

# AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

February 2, 1999

## Proclamations and Presentations

5:30 p.m

- A. Proclamation Proclaiming the Week of January 31 - February 5, 1999 as "Catholic School Week".

## Regular Meeting

6:00 p.m.

### PRESENTATION OF COLORS BY WEBELOS PACK #188

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 16. 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 #23, 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. Consideration and approval of the Council meeting minutes of January 5, 1999, January 19, 1999, and the special meeting minutes of January 12, 1999.

8. Second Reading of Ordinance No. 11, 1999, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund for the Renovation of the Kitchen at the Catholic Charities Northern Mission.

Ordinance No. 11, 1999, was unanimously adopted on First Reading on January 19, 1999, and appropriates unanticipated revenue in the Community Development Block Grant fund for the kitchen renovation at the Catholic Charities Northern Mission.

9. Second Reading of Ordinance No. 12, 1999, Appropriating Unanticipated Revenue in the General Fund for the Larimer County Multi-Jurisdictional Drug Task Force.

On November 17, 1998, Ordinance No. 195, 1998, appropriating \$202,101 for Fort Collins Police Services as the administrator of the Multi-jurisdictional Drug Grant, was adopted on second reading. At the time the agenda summary was prepared for Ordinance No. 195, 1998, Fort Collins Police Services neglected to include \$22,966 in unanticipated revenue from the Task Force participating agencies. These dollars (\$22,966) represent a portion of the \$202,101 match that participating agencies must provide. The required City of Fort Collins match share of \$87,608 is already appropriated and available. Ordinance No. 12, 1999, was unanimously adopted on First Reading on January 19, 1999.



10. Second Reading of Ordinance No. 13, 1999, Authorizing the Grant of a Non-Exclusive Utility Easement on the Ute-Snowy Ridge Property to the South Fort Collins Sanitation District.

Ordinance No. 13, 1999, which was unanimously adopted on First Reading on January 19, 1999, authorizes the grant of a non-exclusive utility easement on the Ute-Snowy Ridge Property.

11. First Reading of Ordinance No. 15, 1999 Appropriating Prior Year Reserves.

Funds were appropriated in 1998 for specific purposes as described below, but not spent. The unspent funds were added to fund reserves at the end of 1998. Appropriations were typically not spent because:

There was not sufficient time to complete bidding in 1998 and thus there was no known vendor or binding contract to encumber the funds for expenditure in 1999. The project for which the funds were originally appropriated could not be completed during 1998 and, therefore, appropriation of those funds is necessary for completion of the project in 1999.

This ordinance reappropriates the 1998 funds for the same uses in 1999 as were originally approved by Council in 1998.

12. First Reading of Ordinance No. 16, 1999, Approving the Terms of the Lease Agreement for 101 Remington Street, Suites F, M, O and Q.

Adoption of this Ordinance authorizes the terms of the lease for 101 Remington Street and will permit the Larimer County Treasurer's office to remove the Leased Property from the tax rolls in accordance with Section 31-15-(801 and 802) C.R.S. This will result in lower lease costs for the City. In order to have this leased space become tax exempt, it is necessary to have the Council approve the terms of the lease by Ordinance.

13. First Reading of Ordinance No. 17, 1999, Vacating a Portion of the Right-of-Way for Stetson Creek Drive as Dedicated on the Stetson Creek P.U.D., First Filing Plat.

This ordinance vacates a portion of the street right-of-way for Stetson Creek Drive. The plat of Stetson Creek P.U.D., First Filing dedicated rights-of-way for future street intersections along Stetson Creek Drive. Not all of the street intersections are proposed to be used by the development proposal Stetson Creek, 5th Filing, Townhomes at Stetson Creek and therefore the right-of-way for one of the intersections is no longer necessary and proposed for vacation at this time. As there are currently utilities in place that cross this area, the street right-of-way will be retained as a utility easement.



14. Items Relating to Traffic Signal Safety on US Highway 287 (College Avenue Corridor).
- A. Resolution 99-13 Authorizing the City Manager to Execute an Intergovernmental Agreement with the Colorado Department of Transportation Allocating \$72,600 of Unanticipated Revenue for Safety Improvements to 18 Traffic Signals on the College Avenue Corridor.
  - B. First Reading of Ordinance No. 18, 1999, Appropriating Unanticipated Revenue in the Transportation Services Fund For Safety Improvements to 18 Traffic Signals on the College Avenue Corridor.

