

CITY COUNCIL AGENDA

MEETING DATE: NOVEMBER 10, 2009

TIME: 1:00 P.M.

**INVOCATION AND
PLEDGE OF ALLEGIANCE**

| | | | | |
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| Pages | 2 - 4 | CONSENT CALENDAR (FIRST PRESENTATION) | ITEMS | 3-B-1 - 3-B-14 |
| Page | 4 | RESOLUTIONS OF APPRECIATION AND CITIZEN DISCUSSION | ITEM | 4 |
| CALLED UP ITEMS | | | | |
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CITY COUNCIL WILL RECESS FROM 5:30 P.M. UNTIL 6:30 P.M. FOR DINNER

City Council meetings are broadcast live on Channel 18 the 2nd and 4th Tuesdays beginning at 1:00 p.m.

For the agenda item number call: 385-5170

CITY OF COLORADO SPRINGS

To: City Council

From: Penny Culbreth-Graft, DPA - City Manager

Subject: Agenda for the City Council Meeting of November 10, 2009 – 1:00 P.M., Council Chambers, City Hall, 107 North Nevada Avenue.

- 1. Invocation and Pledge of Allegiance.
- 2. Changes to Agenda/Postponements.

CONSENT CALENDAR

- 3. 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 approval of the Minutes.)**

SECOND PRESENTATION:

- A-1. Ordinance No. 09-125 amending Ordinance No. 09-33 (2009 Amended Appropriation Ordinance) in the amount of \$34,975 for the General fund; and, amending Ordinance No. 08-213 (2009 Revenue and Appropriation Ordinance) in the amount of \$83,566 for the Stormwater Enterprise fund. [second presentation] **(Item No. 3-B-17 - C.C. Meeting - October 27, 2009)**

Recommendation: Pass ordinance on final presentation.

- A-2. Ordinance No. 09-126 amending Ordinance No. 08-213 (2009 Appropriation Ordinance) in the amount of \$221,691 for the construction and installation of the Rental Car/ Parking/ Roadway Improvements and Terminal Building Canopies project at the Colorado Springs Airport. [second presentation] **(Item No. 3-B-19 - C.C. Meeting - October 27, 2009)**

Recommendation: Pass ordinance on final presentation.

- A-3. Ordinance No. 09-127 amending Ordinance No. 08-213 (2009 Appropriation Ordinance) in the amount of \$250,000 for the relocation of Rental Car Company Terminal Space and Ready Return Space at the Colorado Springs Airport. [second presentation] **(Item No. 3-B-20 - C.C. Meeting - October 27, 2009)**

Recommendation: Pass ordinance on final presentation.

- A-4. Ordinance No. 09-128 amending Ordinance No. 08-213 (2009 Appropriation Ordinance) in the amount of \$300,000 for the purchase of Public Parking Shuttle Buses at the

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Colorado Springs Airport. [second presentation] **(Item No. 3-B-21 - C.C. Meeting - October 27, 2009)**

Recommendation: Pass ordinance on final presentation.

FIRST PRESENTATION:

- B-1. A resolution authorizing submission of new Passenger Facility Charge (PFC) Application #17 to the Federal Aviation Administration increasing the total PFC funds to be collected for capital improvements at the Colorado Springs Airport. (Airport - Mark Earle)

See attached memorandum from the Director of Aviation and copy of proposed resolution.

- B-2. A resolution authorizing submission of a second amendment to Passenger Facility Charge (PFC) Application #11 to the Federal Aviation Administration increasing the total PFC funds to be collected for capital improvements at the Colorado Springs Airport. (Airport - Mark Earle)

See attached memorandum from the Director of Aviation and copy of proposed resolution.

- B-3. A resolution approving the 2010 Joint Funding Agreement between the U.S. Geological Survey and the City of Colorado Springs for continuation of the wet weather monitoring program occurring within the Fountain Creek and Monument Creek basins. (Engineering - Cam McNair)

See attached memorandum from the Assistant City Manager and City Engineer and copy of proposed resolution.

- B-4. A resolution approving the donation of law enforcement equipment to the Fountain Police Department, Fountain, Colorado. (Police Richard Myers)

See attached memorandum from the Chief of Police and copy of proposed resolution.

