



REGULAR MEETING AGENDA

FORT COLLINS CITY COUNCIL

October 16, 2007

Doug Hutchinson, Mayor
Kelly Ohlson, District 5, Mayor Pro Tem
Ben Manvel, District 1
Lisa Poppaw, District 2
Diggs Brown, District 3
Wade Troxell, District 4
David Roy, District 6

City Council Chambers
City Hall West
300 LaPorte Avenue
Fort Collins, Colorado

Cablecast on City Cable Channel 14
on the Comcast cable system

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Proclamations and Presentations 5:30 p.m.

- A. Proclamation Declaring October 27, 2007 as Make a Difference Day.
- B. Proclamation Declaring the month of November as Native American Awareness Month.
- C. Recognition of the winners of the Commission on Disability Awards.

Regular Meeting 6:00 p.m.

PLEDGE OF ALLEGIANCE

- 1. CALL MEETING TO ORDER.
- 2. ROLL CALL.

3. CITIZEN PARTICIPATION (limited to 30 minutes)

Individuals who wish to make comments regarding items scheduled on the Consent Calendar or wish to address the Council on items not specifically scheduled on the agenda must first be recognized by the Mayor or Mayor Pro Tem. **Before speaking, please sign in at the table in the back of the room.** The timer will buzz once when there are 30 seconds left and the light will turn yellow. The timer will buzz again at the end of the speaker's time. Each speaker is allowed 5 minutes. If there are more than 6 individuals who wish to speak, the Mayor may reduce the time allowed for each individual.

- State your name and address for the record
- Applause, outbursts or other demonstrations by the audience is not allowed
- Keep comments brief; if available, provide a written copy of statement to City Clerk

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

Consent Calendar

The Consent Calendar consists of Items 6 through 17. 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 Item No. 25, Pulled Consent Items. The Consent Calendar consists of:

- Ordinances on First Reading that are routine;
- Ordinances on Second Reading that are routine;
- Those of no perceived controversy;
- Routine administrative actions.

CONSENT NON-BUDGET ITEMS

6. Second 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.

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 was unanimously adopted on First Reading on October 2, 2007.

7. Second 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.

This Ordinance, unanimously adopted on First Reading on October 2, 2007, appropriates federal grant funding Police Services has received to purchase an armored rescue vehicle. 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.

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

- A. Second Reading of Ordinance No. 108, 2007, Annexing Property Known as the Old Oak Estates Annexation to the City of Fort Collins, Colorado.
- B. Second 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.

These Ordinances, unanimously adopted on First Reading on October 2, 2007, annex and zone property located at 5227 Strauss Cabin Road, located approximately one-half mile south of Harmony Road. This is a 100% voluntary annexation.

9. Second 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.

Ordinance No. 110, 2007, unanimously adopted on First Reading on October 2, 2007, designates the Parsons/Morgan House and Attached Garage, 723 West Olive Street, as a Fort Collins Landmark. The owner of the property, Myrne Watrous, is initiating this request.

10. First Reading of Ordinance No. 111, 2007, Appropriating Unanticipated Grant Revenue from the Bureau of Justice Assistance in the General Fund for the Larimer County Drug Task Force.

This Ordinance appropriates grant funds received by the City for the Larimer County Drug Task Force from the Bureau of Justice Assistance. These funds are to be used to fund the investigation of illegal narcotics activities in Larimer County.

11. First Reading of Ordinance No. 112, 2007, Appropriating Prior Year Reserves In the Street Oversizing Fund for Transfer To the Capital Projects Fund - North College Avenue Improvements Project to Be Used for to Acquire Property Necessary for Future Improvements along North College Avenue.

The Fort Collins Master Street Plan provides for the eventual relocation of East Vine Drive from its present location to a somewhat parallel location to the north. The designed realignment location on North College Avenue will be opposite and east of Pinon Street.

There is a Building on Basics (BOB) Capital Improvement Project planned to improve North College Avenue from Vine to Conifer, including the purchase of additional right-of-way, scheduled in 2011. However, it has been determined that the best location for two proposed water transmission lines running generally east-west to cross North College is at the same location as the proposed realigned East Vine Street. One of the proposed water transmission lines is a joint venture between ELCO (East Larimer County Water District) and NWCWD (Northern Weld County Water District), known as NEWT. The other line is for the City of Greeley, known as GWET. The construction of these two lines is scheduled to begin in early 2008.

