council

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Tuesday, June 11, 2024

9:00 AM

Council Chambers

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Estimated agenda item times are provided for planning purposes and do not constitute notice of a specific time for any item. Items may take more or less time than estimated. City Council may amend the order of items.

## 1. Call to Order and Roll Call

President Helms called the meeting to order at 9:02 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

Councilmember Talarico attended the meeting virtually.

## 2. Invocation and Pledge of Allegiance

The Invocation was made by Joseph C. Weiner from the Boulder Street Church.

President Helms led the Pledge of Allegiance.

## 3. Changes to Agenda/Postponements

- 3.A. ZONE-24-00** Ordinance No. 24-38 to amend the zoning map of the City of Colorado Springs relating to 6.87 acres located at 4145 Arrowswest Drive from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to MX-M/WUI-O (Mixed Use Medium Scale with Wildland Urban Interface Overlay).  
**04** (Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:  
William Gray, Senior Planner, Planning and Neighborhood Services  
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** Arrowswest Rezoning Ordinance  
Arrowswest Rezoning Exhibit A  
Arrowswest Rezoning Exhibit B  
CPC\_Minutes\_4.16.24\_Final  
City Planning Commission Staff Report  
Attachment 1-Annexation Map  
Attachment 2-Zoning Map  
Attachment 3-Shops at Arrowswest Filing No 1  
Attachment 4-Shops at Arrowswest Filing No 1 Development Plan  
Attachment 5-Public Comment  
Attachment 5A-Star Berdon Document  
Attachment 5B-McLain Document  
Attachment 5C-Eddie Hurt Document  
Attachment 6-2023 Public Comment  
Attachment 7-Neighborhood Meeting No. 3  
Attachment 8-2022 Public Comment  
Attachment 9-Traffic Impact Study  
Attachment 10-Final Drainage Report  
Attachment 11-Geologic Hazard Study  
Attachment 12-Grading Consistent with Geologic Hazard Report  
Recommendations  
Attachment 13-CGS Review Letter  
Attachment 14-Project Statement  
Attachment 15-Vicinity Map  
Attachment 16-Zone Map Amendment Exhibit  
Attachment 17-Development Plan  
Attachment 18-Context Map  
Attachment 19-Cross Section  
Attachment 20-2024 Public Comment  
Attachment 21-Kat Gayle correspondence  
7.5.704 ZONING MAP AMENDMENT (REZONING)  
CC\_Arrowswest Apartments\_Staff Presentation\_WEG Final  
CPC\_Minutes\_4.16.24\_Final

Councilmember Risley apologized for this item having to be postponed due to the issues with the City's public notification process.

Ben Bolinger, Assistant City Attorney, City Attorney's Office, stated the public poster had an error of the time of the hearing being held at 10:00 PM instead of 10:00 AM. Peter Wysocki, Director, Planning and Neighborhood Services, stated the poster was corrected, but the

correction was made thirteen days prior to the public hearing instead of the required fourteen days.

**Motion by President Pro Tem Crow-Iverson, seconded by Councilmember Donelson, to postpone an Ordinance to amend the zoning map of the City of Colorado Springs relating to 6.87 acres located at 4145 Arrowswest Drive from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to MX-M/WUI-O (Mixed Use Medium Scale with Wildland Urban Interface Overlay), to the June 25, 2024 City Council meeting 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

- 3.B. DEPN-24-00 39** The Arrowswest Apartments Development Plan establishing a multi-family development with 222 dwelling units in seven (7) buildings consisting of 9.47 acres located at 4145 Arrowswest Drive. (Quasi-Judicial)

Presenter:

William Gray, Senior Planner, Planning and Neighborhood Services  
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** 7.5.515 DEVELOPMENT PLAN

Please see comments in Agenda item 3.A.

**Motion by Councilmember Donelson, seconded by President Pro Tem Crow-Iverson, to postpone an Ordinance to amend the zoning map of the City of Colorado Springs relating to 6.87 acres located at 4145 Arrowswest Drive from BP/WUI-O (Business Park with Wildland Urban Interface Overlay) to MX-M/WUI-O (Mixed Use Medium Scale with Wildland Urban Interface Overlay), to the June 25, 2024 City Council meeting. 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

#### **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. [24-283](#)** City Council Regular Meeting Minutes May 28, 2024

Presenter:

Sarah B. Johnson, City Clerk

**Attachments:** [5-28-2024 City Council Meeting Minutes Final](#)

**Motion by Councilmember Avila, seconded by Councilmember Henjum, 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**

### **Approval of the Consent Agenda**

Councilmember Donelson stated his name was misspelled as Councilmember Donaldson for Agenda item 13. of the May 28, 2024 City Council meeting minutes. Sarah B. Johnson, City Clerk, stated she will make that correction.

