

October 2, 2007

**COUNCIL OF THE CITY OF FORT COLLINS, COLORADO**

**Council-Manager Form of Government**

**Regular Meeting - 6:00 p.m.**

A regular meeting of the Council of the City of Fort Collins was held on Tuesday, October 2, 2007, at 6:00 p.m. in the Council Chambers of the City of Fort Collins City Hall. Roll Call was answered by the following Councilmembers: Brown, Hutchinson, Manvel, Ohlson, Poppaw, Roy, and Troxell.

Staff Members Present: Atteberry, Harris, Roy.

**Citizen Participation**

Joe Kissell, 913 West Oak, urged Council to consider adopting a resolution calling for the withdrawal of troops from Iraq.

Gary Wockner, 516 North Grant, stated City staff should examine how the war in Iraq has affected the City's economy and the amount of federal dollars that are available for local use.

Al Bacilli, 520 Galaxy Court, asked if the City had donated funds to the Northern Labor Trades Council. He did not want any funds provided to the Chamber of Commerce. He requested the City stop providing vendor fees to the business community.

Bruce Lockhart, 2500 East Harmony Road, did not support any resolution that called for withdrawal of troops from Iraq. He did not support Council consideration of any measure that called for a halt of uranium mining in Weld County.

Cheryl Distaso, 135 South Sunset Street, stated Council was not listening to the citizens by avoiding any discussion of a resolution calling for the withdrawal of U.S. troops from Iraq and she urged Council to pass the citizens' resolution that had been presented.

**Citizen Participation Follow-up**

City Manager Atteberry stated the questions regarding last year's expenses to the Chamber of Commerce had been answered in a memo that was provided to Mr. Bacilli. The City did partially fund Marcus Buckingham, a speaker at a Chamber of Commerce conference, as numerous city employees and Councilmembers attended the conference and the City received a direct benefit from the conference. Marketing of the City's golf courses and the Lincoln Center through Chamber materials was another expense incurred over the past year. The City has not paid membership fees to the Chamber.

October 2, 2007

Mayor Hutchinson stated the vendor fees are one of the potential revenue sources that could be applied by Council to fund some items in the proposed budget. He stated Council was listening to citizens regarding the resolution calling for withdrawal of U.S. troops from Iraq but the citizens should contact their federal representatives to voice their opinions. Councilmembers were not elected to represent citizens on national issues.

Councilmember Roy asked if staff could determine what is the cost of the war in Iraq to the citizens of Fort Collins and what dollar amount have the citizens contributed to the war.

City Manager Atteberry stated he would consult with staff to see if there are any federal metrics in terms of income tax contribution or gas tax contribution that could provide any figures for the amount of money paid by Fort Collins citizens used in the war effort. He stated the next work session would include a discussion of the vendor fees and the option of using vendor fees as additional revenue.

Councilmember Manvel stated his appreciation of the citizens who continued to bring the resolution urging withdrawal of U.S. troops from Iraq and urged those citizens to contact their federal representatives, as well.

### **Agenda Review**

City Manager Atteberry stated there were no changes from the published agenda.

### **CONSENT CALENDAR**

6. Consideration and Approval of the Minutes of the September 4, 2007 and September 18, 2007 Regular Meetings.
7. Second Reading of Ordinance No. 102, 2007, Temporarily Suspending the Operation and Enforcement of the Land Use Code and Zoning Map Regarding the Usage of the "Ricker Building" as an Emergency Daytime Severe Winter Weather Shelter for the Homeless.

Local health and human service agencies have asked the City to assist in providing a facility to house a temporary emergency daytime shelter for the homeless in the event of severe winter weather. This Ordinance, unanimously adopted on First Reading on September 18, 2007, allows the Ricker Building to be used for this purpose.

8. Second Reading of Ordinance No. 103, 2007, Authorizing the Acquisition by Eminent Domain Proceedings of Certain Lands Necessary for the Construction of Public Improvements in Connection with Phase Two of the Harmony and Ziegler Roads Front Range Village Improvements Project.

Front Range Village is a large commercial development planned for the area located at the northwest corner of the Harmony Road and Ziegler Road intersection. As a result of this

new development, street improvements and various off-site improvements are necessary for Harmony and Ziegler Roads and will be constructed through the Street Oversizing Program as part of the Harmony and Ziegler Roads Front Range Village Improvements Project. Given the construction schedule for the Project, timely acquisition of the property interests is necessary. All property interests needed for Phase I have been successfully negotiated. This Ordinance, unanimously adopted on First Reading on September 18, 2007, authorizes the use of eminent domain for all property acquisitions in Phase II of the Project, if such action is necessary.

9. Second Reading of Ordinance No. 104, 2007, Authorizing the Conveyance of a Conservation Easement on City Natural Area Property (Roman Ranch) to Larimer County.

This Ordinance, unanimously adopted on First Reading on September 18, 2007, authorizes the conveyance by the City of a conservation easement on the 1,960-acre Roman Ranch property to Larimer County. The City will receive a \$976,000 grant from Great Outdoors Colorado to support the conservation of the property as part of the Laramie Foothills Mountains to Plains project approved in 2004. The grant requires that a conservation easement be placed on the property and conveyed to a qualified third party. The conservation easement acknowledges and protects the natural qualities of the property while allowing some visitor services facilities associated with the recreational opportunities to be provided at Soapstone Prairie Natural Area.

10. Second Reading of Ordinance No. 105, 2007, Designating the A.C. Kluver House (No.2), 323 East Magnolia Street, as a Fort Collins Landmark Pursuant to Chapter 14 of the City Code.

Ordinance No. 105, 2007, unanimously adopted on First Reading on September 18, 2007, designates the A. C. Kluver House (No. 2) as a Fort Collins Landmark. The owner of the property, Charles F. Ferrie, is initiating this request.

11. First Reading of Ordinance No. 106, 2007, Appropriating Prior Year Reserves and Unanticipated Revenue in Various City Funds and Authorizing the Transfer of Appropriated Amounts Between Funds or Projects.

