

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

March 16, 1999

Proclamations and Presentations

5:30 p.m

- A. Proclamation Proclaiming the Month of March as "Women's History Month".
- B. Proclamation Proclaiming the Week of March 6-13, 1999, as "Girl Scout Week".
- C. Proclamation Proclaiming March 24, 1999 as "Asset Builders Awareness Day".
- D. Proclamation Proclaiming April 11-17, 1999 as "National Library Week".

Regular Meeting

6:00 p.m.

PRESENTATION OF COLORS BY THE "GIRL SCOUTS OF FORT COLLINS".

- 1. CALL MEETING TO ORDER.
- 2. ROLL CALL.
- 3. CITIZEN PARTICIPATION (limited to 30 minutes)
- 4. CITIZEN PARTICIPATION FOLLOW-UP:

This is an opportunity for the Mayor or Councilmembers to follow-up on issues raised during Citizen Participation.

- 5. AGENDA REVIEW: CITY MANAGER



6. CONSENT CALENDAR

The Consent Calendar consists of Item Numbers 7 through 27. This Calendar is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Anyone may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately. Agenda items pulled from the Consent Calendar will be considered separately under Agenda Item #35, Pulled Consent Items. The Consent Calendar consists of:

- 1) Ordinances on First Reading that are routine;
- 2) Ordinances on Second Reading that are routine;
- 3) Those of no perceived controversy;
- 4) Routine Administrative actions.

CONSENT CALENDAR

7. Second Reading of Ordinance No. 33, 1999, Appropriating Unanticipated PILOT Revenue from the Fort Collins Housing Authority in the General Fund.

The City received unanticipated revenue from the Fort Collins Housing Authority in the amount of \$18,476 as a 1997 payment for public services and facilities and \$16,463 in 1998. The revenue was placed in the General Fund. Ordinance No. 33, 1999, which was unanimously adopted on First Reading on March 2, 1999, returns the funds to the Housing Authority to be used for technology improvements specifically related to Y2K compliance.

8. Second Reading of Ordinance No. 34, 1999, Authorizing the Transfer of Existing Appropriations Between Funds.

Ordinance No. 34, 1999, which was unanimously adopted on First Reading on March 2, 1999, authorizes the transfer of the \$902,109 from the General Fund to those funds that have employees subsidized by the General Fund and appropriates that amount in those various funds.

9. Second Reading of Ordinance No. 36, 1999, Authorizing the Purchasing Agent to Enter into an Agreement for the Financing by Lease-Purchase of Vehicles and Equipment.

Ordinance No. 36, 1999, was unanimously adopted on First Reading on March 2, 1999 and authorizes the Purchasing Agent to enter into a lease-purchase financing agreement with Safeco Credit Company at a 4.61 percent interest rate. The agreement shall be for an original term from the execution date of the agreement to the end of the current fiscal year. The



agreement shall provide for renewable one-year terms thereafter, to a total term of five (5) years, subject to annual appropriation of funds needed for lease payments. The total lease terms, including the original and all renewal terms, will not exceed the useful life of the property. This lease-purchase financing is consistent with the financial policies of the City of Fort Collins.

10. Second Reading of Ordinance No. 37, 1999, Vacating Street Rights-of-Way for White Mountain Court and Bridgefield Lane as Dedicated on the Plat for Windtrail Park PUD.

Ordinance No. 37, 1999, which was unanimously adopted on First Reading on March 2, 1999, vacates the street rights-of-way for White Mountain Court and Bridgefield Lane.

11. Second Reading of Ordinance No. 38, 1999, Authorizing the Conveyance of Real Property to Gary and Caryn L. Delehoj in Exchange for an Access Easement.

The City's purchase of the Hyde Open Space included land needed for access to Overland Trail Road. This land is no longer needed because other property needed to complete the access to Overland Trail has not been obtained. The Delehoys have agreed to convey to the City a new, non-public maintenance and access easement to the Hyde Natural Area in exchange for the City's unneeded land and \$1,600. Ordinance No. 38, 1999 was unanimously adopted on First Reading on March 2, 1999.

12. Second Reading of Ordinance No. 39, 1999, Appropriating Prior Year Reserves in the Sales and Use Tax Fund for Transfer to the Cultural Services and Facilities Fund Implementation of the Arts Alive Program.