**Motion by Councilmember Avila, seconded by Councilmember Henjum, 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 9-0-0-0**

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

## **5. Recognitions**

**5.A.** [24-224](#) A Resolution recognizing June 20, July 6 and July 9-13 As Western Wear Days

Presenter:

Randy Helms, Council President and Councilmember District 2

**Attachments:** [Western Wear Days](#)  
[Signed Resolution No. 51-24.pdf](#)

President Helms read a Resolution recognizing June 20, July 6, and July 9-13 as Western Wear Days.

Greg Budwine, President, Pikes Peak Range Riders, and Chris Whitney, President, Pikes Peak or Bust Rodeo, gave a brief history of the Pikes Peak Range Riders and identified the details of the Pikes Peak or Bust Rodeo, scheduled for July 9 through 13, 2024 and parade scheduled for July 6, 2024.

Corliss Palmer, Volunteer with the Pikes Peak or Bust Rodeo, introduced Makena Norton, 2024 Girl of the West, and Aneka Normandi, Aide to Girl of the West, who provided detailed information on the upcoming events associated with the 2024 Pikes Peak or Bust Rodeo.

President Helms stated the Western Street Breakfast will be held on June 20, 2024 at 5:30 AM with proceeds going to support the military.

Councilmember Donelson expressed appreciation for keeping the City's western heritage.

Councilmember Avila spoke about what the Spaniards brought to the area, which included horses, cows, language, and a rich culture.

**Motion by Councilmember O'Malley, seconded by Councilmember Donelson, that the Resolution recognizing June 20, July 6 and July 9-13 as Western Wear Days 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.B.** [24-290](#) A Joint Proclamation recognizing June 19, 2024 as Juneteenth

Presenter:

Randy Helms, Council President and Councilmember District 2  
Mayor Yemi Mobolade

**Attachments:** [Proclamation Juneteenth 2024](#)

Mayor Yemi and President Helms read the joint Proclamation recognizing June 19, 2024 as Juneteenth.

Mayor Yemi spoke about Juneteenth representing the City's diversity, equality, and freedom and being a day of remembrance and celebration, and unity

Jennifer Smith, One Body Ent, spoke about the importance of Juneteenth and identified the Juneteenth event scheduled for Friday, June 14 through June 16, 2024.

Angela Stevens, National Association for the Advancement of Colored People (NAACP), provided a brief background of NAACP and Juneteenth Prayer Breakfasts scheduled during the month of June.

Candace McKnight, President and Chief Executive Officer, African American Historical and Genealogical Society of Colorado Springs located at 1620 W. Bijou, identified the barbecue they will be holding on June 19, 2024 at Sable Mesa, 1065 Mesa Road.

Woody Longmire spoke about the importance of educating the community regarding Juneteenth and celebrating it throughout the community.

Several Councilmembers expressed appreciation for all their efforts in bringing the community together for Juneteenth.

**5.C.**    [24-273](#)            City Council Appointments to Boards, Commissions, and Committees

Presenter:

Randy Helms, Council President and Councilmember District 2

**Attachments:** [06112024 Boards Commissions and Committee Appointments](#)

President Helms presented the City Council Appointments to Boards, Commissions, and Committees.

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

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

## **6. New Business**

### **Emergency Medical Services Enterprise**

- 6.A.**    [24-221](#)            An Ordinance creating a new Article 10 (Ground Ambulance Service Enterprise) of Chapter 14 (Municipal Enterprises) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the creation of a municipal ground ambulance service enterprise

Presenter:

Randy Royal, CSFD Fire Chief

Jayne McConnellogue, CSFD Deputy Chief

Ryan Trujillo, Deputy Chief of Staff

**Attachments:** [EMS Enterprise Ord ORD-2024-03-29-Clean.docx](#)  
[CSFD EMS Enterprise City Council Meeting 6.11.24](#)

Mayor Yemi introduced the Ordinance pertaining to the creation of a municipal ground ambulance service enterprise and stated he believes this new 911 system model with the City taking control of its emergency transport is what is in the best interest for the City and its citizens.

Councilmember Donelson asked if AMR is in breach of the contract. Mayor Yemi confirmed they are due to 33,000 late responses over the past three years and nineteen percent of the time, they are late to the calls. Councilmember Donelson asked if AMR has paid the penalties for being late. Mayor Yemi confirmed they had. Jim Weber, Ambulance Contract Administrator, stated the contract is built off of on-time

performance and the contractor is in material default due to their performance not being below the ninety percent threshold for four non-consecutive months in a 12 month period or in the same one time performance threshold, three consecutive months, and another area where they were in material default, is the liquidated damages where their penalties were not to exceed \$20,000 per month or \$220,000 a year.

Councilmember Donelson requested the number of months they have been late over the past twelve months. Mr. Weber identified their on-time performance for each month starting in July 2023.

Randy Royal, Fire Chief, Colorado Springs Fire Department (CSFD), provided an overview of the outcomes/benefits of a fire-based Emergency Medical Service (EMS) Enterprise, validation efforts, key milestones, and Enterprise Ordinance.

