

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 12

DATE: December 16, 2008

STAFF: Patrick Rowe

SUBJECT

Second Reading of Ordinance No. 150, 2008, Authorizing a Revocable Permit to the Fort Collins Fire Museum Foundation for Access to City-Owned Property at 330 North Howes Street for up to Five Years.

RECOMMENDATION

Staff recommends adoption of this Ordinance on Second Reading.

EXECUTIVE SUMMARY

The property at 330 North Howes Street (the "Car Barn") currently houses Poudre Fire Authority ("PFA") and City Museum antique fire fighting equipment. This Ordinance, unanimously adopted on First Reading on December 2, 2008, authorizes a permit that allows the Fort Collins Fire Museum Foundation continued access to the restoration equipment stored in the Car Barn.

ATTACHMENTS

1. Copy of First Reading Agenda Item Summary - December 2, 2008.
(w/o original attachments)

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 18

DATE: December 2, 2008

STAFF: Patrick Rowe

COPY**SUBJECT**

First Reading of Ordinance No. 150, 2008, Authorizing a Revocable Permit to the Fort Collins Fire Museum Foundation for Access to City-Owned Property at 330 North Howes Street for up to Five Years.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

EXECUTIVE SUMMARY

The property at 330 North Howes Street (the "Car Barn") currently houses Poudre Fire Authority ("PFA") and City Museum antique fire fighting equipment. The Fort Collins Fire Museum Foundation, a non-profit organization created by former Fire Chief Ed Yonker for the purpose of restoring City and PFA historical fire equipment, desires continued access to the restoration equipment stored in the Car Barn.

BACKGROUND

City Council originally authorized the Fire Museum to access the Car Barn by Resolution 2006-088, adopted on August 15, 2006. The term of this previously authorized revocable access permit is currently expired, and the Fire Museum wishes to renew its access privileges for an additional period of time, up to five years.

COPY

ORDINANCE NO. 150, 2008
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING A REVOCABLE PERMIT TO THE FORT COLLINS
FIRE MUSEUM FOUNDATION FOR ACCESS TO CITY-OWNED PROPERTY
AT 330 NORTH HOWES STREET FOR UP TO FIVE YEARS

WHEREAS, the City is the owner of the real property located at 330 North Howes Street, Fort Collins, Larimer County, Colorado, (the "Property") and

WHEREAS, on August 15, 2006, the City Council adopted Resolution 2006-088, which authorized the Fort Collins Fire Museum Foundation (the "Foundation"), a Colorado non-profit corporation, to access the building commonly known as the "Car Barn", located on the Property, for the purpose of offsite restoration of City and Poudre Fire Authority ("PFA") historical firefighting equipment that is stored in the Car Barn; and

WHEREAS, pursuant to Resolution 2006-088, the City and the Foundation entered into an agreement governing the Foundation's access to and use of the Car Barn, which agreement has now expired; and

WHEREAS, the Foundation wishes to renew its right of access to the Car Barn for up to five more years; and

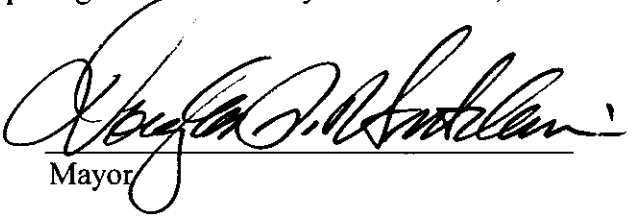
WHEREAS, the Foundation's access to the Car Barn facilitates the preservation of Fort Collins history and heritage to the benefit of the Fort Collins citizenry; and

WHEREAS, Article XI, Section 10 of the Charter of the City of Fort Collins authorizes the City Council to permit the use or occupation of any street, alley, or public place, provided that such permit shall be revocable by the City Council at its pleasure, whether or not such right to revoke is expressly reserved in such permit; and

WHEREAS, the revocable permit granting access shall be at no cost to the Foundation in exchange for the Foundation's restorative work on City and PFA historical equipment.

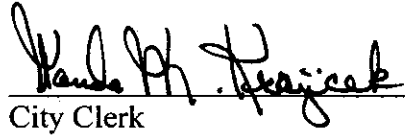
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City Manager is hereby authorized to execute such documents as are necessary to authorize the Fort Collins Fire Museum Foundation to have access to the Property, consistent with the terms of this Ordinance, along with such additional terms and conditions as the City Manager, in consultation with the City Attorney, deems necessary or appropriate to protect the interests of the City or effectuate the purposes of this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 2nd day of December, A.D. 2008, and to be presented for final passage on the 16th day of December, A.D. 2008.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading on the 16th day of December, A.D. 2008.

Mayor

ATTEST:

City Clerk