

Council met in Regular Session.

There were present: Vice Mayor Small, Councilmembers Glenn, Heimlicher, Hente, Martin and Radford. Absent, Mayor Rivera. In the absence of Mayor Rivera, Vice Mayor Small presided over the meeting. Absent, Councilmembers Gallagher, Purvis. Mayor Rivera and Councilmembers Gallagher and Purvis arrived during the meeting. Also present, City Manager Culbreth-Graft and City Attorney/Chief Legal Advisor Kelly.

-----0-----

1. **Invocation and Pledge of Allegiance.**

The meeting was opened with an invocation by Councilmember Radford.

-----0-----

2. **Changes to Agenda/Postponement.**

Councilmember Hente called up Item No. 3-B-2 for separate consideration.

**CONSENT CALENDAR**

3. The following items were acted upon by unanimous consent of the members present, with the exception of Item No. 3-B-2 which was acted upon separately:

**SECOND PRESENTATION:**

- A-1. Ordinance No. 08-165 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 07-206 (2008 APPROPRIATION ORDINANCE) AND ORDINANCE NO. 07-205 (2008 TAX LEVY ORDINANCE) FOR THE GRANTS FUND IN THE AMOUNT OF \$300,000 FOR LAND ACQUISITION OF 1070 TRANSIT DRIVE, COLORADO SPRINGS, COLORADO" was presented for final passage.
- A-2. Ordinance No. 08-166 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 07-206 (2008 APPROPRIATION ORDINANCE) AND ORDINANCE NO. 07-205 (2008 TAX LEVY ORDINANCE) FOR THE GRANTS FUND IN THE AMOUNT OF \$1,394,741 FOR THE BLACK FOREST AND WOODMEN PARK-N-RIDE" was presented for final passage.
- A-3. Ordinance No. 08-167 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 07-206 (2008 APPROPRIATION ORDINANCE) AND ORDINANCE NO. 07-205 (2008 TAX LEVY ORDINANCE) FOR THE GRANTS FUND FOR COLORADO DEPARTMENT OF TRANSPORTATION PROJECT AQC M240-103 (15838), INSTALLATION OF INTELLIGENT TRANSPORTATION SYSTEM EQUIPMENT ON AUSTIN BLUFFS BETWEEN I-25 AND ACADEMY, UNION BETWEEN AUSTIN BLUFFS AND FILLMORE, AND FILLMORE

## COLORADO SPRINGS CITY COUNCIL MEETING – OCTOBER 28, 2008

BETWEEN I-25 AND UNION IN THE AMOUNT OF \$474,046” was presented for final passage.

- A-4. Ordinance No. 08-168 entitled “AN ORDINANCE AMENDING ORDINANCE NO. 07-206 (2008 APPROPRIATION ORDINANCE) AND ORDINANCE NO. 07-205 (2008 TAX LEVY ORDINANCE) FOR THE GRANTS FUND IN THE TOTAL AMOUNT OF \$49,249 FOR THE JUVENILE ACCOUNTABILITY BLOCK GRANT” was presented for final passage.
- A-5. Ordinance No. 08-169 entitled “AN ORDINANCE AMENDING ORDINANCE NO. 07-206 (2008 APPROPRIATION ORDINANCE) AND ORDINANCE NO. 07-205 (2008 TAX LEVY ORDINANCE) FOR THE GRANTS FUND IN THE TOTAL AMOUNT OF \$94,904 FOR THE PIKES PEAK METRO CRIME LABORATORY IMPROVEMENT” was presented for final passage.
- A-6. Ordinance No. 08-170 entitled “AN ORDINANCE AMENDING ORDINANCE NO. 07-206 (2008 APPROPRIATION ORDINANCE) AND ORDINANCE NO. 07-205 (2008 TAX LEVY ORDINANCE) FOR THE GRANTS FUND IN THE AMOUNT OF \$28,000 FOR THE PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS (PSIC) PROGRAM GRANT FOR THE CITY OF COLORADO SPRINGS” was presented for final passage.
- A-7. AR V 08-00396: Ordinance No. 08-171 entitled “AN ORDINANCE VACATING A PORTION OF ALLEY PUBLIC RIGHT-OF-WAY CONSISTING OF 0.04 ACRE BORDERING THE PROPERTY ADDRESSED AS 3528 WEST PIKES PEAK AVENUE” was presented for final passage.
- A-8. CPC ZC 08-00123: (Quasi-Judicial Matter): Ordinance No. 08-172 entitled “AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 8.64 ACRES LOCATED A QUARTER MILE EAST OF THE INTERSECTION OF SOUTH CORONA AVENUE AND HUNTER AVENUE” was presented for final passage. (M-1 and R-5 to R-5)
- A-9. CPC ZC 08-00119: (Quasi-Judicial Matter) Ordinance No. 08-173 entitled “AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 1.05 ACRES LOCATED AT 1610 EAST CHEYENNE MOUNTAIN BOULEVARD” was presented for final passage. (PBC/HR/cr and PBC to PBC)
- A-10. Ordinance No. 08-174 entitled “AN ORDINANCE AMENDING ORDINANCE NO. 07-206 (2008 APPROPRIATION ORDINANCE) AND ORDINANCE NO. 07-205 (2008 TAX LEVY ORDINANCE) FOR THE SUPPORT SERVICES FUND IN THE AMOUNT OF \$1,844,422 FOR THE INCREASED COST OF FUEL AND VEHICLE MAINTENANCE” was presented for final passage.