Councilmember Leinweber asked why CSFD needs to be dispatched to every medical call. Chief Royal stated that paradigm has changed over the past few years to where Community Response Team (CRT) Units and Community Health Emergency Medical Technician (CMED) Units take the lower acuity calls.

Councilmember Leinweber asked why a public entity cannot respond to a citizen in a time of crisis. Chief Royal stated they dispatch a fire apparatus with four people to 911 emergency medical calls because they are typically closer and under City Code, they have a responsibility to address every medical within the City.

Councilmember Leinweber asked what the outcome of postponing this decision would be. Chief Royal stated the AMR contract expires April 1, 2025, which AMR may not extend with the removal of the concessions of the response times the City previously made with AMR.

President Pro Tem Crow-Iverson asked if the AMR is intending to not extend the contract. Daniel Cole, Consultant, AMR, stated under the current adjusted terms, AMR would extend and if the terms reverted, that they would have to assess, but did not say that they would not extend the contract.

Councilmember Talarico asked if the contract extension could be for



less than a year. Chief Royal explained that the terms of the contract were for five years with optional one-year extensions.

Councilmember Talarico asked if the CSFD would provide the same level of service that they currently are providing if an extension with AMR is signed. Chief Royal confirmed they would.

Councilmember Talarico asked if the Auditor's Office determined the proposed billing was considered reasonable. Jacqueline Rowland, City Auditor, stated the first report regarding revenue forecast assumptions were reasonable based on limited data sources provided and after receiving additional data sources from Digitech, they have concerns with the revenues forecasted in comparison to the payer mix because the revenues appeared higher than the payer agencies. Ryan Trujillo, Deputy Chief of Staff, stated the data provided by Digitech was collected in order to obtain collection percentages and they have been working very closely with the Auditor's Office to address the payer mix.

Councilmember Henjum requested AMR's payer mix. Mr. Trujillo stated based on AMR's 2019 Request For Proposal (RFP) estimated payer mix, it was very much in line with the City's payer mix projection.

Citizens Curt Crumb, representing the Colorado Springs Professional Firefighters Local 5, CJ Moore, Fire Foundation Board of Directors, Dr. Matthew Angelidis, emergency medical physician and medical director for both AMR and CSFD ceded their time to Dr. Robin Johnson, emergency physician by training, Sherryl Dillon, Executive Director, Colorado Springs Police Protective Association, Woody Longmire, Stein Bronsky, EMS physician expert on pre-hospital care, and June Waller spoke in favor of the proposed fire-based EMS Enterprise.

Councilmember Leinweber asked how the morale of the fire fighters is affected if there is a delayed response from emergency transport. Mr. Crum stated it is an uncomfortable position because they want to get people the care they need as soon as possible.

Councilmember Donelson asked if private EMS service is driven by profit, why would the City not also want an Enterprise for emergency room staff since those employees are all private. Dr. Johnson stated the members of healthcare do operate by the Hippocratic Oath and work in teams to provide the best care to patients regardless of whether or not

they are able to pay.

Councilmember Avila asked if the City is ultimately responsible for the patient's outcome of care. Dr. Johnson stated the City is not responsible for the care administered within the hospital, the hospital does have onus and responsibility to the citizens they serve.

Councilmember Donelson asked if the proposed Enterprise becomes bankrupt after several years, would Mr. Longmire still recommend City Council vote to approve it. Mr. Longmire confirmed he would.

Citizen Casey Shiflett spoke in opposition of the proposed fire-based EMS Enterprise.

Councilmember Risley asked what other types of fire-based EMS are offered other than through an Enterprise. Mr. Shiflett stated New York, NY Fire Department does not have fire oversight and operate volunteer ambulances, Chicago, IL, Los Angeles County Phoenix, AZ, Houston, TX, Philadelphia, PA are run through their fire departments budgets with sworn firefighters.

Councilmember Henjum requested additional information regarding the differences with AMR and CSFD. Chief Royal stated the paramedics and Emergency Medical Technicians (EMT), whether it is on the fire side or the ambulance side, are all trying to do the best patient care they can do out there each and every day, he does not see this as an employee problem, he sees this as a system/management problem, they need to be very good at what they do, and also take care of their employees.

Councilmember Henjum commented that this hearing is not to demonize AMR, it is held to get answers to the questions they have concerning EMS service.

Councilmember Henjum asked what the outcome will be if the proposed Enterprise goes bankrupt. Chief Royal stated they have done their due diligence looking at the financials, payer mix, and even without the federal Ground Emergency Medical Transportation (GEMT) program money, they would be sustainable.

Councilmember Henjum commented that the population of users will remain the same which is the same payer mix that AMR if funded by so

she does not see where that will change with a Fire-based EMS Enterprise.