The City of Fort Collins successfully applied for Federal Highway safety dollars in 1998. Traffic Operations applied for \$72,600 that would be used for upgrading eighteen (18) traffic signals on the College Avenue Corridor from Cherry Street to Boardwalk.

The upgrades includes new signal heads and faces (8 inch heads to 12 inch heads) to improve visibility. Backplates on the signal heads that eliminate background light are also included in the project. The improving of visibility will reduce accidents along the corridor.

15. Resolution 99-14 Authorizing the Mayor to Enter into an Intergovernmental Agreement with Larimer County for the Provision of Social and Human Services for the First Half of 1999.

This Resolution authorizes the Mayor to enter into an Intergovernmental Agreement with Larimer County for the purpose of providing social and human services to the City of Fort Collins for the first half of 1999. The Resolution also allocates one-half of the funds from the 1999 budget for these purposes. Since 1981, the City has contracted with Larimer County to allocate and administer the distribution of human services funds via the Human Resource Grant Program administered by the County. Due to changes in the process of administering these grants, the funding allocations will be made each six months, rather than on an annual basis, as in the past.

16. Routine Deeds and Easements.
- A. Deed of Dedication for Easement from Symbios, Inc., for a utility easement located at the northwest corner of Harmony Road and County Road No. 9. Monetary consideration: \$10.
  - B. Deed of Dedication for Right-of-Way from the Archdiocese of Denver, for a Right-of-Way Dedication on Seton Street, located east of South Lemay Avenue and north of Southridge Greens Boulevard. Monetary consideration: \$10.



- C. Deed of Dedication for Easement from Rose Development Group, Ltd, (Kenneth Scavo), for a sanitary sewer easement located north of West Stuart Street and east of South Overland Trail. Monetary consideration: \$10.
- D. Deed of Dedication for Easement from Willing Acres Company, for grading and slope easements located at South Shields Street and north of Trilby Road, as well as Trilby Road and east of Shields Street. Monetary consideration: \$10.
- E. Right-of-Way Dedication from Odum Enterprises, for a right-of-way dedication for Willox Lane and College Avenue, located at the southwest corner of North College Avenue and Willox Lane. Monetary consideration: \$10.
- F. Right-of-Way Dedication from Odum Enterprises, for a right-of-way dedication for Willox Lane, located on the south side of Willox Lane and west of North College Avenue. Monetary consideration: \$10.
- G. Drainage Easement from Odum Enterprises, for a storm drainage and detention easement, located at the southwest corner of Willox Land and North College Avenue. Monetary consideration: \$10.
- H. Deed of Dedication for a permanent slope easement from Buderus Family Farm, LLC, located on the south side of East Vine Drive and ½ mile west of Interstate 25. Monetary consideration: \$10.
- I. Deed of Dedication for a permanent slope easement from Linda and Robert Buderus, located on the north side of East Vine Drive, east of the railroad tracks, and 1400 feet east of County Road 9E. Monetary consideration: \$10.
- J. Deed of Dedication for a permanent slope easement from Hartshorn Farm, Inc., located on the north side of East Vine Drive and ½ mile west of Interstate 25. Monetary consideration: \$10.
- K. Deed of Dedication for a permanent slope easement from Marilyn and Herbert Pedri, located on the south side of East Vine Drive and 2000 feet west of I-25. Monetary consideration: \$10.
- L. Deed of Storm Drainage Easement from Marilyn and Herbert Pedri for storm drainage, located on the south side of East Vine Drive and 200 feet west of I-25. Monetary consideration: \$0.

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



17. Consent Calendar Follow-up.

This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.

18. Staff Reports.19. Councilmember Reports.

**Committees that have met since January 19 include:**

*Finance Committee*

*Legislative Review Committee*

### ITEMS NEEDING INDIVIDUAL CONSIDERATION

20. Resolution 99-15 Amending the Fossil Creek Reservoir Area Plan.

On October 5, 1998 the Board of County Commissioners recommended unanimously to the Larimer County Planning Commission that they "not approve the proposed amendment to the Fossil Creek Reservoir Area Plan." The following issues were identified for further discussion:

- Other sites for the Neighborhood Commercial Center (NCC) and Medium Density Mixed-Use Neighborhood (MMN) land uses should be explored within the Fossil Creek Reservoir Area as an alternative to the proposed location (Hansen Property), including locations east and west of Timberline Road.
- The proposed land uses should be explored for the potential of integrating these uses into the adopted TDU Program to achieve the upzoning.
- Determining a new schedule for making a joint decision on the item.