Following is a list of funds that make up the increase in appropriations:

General Fund	
Unanticipated Revenue	\$ 239,639
Prior Year Reserves	
Drug Task Force Reserves	144,603
Library Donation Reserves	125,000
Other Restricted Reserves	72,752
Cultural Services and Facilities Fund	85,728
Transportation Services Fund	837,861
Transit Fund	238,816

October 2, 2007

Recreation Fund	152,900
Capital Projects Fund	217,579
Natural Areas Fund	26,000
Neighborhood Parkland Fund	11,567
Communications Fund	37,861
Self Insurance Fund	793,344
Conservation Trust Fund	100,000
Cemeteries	6,900

The purpose of this annual "clean-up" ordinance is to combine dedicated revenues or reserves that need to be appropriated before the end of the year to cover the related expenses that were not anticipated and, therefore, not included in the 2007 budget. The unanticipated revenue is primarily from fees, charges, rents, contributions and grants that have been paid to City departments to offset specific expenses. Prior year reserves are primarily being appropriated for unanticipated operation expenses from reserves that are set aside for that purpose.

This Ordinance appropriates prior year reserves and unanticipated revenue in various City funds, and authorizes the transfer of appropriated amounts between funds. The City Charter permits the City Council to provide by ordinance for payment of any expense from prior year reserves. The Charter also permits the City Council to appropriate unanticipated revenue received as a result of rate or fee increases or new revenue sources. Additionally, it authorizes the City Council to transfer any unexpended appropriated amounts from one fund to another upon recommendation of the City Manager, provided that the purpose for which the transferred funds are to be expended remains unchanged; the purpose for which they were initially appropriated no longer exists; or the proposed transfer is from a fund or capital project account in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

If these appropriations are not approved, the City will have to reduce expenditures even though revenue and reimbursements have been received to cover those expenditures.

12. First Reading of Ordinance No. 107, 2007, Appropriating Unanticipated Grant Revenue and Prior Year Reserves in the General Fund to Purchase an Armored Rescue Vehicle for Police Services.

Police Services has applied for federal grant funding to purchase an armored rescue vehicle for the past three years and has recently been awarded funding for over 60% of the expense. This vehicle will significantly improve the safety of citizens and police officers in encounters with armed suspects by giving police the ability to move people out of dangerous areas, block armed offenders from the ability to shoot at citizens, and safely transport police officers on their approach to dangerous scenes. The vehicle is very professional in appearance and resembles a small ambulance, which is preferable in this environment to a military-looking armored personnel carrier. It will be routinely deployed on high risk police operations to increase the margin of safety for citizens and police officers.

13. Items Relating to the Old Oak Estates Annexation and Zoning.

- A. Resolution 2007-088 Setting Forth Findings of Fact and Determinations Regarding the Old Oak Estates Annexation.
- B. Hearing and First Reading of Ordinance No. 108, 2007, Annexing Property Known as the Old Oak Estates Annexation to the City of Fort Collins, Colorado.
- C. Hearing and First Reading of Ordinance No. 109, 2007, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Old Oak Estates Annexation to the City of Fort Collins, Colorado.

This is a 100% voluntary annexation and zoning of a property that is approximately 5.73 acres in size. The site is 5227 Strauss Cabin Road located approximately one-half mile south of Harmony Road. Contiguity with the existing municipal boundary is gained along the entire northern and western boundaries.

14. First Reading of Ordinance No. 110, 2007, Designating the Parsons/Morgan House and Attached Garage, 723 West Olive Street, as a Fort Collins Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, Myrne Watrous, is initiating this request for Fort Collins Landmark designation for the property. The Parsons/Morgan House, located at 723 West Olive Street, is eligible for Landmark Designation under Standard 3. The home remains a very nice example of a Bungalow, which was a popular architectural form throughout the 1920s. Built circa 1927 for Anna and Fred Parsons, the home, while undergoing some alteration, has retained a preponderance of integrity. The house also features a small attached garage located on the southwest corner of the building. This historic garage dates to the home's period of significance, and is a part of this designation application. The Parsons/Morgan House and Attached Garage is located in the Loomis Addition, a noteworthy neighborhood exemplified by its large number of architecturally and historically significant homes. This designation will continue a legacy of historical recognition and protection of this significant neighborhood.

15. Resolution 2007-089 Authorizing the Issuance of an Additional Revocable Permit to the Colorado Department of Agriculture for the Urban Area Monitoring Network Project for the Purpose of Developing Groundwater Monitoring Data.

The Colorado Department of Agriculture is developing the Urban Front Range Monitoring Network which will cover urban areas from Fort Collins to Pueblo as part of the Colorado Agricultural Chemicals and Groundwater Protection Program. The Colorado Department of Agriculture has requested that the City of Fort Collins grant permission to enter various parcels owned by the City to install monitoring wells and conduct periodic groundwater testing as part of their Urban Area Monitoring Well Project. On September 4, 2007, City Council authorized a revocable permit for this same purpose with Resolution 2007-078.

October 2, 2007

Since the adoption of that Resolution, the Department of Agriculture has identified two additional monitoring well locations which were not included in the prior Council agenda item. This Resolution will be to authorize a revocable permit to include the two additional monitoring well locations as part of this program.

16. Resolution 2007-090 Authorizing a Revocable Permit to Front Range Internet, Inc. for the Downtown Wi-Fi Pilot Project.

FRII has requested a revocable permit to attach communications equipment on City-owned street light poles and other public property.

17. Resolution 2007-093 Rescinding Resolution 2007-073 and Accepting the Improvements in the Timberline and Prospect SID #94, the Statement of the City Engineer Showing the Cost of Said District and the Assessment Roll Prepared by the Financial Officer for Said District.

The Timberline Road, Drake to Prospect Project was the most heavily congested intersection in the City. In the absence of any City Capital Improvement funding for this intersection, two impacted developers elected to privately fund these improvements in order to proceed with their development projects. These developers are the majority property owners and will receive the proceeds of Special Improvement District #94 to spread a portion of the costs through assessments to other undeveloped property in the area benefitted by the improvements.

On August 21 of this year, Council adopted an earlier resolution accepting the improvements, statement of costs and assessment roll for the District. Recently, in preparing the assessing ordinance for the District, City staff noticed that some of the information originally contained in the attachments to this original resolution may have been misleading or confusing as to the total amount of District costs, the amounts to be assessed against properties in the District, and the properties that would actually be assessed.

This Resolution corrects certain information contained in Resolution 2007-073 that was approved by the City Council on August 21, 2007.

18. Routine Deed.

Deed of Dedication from Avago Technologies Wireless Manufacturing, Inc., for a permanent right-of-way for public street purposes, located at 4380 Ziegler Road. Monetary consideration: \$10.

**\*\*\*END CONSENT\*\*\***

Ordinances on Second Reading were read by title by Chief Deputy City Clerk Harris.

7. Second Reading of Ordinance No. 102, 2007, Temporarily Suspending the Operation and Enforcement of the Land Use Code and Zoning Map Regarding the Usage of the "Ricker Building" as an Emergency Daytime Severe Winter Weather Shelter for the Homeless.