- B-5. A resolution to accept a grant from the Governor's Office of Homeland Security in the amount of \$56,286, for the Interoperable Emergency Communications Grant Program (IECGP); and authorizing the Office of Emergency Management Division Manager to execute the contract for Homeland Security funding for the South Central Region of Colorado. (Fire - Steven Cox)

See attached memorandum from the Fire Chief and Office of Emergency Management Division Manager and copy of proposed resolution.

- B-6. A resolution to accept a grant from the State of Colorado, Department of Local Affairs, Division of Emergency Management in the amount of \$30,300 for the 2009 Flood Mitigation Assistance Program (FMAP) Grant Agreement #10EM78583; and authorizing the City Manager to execute the contract between the City of Colorado Springs and the

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State of Colorado to update the flood-related portions of the Pre-Disaster Mitigation Plan for the City of Colorado Springs. (Fire - Steven Cox)

See attached memorandum from the Fire Chief and Office of Emergency Management Division Manager and copy of proposed resolution.

- B-7. A resolution authorizing the Office of the City Attorney to file a petition for exclusion of certain property from the Falcon Fire Protection District and approving the City's plan for the disposition of assets and continuation of service to all areas of the Falcon Fire Protection District. (Fire - Steven Cox)

See attached memorandum from the Fire Chief and copy of proposed resolution.

- B-8. An ordinance amending Section 201 (Vehicle Noise Limits) of Part 2 (Noise Pollution - Vehicles) of Article 8 (Offenses Affecting the Environment) of Chapter 9 (Public Offenses) of the Code of the City of Colorado Springs 2001, as amended, pertaining to air compression brakes. (Economic Development - Craig Blewitt)

See attached memorandum from the Assistant City Manager, Economic Development Director and Comprehensive Planning Manager and copy of proposed ordinance.

- B-9. An ordinance amending Sections 101 (Definitions) and 104 (Operation of Trucks) of Article 21 (Truck Routes) of Chapter 10 (Motor Vehicles and Traffic) of the Code of the City of Colorado Springs 2001, as amended, pertaining to truck route zones. (Economic Development - Craig Blewitt)

See memorandum attached to Item No. 3-B-8 and copy of proposed ordinance.

- B-10. An ordinance amending Ordinance No. 08-213 (2009 Appropriation Ordinance) for the 2009 Gift Trust fund in the amount of \$800,000. (Financial Services - Kara Skinner)

See attached memorandum from the Chief Financial Officer and Financial Services Manager and copy of proposed ordinance.

- B-11. A resolution approving the sale of 3,213 ft² of surplus real property from the City of Colorado Springs to Aaron and Gwendolyn Egbert as the only logical purchaser. (Utilities - Jerry Forte)

See attached memorandum from the Utilities Chief Executive Officer and copy of proposed resolution.

- B-12. A resolution approving a consolidated water exchange agreement among the City of Aurora, Colorado, the City of Colorado Springs, Colorado, the Eagle Park Reservoir Company, Colorado River Water Conservation District, Eagle River Water and Sanitation District, Upper Eagle Regional Water Authority, and Vail Associates, Inc. regarding the cooperative operation of water facilities in the Colorado River basin. (Utilities - Jerry Forte)

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See attached memorandum from the Utilities Chief Executive Officer and copy of proposed resolution.

- B-13. An ordinance amending Section 416 (Construction; Requirements for Commencement and Completion) of Part 4 (Connection and Installation) of Article 4 (Water Code) and Section 412 (Construction; Requirements for Commencement and Completion) of Part 4 (Connection and Installation) of Article 5 (Wastewater Treatment Code) of Chapter 12 (Utilities) of the Code of the City of Colorado Springs 2001, as amended, relating to connections to the water and wastewater system. (Utilities - Jerry Forte)

See attached memorandum from the Utilities Chief Executive Officer and copy of proposed ordinance.

B-14. 707 South Cascade Avenue

- B-14A. CPC ZC 09-00072: (Quasi-Judicial Matter) Request by Dan W. Herman on behalf of John Otto for approval of a change of zone classification from R-2 (Two-Family Residential) to OR (Office Residential) consisting of 0.22 acre located at 707 South Cascade Avenue. (Community Development - Dick Anderwald)

PLANNING COMMISSION RECOMMENDATION:

It was moved by Commissioner Suthers, seconded by Commissioner Gonzalez, to approve the petitioner's request. The motion unanimously carried. (Commissioners Butlak and Hartsell were excused.)