Councilmember Talarico stated she holds the CSFD in high regard and asked why this service did not go through the RFP process. Chief Royal stated the main reason was because they felt the RFP process puts constraints being able to be transparent with all the information they wanted to share.

President Pro Tem Crow-Iverson stated the Audit Report calculations of the payer mix of peers shows a shortfall. Mr. Trujillo stated the peer cities which were provided were from out of state to collect data regarding collection percentages and the payer mix they used for projections was based on cities within the Pikes Peak Region and from hospitals.

President Pro Tem Crow-Iverson asked if Mr. Trujillo agrees with the findings of the Audit Report. Mr. Trujillo stated he agrees that they highlighted the information, which was provided to them, they felt it was reasonable, detailed, and conservative.

President Pro Tem Crow-Iverson asked Mr. Trujillo if he agrees there is a shortfall. Mr. Trujillo stated he does not.

President Pro Tem Crow-Iverson asked Mr. Trujillo if he agrees with the Audit Report there is a risk. Mr. Trujillo stated he agrees there is a financial risk, and operational risks, but there is a greater risk of doing nothing if they do not stand up this Enterprise because they are going to continue to have increased response times, continue to have to ask for subsidies from the General Fund, continue to have a reduction in the quality of service based on contractual negotiations which would basically add additional concessions to a vendor.

President Pro Tem Crow-Iverson asked Mr. Trujillo if he was aware the GEMT program was currently under severe scrutiny with the Administration. Mr. Trujillo stated they were not aware they were under investigation, but the City's sustainability model does not include any funding from GEMT.

Mitch Holder, Vice President of Analytics, Digitech, stated when they were asked to evaluate the City's projection model, they looked at what

they would anticipate the payers to be in this community, the average level of service bill, the patterns of each of the payers/carriers that pay in Colorado, and as well across the country and every single government agency in the country right now is going through an audit of ground ambulance data collection which is not the Medicaid side, it all of it has to do with Medicare funding.

President Pro Tem Crow-Iverson asked if Digitech will be bidding for the RFP for the billing. Mr. Trujillo stated no RFP is planned for the billing because they could either piggyback on another government agency's RFP/agreement or use the City's RFP from 2019. Mr. Holder provided an overview of how they approached the review of the City's projections and believes it is very conservative and accurate.

President Pro Tem Crow-Iverson asked if Digitech has billed the City or El Paso County for any services. Digitech stated they have not.

Councilmember Henjum read the referenced last paragraph of the Audit Report which states "based on review of data and input from industry experts we believe the payer mix is based on reasonable estimates however because of the complexity of the revenue calculation and dependency on estimates forecast variances would be expected". President Pro Tem Crow-Iverson stated that statement is from the first Audit Report, not the last one which showed the payer mix risks. Councilmember Henjum read the Auditor's Office second opinion which states "A payer mix comprised of Medicare, Medicaid, commercial insurance, and private pay is a key determinant of revenue. Payer mix is determined by factors such as population, density population, age, and other demographics. We noted that the CSFD forecasted payer mix for Medicare was comparable to the peer agencies. CSFD's revenue forecast has a lower percentage for Medicaid transports and a higher percentage for commercial transports than peer agencies. The following table provides comparison of CSFD forecasted payer mix to an average of the peer agencies' actual data. Peer agency commercial insurance customers ranged from nine percent to twenty percent of total transports with an average of 14.3 percent. The city forecasted twenty-three percent for commercial insurance transports since commercial insurance is the highest revenue component in the payer mix. Actual commercial insurance is important to achieve forecasted revenues. Actual payer mix and revenues for Colorado Springs would not be known until services began. Given startup cost, the uncertain actual payer mix and the lag

from time of service until cash is received, the EMS Enterprise would rely upon available start up cash during initial operations”.

President Helms stated he believes AMR is a very good company although there are some issues, he believes in the leadership team of the CSFD who has done their due diligence, has integrity, and is “service before self” driven, he believes in innovation and trying to do things for the future even if there are some mitigated risks involved, and he supports this initiative.

Councilmember Leinweber stated when the community had a water situation, they came together to create the Colorado Springs Utilities (CSU) Enterprise to serve the people and when needed CSU raises their rates, so if the EMS Enterprise needs to, they will raise the rates in order to continue to serve the people. He stated people’s lives matter and responding to their critical moment should always be the City’s top concern.

Councilmember Henjum stated there is absolutely risk involved, but a person does not accomplish anything great, magnificent, or something better in life if they are not willing to take a risk. She stated she, CSFD, and the Mayor are ready to take a risk there is also a risk to staying with AMR.

Councilmember Avila asked how long the City has been looking at this proposed model. Chief Royal stated originally five years ago and then again five years ago.

Councilmember Avila asked Barry Baum what changed his mind about the Fire-based EMS Enterprise. Mr. Baum stated he in 2019 he supported AMR, but when he really dug into the financial aspects of the City’s proposal, he put together a sensitivity analysis which he provided an overview of, and from a financial standpoint, it changed him from being a skeptic to feeling it will be a reasonable risk from a business perspective.