October 2, 2007

8. Second Reading of Ordinance No. 103, 2007, Authorizing the Acquisition by Eminent Domain Proceedings of Certain Lands Necessary for the Construction of Public Improvements in Connection with Phase Two of the Harmony and Ziegler Roads Front Range Village Improvements Project.
9. Second Reading of Ordinance No. 104, 2007, Authorizing the Conveyance of a Conservation Easement on City Natural Area Property (Roman Ranch) to Larimer County.
10. Second Reading of Ordinance No. 105, 2007, Designating the A.C. Kluver House (No.2), 323 East Magnolia Street, as a Fort Collins Landmark Pursuant to Chapter 14 of the City Code.

Ordinances on First Reading were read by title by Chief Deputy City Clerk Harris.

11. First Reading of Ordinance No. 106, 2007, Appropriating Prior Year Reserves and Unanticipated Revenue in Various City Funds and Authorizing the Transfer of Appropriated Amounts Between Funds or Projects.
12. First Reading of Ordinance No. 107, 2007, Appropriating Unanticipated Grant Revenue and Prior Year Reserves in the General Fund to Purchase an Armored Rescue Vehicle for Police Services.
13. Items Relating to the Old Oak Estates Annexation and Zoning.
  - B. Hearing and First Reading of Ordinance No. 108, 2007, Annexing Property Known as the Old Oak Estates Annexation to the City of Fort Collins, Colorado.
  - C. Hearing and First Reading of Ordinance No. 109, 2007, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Old Oak Estates Annexation to the City of Fort Collins, Colorado.
14. First Reading of Ordinance No. 110, 2007, Designating the Parsons/Morgan House and Attached Garage, 723 West Olive Street, as a Fort Collins Landmark Pursuant to Chapter 14 of the City Code.

Councilmember Manvel made a motion, seconded by Councilmember Troxell to adopt and approve all items on the Consent Calendar. Yeas: Councilmembers Brown, Hutchinson, Manvel, Ohlson, Poppaw, Roy and Troxell. Nays: None.

THE MOTION CARRIED.

### **Staff Reports**

City Manager Atteberry noted Transfort has been recognized for the "Transit Marketing Program of the Year" by the Colorado Association of Transit Agencies. The award recognizes effective and innovative marketing among the 90 transit agencies in Colorado. He congratulated Marlys Sittner, Transfort/Dial-A-Ride General Manager, and staff for this award.

City Manager Atteberry stated Soapstone Prairie Natural Area has been recognized as part of a \$5 million pilot program to implement "LandScope America," an online public conservation and educational guide. Soapstone has been selected to be an example of how the online guide will work and will provide information, photos, a video, and information on the history and recreational opportunities of the area.

City Manager Atteberry introduced Ron Hill, Program Coordinator with the EPA, who presented the EPA Clean Water PISCES Award to the City for using the state's revolving fund loans to provide water quality through unique watershed approaches to stormwater treatment.

### **Councilmember Reports**

Councilmember Troxell announced the Rocky Mountain Regional Biocontainment Laboratory, located on the Foothills Campus, had its ribbon-cutting ceremony and opening, attended by the Mayor and Councilmembers Brown and Troxell. This facility will deal with public health issues and is an asset to the City.

Councilmember Manvel stated he attended the Colorado Municipal League Regional Quarterly Meeting, a gathering of governments from Northern Colorado to discuss regional issues.

### **Resolution 2007-091 Approving a Collective Bargaining Agreement with the Fraternal Order of Police, Adopted**

The following is staff's memorandum on this item.

#### ***"EXECUTIVE SUMMARY***

*The City and the Fraternal Order of Police ("FOP") entered into a collective bargaining agreement for 2006 and 2007, which agreement will expire on December 31, 2007. City staff and the FOP have tentatively reached an agreement which addresses the terms and conditions of employment of the members of the bargaining unit for 2008 and 2009. This Resolution ratifies the terms and conditions of a possible agreement, which would take effect on January 1, 2008 and terminate December 31, 2009.*

#### **BACKGROUND**

*Passage of Citizen Ordinance No. 001 in August 2004 by City voters modified the City Code to provide for collective bargaining between the City and members of the Police Services bargaining*



October 2, 2007

*unit. Members of the bargaining unit selected the Northern Colorado Lodge #3, Colorado Fraternal Order of Police ("FOP") to serve as their bargaining agent. A summary of the new terms contained in the 2008 and 2009 agreement is attached to the Resolution as Exhibit "A".*

*Adoption of the Resolution would approve the terms and conditions of the 2008 and 2009 collective bargaining agreement and authorize the City Manager to execute the agreement on behalf of the City."*

Wendy Williams, Assistant City Manager, stated the City has a two-year contract with the Fraternal Order of Police (FOP) that expires at the end of 2007. A tentative agreement has been reached and has been ratified by the FOP membership. The City was unable to complete the negotiations with the FOP and a mediator was brought in to assist in negotiations.

Martin Semple, chief negotiator and outside counsel, stated the collective bargaining process was a long process. One problem encountered in the negotiations was a lack of preparation by the FOP team that slowed down the process. The City team had to cancel sessions or cut them short because the FOP team was not prepared. Another problem was that members of the City's bargaining team received many contacts from different members of the FOP which led to confusion as to what the bargaining unit wanted. When the bargaining process went to mediation, the FOP brought in the same attorney who helped them two years ago, which helped the mediation become productive. The collective bargaining agreement is a fair and balanced agreement from both sides. One unusual aspect of the agreement was that the FOP rejected the City's proposal to increase vacation time and instead wanted to maintain the current status. The City and the FOP agreed to maintain the current split on health insurance. One proposal originally made by the FOP was to increase the pay of a number of its job categories significantly less than the cost of living. The City offered a higher increase in pay for significant job categories within Police Services. Another unusual aspect of the negotiations was in the final offer the City wanted to increase the pay of lieutenants and dispatch supervisors more than the FOP ultimately was willing to accept. The final agreement contains a 3% wage increase in 2008 for police officers, sergeants and CSOs and 4% for lieutenants and dispatchers and dispatch supervisors. In 2009, there will be a 3% across-the-board increase for all job categories. An additional item in the agreement includes a provision for a labor management committee to be appointed by the Police Chief and the FOP President to meet on a regular basis to deal with issues sooner than every two years during negotiations. The agreement is a fair and balanced agreement for two years that covers all the wages, benefits and other conditions of employment subject to bargaining under the Code.