Ordinance No. 39, 1999, which was unanimously adopted on First Reading on March 2, 1999, appropriates monies from the Use Tax Carryover Reserve in the Sales and Use Tax Fund to be transferred for use as the City's share of funding for the Arts Alive Program.

13. Second Reading of Ordinance No. 40, 1999, Amending Various Sections of the Transitional Land Use Regulations Relating to the Consolidation of the Office of Electric Utility Services and the Office of Water, Wastewater and Stormwater Utility Services.

Ordinance No. 198, 1998, which was adopted on Second Reading on November 17, 1998, consolidated the Office of Electric Utility Services and the Office of Water, Wastewater and Stormwater Utility Services into one service area, the Office of Utility Services.

In view of this reorganization it is necessary to also make amendments to the Transitional Land Use Regulations to change references to the "General Manager of the Water, Wastewater and Stormwater Utility" to the "General Manager of Utility Services." Also, references to the "Office of the Electric Utility" and "Office of the Water, Wastewater and Stormwater Utility" should be changed to the "Office of Utility Services." The necessary



changes are detailed in Ordinance No. 40, 1999, which was unanimously adopted on First Reading on March 2, 1999.

14. Second Reading of Ordinance No. 41, 1999, Making Various Amendments to the Fort Collins Land Use Code.

Ordinance No. 41, 1999, was unanimously adopted on First Reading on March 2, 1999, and makes the following revisions to the Land Use Code:

1. Re-evaluation and refinement of the Natural Habitat Protection Standards;
2. Re-evaluation and refinement of the "Block Standards" and other development standards contained in the LMN, MMN, NC and CC zones.
3. Exemption of the Harmony Corridor and Fossil Creek Reservoir Plan areas from the contiguity requirement contained in the Compact Urban Growth Standards.
4. Clarification and refinement of the process and standards for Planning and Zoning Board review of requests for Modifications to Land Use Code Standards.

One affected property owner offered detailed comments outlining concerns with the proposed changes at the March 2 meeting. Council directed staff to review and respond to the property owner's concerns. Staff met with the property owner, and explained how the proposed Code revisions relate to their property. The property owner now understands that the specific changes proposed with this Ordinance do not directly affect the developability of their property, but that other existing Code provisions do affect how the property may be developed. Staff is continuing to work with the property owner regarding how to work through these issues. The property owner indicated that the proposed clarifications to the Modifications to Land Use Code Standards process will be very helpful and important to them in exploring options for their property.

15. First Reading of Ordinance No. 43, 1999, Appropriating Unanticipated Revenue in the General Fund for Fort Collins Build A Generation.

For the past four years, Fort Collins Build A Generation has applied for grant money from the Division of Criminal Justice. Fort Collins Build A Generation is part of a state-wide initiative designed to reduce youth violence, delinquency, school drop-out, pregnancy and substance abuse. The City must serve as a pass-through agent because of federal mandate. Federal law requires a sight and sound separation of juveniles from adults when apprehended by law enforcement.

The funds that come to the Fort Collins community to implement this project are federal Title V funds and receipt of these funds is contingent upon compliance with applicable



federal laws. Total funding to be received by the City of Fort Collins for fiscal year July 1, 1998 - June 30, 1999 is \$51,552.

16. First Reading of Ordinance No. 44, 1999, Appropriating Prior Year Reserves and Unanticipated Revenue in the Street Oversizing Fund and Authorizing the Transfer of Appropriations from the Street Oversizing Fund to the Capital Projects Fund for the South Timberline Road Improvement Project.

Arterial street improvements are planned for Timberline Road at Willow Springs from Battle Creek Drive to the Mail Creek Ditch. These improvements include curb and gutter, detached sidewalks, bike lanes, right turn lanes, and the installation of a new sixteen-inch (16") water main. The project is predominantly funded by the Street Oversizing Program, but includes a Development portion contributed in the form of a Contribution In Aid, as well as a contribution from the Fort Collins/Loveland Water District. The Fort Collins/Loveland Water District portion will cover costs of extending the District's water line to meet future needs. Staff is requesting funds to be appropriated from the Street Oversizing Fund to the Capital Projects Fund for the purpose of starting these arterial road improvements in May of 1999. Staff believes this project needs to start in the spring of 1999 in order to avoid severe traffic delays and congestion in the area. Arterial improvements on Timberline Road at Willow Springs are also necessary in 1999 to keep construction impacts on city residents to a minimum.