Councilmember Avila stated she supports this because the CSFD has been working on this for decades and the City is positioned in the perfect place and time to achieve where they want to go.

Councilmember Talarico asked if the Ordinance was amended at the

second reading on June 25, 2024, if it would require a third reading. Marc Smith, Deputy City Attorney, City Attorney's Office, confirmed it would.

**Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that this Informational Report be approved on first reading Proposed Motion:**  
<br />**Approve an Ordinance creating a new Article 10 (Ground Ambulance Service Enterprise) of Chapter 14 (Municipal Enterprises) of the Code of the City of Colorado Springs 2001, as amended, pertaining to the creation of a Municipal Ground Ambulance Service Enterprise. The motion failed by a vote of 4-5-0-0**

**Aye:** 4 - Avila, Helms, Henjum, and Leinweber

**No:** 5 - Crow-Iverson, Donelson, O'Malley, Risley, and Talarico

## **7. Mayor's Business**

There was no Mayor's Business.

## **8. Citizen Discussion For Items Not On Today's Agenda**

Citizen Maria Salas, Pikes Peak Southern Christian Leadership Conference #1, Terri Rocholz, Pastor Paul Nelson, spoke regarding Ms. Rocholz's traumatic brain injury and her and her fourteen-year-old son having lost their home due to her paperwork not being processed by the Housing Authority.

## **9. Items Called Off Consent Calendar**

There were no items called off the Consent Calendar.

## **10. Utilities Business**

### **10.A. [24-214](#)**

A Resolution reaffirming the Arkansas Basin Preservation Principles and in support of Regional Efforts to Ensure that Arkansas River basin water is not permanently transferred out of the basin

Presenter:

Travas Deal, Acting Chief Executive Officer, Colorado Springs Utilities  
Kim Gortz, Water Resource Manager, Colorado Springs Utilities

**Attachments:** [1 - CC Resolution in Support of the Arkansas River Water Preservation Principles](#)  
[2 - Resolution Supporting Arkansas Preservation Principles CC Signed Resolution No. 52-24.pdf](#)

Kim Gortz, Water Resource Manager, Colorado Springs Utilities (CSU), presented the Resolution reaffirming the Arkansas Basin preservation principles and in support of Regional efforts to ensure that Arkansas River basin water is not permanently transferred out of the basin. She

provided an overview of the Fryingpan-Arkansas Project, Arkansas Basin Preservation Principles, Aurora Caitlin Ditch Project, and Resolution considerations.

President Helms asked what measures are being taken to legally prevent Aurora, CO from transferring water out of the basin. Michael Gustafson, Senior Attorney, City Attorney's Office, CSU Division, stated this Resolution does not enforce Aurora, CO to not to violate their IGA with the Southeast District, it basically sets forth on City Council's position that they are reaffirming Colorado Springs' commitment to the preservation principles and urging Aurora to not violate their IGA with the Southeast District.

Councilmember Henjum stated due to the importance to the City's relationships, she supports this Resolution.

Councilmember Leinweber asked if the difference between the City and Aurora, is the City returns water because it stays within the basin, but with Aurora it would be transferred to the Platte River Valley. Ms. Gortz confirmed that the two big differences is that the City is within the basin and a lot of use and reuse benefits agriculture, they release back on years when there is a surplus, and they do downstream releases to the rafting community whereas Aurora does not move water downstream, they move it upstream and to the South Platte basin of which their surplus supplies would go to either Wise Partners or South Platte Agriculture. Travas Deal, Chief Executive Officer, CSU, stated because they are in the valley, they can give back when they have a surplus of water by sending it down the Arkansas River, where the Denver base cannot.

**Motion by Councilmember Donelson, seconded by President Pro Tem Crow-Iverson, that the Resolution reaffirming the Arkansas Basin Preservation Principles and opposing City of Aurora's water rights purchase in Otero County which will permanently transfer supplies out of the Arkansas basin, not approve the resolution, or take no action be adopted. 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.B.** [24-282](#)

Pursuant to City Code § 1.4.105 (Candidates for Election), Colorado Springs Utilities Employee Request for City Council Consent to Run for Colorado House of Representatives District 46 and, If Elected, Request to Waive the Requirement to Terminate Employment

Presenter:  
Tracy Lessig, City Attorney's Office

Tracy Lessig, City Attorney's Office, provided an overview of the City Code requirement which requires Colorado Springs Utilities (CSU) employees to receive approval from City Council to run for elected office. She stated the employee does intend to terminate employment if elected but would still need permission to run for Colorado House of Representatives District 46 and City Council has the ability to revoke its permission if there are any violations of City Code Or Utilities Policy relating to election use of City resources or other election requirements.

Christin Meinhardt, Interim Manager, Design Water, Wastewater, CSU, introduced staff member, Kim Swearingen, and stated they are in full support, and she understands that she cannot use any CSU resources for her campaign and that if she is successful, she would resign from her current position.

