COLORADO SPRINGS, COLORADO
CITY COUNCIL CHAMBERS
CITY HALL - 107 N. NEVADA AVENUE
JULY 13, 2010 – 1:00 P.M.

Council met in Regular Session.

There were present: Mayor Rivera, Councilmembers Gallagher, Glenn, Hente, Herpin, Martin, Paige, Purvis and Small. Also present, Interim City Manager Cox and City Attorney/Chief Legal Advisor Kelly.

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

The meeting was opened with an invocation by Pastor Steve Turrentine, Pikes Peak Park Baptist Church.

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

There were none.

CONSENT CALENDAR

3. The following items were acted upon by unanimous consent of the members present:

FIRST PRESENTATION:

B-1. Resolution No. 102-10 was presented: "A RESOLUTION APPROVING THE ACCEPTANCE OF AN ASSIGNMENT FROM THE BANNING LEWIS RANCH COMPANY, LLC AND BANNING LEWIS RANCH DEVELOPMENT I & II, LLC TO THE BANNING LEWIS RANCH REGIONAL METROPOLITAN DISTRICT OF A MODIFIED AND RESTATED WASTEWATER FACILITIES PARTICIPATION, UTILIZATION AND SERVICE AGREEMENT AND AUTHORIZING COLORADO SPRINGS UTILITIES' CHIEF EXECUTIVE OFFICER TO EXECUTE SAID ASSIGNMENT".

B-2. Resolution No. 103-10 was presented "A RESOLUTION APPROVING THE ACCEPTANCE OF AN INTERGOVERNMENTAL ASSIGNMENT FROM THE BANNING LEWIS RANCH REGIONAL METROPOLITAN DISTRICT TO BANNING LEWIS RANCH METROPOLITAN DISTRICT NO. 1 OF A MODIFIED AND RESTATED WASTEWATER FACILITIES PARTICIPATION, UTILIZATION AND SERVICE AGREEMENT AND AUTHORIZING COLORADO SPRINGS UTILITIES' CHIEF EXECUTIVE OFFICER TO EXECUTE SAID ASSIGNMENT"**.**

B-3. Resolution No. 104-10 was presented: "A RESOLUTION APPROVING A 2010 JOB ACCESS AND REVERSE COMMUTE (JARC) PROGRAM FUNDING INTERGOVERNMENTAL

AGREEMENT BETWEEN THE CITY OF COLORADO SPRINGS AND THE PIKES PEAK AREA COUNCIL OF GOVERNMENTS".

B-4. Ordinance No. 10-52 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 09-148 (2010 APPROPRIATION ORDINANCE) IN THE AMOUNT OF $1,000,000 FOR THE CAPITAL IMPROVEMENTS FUND".

B-5. Ordinance No. 10-53 entitled "AN ORDINANCE AMENDING SECTIONS 1512 (GRADING BOARD OF APPEALS; PROCEDURES) OF PART 15 (GRADING PLANS AND EROSION AND STORMWATER QUALITY CONTROL PLANS), OF ARTICLE 7 (SUBDIVISION REGULATIONS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO THE DUTIES AND RESPONSIBILITIES OF THE CITY/COUNTY SUBDIVISION STORM DRAINAGE BOARD WHEN SERVING AS THE GRADING BOARD OF APPEALS" was introduced and read.

B-6. Resolution No. 105-10 was presented: "A RESOLUTION TO ACCEPT A GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, IN THE AMOUNT OF $238,000 FOR THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM; AND, AUTHORIZING THE COLORADO SPRINGS FIRE DEPARTMENT, SUPPORT SERVICES DIVISION, TO EXECUTE THE CONTRACT TO PROCEED WITH VENTILATION IMPROVEMENTS AT VARIOUS FIRE STATIONS".

B-7. Resolution No. 106-10 was presented: "A RESOLUTION AUTHORIZING THE CITY OF COLORADO SPRINGS TO ENTER INTO AN AGREEMENT WITH THE SECRETARY OF THE ARMY FOR MUTUALLY PROVIDING FIRE DEPARTMENT SERVICES".

B-8. Resolution No. 107-10 was presented: "A RESOLUTION AUTHORIZING THE CITY OF COLORADO SPRINGS TO ENTER INTO AN AGREEMENT WITH THE SECRETARY OF THE AIR FORCE FOR MUTALLY PROVIDING FIRE DEPARTMENT SERVICES".

B-9. Resolution No. 108-10 was presented: "A RESOLUTION APPROVING A FIRST AMENDMENT TERMINATING THE INTERGOVERNMENTAL AGREEMENT FOR USE OF STORAGE FACILITIES DATED FOR REFERENCE THE 15TH DAY OF JULY, 2006 BETWEEN UCCS AND THE CITY".

Motion by Hente, second by Purvis, that all matters 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

4. **Resolutions of Appreciation**

The Colorado Springs Children's Chorale performed.

Resolution No. 109-10 was presented: "A RESOLUTION RECOGNIZING THE COLORADO SPRINGS CHILDREN'S CHORALE IN HARMONY: THE PIKES PEAK INTERNATIONAL MUSIC FESTIVAL".

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

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

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Resolution No. 110-10 was presented: "A RESOLUTION OF APPRECIATION EXPRESSING GRATITUDE TO AIKEN AUDUBON SOCIETY FOR THE GENEROUS DONATION OF LAND TO THE CITY OF COLORADO SPRINGS TO BE USED FOR DRAINAGE IMPROVEMENT PURPOSES".

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

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

CITIZEN DISCUSSION

Charles Barber expressed concerns about burglary that occurred at his home; Public Safety stretched to stress limits.

Mike Solo asked for his Medical Marijuana application to be amended, did not register optional premise; wants to amend, not the only one.

Bob Falcone wanted to report something good the City had done; was able to access the Pikes Peak Highway 90 minutes before sunrise to take photographs.

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5. Motion by Purvis, second by Martin, that the Minutes of the Regular Council meeting of June 22, 2010 be approved as written. The motion unanimously carried.

UNFINISHED BUSINESS

6. **Wescott Annexation**

6A. Ordinance No. 10-50 entitled "AN ORDINANCE ANNEXING TO THE CITY OF COLORADO SPRINGS THAT AREA KNOWN AS WESCOTT ANNEXATION AS HEREINAFTER SPECIFICALLY DESCRIBED IN EXHIBIT "A" was brought up on second presentation".

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

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

Mayor Rivera declared the motion carried.

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6B. CPC ZC 08-00150: Ordinance No. 10-51 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 0.68 ACRE LOCATED AT 6615 VINCENT DRIVE" was brought up on second presentation. (C-6)

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

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

Mayor Rivera declared the motion carried.

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At 1:42 P.M., motion by Paige, second by Herpin, that Council adjourn. The motion unanimously carried, and

COUNCIL ADJOURNED

Kathryn M. Young

Kathryn M. Young, CMC, CERA
City Clerk