17. First Reading of Ordinance No. 45, 1999, Appropriating Unanticipated Revenue and Prior Year Reserves in the Transportation Services Fund for the Metropolitan Planning Organization and Smarttrips Transportation Demand Management Programs.

The North Front Range Transportation and Air Quality Planning Council ("NFRT and AQPC") is the regional Metropolitan Planning Organization (MPO). This Ordinance would appropriate unanticipated revenue and prior year reserves in the amount of \$281,022: (1) \$74,774 in unanticipated revenue of this amount, \$66,771 is in the form of additional TEA-21 planning funds, consisting of \$54,752 in federal funds, \$12,019 in local matching funds from various agencies within the region. The remainder is \$8,003 from prior year reserves; (2) \$10,000 in local matching funds for the FY98 State Highway 14 and I-25 interchange study project; and (3) \$196,248 in carryover funds from FY98, consisting of \$173,958 in federal funds and \$22,290 in local matching funds from various agencies within the region.

18. First Reading of Ordinance No. 46, 1999, Appropriating Unanticipated Revenue in the General Fund for the Police Services Crimes Against Persons/Victim Services Units.

Fort Collins Police Services' Crimes Against Persons/Victim Services Units have been awarded a one-year Violence Against Women Act (VAWA) grant to help fund training opportunities for Detectives and Victim Advocates. The grant period is from April 1, 1999 through March 31, 2000.



This grant is awarded to agencies to assist in the enhancement of services to women who are victims of crime. Detectives will be able to attend training on areas such as homicide, domestic violence and sexual assault, which will strengthen investigative skills as well as provide exceptional services to victims of crime. Victim Advocates will attend training that will strengthen skills in advocacy, crisis intervention, and provide specialized training in trauma specific to crimes such as homicide, domestic violence and sexual assault.

19. First Reading of Ordinance No. 47, 1999, Amending Section 21-87 of the City Code and Article XI of the General Employees Retirement Plan Concerning Membership in the General Employees Retirement Committee.

Since the creation of the General Employees Retirement Plan in 1971, a five member board has been responsible for oversight and implementation of the Plan. None of the slots for the committee are specifically reserved for a retiree from the Plan. At the end of 1998, 368 active members of the Plan decided to convert to a money purchase plan. Beginning in 1999, all new hires at the City will enroll in the money purchase plan. The ratio of retirees to active members has changed significantly over the past few years. In 1998, there were 839 active members compared to 96 retirees and 11 beneficiaries, a ratio of 8 to 1. After the partial conversion, there are approximately 560 active members and the 96 retirees and 11 beneficiaries. The General Employees Retirement Committee has discussed the situation and strongly believes that the retirees are a significant portion of the Plan and they should be represented on the Committee. The Resolution would add one position on the Committee to be filled by a retired member of the Plan. The Resolution amends both the City Code provisions and the Plan.

20. First Reading of Ordinance No. 48, 1999, Authorizing the City to Grant a Non-Exclusive Easement Across Meadow Springs Ranch to Williams Communications, Inc. for Installation and Maintenance of Fiber Optic Cable.

In 1980, the Cities Service Gas Company acquired a 50-foot wide easement across a portion of the Meadow Springs Ranch near the Colorado/Wyoming border, for installation of a natural gas pipeline. Williams Communications, Inc. has requested another easement within these boundaries, but subject to the existing pipeline easement, for the installation and maintenance of fiber optic cable to be used for telephone digital data transmission and internet services. The proposed easement is 10 feet wide and approximately 2,254 feet in length (.51 acres). Staff has reviewed and recommends approval of the requested easement.

21. Resolution 99-27 Adopting a Revised City of Fort Collins Diversity Plan.

The proposed updated Diversity Plan is a set of goals, strategies and actions which have been created to guide the City in its ongoing efforts to work together internally, as well as with the entire Fort Collins community, to create a place which is welcoming, inclusive and



respectful of all people. The first Diversity Plan was adopted by City Council in 1993, and this is the first update.