### **FIRST PRESENTATION:**

- B-1. The City Clerk reported that on September 22, 2008 there was filed with her a petition for the annexation of Westcott Annexation. She stated that she has examined or caused to be examined the above mentioned petition and has determined that the petition is in substantial compliance with Section 31-12-107(1), C.R.S. The City Clerk herewith communicated such to City Council and recommended that the petition be referred to the City Administration for review and recommendation.

**COLORADO SPRINGS CITY COUNCIL MEETING – OCTOBER 28, 2008**

**B-2. SEE ACTION TAKEN LATER IN THE MEETING.**

- B-3. Resolution No. 181-08 was presented: “A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF COLORADO SPRINGS AND THE COLORADO DEPARTMENT OF TRANSPORTATION FOR PROJECT AQC M240-102 (15837), INTELLIGENT TRANSPORTATION SYSTEM (ITS) IMPROVEMENTS ALONG THE INTERQUEST CORRIDOR”.
- B-4. Resolution No. 182-08 was presented: “A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT BETWEEN THE CITY OF COLORADO SPRINGS AND THE COLORADO DEPARTMENT OF TRANSPORTATION FOR MAINTAINING TRAFFIC SIGNALS ON STATE OWNED FACILITIES WITHIN CITY LIMITS”.
- B-5. Resolution No. 183-08 was presented: “A RESOLUTION APPROVING THE ISSUANCE BY DOWNTOWN METROPOLITAN DISTRICT OF GENERAL OBLIGATION LIMITED TAX BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$7,000,000 AND APPROVING THE RELATED BOND DOCUMENTS”.
- B-6. Resolution No. 184-08 was presented: “A RESOLUTION SUPPORTING AN APPLICATION TO COLORADO STATE PARKS THROUGH THE STATE TRAILS PROGRAM FOR FUNDING TO BUILD SUSTAINABLE TRAILS IN RED ROCK CANYON OPEN SPACE”.
- B-7. Ordinance No. 08-176 entitled “AN ORDINANCE FOR A PARTIAL VACATION AND REPLAT OF BURIAL SPACES 505-528 AND 2517-2540 IN BLOCK 210 IN EVERGREEN CEMETERY” was introduced and read.
- B-8. Ordinance No. 08-177 entitled “AN ORDINANCE PROVIDING FOR THE REPLATTING OF BLOCK 10-A IN EVERGREEN CEMETERY” was introduced and read.
- B-9. Ordinance No. 08-178 entitled “AN ORDINANCE AMENDING SECTION 405 (BOARD AND COMMITTEES; APPOINTMENTS, ORGANIZATION AND MEETINGS) OF PART 4 (BOARD OF REVIEW) OF ARTICLE 10 (BUILDING CODE ADMINISTRATION) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO TERMS OF SERVICE FOR REGIONAL BUILDING BOARDS AND COMMISSIONS” was introduced and read.

Motion by Radford, second by Glenn, that all matters on the Consent Calendar, with the exception of Item No. 3-B-2, which was acted upon separately, be passed, adopted and approved by unanimous consent of the City Council.