Bruce Lockhart, 2500 East Harmony Road, stated the criticism of the FOP was not warranted and the criticism might make future bargaining more difficult.

Councilmember Troxell asked how much staff time was spent on negotiations and the expenses incurred by the negotiating process. Assistant City Manager Williams stated a considerable amount of time went into the negotiations, identifying the issues and figuring the cost of various proposals. The cost of using Mr. Semple, chief negotiator, shared between the City and the FOP, was

October 2, 2007

considerable. The City, per the agreement, does provide a certain number of hours for the FOP members to prepare for negotiations, which is another cost.

Councilmember Manvel asked for a total cost of the negotiations. City Manager Atteberry stated \$5,000 has been included in the 2008 budget and \$55,000 was budgeted for the 2009 negotiations, which does not include staff time.

Councilmember Manvel stated the percent of health insurance paid by the FOP and the City will stay the same and asked what the current amount is and how does it compare with the amount paid by other City employees. Williams stated the percentage paid by the employees and the City remain the same for all employees, including the FOP. The dollar amount changes, but the percentage remains the same. For example, a member of the Advantage Plan of the City's health insurance will pay 15% of the premium, whether a member of the FOP or other City employee. A member of the Core Plan will pay 10% of the premium. The percentages increase for employees with spouse and family coverage. By 2008, the City will be "at market" with sharing of health insurance premiums with its employees.

Councilmember Roy made a motion, seconded by Councilmember Manvel, to adopt Resolution 2007-091.

Councilmember Manvel stated he hoped this agreement would continue a good relationship with the City's police officers.

The vote on the motion was as follows: Yeas: Councilmembers Brown, Hutchinson, Manvel, Ohlson, Poppaw, Roy and Troxell. Nays: None.

THE MOTION CARRIED.

**Public Hearing**  
**on the 2008-2009 Recommended Biennial**  
**Budget for the City of Fort Collins**

The following is staff's memorandum on this item.

***“EXECUTIVE SUMMARY***

*This is the second official Public Hearing on the City Manager's 2008-2009 Recommended Biennial Budget for the City of Fort Collins. The first Public Hearing was held on September 18, 2007. First Reading of the Ordinance adopting the 2008-2009 biennial budget is scheduled for October 16, 2007, with Second Reading of the Ordinance on November 20, 2007.*

*Additional public input was taken at Budget Open House and Public Education Session held Monday, September 17, 2007.*

October 2, 2007

*The City Manager's 2008-2009 Recommended Budget can be reviewed at the Main Library, the Harmony Branch Library, or the City Clerk's Office. The recommended budget can also be viewed on the internet at [www.fcgov.com/budget](http://www.fcgov.com/budget)."*

Barbara Hagen, 5920 Palmer Court, requested a dedicated handicap entrance to the Lincoln Center on the Meldrum Street side and replacement of two or three parking places with a cement ramp that joins the existing sidewalk. Handrails are needed, as well as adequate lighting and a crosswalk to the parking lot across the street to provide safer access to the Lincoln Center.

Vicki Lutz, 1644 Foxbrook Way, Director of Crossroads Safe House, asked for funding for human services that are essential to help citizens in need. These services, such as Crossroads Safe House, have served Fort Collins and are as essential as police and fire service.

Jenny Merrill, Fort Collins citizen, supported more funding for transit as an essential City service. The proposed budget does not contain any funding for evening Dial-A-Ride services which excludes citizens who must use DAR for transportation to Council meetings.

Stephanie Barrett, 400 Impala Circle, Fort Collins Housing Authority Commissioner, urged Council to provide more funding for human services.

Vivian Armendariz, 820 Merganser Drive, supported funding for services for disabled people that are currently not funded.

Tracy Schwartz, 7805 Emerald Avenue, Resource Development Director for Neighbor to Neighbor, a program which helps people establish and maintain housing stability, thanked Council for its years of support of this essential service and requested an increase in funding as demands on the program are greater each year. Current funding supports housing counseling and emergency rent assistance. Providing assistance to people who are in danger of losing their homes provides a cost benefit to the city and keeps people from becoming homeless. Families are struggling with mental health and physical challenges, transportation, education, child care, domestic violence, substance abuse and other issues and the need for more human services is growing greater, not lessening.

Mike Sollenberger, 3937 Harbor Walk Lane, Fort Collins Housing Authority Commissioner, urged Council to increase funding for affordable housing. Support of affordable housing is good for the economy as it allows employers to provide jobs and be competitive without moving to other communities that have a better supply of lower cost housing. Having affordable housing in Fort Collins will lessen the distance people must drive from work to a place they can afford to live, providing an environmental benefit. Care Housing and the Housing Authority are funded with federal monies but any funding provided by the City can be leveraged to provide greater funding for projects that will assist people in need. He requested funding for the Land Bank for land acquisition that would be used for future affordable housing projects.

Mary Smith, 1618 Sagewood, thanked Council for funding a trash districting study and she hoped the data would show that a more efficient trash hauling system would help Fort Collins meet the greenhouse gas reduction goals and reduce other pollutants.

October 2, 2007

Ellen Lawson, 519 East Plum, supported the proposed trash districting study for the sake of better air quality. She suggested each trash hauler provide financial information on the profits and costs each company incurs and the City then use that information to redistrict trash collection so each business would have a City-mandated similar total customer make-up to what they currently have. The revenues would not decline and each company's trucks would not be traveling throughout the city. Trash company costs would go down, the City would save on street repair costs and residents would have cleaner air, less noise and save on street assessments.

Lloyd Walker, 1756 Concord Drive, spoke in favor of the proposed trash districting study as the current trash collection system is costing the City in terms of accelerated pavement wear and a districting plan would be beneficial to the City and its residents. He proposed funding for community policing that worked closely with Neighborhood Watch groups. The areas of Neighborhood Quality, Safe Environment and Economic Development are tied together. He suggested regional sales tax revenue sharing as one way to fund and promote regional projects.

Bruce Lockhart, 2500 East Harmony, stated the funding for downtown district maintenance included in the proposed budget should be eliminated. Parking and building maintenance is part of the cost of doing business and the downtown businesses should be incurring that expense. He asked how results would be measured from the funding for economic development and long range planning. He asked what the plan was for the old police building. He did not support funding for the Mason Corridor or the use of Certificates of Participation to renovate or build new buildings.

Gary Wockner, 516 North Grant, stated the proposed budget had no funding allocated to preserving the Poudre River, but there was funding for the Halligan Reservoir expansion. He did not support the Reservoir expansion as it was too expensive and involved environmental threats to the Poudre River.