Ms. Swearingen stated she is an Engineer IV with CSU's Water, Wastewater, Vertical Design Group, and is also a candidate for Colorado House of Representatives District 46 which resides in Pueblo County which does not create a conflict of interest.

Councilmember Donelson and President Helms stated they support her request to run for office.

Councilmember Henjum asked if Mr. Meinhardt had any concerns with Ms. Swearingen staying employed while she ran. Mr. Meinhardt stated not at the moment, but if she won, it would cause a staffing shortage.

**Motion by Councilmember Donelson, seconded by President Pro Tem Crow-Iverson, to give Kimberly Swearingen consent to run for Colorado House of Representatives District 46 provided she agrees to terminate employment with Colorado Springs Utilities if elected and with the understanding that City Council may revoke its consent to run if Ms. Swearingen violates any City Charter provision, City Code provision, Colorado Springs Utilities policy or procedure, or any other applicable law or regulation regarding campaigning while on duty or use of City/Utilities resources. 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. Unfinished Business**

## **12. Public Hearing**

- 12.A. [ZONE-23-00](#) An ordinance to amend the zoning map of the City of Colorado Springs pertaining to 8.09 acres located at the northwest corner of Austin Bluffs Parkway and Goldenrod Drive from MX-N/SS-O; R-4/MX-N; and R-1 6 (Mixed-Use Neighborhood Scale with
- [28](#)



Streamside Overlay; Multi-Family Low and Mixed-Use Neighborhood Scale; and Single-Family - Medium) to PF/SS-O (Public Facilities with Streamside Overlay)

(Quasi-Judicial 1st Reading only to set the public hearing date for June 25, 2024)

Presenter:

Tamara Baxter, Planning Supervisor, Planning + Neighborhood Services Department

Peter Wysocki, Planning Director, Planning + Neighborhood Services Department

**Attachments:** [Ordinance - Central Bluffs Zoning Map Amendment](#)

[Exhibit A - Central Bluffs](#)

[Exhibit B - Central Bluffs](#)

[Staff Report Central Bluffs 5.8.24](#)

[Attachment 1 Project Statement Zone Change](#)

[Attachment 2 Zone Change Exhibit](#)

[Attachment 3 Public Comment](#)

[Attachment 4 Public Comment Response](#)

[Attachment 5 Project Statement Land Use Statement](#)

[Attachment 6 Central Bluffs Substation FAQs](#)

[Additional Public Comments Central Bluffs 5.6.24](#)

[7.5.514 LAND USE PLAN](#)

[7.5.704 ZONING MAP AMENDMENT \(REZONING\)](#)

President Helms requested the public hearing date for the Ordinance to amend the zoning map of the City pertaining to 8.09 acres located at the northwest corner of Austin Bluffs Parkway and Goldenrod Drive from MX-N/SS-O;R-4/MX-N; and R-1 6 (Mixed-Use Neighborhood Scale with Streamside Overlay; Multi-Family Low and Mixed-Use Neighborhood Scale; and Single-Family - Medium) to PF/SS-O (Public Facilities with Streamside Overlay) be changed to July 9, 2024 versus June 25 .

Peter Wysocki, Planning Director, Planning and Neighborhood Services Department, stated the City provided public notices by mailing postcards and posted the property for a public hearing date of June 25, 2024 hearing so they will remain and repost the public notice with the new date of July 9, 2024.

**Motion by Councilmember Avila, seconded by Councilmember Donelson, that the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 8.09 acres located at the northwest corner of Austin Bluffs Parkway and Goldenrod Drive from MX-N/SS-O; R-4/MX-N; and R-1 6 (Mixed-Use**

**Neighborhood Scale with Streamside Overlay; Multi-Family Low and Mixed-Use Neighborhood Scale; and Single-Family Medium) to PF/SS-O (Public Facilities with Streamside Overlay) for the purpose of providing notice and setting a public hearing date for July 9, 2024 to consider the Central Bluffs zone change ordinance 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

- 12.B. ZONE-23-00** Ordinance No. 24-40 to amend the zoning map of the City of Colorado Springs pertaining to 26.21 acres located at 101 South Union Boulevard from R-5 P (Multi-Family High and Planned Provision Overlay) and R-5 (Multi-Family High) to MX-L (Mixed-Use Large Scale) zone district.