22. Resolution 99-28 Directing Staff to Proceed to Negotiate a Mutually Agreeable Transfer of Properties Between the City, Colorado State University and the Colorado State University Research Foundation for the Site of a Community Horticulture Center.

In December 1998, Council directed staff to work with Colorado State University to determine if a partnership could be developed for a Community Horticulture Center. Staff and CSU, together with Colorado State University Research Foundation ("CSURF") have been working toward that goal by negotiating a possible exchange of properties. The exchange involves a parcel currently owned by CSURF and the City-owned High School Park.

Staff has reviewed with the Council the general parameters of a proposed exchange of property with CSU/CSURF. This resolution directs staff to continue negotiating with CSU and CSURF, and to return to Council for additional formal action when appropriate agreements have been developed between the City and CSU/CSURF. Staff expects that these negotiations can proceed promptly, and hopes to complete them in the near future. Staff seeks to proceed on a schedule that would permit the proposal to be reviewed by the State Board of Agriculture in May for the approvals which CSU requires. Following that approval, staff expects to return to Council with an IGA for its consideration.

23. Resolution 99-29 Approving the Air Quality Action Plan Update for 2000-2003.

The proposed Air Quality Action Plan is a set of actions to continue implementation of the Air Quality Policy Plan (City Plan Principles and Policies ENV-1). The first Action Plan was adopted in 1994, and this will be its third update. Once approved by City Council, the Action Plan becomes the basis for staff work programs and budget recommendations.

24. Resolution 99-30 Stating the Intent of the City of Fort Collins to Annex Certain Property and Initiating Annexation Proceedings for Such Property to Be Known as the Keating First Annexation.

This is a request for a 100% voluntary annexation. The property being considered for annexation is approximately 11.27 acres in size and is north of Trilby Road and west of Timberline Road. The existing use of the property is agricultural in Larimer County. The proposed zoning for this annexation is LMN-Low Density Mixed-Use Neighborhood District.

The proposed Resolution states that it is the City's intent to annex this property and directs that the published notice required by State law be given of the Council's hearing to consider the needed annexation ordinance. The hearing will be held at the time of First Reading of

the annexation and zoning ordinances on April 20, 1999. Not less than thirty days prior published notice is required by State law.

25. Resolution 99-31 Stating the Intent of the City of Fort Collins to Annex Certain Property and Initiating Annexation Proceedings for Such Property to Be Known as the Keating Second Annexation.

This is a request for a 100% voluntary annexation. The property being considered for annexation is approximately 26.43 acres in size and is north of Trilby Road and west of Timberline Road. The existing use of the property is agricultural in Larimer County. The proposed zoning for this annexation is LMN-Low Density Mixed-Use Neighborhood District.

The proposed Resolution states that it is the City's intent to annex this property and directs that the published notice required by State law be given of the Council's hearing to consider the needed annexation ordinance. The hearing will be held at the time of First Reading of the annexation and zoning ordinances on April 20, 1999. Not less than thirty days prior published notice is required by State law.

26. Resolution 99-32 Establishing Rental Rates to be Charged for the City's Surplus Raw Water for the 1999 Season.

This Resolution approves rates for the rental of the City's surplus raw water. Each year prior to the irrigation season, the City's Water Board makes a recommendation to the Council on the rental rates to be charged for the City's surplus raw water. The surplus water rental program was discussed at its February 25, 1999 meeting of the Board. The proposed rental rates for each type of water are based on several factors including past rental rates, assessment rates, and anticipated supply and demand conditions.

27. Routine Deeds and Easements.

- A. Deed of Dedication from James and Maureen Vincent for a right-of-way, located at 920 South Overland Trail. Monetary consideration: \$10.
- B. Deed of Dedication from Warren Shores Community Association for a pedestrian ramp, located at the southwest corner of East Horsetooth Road and North Star Course. Monetary consideration: \$10.



- C. Easement from Ernesto F. Magdaleno and Mary Jane Magdaleno for a construction and maintenance of public utilities, located at 513 Ponderosa Drive. Monetary consideration: \$200.

*****END CONSENT*****

28. Consent Calendar Follow-up.
This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.
29. Staff Reports.
30. Councilmember Reports.
Committees that have met since March 2 include:
Growth Management Committee
Legislative Review Committee
Poudre School District Liaison Committee
Metropolitan Planning Organization

ITEMS NEEDING INDIVIDUAL CONSIDERATION

31. Second Reading of Ordinance No. 42, 1999, Amending the "Storm Drainage Design Criteria and Construction Standards" by Revising the Rainfall Intensity Duration Curve Graph.