Shane Miller, 4325 Mill Creek Court, supported funding to preserve the Poudre River as that would be less expensive than building reservoirs. He requested funding for evening Dial-A-Ride service as that is a critical service the City should provide.

Cheryl Distaso, 135 South Sunset Street, stated the proposed budget did not contain enough funding for paratransit services. Evening hours for Dial-A-Ride should be funded so that the disabled have the opportunity to attend evening functions such as Council meetings.

Nancy York, 130 South Whitcomb, supported the funding included in the proposed budget for the ClimateWise Program. She proposed turning off lights and computers as a way to save money under building and facilities maintenance. Creative ways are needed to reduce the City's fleet fuel funding. She questioned the funds spent on holiday lighting and asked for a permanent holiday lighting plan that would reuse lights.

Karen Miller, 4325 Mill Creek Court, thanked Council and the City Manager and staff for the positive programs that have been developed, such as recycling asphalt and concrete. She requested adequate funding for snow removal so people can receive emergency services even when large amounts of snow fall.

October 2, 2007

Councilmember Ohlson stated Council would be examining funding allocated to make changes to the Lincoln Center in the future and requested a memo on a short term fix to make the front entrance more handicap accessible and safe. He asked for the total amount of money that was available and what amount was in reserves, what was available for one-time expenditure or for ongoing expenses. He asked for more details regarding how departments budget funds for existing staff. He stated there was no funding in the proposed budget to renovate the old Police Building. He supported more funding for affordable housing and other non-profits.

City Manager Atteberry stated the proposed budget contains one-time funding for Picnic Rock for 2008, but not for 2009. He noted funding for the proposed trash districting study could be reduced from \$135,000 to \$75,000. The objectives of the study are to examine districting in terms of pavement efficiencies, safety in neighborhoods, noise and more efficient delivery of services. He noted the human services program is embedded within the offer of Neighborhood Livability entitled Affordable Housing Funds and Community Development. Funding in the amount of \$345,000 is proposed at the same level as in 2006-2007 and is to be distributed through the competitive process. The item not funded was an enhancement of the Human Services Program of \$210,000 per year. City Manager Atteberry stated the proposal to renovate the old Police Building was not funded and the City is examining whether to sell or lease the building and is determining the cost to retrofit the building to make it a usable space.

City Manager Atteberry stated a question was raised as to how the results would be measured from the funding of economic development. There are related performance measures to any offer that are accepted in the Budgeting for Outcomes (BFO) process. If the offer does not deliver the results listed in the offer, then it would not be funded in the next budget cycle. The City has improved its performance measurements and benchmarking so results can be measured. The BFO process allows the benefit of scrutinizing the base-level budgets of each department and provides a lean budget. He stated Certificates of Participation were used to fund the new Police Building and it is an often-used method of financing capital projects by municipalities that has been in practice around the country for many years.

Councilmember Troxell asked if there were performance benchmarks from previous years. City Manager Atteberry stated some limited measures were available.

Councilmember Ohlson stated the City funds social services in two ways. One is with the Community Development Block Grant (CDBG) and the other is with General Fund dollars. He requested a memo explaining the amount of funding from each and how the funds were allocated.

Councilmember Poppaw requested information as to how the funds for social services were leveraged into larger amounts in combination with state and federal grants.

Mayor Hutchinson asked if the General Fund amount of \$345,000 was paid to Larimer County to provide social services. City Manager Atteberry stated the City did provide funds to Larimer County in the past, but two years ago the City changed its methods and now distributes those dollars through the CDBG process.

Councilmember Manvel asked for information comparing the amount of funding the City provides for social services compared to assistance provided by other organizations in the area.

(\*\*Secretary's Note: The Council took a brief recess at this point in the meeting.)

**Resolution 2007-092**

**Affirming the Canal Importation Ponds and Outfall Project, Adopted as Amended**

The following is staff's memorandum on this item.

***"FINANCIAL IMPACT***

*The estimated cost of the Canal Importation Ponds and Outfall Project is \$21.5 million and is anticipated in the stormwater fund budgets from 2007 to 2010.*

***EXECUTIVE SUMMARY***

*The Canal Importation Basin Stormwater Master Plan, adopted by City Council in 2001 and reaffirmed in 2004 as a part of the Citywide Stormwater Master Plan, called for \$51.5 million in flood control improvements in order to avoid an estimated \$125 million of direct flood damage over the next 50 years. The Canal Importation Ponds & Outfall Project (CIPO) is one element of the improvements in the Canal Importation Basin. The CIPO Project will reduce flood damages to both public and private property and remove properties from the floodplain. The improvements to the Red Fox Meadows Natural Area as a result of the project incorporate important environmental benefits and are expected to improve water quality, habitat conditions and enhance public access to the site.*

***BACKGROUND***

*Utilities and Natural Areas are ready to begin construction of the CIPO/Red Fox Meadows Restoration and Improvement Project. This project was approved in 2004 as a part of the Citywide Stormwater Master Plan. The first installment of funding was included in the 2007 budget and the design is near completion.*

*The project includes the following elements:*

- *Creation of a new detention area at Taft Hill Road and Glenmoor Drive.*
- *Modification to the outlet structure at the existing Plum Detention Area, at Skyline and Elizabeth.*
- *Expansion of the Avery Park Pond and modification of its outlet structure.*
- *Expansion of the Fairbrooke Detention Area, southwest corner of Prospect and Taft Hill.*
- *Relocation and enhancement of the outdoor classroom in the Fairbrooke Detention Area.*
- *Creation of a new detention area and wetlands, southeast corner of Prospect and Taft Hill (Kane Detention Area).*
- *Expansion of the existing Red Fox Meadows Detention Area.*

October 2, 2007

- *Creation of water quality areas in Fairbrooke and Red Fox Meadows Detention Areas.*
- *Approximately 5,000 feet of 24-inch through 102-inch storm sewer pipe and associated inlets.*
- *Restoration and enhancements to Red Fox Meadows Natural/Stormwater Detention Area.*

*The project team is aware of the interest and sensitivity to the design of the detention areas and natural area enhancements at Red Fox Meadows.*

*The project team has incorporated the following elements into the restoration of the Red Fox Meadows Natural Area:*