**32**

(Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:

Gabe Sevigny, Planning Supervisor, Planning and Neighborhood Services

Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:**

ORD\_ZC Printers Hill  
 Staff Report - UPH  
 Attachment 1 - Exhibit A - Legal Description  
 Attachment 2 - Exhibit B - Zoning Map  
 Attachment 3 - Zone Change Project Statement  
 Attachment 4 - Land Use Plan  
 Attachment 5 - Land Use Plan - Project Statement  
 Attachment 6 - DVSA - Site Plan  
 Attachment 7 - DVSA - Project Statement  
 Attachment 8 - Accepted Traffic Impact Study  
 Attachment 9 - Geological Hazards Waiver Letter  
 Attachment 10 - Neighbor Comment  
 Attachment 11 - Zoning Aerial with Legend  
 Attachment 12 - Mineral Estate Owner Notification Certification Affidavit  
 Attachment 13 - Emails of Support  
 7.5.704 ZONING MAP AMENDMENT (REZONING)  
 Printers Hill\_Staff Presentation  
 CPC\_Minutes\_5.8.24\_Final

There were no comments on this item.

**Motion by Councilmember Avila, seconded by President Pro Tem Crow-Iverson, that the Ordinance amending the zoning map of the City of Colorado Springs**

pertaining to 26.209 acres located at 101 South Union Boulevard from R-5 P (Multi-Family High and Planned Provision Overlay) and R-5 (Multi-Family High) to MX-L (Mixed-Use Large Scale) zone district for the purpose of providing notice and setting a public hearing date for June 25, 2024 to consider the Printers Hill Zone Change be approved on first reading. The motion passed by a vote of 9-0-0

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

- 12.C. ZONE-24-00 02** Ordinance No. 24-41 amending the zoning map of the City of Colorado Springs relating to 7.04 acres located southwest of State Highway 94 and North Marksheffel Road from BP / APZ-2 / AP-O (Business Park / Accident Potential Subzone-2 with Airport Overlay) to MX-M / APZ-2 / AP-O (Mixed-Use Medium Scale / Accident Potential Subzone-2 with Airport Overlay) zone district.

(Quasi-Judicial) (2nd Reading and Public Hearing)

**Presenter:**

Chris Sullivan, Senior Planner, Planning and Neighborhood Services  
Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** ORD\_Reagan Ranch Industrial  
Staff Report\_Reagan Ranch Industrial\_CS  
Attachment 1\_Project Statement - Zone Change\_CS  
Attachment 2\_MX-M Rezone Exhibit A & B\_CS  
7.5.704 ZONING MAP AMENDMENT (REZONING)

There were no comments on this item.

**Motion by President Pro Tem Crow-Iverson, seconded by Councilmember Leinweber, that the Ordinance to amend the zoning map of the City of Colorado Springs pertaining to 7.04 acres located southwest of State Highway 94 and North Marksheffel Road from MX-M / APZ-2 / AP-O (Mixed-Use Medium Scale / Accident Protection Zone 2 with Airport Overlay) for the purpose of providing notice and setting a public hearing date for June 25, 2024 to consider the Reagan Ranch Industrial zone map amendment ordinance be approved on first reading. The motion passed by a vote of 9-0-0**

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

- 12.D. [ANEX-23-00 19R](#)** A resolution finding a petition for annexation of the area known as Dublin Park Addition No. 1 Annexation consisting of 2.058 acres to be in substantial compliance with section 31-12-107(1), C.R.S. and setting a hearing date of July 23, 2024, for the Colorado Springs City Council.

(Legislative)

Presenter:

Chris Sullivan, Senior Planner, Planning & Community Development  
Peter Wysocki, Planning and Community Development Director

**Attachments:** [Resolution Setting Hearing Date\\_05102024](#)  
[Annexation Petition\\_Dublin Park Addition](#)  
[Annexation Plat\\_Dublin Park Addition No 1](#)  
[Attachment 1- Vicinity Map\\_Dublin Park Addition No 1](#)  
[EXHIBIT 12A Planner Affidavit\\_05212024 \(Signed\)](#)  
[EXHIBIT 12C Surveyor Affidavit\\_05162024 \(Signed\)](#)  
[PUBLIC NOTICE\\_Dublin Park Addition No. 1\\_04302024](#)  
[City Clerk Memo to Advertise\\_04302024](#)  
[Signed Resolution No. 53-24.pdf](#)

There were no comments on this item.

**Motion by Councilmember Henjum, seconded by Councilmember Leinweber, that the Resolution finding the petition for annexation to be in substantial compliance with C.R.S. section 31-12-107(1), setting the hearing date of July 23, 2024 for consideration of the Dublin Park Addition No. 1 Annexation, and directing the Clerk to provide notice in accord with C.R.S. section 31-12-108 be approved on first reading. The motion passed by a vote of 9-0-0**

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

- 12.E. ZONE-24-00** Ordinance No. 24-42 to amend the zoning map of the City of Colorado Springs pertaining to 4.825 acres located southeast of South Union Boulevard and Airport Road from MX-M/R-5/HR-O (Mixed-Use Medium Scale / Multi-family High with Highrise Overlay) to PDZ (Planned Development Zone: Residential, Commercial, and Civic / Institutional; Maximum Density of 53.89 Dwelling Units per Acre; and Maximum Building Height of 62 feet) District.

(Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:

Chris Sullivan, Senior Planner, Planning and Community Development Department  
Kevin Walker, Interim Planning Director, Planning and Community Development Department

**Attachments:** ORD\_Dream Centers Commons  
 Staff Report\_Dream Centers Commons\_CS  
 Attachment 1 - Project Summary\_CS  
 Attachment 2 - Rezoning Exhibit\_CS  
 Attachment 3 - Land Use Plan\_11x17  
 Attachment 4 - Traffic Impact Study\_Mar2024\_CS  
 7.5.704 ZONING MAP AMENDMENT (REZONING)  
 7.2.7 PLANNED DEVELOPMENT ZONE DISTRICT

There were no comments on this item.

**Motion by Councilmember Avila, seconded by Councilmember Henjum, that the Ordinance amending the Zoning Map of the City of Colorado Springs pertaining to 4.825 acres located southeast of S Union Blvd and Airport Road from MX-M/R-5/HR-O (Mixed-Use Medium Scale, Multi-family High with Highrise Overlay) to PDZ (Planned Development Zone: Residential, Commercial, Civic / Institutional; Maximum Density of 53.89 Dwelling Units per Acre; and Maximum Building Height of 62 feet) District for the purpose of providing notice and setting a public hearing date for June 25, 2024 to consider the Dream Centers Commons Zone Change 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

- 12.F. ZONE-23-00** Ordinance No. 24-43 to amend the zoning map of the City of Colorado Springs pertaining to 1.609 acres located at 324 Beckers Lane from PK/HS/WUI (Public Park with Hillside Overlay and Wildland Urban Interface Overlay) to MX-I/HS/WUI (Mixed-Use Institutional with Hillside Overlay and Wildland Urban Interface Overlay).

**33**

(Quasi-Judicial) (Second Reading and Public Hearing)

Presenter:

Allison Stocker AICP, Planner II, Planning and Neighborhood Services Department  
 Kevin Walker, Interim Planning Director, Planning and Neighborhood Services Department

**Attachments:** GOG Trading Post\_Draft\_Ordinance  
 GOG Trading Post\_Staff\_Report\_Revised\_20240514  
 Staff\_Report\_Garden of the Gods Trading Post\_ADS  
 Attachment 1 - Exhibit A - Revised Legal Descriptions  
 Attachment 2 - Exhibit B - Rezone Map\_0604\_11x17  
 Attachment 3 - Zone Change Project Statement  
 Attachment 4 - Land Use Statement  
 Attachment 5 - Parks Letter of Support  
 Attachment 6 - Public Comments  
 Attachment 7 - Public Comments 2  
 Attachment 8 - Land Swap Agreement  
 Additional Public Comment 3  
 Additional Public Comment 4  
 Additional Public Comment 5  
 7.5.704 ZONING MAP AMENDMENT (REZONING)

There were no comments on this item.

**Motion by Councilmember Henjum, seconded by Councilmember Risley, that the Ordinance amending the zoning map of the City of Colorado Springs pertaining to 1.609 acres located at 324 Beckers Lane from PK/HS/WUI (Public Park with Hillside Overlay and Wildland Urban Interface Overlay) to MX-I/HS/WUI (Mixed-Use Institutional with Hillside Overlay and Wildland Urban Interface Overlay) for the purpose of providing notice and setting a public hearing date for June 25, 2024 to consider the Garden of the Gods Trading Post zone change ordinance be approved on first reading. The motion passed by a vote of 9-0-0**

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

- 12.G. SUBD-23-00** An Ordinance No. 24-44 vacating portions of public right-of-way  
**98** known as White Leaf Circle within the Weiss - Blatt Subdivision consisting of 0.456 acres located southwest of the Broadmoor Avenue and 6th Street intersection.

(Legislative)

Presenter:  
 Johnny Malpica, AICP, Planner II, Planning and Neighborhood Services.  
 Kevin Walker, Interim Planning Director, Planning and Neighborhood Services

**Attachments:** White Leaf Circle ROW Vacation ORDINANCE  
DRAFT\_JM\_06-13-2024  
White Leaf Circle ROW Vacation Exhibit A - Legal Description - JM  
White Leaf Circle ROW Vacation Exhibit B - Vacation Plat - JM  
White Leaf Circle ROW Vacation Exhibit C - Utility Easement  
Attachment to Ordinance  
White Leaf Circle ROW Vacation Staff Presentation\_CC\_JM

There were no comments on this item.

**Motion by Councilmember Leinweber, seconded by Councilmember Risley, that the Ordinance vacating portions of public right-of-way known as White Leaf Circle within the Weiss - Blatt Subdivision consisting of 0.456 acres located southwest of the Broadmoor Avenue and 6th Street intersection for the purpose of providing notice and setting a public hearing date for June 25, 2024 be approved on first reading. The motion passed by a vote of 9-0-0**

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

### **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 1:38 PM.

Sarah B. Johnson, City Clerk