

**MINUTES
CITY OF FORT COLLINS
LAND CONSERVATION & STEWARDSHIP BOARD**

**Regular Meeting
Executive Session
Wednesday, June 8, 2016
1745 Hoffman Mill Road
5:30 p.m.**

Council Liaison:
Gerry Horak 420-7398

For Reference:

Kent Leier, Chair	631-2361
Marcia Mallory-Patton, VC	222-0513
Trudy Haines, Communications	225-2760
Mark Sears, Staff Liaison	416-2096

Board Members Present: David Tweedale, Edward Reifsnnyder, Joseph Piesman, Kent Leier, Kelly Ohlson, Marcia Patton-Mallory, Raymond Watts, Trudy Haines

Excused: Vicky McLane

NAD Staff: Mark Sears and John Stokes

Public Attendees: None

Call meeting to order: 5:30 pm

Guests: Susan Gordon, City of Fort Collins
Environmental Services Department

Public Comments: None

Approval of Minutes:

Joseph Peisman made a motion to approve the May LCSB Meeting minutes.

Marcia Mallory-Patton seconded the motion to approve the minutes.

The minutes were unanimously approved.

Joe Piesman suggested, as part of the meeting agenda, that the board review the City Council six month calendar. Mark requested time on the agenda to discuss potential land acquisitions. Kent approved the additions.

NA Updates and Announcements

Mark Sears, Natural Areas Manager, provided updates on land conservation activities and highlighted the department's activities over the past month. He also reminded board members about the upcoming Bobcat Ridge Historic Celebration on Friday, June 10th and invited members to attend and enjoy pie and ice cream at the event.

Running Deer Proposed Land Sale to Hageman Earth Cycle

Mark Sears, Natural Areas Manager made a brief presentation regarding the proposed sale of 15 acres of land to Hageman Earth Cycle (HEC). Hageman has been leasing the 15 acres for the last 18 years but is seeking to have full ownership of the property in order to invest more in the business with the certainty of ownership versus a lease. HEC provides an important yard waste recycling service to the community which is consistent with the City's zero waste and Climate Action Plan. The Natural Areas Department was asked by the City Manager's Office to consider the sale of the property.

Natural Areas proposes to sell the 15 acres of land with the following restrictions and conditions:

- The land can only be used for recycling yard waste and other organic materials and no permanent structures can be constructed.
- Natural Areas will have the first right of refusal to purchase the land back if the land is being proposed for a changed use.
- The buyback price will be based up on the price Mr. Hageman pays for the land inflated by the CPI index.
- If Natural Areas does not purchase the land back, the land may be used or rezoned as defined in the T-Transitional Zoning.

Discussion:

Kelly provided a history of the lease agreement; specific to language in the lease that suggested the land owner find an alternative property in the near future to expand his recycling and composting operations. The property is adjacent to the Running Deer Natural Area and members felt that selling the acreage would eliminate any future opportunities to expand the area's habitat values. Although the property owner is seeking operational stability by owning the property some Board members felt selling the property to a business owner sets a bad precedent. Susan Gordon, with the Environmental Services Department explained previous attempts to move recycling and composting operations to the County's landfill, but that the State regulatory agency wouldn't allow it, this leaves few options for Hageman or others who might locate there. She

also noted that she had been working for years with little results to identify areas where Hageman's or other yard waste recycling and perhaps composting could be relocated or expanded.

Since the Board seemed opposed to the proposed land sale, Mark suggested that the board consider recommending that Council offer Hageman a 10 plus year lease extension on the current lease versus selling the property. A compromise of a long term lease would be beneficial to the landowner and provide NAD the opportunity to gain full use of this land as a natural area at some point in the future, should the organic recycling be discontinued.

Trudy made a motion that the Land Conservation and Stewardship Board recommend that City Council not approve the sale of approximately 15 acres of land that originally was purchased with Running Deer Natural Area. The Board recommends a 10 year lease with a potential for 2 - 5 year extensions.

Marcia Mallory-Patton seconded the motion.

The motion was unanimously approved.

Trudy agreed to amend the current memorandum to City Council to include the value of the land and replace the term "non-renewable" with "renewable". She will forward the final draft to the board for review.

King Fisher – Proposed Temporary Land Lease to Fort Collins Nursery

Mark Sears, Natural Area Manager, made a brief presentation regarding the proposed temporary two year lease to Fort Collins Nursery.

The Natural Area Department purchased 11.81 acres of land in partnership with Xcel Energy in 2013 as an addition to Kingfisher Natural Area. Fort Collins Nursery had been informally using approximately 0.7 acres of this land as an employee parking area and truck access for years prior to the purchase. Staff agreed at the time of purchase to allow the Nursery to continue using the parking area/truck access during the construction period of Xcel's replacement gas pipeline.

Natural Areas staff and Jesse Eastman, owner and general manager of the Nursery, have discussed a few potential permanent solutions including a sale and/or land trade. At this point, Fort Collins Nursery is requesting a temporary two-year lease to allow time to explore the possibility and costs of acquiring the land and constructing a parking lot, and to explore other options on neighboring property east of the Nursery. If they decide to pursue the purchase of the ~0.7 acres, the Nursery may have an interest in exchanging approximately 1.3 plus acres of land it owns on the south side of the Poudre River as partial compensation for the acquisition.

The annual lease rate has been calculated to be \$13,000 per year for a total of \$26,000 for the two-year lease term.

Discussion:

Board members were curious if the .7 acres, which is currently acting as a parking lot for nursery staff, has any habitat value. John said ‘probably not’ but that the 1.2 plus acres on the south side of the Poudre River did. All agreed the parking lot is probably not a good habitat area given the current traffic there and history of the usage in the past. Board members agreed at the end of 2 years a decision should be made to either sell the land to the nursery or offer them an extension on the lease. Kelly suggested re-evaluating the market value at a current rate.

Joe Piesman made to recommend the City Manager approve a temporary two-year lease of approximately 0.7 acres of land that was purchased as part of an 11.81 addition to Kingfisher Natural Area.

David Tweedale seconded the motion.

The motion was unanimously approved.

General Discussion:

John announced bringing an action item to City Council to discuss NIPS. The discussion will focus on where we are going and where staff has gone with regards to the issue, over the last few months. John will bring the issue back to the Board at some point.


John also announced that our Department is working on updating the Wildlife Guidelines. The guidelines will probably go to City Council in November. Our office still has some public outreach and other preparation to do prior to going to Council.

LCSB Retreat Follow-up

Trudy announced that the summary and parking lot items were complete from the LCSB annual retreat last month. Board members agreed to place the parking lot items on the calendar for the rest of the year. Mark agreed to disburse those retreat parking lot items throughout the remaining year’s calendar.

Meeting adjourned at 7:45 pm

Approved:

 , Chair 7/19/16 Date

Michelle Vattano Secretary