Ayes: Glenn, Heimlicher, Hente, Martin, Radford, Small  
Noes: None  
Absent: Gallagher, Purvis, Rivera

-----0-----

**COLORADO SPRINGS CITY COUNCIL MEETING – OCTOBER 28, 2008**

**4. Resolutions of Appreciation**

Resolution No. 185-08 was presented: “A RESOLUTION OF APPRECIATION FOR RONALD L. MITCHELL ON THE OCCASION OF HIS RETIREMENT AS THE PUBLIC WORKS DIRECTOR WITH THE CITY OF COLORADO SPRINGS”.

Motion by Hente, second by Radford, that the resolution be adopted.

Ayes: Glenn, Heimlicher, Hente, Martin, Radford, Small  
Noes: None  
Absent: Gallagher, Purvis, Rivera

-----0-----

Resolution No. 186-08 was presented: “A RESOLUTION RECOGNIZING UNIVERSITY OF COLORADO, COLORADO SPRINGS CENTER FOR HOMELAND SECURITY FOR THEIR SUPPORT OF THE ENTRY POINT EXERCISE”.

Motion by Hente, second by Radford, that the resolution be adopted.

Ayes: Glenn, Heimlicher, Hente, Martin, Radford, Small  
Noes: None  
Absent: Gallagher, Purvis, Rivera

-----0-----

Resolution No. 187-08 was presented: “A RESOLUTION OF APPRECIATION EXPRESSING GRATITUDE TO HUMANA FOR ITS GENEROUS SPONSORSHIP TO THE COLORADO SPRINGS FIRE DEPARTMENT’S SENIOR PROGRAMS”.

Motion by Radford, second by Hente, that the resolution be adopted.

Ayes: Glenn, Heimlicher, Hente, Martin, Radford, Small  
Noes: None  
Absent: Gallagher, Purvis, Rivera

-----0-----

**Councilmember Gallagher arrived.**

-----0-----

**CITIZEN DISCUSSION**

Jan Doran, Safer Community Initiative 1A representative and Campaign to Defeat 200 and 201, asked for City Council’s support of Issue 1A and opposition to 200 and 201; asked for participation at a Walk Day for these three issues on Saturday, November 1, 2008, at 10:00 a.m., Nancy Lewis Park (Fillmore Street and Templeton Gap Road).

-----0-----

**COLORADO SPRINGS CITY COUNCIL MEETING – OCTOBER 28, 2008**

5. Motion by Hente, second by Heimlicher, that the Minutes of the Regular Council meeting of October 14, 2008 be amended as follows: Dave Munger, Old Northend Neighborhood president submitted a correction on Page 11, third paragraph from the bottom that should read “....Study did show roadways could handle.....”. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

**CONSIDERATION OF ITEMS CALLED UP FROM  
CONSENT CALENDAR SECTION**

- 3-B-2. Resolution No. 188-08 was presented: “A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY OWNED BY FPA CROSSROADS ASSOCIATES, LLC TO BE USED FOR THE WOODMEN CORRIDOR IMPROVEMENT PROJECT”.

Motion by Radford, second by Heimlicher, that the resolution be adopted.

Ayes: Glenn, Heimlicher, Martin, Radford, Small  
Noes: Gallagher, Hente  
Absent: Purvis, Rivera

Vice Mayor Small declared the motion carried.

**UTILITIES BUSINESS**

6. Resolution No. 189-08 was presented: “A RESOLUTION APPROVING AN AGREEMENT TO ANNEX AND TO PROVIDE WASTEWATER SERVICE OUTSIDE THE CITY LIMITS TO PROPERTY ADJACENT TO THE CITY LOCATED AT 3745 SOUTH HIGHWAY 85-87”.

Brent Schubloom, Colorado Springs Utilities (CSU) Systems Extension Manager, reviewed the modified fiscal impacts, environmental review of property and agreement to annex from the owner.

Motion by Hente, second by Gallagher, that the resolution be adopted.

Ayes: Gallagher, Glenn, Heimlicher, Hente, Martin, Radford, Small  
Noes: None  
Absent: Purvis, Rivera

**UNFINISHED BUSINESS**

7. Ordinance No. 08-179 entitled “AN ORDINANCE CREATING A NEW PART 4 (SPECIAL EVENTS ON PUBLIC PROPERTY) OF ARTICLE 2 (CITY PROPERTIES) OF CHAPTER 3 (PUBLIC PROPERTY AND PUBLIC WORKS) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO SPECIAL EVENTS” was brought up on second presentation.

Julie Stone, Colorado Springs Fire Department (CSFD) Lieutenant and Special Events committee member, entered her appearance and answered questions.