- *Gentle slopes on the banks of the new Kane detention area and the expanded Red Fox Meadows detention area.*
- *Peninsulas and varied bank shapes to provide a natural look.*
- *A natural, meandering stream to carry low flow runoff and ground water.*
- *A small pond or riffle areas in the Kane detention area for improved wildlife habitat.*
- *Irrigation canals in current locations to minimize loss of riparian habitat.*
- *Removal of the existing flume over the Larimer County No. 2 Canal.*
- *Removal of the existing flume over the New Mercer Canal.*
- *A minimum of new exposed concrete structures.*
- *Special designs, treatments and landscaping to buffer necessary structures and minimize potential for graffiti.*
- *Inlet trash collection devices upstream of Red Fox Meadows.*
- *Provisions for water quality improvement.*
- *Removal of Russian olive and small caliber Siberian elm trees.*
- *Larger caliber Siberian elms removed after collaboration with Natural Areas and Forestry staff.*
- *High quality stands of native trees and shrubs preserved where possible.*
- *Existing fox dens preserved when possible; recreate dens in an isolated area of site when not possible.*
- *Native species for re-vegetation.*
- *Clumps of trees and shrubs throughout newly constructed areas for future wildlife habitat.*
- *A temporary irrigation system to speed establishment of native grasses, shrubs, and trees.*
- *A new gravel parking area along Longworth Road for 7 cars, 1 handicap space and 1 bus.*
- *Educational kiosk, vault toilet, bike rack, trash receptacles near parking lot.*
- *A crushed rock trail system with access from parking area to Red Fox Meadows Detention Area.*
- *An access from the south (via Stuart), including pedestrian bridges over irrigation canals.*
- *An access from the south from Promenade Way.*
- *A detached slightly meandering sidewalk along the east side of Taft Hill Road.*
- *A wetlands education area near the parking area for use by school groups.*

*Public outreach on this project has been extensive. The project mailing list contains over 3,500 addresses for newsletters and project updates. The project team has received input from a public open house, meetings with neighborhood groups, the Land Conservation and Stewardship Board,*

October 2, 2007

*City Council, the Water Board, two City Council work sessions, and hundreds of individual contacts. Numerous changes to the project have resulted from this input.*

*The CIPO Project will reduce flood damages to both public and private property, remove properties from the floodplain and for others remaining in the floodplain, reduce the levels of flooding on those structures. The planned improvements to the Red Fox Meadows Natural Area as a result of the CIPO project incorporate important environmental benefits and are expected to improve water quality, habitat conditions and enhance public access to the site. For these reasons, it is staff's professional recommendation that the Canal Importation Ponds & Outfall/Red Fox Meadows Natural Area Restoration Project proceed."*

Jim Hibbard, Water Engineering and Field Services Manager, stated the Canal Importation Ponds and Outfall Project (CIPO) is a joint project between the Natural Areas Program and the Utilities. The project is not a stand-alone project but is designed to work with other projects in the Canal Importation Basin that have already been built. The Canal Importation Basin has a history of multiple floods, including the major flood of 1997. Repeat flooding can decrease a neighborhood's vitality and cause it to decline. Removing a neighborhood from the floodplain can halt the decline and lessen the economic impact of flooding from the neighborhood and the community as a whole. The proposed improvements have been postponed for 10 years. The CIPO Project offers a significant opportunity to improve water quality and restoration of a natural area back to its original state. The design of the Project had to meet the objectives of the Natural Areas Program and the Stormwater Program. The Project involves numerous detention ponds and significant pipeline projects from Elizabeth Street to Prospect. The design has been modified by reducing the size of the water quality area on Red Fox Meadows by using innovative technologies in the Basin and inlets to collect the trash and sediment at those locations before it reaches Red Fox Meadows. Significant stands of trees have been identified that will be saved. A new pedestrian access is proposed from Promenade Way. The design team has designed an outlet that will be seen, but will blend in with the surroundings. There has been significant public outreach, newsletters and mailings, meetings with neighborhood groups and an open house was held in May. The Project has a cost estimate of \$21.5 million, \$5 million of which was included in the 2007 budget and is now being used for design efforts. Another \$5 million will be included in the budget over the next three years. If the Project is approved by Council, a preconstruction open house will be held in the early spring and construction will begin on the site in March 2008. The initial efforts will be focused on Red Fox Meadows and the Fairbrooke property, then the Project will move north and eventually end at Glenmoor Pond. The total Project should be completed in 2011.

Doug Ernest, 1625 West Elizabeth, stated his condominium was flooded in the 1997 flood. He believed his area was not naturally a floodplain, but rather a floodplain that was created by development over the years. Since 1997, mitigation has taken place, such as making the Avery Park holding pond deeper, but there are still only two or three drains on West Elizabeth which are very inadequate for drainage. Flooding occurs in the area on a fairly frequent basis, such as the flooding that occurred in August. He urged Council to move forward with the Project.



October 2, 2007

Rich Dvorak, 2506 Bradbury Court, was concerned that the area on the southwest corner of Taft Hill and Prospect was now a detention pond, mostly comprised of weeds, and the City does not maintain the area. He questioned whether the area would be maintained once the Project is completed.

Lloyd Walker, 1756 Concord Drive, thanked staff for listening to public comment and making adjustments to the design to incorporate those thoughts. He asked if it was necessary to have two detention ponds on the Kane property and Fairbrooke property as the construction of the two ponds would greatly damage the natural habitat. He also asked if the Fairbrooke area could be left unmowed to allow the area to return to a more natural state.

Gary Wockner, 516 North Grant, Water Board member, stated he voted against this Project when it was presented to the Water Board. He did not support the Project because of the expense, the flood risk and because it is not ecologically-minded. He stated the City's stormwater fees were extremely expensive and this project would add to those fees. The Project will take 180 homes out of the 100-year floodplain at a cost of \$21 million and that was not a good use of funds. The flood of 1997 was a 500-year flood and this Project is designed to protect against 100-year floods. If another major flood of the size of the 1997 flood occurs, the Project will not protect homes. He questioned the design of the Project and stated it did not use current stormwater drainage methods such as infiltration. He urged Council to delay the Project.

Larry Rosener, 5926 Huntington Hills Drive, Civil and Environmental Engineering Professor, CSU, stated he had spent eight years working on stormwater management practices to improve and protect the urban environment and 31 years in stormwater management consulting work. He supported the Project and felt it was required for the health and protection of citizens and property. The Project can be done in an environmentally sensitive manner so that the final result will be an area that is better than what is there today.

Lori Brunswig, 1901 Ridgewood Road, stated the Project was not right for the people who live in the Canal Importation Basin. The Project should be located on different properties so that wetlands were not destroyed. It did not remove enough homes from the floodplain to justify the expense. She urged Council to delay the Project and request other options that will remove more homes from the floodplain.