21. Resolution 99-16 Adopting the Priority Affordable Housing Needs and Strategies Report.

The goal of the "Priority Affordable Housing Needs and Strategies" study is to help the City be more strategic in getting housing assistance to the people who need it most. It is also about using City resources smarter, to get the most "bang for the buck." The study began with an investigation of what kind of affordable housing exists in this community, what kinds are needed, and what the most urgent need is. It includes an assessment of existing financial resources that support affordable housing, both public and private. The report also contains a description of the roles of various players in the affordable housing community within Fort Collins, including a comprehensive analysis of current City roles, responsibilities and programs. Finally, it presents recommendations from staff and the Affordable Housing Board for the City's future roles, responsibilities, and programs, including specific and measurable goals, objectives and strategies for meeting its affordable housing needs. The strategies would be effective regardless of whether additional funding is made available. However, if the goals and objectives are not fully funded, the numbers of units to be funded should be recalculated.



22. Items Relating to Affordable Housing.

- A. First Reading of Ordinance No. 19, 1999, Revising the Definitions for "Affordable Housing Project" and "Affordable Housing Unit", Revising the City's Development Review Fee Waiver Provisions for Affordable Housing and Revising the City's Impact Fee Delay Program for Affordable Housing.

On August 18, 1998, City Council adopted Resolution 98-125 identifying the City's priority affordable housing needs. The City Council intends to target City resources on priority needs. The existing affordable housing incentives offered in the Land Use Code and the City Code do not necessarily target those priorities. They do not share a common definition of affordable housing and so, in some ways, they function at odds with one another.

Staff has worked with the Affordable Housing Board to create definitions of an affordable housing project, rental unit and for sale unit. Applying those definitions throughout the Codes will help clarify the City's affordable housing incentive programs and make them easier to work with. Staff and the Affordable Housing Board have also agreed to propose revising the Development Review Fee Waiver so that the proportion of fees waived would equal the proportion of affordable units within an affordable housing project. The Planning and Zoning Board reviewed the proposed changes at its November 19, 1998 meeting. That Board requested the addition of a 20-year minimum affordability period and a more detailed analysis of financial impacts. The result is Ordinance No. 19, 1999, which revises the definitions for "Affordable housing project," "Affordable housing unit for rent" and "Affordable housing unit for sale" in the Land Use Code, the Transitional Land Use Regulations, and the City Code. It revises Fort Collins' Development Review Fees Waiver for Affordable Housing in both the Land Use Code and the Transitional Land Use Regulations. Finally, this Ordinance revises Fort Collins' Impact Fee Delay Program for Affordable Housing in the City Code.

- B. First Reading of Ordinance No. 20, 1999, Repealing Article IX of Chapter 5 of the City Code Regarding the Offset of Impact Fees for Affordable Housing.

One of the programs established by the City of Fort Collins to promote the development of affordable housing units inside the city limits is known as the Development Impact Fee Rebate Program. The program provides a partial rebate to an affordable housing developer of the impact fees paid to the City, other governmental entities, and/or special purpose utility districts. Currently, the amount of per unit rebate is based on a graduated scale dependent upon the commitment of the developer to provide units as certain income levels, with higher rebates given for housing units reserved for lower income families. In mid-1996, the City Council asked the Affordable Housing Board to re-examine the Rebate Program and to consider making rebates based on a percentage of fees paid instead of flat dollar amounts. The Board has reexamined the Program and in the context of the recently completed "Priority Affordable Housing Needs and Strategies" report now believes the Rebate Program should



be eliminated and eventually replaced with a competitive process. Elimination of the Rebate Program would not affect the Development Impact Fee Delay Program. If adopted, the proposed Ordinance would eliminate the Rebate Program except for eleven (11) projects that have received preliminary planning approval and have financially relied on receiving a rebate of fees from the City. Thus, \$816,410 from the Affordable Housing Fund will need to be earmarked to cover rebates for these projects if they are completed. Assuming the Affordable Housing Fund continues to receive a budget of at least \$283,000 a year, there will be sufficient funds to cover the estimated costs.

23. Pulled Consent Items.
24. Other Business.
25. Adjournment.