Motion by Glenn, second by Hente, that the ordinance be finally passed.

**COLORADO SPRINGS CITY COUNCIL MEETING – OCTOBER 28, 2008**

Ayes: Gallagher, Glenn, Heimlicher, Hente, Martin, Radford, Small  
Noes: None  
Absent: Purvis, Rivera

-----0-----

8. Motion by Hente, second by Radford, that Angela White be appointed to a term as a member of the Art Commission of the Pikes Peak Region, said term expiring August 1, 2011. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

Motion by Hente, second by Radford, that Carl Reinhardt and Carla Hartsell be appointed to terms as members of the Asset Naming Board, said terms expiring December 12, 2011 and December 12, 2011, respectively. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

Motion by Hente, second by Radford, that Mary Roling be re-appointed to a term as a member of the City Investment Advisory Committee, said term expiring December 10, 2011. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

Motion by Hente, second by Radford, that Steve Condon be appointed to a term as a member of the Greater Downtown Business Improvement District Board of Directors, said term expiring July 24, 2009. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

Motion by Hente, second by Radford, that Kathy Read be appointed and John Edwards be re-appointed to terms as members of the Old Colorado City Security and Maintenance District Advisory Committee, said terms expiring November 27, 2011 and November 27, 2011, respectively. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

**NEW BUSINESS**

9. **Approval of the proposed 2009 Budget for the Downtown Development Authority.**

Todd Dodge, Financial Services Principal Analyst, entered his appearance and answered questions.

Motion by Hente, second by Gallagher, that the proposed 2009 Budget for the Downtown Development Authority be approved. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

-----0-----

10. **Approval of the proposed 2009 Budget and Operating Plan for the Interquest South Business Improvement District (BID).**

Motion by Hente, second by Gallagher, that the proposed 2009 Budget and Operating Plan for the Interquest South Business Improvement District (BID) be approved. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

-----0-----

11. **Approval of the proposed 2009 Budget and Operating Plan for the Interquest North Business Improvement District (BID).**

Motion by Hente, second by Heimlicher, that the proposed 2009 Budget and Operating Plan for the Interquest North Business Improvement District (BID) be approved. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

-----0-----

12. **Approval of the proposed 2009 Budget and Operating Plan for the Barnes & Powers North Business Improvement District (BID).**

Motion by Hente, second by Heimlicher, that the proposed 2009 Budget and Operating Plan for the Barnes & Powers North Business Improvement District (BID) be approved. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

-----0-----

13. **Approval of the proposed 2009 Budget and Operating Plan for the Barnes & Powers South Business Improvement District (BID).**

Motion by Hente, second by Gallagher, that the proposed 2009 Budget and Operating Plan for the Barnes & Powers South Business Improvement District (BID) be approved. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

-----0-----

14. **Approval of the proposed 2009 Budget and Operating Plan for the First and Main North Business Improvement District (BID).**

Motion by Hente, second by Heimlicher, that the proposed 2009 Budget and Operating Plan for the First and Main North Business Improvement District (BID) be approved. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

-----0-----

15. **Approval of the proposed 2009 Budget and Operating Plan for the First and Main Business Improvement District (BID).**

Motion by Hente, second by Gallagher, that the proposed 2009 Budget and Operating Plan for the First and Main Business Improvement District (BID) be approved. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

-----0-----

16. **Approval of the proposed 2009 Budget and Operating Plan for the Powers & Woodmen Commercial Business Improvement District (BID).**

**COLORADO SPRINGS CITY COUNCIL MEETING – OCTOBER 28, 2008**

Motion by Hente, second by Gallagher, that the proposed 2009 Budget and Operating Plan for the Powers and Woodmen Commercial Business Improvement District (BID) be approved. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

-----0-----

17. **Approval of the proposed 2009 Budget and Operating Plan for the Briargate Center Improvement District (BID).**

Motion by Hente, second by Gallagher, that the proposed 2009 Budget and Operating Plan for the Briargate Center Improvement District (BID) be approved. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

-----0-----

18. **Approval of the proposed 2009 Budget and Operating Plan for the Greater Downtown Colorado Springs Business Improvement District (BID).**

Mr. Dodge entered his appearance and answered questions.

Motion by Hente, second by Gallagher, that the proposed 2009 Budget and Operating Plan for the Greater Downtown Colorado Springs Business Improvement District (BID) be approved. The motion unanimously carried. Absent, Mayor Rivera, Councilmember Purvis.