(Item B.1 - CPC Meeting - October 15, 2009)

See attached memorandum from the Assistant City Manager, Land Use Review Manager, copy of proposed ordinance and Record-of-Decision.

- B-14B. CPC DP 09-00073: (Quasi-Judicial Matter) Request by Dan W. Herman on behalf of John Otto for approval of a development plan for 707 South Cascade Avenue consisting of 0.22 acre located at 707 South Cascade Avenue. (Community Development - Dick Anderwald)

PLANNING COMMISSION RECOMMENDATION:

It was moved by Commissioner Suthers, seconded by Commissioner Gonzalez, to approve the petitioner's request subject to compliance with the technical plan modifications on page 5 of the Record-of-Decision. The motion unanimously carried. (Commissioners Butlak and Hartsell were excused.)

(Item B.2 - CPC Meeting - October 15, 2009)

See memorandum and Record-of-Decision attached to Item No. 3-B-14A.

4. Resolutions of Appreciation and Citizen Discussion.

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5. Approval of the Minutes of the regular Council Meeting of October 27, 2009.

CONSIDERATION OF ITEMS CALLED UP FROM CONSENT CALENDAR SECTION

UTILITIES BUSINESS

6. An emergency ordinance of the City of Colorado Springs, Colorado approving a loan from the Colorado Water Resources and Power Development Authority in the maximum principal amount of \$9,000,000 for the improvement of the Utilities System of the City; approving the form, terms and provisions of a loan agreement with such authority; authorizing the execution and delivery of such loan agreement and the issuance of the City of Colorado Springs, Colorado, Utilities System Improvement Revenue Bond, Series 2009E to evidence such loan payable solely out of the net revenues to be derived from the operation of the Utilities System; prescribing other details in connection therewith; and declaring an emergency. (Utilities - Jerry Forte)

This item was postponed from the City Council meeting of October 27, 2009, Item No. 6.

See attached memorandum from the Utilities Chief Executive Officer and copy of proposed ordinance.

UNFINISHED BUSINESS

7. Ordinance No. 09-118 amending the Intermodal Transportation Plan to include revising the Truck Route Plan map and to include recommendations to the freight element section. [third presentation] **(Item No. 8 - C.C. Meeting - October 27, 2009)**

See attached ordinance and minutes.

8. Ordinance No. 09-129 amending Ordinance No. 09-92 relating to the City of Colorado Springs, Colorado, Utilities System Refunding Revenue Bonds, Series 2009A; ratifying action heretofore taken relating to such utilities bonds; and providing other matters relating thereto. [second presentation] **(Item No. 7 - C.C. Meeting - October 27, 2009)**

See attached ordinance and minutes.

9. CPC V 08-00192: Request by the City of Colorado Springs Streets Division for approval of a vacation of 20 foot by 210 foot section of public right-of-way located in the alley bounded by West Costilla Street to the north, 8th Street to the east and 9th Street to the west. (Community Development - Dick Anderwald)

This matter was continued from the City Council meeting of October 27, 2009, Item No. 11.

See attached memorandum from the Assistant City Manager, Land Use Review Manager, and copy of proposed ordinance, Record-of-Decision and minutes.

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NEW BUSINESS

10. An ordinance amending Ordinance No. 06-77 that amended Ordinances Nos. 99-109 and 04-180 pertaining to the Council Appointed Colorado Springs International Affairs Advisory Council and the Office of International Affairs. (Economic Development - Lisa Bigelow)

See attached memorandum from the Assistant City Manager, Economic Development Director and copy of proposed ordinance.

11. Approval of the 2010 Regional Building Department Budget. (Regional Building - Henry Yankowski)

See attached memorandum from the Regional Building Official and copy of proposed budget.

12. A resolution approving an Intergovernmental Agreement between the City of Colorado Springs and El Paso County, Colorado for facilities building maintenance services. (Fleet - Tom Monarco)

See attached memorandum from the Assistant City Manager and Fleet Manager and copy of proposed resolution.

Respectfully submitted,



Penelope Culbreth-Graft, DPA
City Manager