COLORADO SPRINGS, COLORADO
CITY COUNCIL CHAMBERS
CITY HALL - 107 N. NEVADA AVENUE
DECEMBER 21, 2009 – 1:00 P.M.

Council met in Special Called Session.

There were present: Mayor Rivera, Councilmembers Gallagher, Glenn, Hente, Herpin, Martin, Paige, Purvis and Small. Also present, City Manager Culbreth-Graft and Deputy City Attorney Massey.

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

The meeting was opened with an invocation by City Councilmember Bernie Herpin.

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

There were none.

CONSENT CALENDAR

3. The following item was acted upon by unanimous consent of the members present:

FIRST PRESENTATION:

A-1. Resolution No. 311-09 was presented: "A RESOLUTION TO ACCEPT A GRANT FROM THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) IN THE AMOUNT OF $5,000 FOR THE 2009 DECEMBER HIGH VISIBILITY ENFORCEMENT IMPAIRED DRIVING CAMPAIGN INITIATIVE; AND, AUTHORIZING THE CHIEF OF POLICE TO EXECUTE THE CONTRACT TO PERFORM OVERTIME ENFORCEMENT OF COLORADO'S IMPAIRED DRIVING LAWS".

Motion by Hente, second by Herpin, that the matter on the Consent Calendar be passed, adopted and approved by unanimous consent of the City Council.

Ayes: Gallagher, Glenn, Hente, Herpin, Martin, Paige, Purvis, Rivera, Small
Noes: None
Absent: None

CITIZEN DISCUSSION

4. David Portillo, a driver for Front Range Express (FREX) expressed concerns about discontinuing service between Colorado Springs and Denver.

Mayor Rivera recognized Boy Scout Troop 53, from Coronado High School.

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5. Motion by Purvis, second by Hente, that the Minutes of the Regular Council meeting of December 8, 2009 be approved as written. The motion unanimously carried.

UTILITIES BUSINESS

6. Resolution No. 312-09 was presented: "A RESOLUTION ESTABLISHING A REGULATORY ASSET FOR CERTAIN EXPENDITURES ASSOCIATED WITH THE SOUTHERN DELIVERY SYSTEM".

Bill Cherrier, Colorado Springs Utilities (CSU) Chief Planning and Finance Officer, gave a brief presentation and answered questions.

In response to a question from Councilmember Paige regarding the expenditure of $2 million for wetlands development and $6 million in the "other" category, Mr. Cherrier replied the amounts are required for mitigation of the Southern Delivery System (SDS).

Bruce McCormick, CSU Water Services Division Officer, stated the wetlands development is occurring, primarily, at Clear Spring Ranch and the Corp of Engineers has directed improvements be made to the health of Fountain Creek and replacement and development be made to the wetlands that may be impacted by the SDS.

Motion by Herpin, second by Small, that the resolution be adopted.

Ayes: Glenn, Hente, Herpin, Martin, Paige, Purvis, Rivera, Small
Noes: Gallagher
Absent: None

Mayor Rivera declared the motion carried.

UNFINISHED BUSINESS

7. Ordinance No. 09-142 entitled "AN ORDINANCE IDENTIFYING AND ACCEPTING THE ANNUAL SOURCES OF FUNDS FOR COLORADO SPRINGS UTILITIES FOR THE YEAR ENDING DECEMBER 31, 2010" was brought up on third presentation.

Mr. Cherrier entered his appearance and answered questions.

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

Ayes: Glenn, Hente, Herpin, Martin, Paige, Rivera, Small
Noes: Gallagher, Purvis
Absent: None

Mayor Rivera declared the motion carried.

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8. Ordinance No. 09-143 entitled "AN ORDINANCE APPROVING THE ANNUAL BUDGET FOR COLORADO SPRINGS UTILITIES AND APPROPRIATING MONIES FOR THE SEVERAL PURPOSES NAMED IN THE ANNUAL COLORADO SPRINGS UTILITIES BUDGET FOR THE YEAR ENDING DECEMBER 31, 2010" was brought up on third presentation.

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

Ayes: Glenn, Hente, Herpin, Martin, Paige, Rivera
Noes: Gallagher, Purvis, Small
Absent: None

Mayor Rivera declared the motion carried.

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9. Ordinance No. 09-148 entitled "THE ANNUAL APPROPRIATIONS ORDINANCE ADOPTING THE ANNUAL BUDGET AND APPROPRIATING MONIES FOR THE SEVERAL PURPOSES NAMED IN SAID BUDGET FOR THE YEAR ENDING DECEMBER 31, 2010" was brought up on third presentation.

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

Ayes: Hente, Herpin, Martin, Paige, Rivera, Small
Noes: Gallagher, Glenn, Purvis
Absent: None

Mayor Rivera declared the motion carried.

NEW BUSINESS

10. Resolution No. 313-09 was presented: "A RESOLUTION ESTABLISHING PARKS, RECREATION AND CULTURAL SERVICES DEPARTMENT 2010 FEES AND CHARGES FOR AQUATICS PROGRAMS".

Kim King, Parks, Recreation and Cultural Services Administration Manager, entered her appearance and answered questions.

Motion by Paige, second by Martin, that the resolution be adopted.

Ayes: Gallagher, Hente, Herpin, Martin, Paige, Purvis, Rivera, Small
Noes: Glenn
Absent: None

Mayor Rivera declared the motion carried.

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At 1:20 P.M., motion by Small, second by Paige, that Council adjourn. The motion unanimously carried, and

COUNCIL ADJOURNED

Cindy N. Conway, CMC
Deputy City Clerk