-----0-----

19. Resolution No. 190-08 was presented: "A RESOLUTION REPEALING RESOLUTION NO. 195-06 AND ESTABLISHING FEES AND CHARGES FOR ACTIVITIES AND FACILITIES AT PATTY JEWETT AND VALLEY HI GOLF COURSES".

Dal Lockwood, Parks, Recreation and Cultural Services Golf Manager, gave a brief presentation and answered questions.

Motion by Hente, second by Radford, that the resolution be adopted.

Ayes: Gallagher, Glenn, Heimlicher, Hente, Martin, Radford, Small  
Noes: None  
Absent: Purvis, Rivera

-----0-----

20. Resolution No. 191-08 was presented: "A RESOLUTION AMENDING RESOLUTION NO. 171-08 PERTAINING TO THE RULES OF THE LIQUOR AND BEER LICENSING BOARD RELATING TO FEES".

Kathryn Young, City Clerk, gave a presentation; State imposed fees cannot be altered.

Motion by Glenn, second by Radford, that the resolution be adopted.



**COLORADO SPRINGS CITY COUNCIL MEETING – OCTOBER 28, 2008**

Ayes: Gallagher, Glenn, Heimlicher, Hente, Martin, Radford, Small  
Noes: None  
Absent: Purvis, Rivera

-----0-----

21. Ordinance No. 08-180 entitled “AN ORDINANCE APPROVING AMENDMENTS TO THE REGIONAL BUILDING CODE PERTAINING TO ANNUAL PERMITS AND ANNUAL PERMIT FEES” was introduced and read.

Henry Yankowski, Regional Building Official, requested flexibility in establishing permit fees to when applicable to industries requiring minor repairs.

Motion by Hente, second by Radford, that the ordinance be passed as introduced.

Ayes: Gallagher, Glenn, Heimlicher, Hente, Martin, Radford, Small  
Noes: None  
Absent: Purvis, Rivera

-----0-----

**Mayor Rivera arrived.**  
**Councilmember Purvis arrived.**

-----0-----

**PUBLIC HEARING**

22. **Garden of the Gods Business Center**

- 22A. **CPC SW 08-00071: (Quasi-Judicial Matter) Public hearing on an appeal by Beckett Development, LLP, regarding the Planning Commission action of September 18, 2008 to deny a subdivision ordinance design standard waiver request for 9.69 acres of property located north of the intersection of Point of the Pines Drive and Elkton Drive.**

James Mayerl, Senior Planner, presented the item; applicant asking for waiver of a sidewalk requirement along the Point of the Pines Drive side; Planning Commission denied the waiver.

Kimberly Dimmett, Beckett Development project manager, stated there were two issues at hand when presented to the Planning Commission; slope hill adjacent to Point of the Pines Drive and actual grade of Point of the Pines Drive; Point of the Pines Drive overall is 10% in grade but there is a point over the top that is 13%, road width is 30’ – 39’; required to have 66’ of roadway and has 60’; purchaser will build sidewalk; sidewalk is an unsafe feature; reviewed zoning criteria; 40% of neighborhoods do not have sidewalks.

Steve Kuehster, Senior Civil Engineer, stated the slope fall offs, guard rail in place to protect cars on roadway; proposing to leave the guardrail and place a piece of sidewalk along guard rail and a vertical curve to protect the sidewalk.

**COLORADO SPRINGS CITY COUNCIL MEETING – OCTOBER 28, 2008**

Ollie Watts, Beckett Development engineer, stated the steep slope is on the west side, sub-standard road when built; sidewalk would require major changes; dangerous situation currently with slope and grade of road, will be worse if a sidewalk is required; met with City staff prior to the Planning Commission meeting.

Mr. Mayerl stated the alternative would be instead of going down the slope, can narrow the pavement, build a sidewalk in a flat area where the street is now; street would still be safe to drive on; proposing a preservation easement.

Paula Lidman, Pine Cliff Homeowners Association president and Mission Ridge Townhome proxy, and Patty Carbone, spoke in opposition citing the following comments: two roads service the neighborhood, lots of pedestrian traffic; wants sidewalk somewhere; this road is her main thoroughfare; City Staff have met with applicant and determined that a sidewalk could be constructed using the existing road at a minimal, reasonable cost, but applicant is reluctant; not a safe environment without sidewalk.