Ordinance No. 42, 1999, which was adopted 4-1 on March 2, 1999, modifies the current family of design storms used by the City of Fort Collins, which are currently the 100-year, 50-year, 25-year, 10-year, 5-year and 2-year storm frequencies, based on a revised analysis of rainfall data.

On First Reading Councilmember Bertschy offered two amendments to the Ordinance that were included in the adoption of the Ordinance. The first amendment involved additional language requiring the City to establish and operate a City-wide network of precipitation and stream flow gages, and to use this information in decision making. The second amendment involved additional language ensuring the Utilities General Manager has the authority to enhance drainage basin master plans to provide for additional flood protection.

Also added to the Ordinance between First and Second readings is a new Section 5. This new Section clarifies that Section 1 of the Ordinance, which modifies the City's current family of design storms, does not apply to any land development for which an application for preliminary or final subdivision plan approval, preliminary or final P.U.D. plan approval, or project development plan or final plan approval has been filed with the City prior to March 26, 1999, whether filed under the City's Land Use Code or under prior law.



32. Items Related to the West Central Neighborhoods Plan.

- A. Resolution 99-33 Adopting the **West Central Neighborhoods Plan** as an element of **City Plan**, the City's Comprehensive Plan.
- B. Resolution 99-34 Amending the *City Structure Plan Map*.

The **West Central Neighborhoods Plan** is a subarea (neighborhood) plan for an "L" shaped area of approximately three square miles located west, southwest, and south of the Colorado State University Main Campus. The planning area's boundaries extend from Mulberry Street on the north to Drake Road on the south, and from the Burlington Northern/Sante Fe Railroad tracks on the east to Taft Hill Road on the west.

33. Items Relating to the Adoption of the Mountain Vista Subarea Plan, as an Element of City Plan, Including the Following Key Plan Components: Vision and Goals, Framework Plan, Transportation, Principles and Policies, and Implementation Recommendations. Implementation Recommendations Include Changes to the City of Fort Collins Structure Plan Map, and Master Street Plan Map.

- A. Resolution 99-35 Adopting the *Mountain Vista Subarea Plan*, as an element of the *City's Comprehensive Plan*, including the following key Plan components: Vision and Goals, Framework Plan, Transportation, Principles and Policies, and Implementation Recommendations.
- B. Resolution 99-36 Amending the City's Structure Plan Map in Accordance with the Land Use Classification and Transportation Network Described in the Mountain Vista Subarea Plan - Framework Plan Map.
- C. Resolution 99-37 Amending the City's Master Street Plan for the Purpose of Deleting All Existing Streets Within the Mountain Vista Subarea and Replacing Said Streets With the New Street Network Described in the Mountain Vista Subarea Plan - Proposed Master Street Plan Map.

34. Resolution 99-38 Updating the Parks and Recreation Policy Plan to Include Recently Adopted Subarea Plan Recommendations.

This Resolution approves and adopts an update to the Parks and Recreation Policy Plan as an element of the City's Comprehensive Plan. The updated Policy Plan establishes new principles and policies for parks and recreation facilities including land acquisition and development, trail locations and other open land needs for the City for the next eight years. The changes proposed include the recommendations of the following, recently adopted, subarea plans: **Mountain Vista Subarea Plan (MVSA)**, **Fossil Creek Reservoir Area Plan (FCRA)**, and the **West Central Neighborhoods Plan (WCNA)**.



The updated Policy Plan complements and supports the Natural Areas Policy Plan, the City's Transportation Plan, Stormwater Utilities Master Plans and *City Plan*. There was extensive public outreach and review with each subarea plan. All issues concerning parks, trails and recreational needs were evaluated and reviewed. Staff and several Advisory Boards participated in the review of all three subarea plans. The Parks and Recreation Board reviewed and recommended adoption of the update to the Policy Plan on February 24, 1999. In addition, the Natural Resources Board and the Planning and Zoning Board reviewed and recommended adoption of the update to the Policy Plan.

35. Pulled Consent Items.
36. Other Business.
37. Adjournment.