Shane Miller, 4325 Mill Creek Court, asked if an alternative proposal was made that would look at mitigation efforts to increase infiltration instead of diverting the stormwater. He asked if the Project conflicted with the Land Use Code which states non-permeable surfaces should not be built on natural stormwater drainage. He urged Council to delay the Project and review any alternative proposals that used newer infiltration methods, instead of diversion of stormwater.

Councilmember Troxell stated information he had received from the previous owner of Red Fox Meadows indicated there was an artesian spring flow under Red Fox Meadows and he asked if the area could serve as a detention pond with this water source located beneath the ground. Hibbard stated the City had ample opportunity to discover what lay underneath Red Fox Meadows as storm sewer lines and water lines have been installed through that area numerous times. Extensive soil borings have been done in preparation for the Project. Staff has dug test holes to determine what the

October 2, 2007

subsurface situation is in the area. The geotechnical consultant and civil engineering consultants are confident the soils will perform as expected. There was a field drain in the area that used to run water into that area, but no water has come out of the pipe at the corner of Prospect and Taft Hill in many years. It is possible conditions upstream have changed enough to affect the flow of the artesian spring flow.

Councilmember Troxell asked if the 30-inch sewer line to the south of Red Fox Meadows would need to be rerouted. Hibbard stated portions of that sewer line would be relaid as a part of the Project.

Councilmember Troxell asked if the current natural water flow from the area was required by Colorado water law. Hibbard stated the Project will comply with Colorado water law. Some of the ground water will be used to restore the stream, but the direction of flow will not be changed nor does the Project create any consumptive uses that would be in violation of Colorado water law.

Councilmember Manvel asked if it was possible to have a larger detention pond on the Fairbrooke property and not disturb the Kane property. Hibbard stated that is not feasible. If the Fairbrooke property were dug any deeper than currently proposed, it would become so deep that the water would not drain out of the detention area. Both areas together are necessary to accomplish the Project. Water coming from the west will be detained at Fairbrooke as well as Kane so that when water comes into the Red Fox Meadows, there will be room for that drainage water and there will not be any adverse impacts to the properties downstream.

Councilmember Manvel asked how the Project fits into the overall Stormwater Master Plan. Hibbard stated the Project is one element in the Master Plan for the Canal Importation and Ponds area. All the projects work together. The Sheldon Lake Project is completed and it works with this Project. There are projects that come after this Project that will take more properties out of the floodplain. Future projects that work with this Project will help other areas that will not receive any flood relief from this Project. There will always be some flooding downstream in the Campus West area because it is not economically feasible to totally remove it from the floodplain. Council has directed staff to use the measure of the 100-year flood to determine economic feasibility of a project. The Project will reduce the amount of flooding in Campus West significantly and the amount of water crossing Shields street onto the CSU campus, crossing the campus, then exiting the other side will be reduced by one-half. The Project fits nicely with CSU's Master Plan. Staff has fully coordinated with CSU when designing this Project. Campus West is in the City's floodplain, not a FEMA floodplain, and has been in the floodplain since 2001. This Project does not put anyone in the floodplain and does not require anyone to get flood insurance because it is not a FEMA floodplain so there is no federally-mandated flood insurance. The total cost of projects in this basin is approximately \$51 million and, based on conservative estimates, over the next 50 years, will save \$125 million in damages. These projects are cost-effective and beneficial.

Councilmember Roy requested a description of the plan to revegetate the area and a time frame for completion. Hibbard stated the Utilities staff was working closely with the Natural Areas staff specialists to ensure that all was done to speed revegetation. Natural grasses do grow slowly and a recovery period will be necessary. A temporary irrigation system will be installed to speed the

October 2, 2007

process. A temporary cover crop might be necessary to help start the native vegetation. Trees will be planted and temporarily irrigated. Recovery should be well underway after three growing seasons. Karen Mancini, Senior Environmental Planner, stated the recovery time could take longer, depending on rainfall. The cover crop would lower the amount of weeds present at the site which would enable the native grasses to become established more easily. Typical short-grass prairie restoration can take up to ten years to get good grass established. The temporary irrigation should shorten that time.

Councilmember Roy asked how construction might impact citizens at times and what mitigation efforts would be put into place. Hibbard stated there will be disruptions that occur along Castle Rock as large-diameter pipe is installed and customer service will be provided so that those disruptions will be minimal. Residents of Longworth Road could be heavily impacted with much truck traffic occurring so the plan is to not use Longworth Road for truck traffic but to build a parallel road to be used. The road will be removed when the work is completed at the site.

Mayor Hutchinson stated the Project must be viewed in context of the entire Master Plan and asked how the Project is in agreement with Council policy. Hibbard stated the Plan closely follows previous Council policy direction, including the policy that Natural Areas and stormwater detention sites be acquired jointly when feasible. There is not much "ultra new" technology in the area of stormwater drainage. The Basin is 95% developed and the "low-impact" technologies such as infiltration are best suited for areas that are under new development. This Project is very expensive because it involves retro-fit technology. As each Basin heads south through the city, there are fewer problems because the new developments incorporate newer technologies that were not available when this Basin was developed.

Councilmember Brown asked for an explanation of the financing of the Project. Hibbard stated funds for the operation of the stormwater system as well as capital improvements comes from the rate payers and impact fees from developers. The current financing plan was adopted by Council in 2005 and calls for no new debt service but is "pay-as-you-go." The debt load currently on the Utilities was authorized by Council in the 1990s and early 2000s. Since 2002, no new debt has been incurred. There has been no rate increase since 2004 nor is there a rate increase proposed in the near future. The City's rates are relatively high when compared to other locations in the nation, but other locations are raising their rates. The funding is available to finish the proposed projects.

Councilmember Ohlson asked what other options had been brought to Council such as providing 80% of the flood protection at half the cost or using the property south of Prospect, east of Shields as a potential detention area rather than using the Kane property. Hibbard stated staff had examined other options that had been presented to Council in 2004 when the Master Plan was adopted. Staff presented an option that was 50-year flood protection and was economically feasible. Staff discovered that using a lower criteria only provide a 10-20% savings in cost but left many more homes in the 100-year floodplain. At the August 28 work session, staff presented an option for this Project, based on a 50-year flood protection, but the cost savings was less than 5%. The only difference in the cost between providing 50-year flood protection and 100-year flood protection is in the size of the pipe to be laid. The other costs of the Project are the same. The property at Prospect and Shields was considered during the Master Plan process in 2004, but not necessarily as part of the design of this Project. Staff determined using the property at Prospect and Shields was

October 2, 2007

not feasible as it would require improvement of the water conveyance over a longer distance from Red Fox Meadows than the current Project requires and would cost more and cause environmental damage, as well.