Rebuttal:

Ms. Dimmett stated this was a matter of opinion; unsafe, City on notice of any accidents if required to put in sidewalk.

Cam McNair, City Engineer, urged City Council to deny the waiver; narrow streets are a trend, lower safety hazard with sidewalk.

Motion by Gallagher, second by Hente, to uphold the decision of the Planning Commission and deny the appeal.

Ayes: Gallagher, Glenn, Hente, Martin, Purvis, Radford, Rivera, Small  
Noes: Heimlicher  
Absent: None

Mayor Rivera declared the motion carried.

-----0-----

22B. **AR CP 07-00806: (Quasi-Judicial Matter) Public hearing on an appeal by Beckett Development, LLP, regarding the Planning Commission action of September 18, 2008 to approve the Garden of the Gods Business Center concept plan consisting of 9.69 acres located north of the intersection of Points of the Pines Drive and Elkton Drive.**

Motion by Small, second by Radford, that the Garden of the Gods Business Center concept plan consisting of 9.69 acres located north of the intersection of Points of the Pines Drive and Elkton Drive be approved.

Ayes: Gallagher, Glenn, Hente, Martin, Purvis, Radford, Rivera, Small  
Noes: Heimlicher  
Absent: None

Mayor Rivera declared the motion carried.

COLORADO SPRINGS CITY COUNCIL MEETING – OCTOBER 28, 2008

-----0-----

22C. **AR FP 08-00109: (Quasi-Judicial Matter) Public hearing on an appeal by Beckett Development, LLP, regarding the Planning Commission action of September 18, 2008 to approve the Garden of the Gods Business Center subdivision plat consisting of 9.69 acres located north of the intersection of Point of the Pines Drive and Elkton Drive.**

Motion by Small, second by Radford, that the Garden of the Gods Business Center Subdivision Plat consisting of 9.69 acres located north of the intersection of Points of the Pines Drive and Elkton Drive be approved.

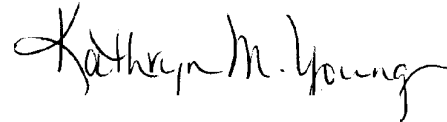
Ayes: Gallagher, Glenn, Hente, Martin, Purvis, Radford, Rivera, Small  
Noes: Heimlicher  
Absent: None

Mayor Rivera declared the motion carried.

-----0-----

At 2:44 P.M., motion by Radford, second by Hente, that Council adjourn. The motion unanimously carried, and

COUNCIL ADJOURNED



Kathryn M. Young, CMC, CERA  
City Clerk

**Following adjournment of the regular City Council meeting, City Council shall reconvene as the Board of Directors of the Colorado Springs Marketplace at Austin Bluffs (MAB) General Improvement District**, for action on the following items:

1. Ordinance No. 08-175 entitled "AN ORDINANCE PROVIDING FOR THE ISSUANCE OF THE CITY OF COLORADO SPRINGS, COLORADO MARKETPLACE AT AUSTIN BLUFFS (MAB) GENERAL IMPROVEMENT DISTRICT GENERAL OBLIGATION LIMITED TAX BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,790,000 TO FINANCE THE COST OF PUBLIC IMPROVEMENTS, INCLUDING STREETS, WATER, SANITARY SEWER, FIRE PROTECTION AND PARKS AND RECREATION IMPROVEMENTS; AUTHORIZING THE EXECUTION BY THE DISTRICT OF A TAX COMPLIANCE CERTIFICATE, THE BONDS AND RELATED DOCUMENTS REQUIRED IN CONNECTION HERewith; AND MAKING DETERMINATIONS AS TO OTHER MATTERS RELATED TO THE BONDS" was brought up on second presentation.

Motion by Director Hente, second by Director Gallagher, that the ordinance be finally passed.

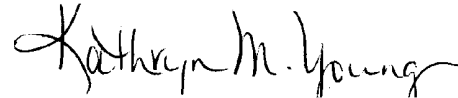
**COLORADO SPRINGS CITY COUNCIL MEETING – OCTOBER 28, 2008**

Ayes: Gallagher, Glenn, Heimlicher, Hente, Martin, Purvis, Radford, Rivera, Small  
Noes: None  
Absent: None

-----0-----

There being no further business to come before the Board, the meeting was adjourned at 2:45 P.M.

**BOARD ADJOURNED**



**Kathryn M. Young, CMC, CERA  
Secretary**