Councilmember Ohlson asked if future development included new technology so that retro-fit projects such as this one would not be necessary. Hibbard stated the City was doing a better job now than five or ten years ago. The stormwater program has been continuously improving since 1980. Staff is working with City planners to consider changing *City Plan* standards in the area of landscaping and aesthetics in stormwater projects. The floodplain regulations protect the floodways from development where most of the water is conveyed and are designed to prevent development in areas that would need later flood control. The best management practices should be reviewed and in some new developments there are new technologies that will help reduce run-off from new developments and improve water quality.

Councilmember Ohlson asked what was proposed to improve the aesthetics of the Glenmoor/Plum/Avery Park aspect of the Project. Hibbard stated the Glenmoor Pond will be significantly excavated so that detention there will lessen the impact in Red Fox Meadows. There will not be as many islands or as gentle a slope as in Red Fox Meadows but the intent is to create something pleasant for people to enjoy. Plum Park does not require much work so there will be little disruption. Reforestation has already occurred in Plum Park but there will be more plantings there as well as in Avery Park.

Councilmember Manvel stated the Fairbrooke area is now mowed and asked which areas would be allowed to grow more naturally and not be mowed. Hibbard stated most of Glenmoor Pond would be mowed with a riparian zone along the stream that would be left as a natural area. Plum Park will also continue to be mowed. Fairbrooke has a diagonal sidewalk crossing it and currently it is proposed that east of the sidewalk will be left in a more natural state and not be mowed, but west of the sidewalk will continue to be mowed. Mowing occurs in these areas about five times during a growing season that receives a fair amount of rain. If it is a dry year, it may only be mowed twice. Occasional mowings help to control weeds. The western end of Avery Park is mowed, while the eastern end stays more natural.

Councilmember Roy made a motion, seconded by Councilmember Troxell, to adopt Resolution 2007-092.

Councilmember Roy stated this Project will provide flood protection for people primarily in an area of modest homes and modest incomes and should be effective for a very long time. While a natural habitat will be temporarily destroyed, the long term result will be greater protection of people and the homes they live in and the natural areas will rebound. This Project meets the needs of many citizens and will provide a great benefit for 80 years or more into the future.

Mayor Hutchinson asked if the Project would benefit the entire stormwater system, not just within the Basin. Hibbard stated the Project has beneficial effects on Spring Creek, the CSU campus and further on. This Project is one step in further improvements in other areas.

October 2, 2007

Councilmember Ohlson requested a friendly amendment to the Resolution that called for the Fairbrooke area to be restored to a more natural state and not be mowed.

City Attorney Roy stated the Resolution, in part, approves the design of the Project and any desire of the Council to modify the design should be documented in the Resolution.

Mayor Hutchinson asked if restoring Fairbrooke to a more natural state would be possible and would that add significantly to the cost of the Project. Hibbard stated it was quite possible to make the proposed change. Some of the adjacent property owners may object to the area not being mowed. One solution might be to mow a strip around the property, leaving the core more natural, but providing a transition from lawns to a more natural state. The area would probably be mowed for the first few years as a weed control mechanism until native grasses are firmly established.

Councilmember Roy, maker of the motion, accepted the friendly amendment.

Councilmember Troxell questioned the need for any amendment to the Resolution as he believed the current Resolution did allow flexibility in the design such as this proposed change. He asked if Council was approving a detailed design as it was not attached to the Resolution.

City Attorney Roy stated the design was not attached as an exhibit to the Resolution but the Resolution does affirm the design of the project as well as the timeline and the purpose. Materials have been submitted to the Council that describe the design of the Project and are part of the record. The Resolution approves what has been submitted to the Council. If this change is important to Council, then it needs to record that by amending the Resolution. The proposed amendment does address long-term maintenance as well as the design and would clarify such issues in the future.

City Manager Atteberry stated if Council wants the proposed design change incorporated into the Project, then staff will do so. If Council wants to clarify the design change for the record, then the amendment is needed.

Councilmember Troxell, who seconded the motion, also accepted the friendly amendment.

Councilmember Brown asked if the neighbors of the area had the expectation that mowing would continue as it had in the past. Owen Randall, Chief Engineer, stated the majority of the people living around the Fairbrooke Area expected the City to maintain the area as it has in the past.

Mayor Hutchinson asked if further outreach sessions were scheduled where this information could be shared. Hibbard stated outreach was ongoing and a pre-construction open house was planned to inform citizens what to expect in terms of the construction activities. At those times, information about the proposed change could be handed out. If a buffer strip could be mowed, then the neighbors might be satisfied with the proposed change.

Councilmember Troxell stated the recent heavy rains of August 2 were a stark reminder of the intense storms and amounts of water that can fall in this Basin. The Project has an excellent engineering team doing the design. He supported the Project.

October 2, 2007

Councilmember Poppaw thanked staff for the extensive public outreach done for the Project. She supported the Project as it would protect homes of citizens who did not have the financial means to deal with the aftermath of a flood.

Councilmember Manvel thanked staff for its hard work and outreach efforts and stated the Project is an important one for the City.

Councilmember Brown stated the Project was well-designed and planned and would protect both property and the lives of citizens.

Councilmember Ohlson stated the Project had been greatly improved from its original design. The average household pays \$171 per year in stormwater fees and these projects need public scrutiny as they are very expensive. He did not think the Project incorporated best practices and he hoped future projects would incorporate newer technology and not be "deeper holes and bigger pipes." He did not support the Resolution.

Mayor Hutchinson stated this Project was an excellent one that would improve drainage within the City. Many newer technologies cannot be used in an area that has already been developed, but the newer development areas in the City were incorporating these newer technologies. The stormwater system, of which this Project is a part, is expensive, but it is interconnected and it was important to note that flooding in Fairbrooke could affect areas across town.

The vote on the motion was as follows: Yeas: Brown, Hutchinson, Manvell, Poppaw, Roy, and Troxell. Nays: Ohlson.

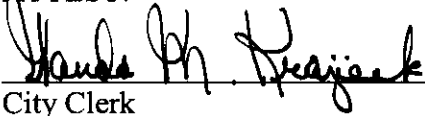
THE MOTION CARRIED.

**Adjournment**

The meeting adjourned at 9:53 p.m.

  
Mayor

ATTEST:

  
City Clerk