The owner of a tract of land on the east side of North College Avenue needed for this relocated street has offered that parcel for sale to the City. The requested price has been determined by staff to be within fair market value. In order to have funds to acquire this needed tract prior to the BOB funding, \$225,000 must be appropriated from Street Oversizing to acquire this parcel.

12. First Reading of Ordinance No. 113, 2007, Authorizing the Lease of City-Owned Property at 211 South Bryan Avenue for Up to Ten Years.

The Fort Collins Baseball Club (formerly the Fort Collins Youth Baseball Association), a local non-profit that provides recreational and competitive baseball programming to more than 3300 players ranging in age from 5 to 18 years old, resides and operates out of an approximately 1,495 square-foot City facility located near the baseball diamonds at City Park. The City has leased this facility to the baseball club at no cost since 1983 in recognition of the community benefits derived from the organization's recreational programming. The term of the current lease is expired and the Baseball Club wishes to renew its lease arrangement with the City for up to ten years. Staff believes that it is in the best interest of the community to renew this no-cost lease.

13. Resolution 2007-094 Authorizing a Revocable Permit to Kurt E. Zimmerman for Access to a Stock Water Tank Located on Soapstone Prairie Natural Area.

This Resolution authorizes a revocable permit to Kurt E. Zimmerman to allow him to continue to use overflow water from a City livestock watering system on Soapstone Prairie Natural Area to water livestock on the Zimmerman property. This will not require a physical change on the City's property and will allow an informal arrangement that had not previously been documented to continue.

14. Resolution 2007-095 Amending Resolution 2007-062 to Extend the Deadline For a Task Force of Citizens to Make Recommendations Regarding the City's Holiday Display Policy.

The Holiday Display Task Force was appointed by the City Manager in early August 2007 for the purpose of reviewing the City's current Holiday Display Policy and recommending possible modifications to the policy. The Task Force held its first meeting on August 22, 2007. Since then members have met regularly and investigated a number of options, with the goal of developing a recommendation to City Council by the designated deadline of October 31, 2007.

The Task Force was originally scheduled to present its recommendations to Council at its regular meeting on November 6, 2007. The agenda schedule for that meeting necessitates that the materials for the meeting be submitted by noon on October 17, 2007, effectively eliminating two full weeks from the Task Force's original schedule.

The presentation of the Task Force's recommendations to City Council has been tentatively rescheduled to November 20, 2007, pending Council's approval of this Resolution, in order to give Task Force members time to complete the group's recommendations. While the Task Force fully intends to submit its recommendations as required for the November 20, 2007, Council meeting, extending the deadline to the end of the year will allow additional flexibility should Council wish the Task Force to develop any follow-up recommendations as a result of the November 20, 2007, discussion. Therefore, the proposed Resolution will extend the Task Force's deadline to December 31, 2007.

CONSENT BUDGET ITEMS

15. First Reading of Ordinance No. 114, 2007, Amending the City Code to Increase the Capital Improvement Expansion Fee, Street Oversizing Fee and Neighborhood Parkland Fee to Reflect Inflation in Associated Costs of Services.

This Ordinance increases the fee schedules for the Capital Improvement Expansion Fees and Neighborhood Parkland Fee by the estimated 2007 changes in the Denver-Boulder-Greeley Consumer Price Index ("CPI").

Costs in the Capital Improvement Expansion Fees ("CIEF") Study and the fee schedule for the Neighborhood Parkland Fees were calculated using costs from 1995. The fees were last adjusted in 2006. This Ordinance increases the CIEF and the neighborhood parkland fees by the estimated 2007 increase in the CPI of 2.50%, and the Street Oversizing fees by 4.85%, which reflects the projected increase reported in the Engineering News Record.

16. Items Relating to the 2008 Downtown Development Authority Budget.

- A. First Reading of Ordinance No. 115, 2007, Appropriating Downtown Development Authority Operating Funds and Fixing the Mill Levy for Fiscal Year 2008.
- B. First Reading of Ordinance No. 116, 2007, Appropriating Revenue in the Downtown Development Authority Debt Service Fund for Payment of Debt Service for the Year 2008.
- C. First Reading of Ordinance No. 117, 2007, Authorizing the Transfer of Appropriations Between Capital Improvements Within the Downtown Development Authority Operations and Maintenance Fund Related to the City of Fort Collins, Colorado, Downtown Development Authority Taxable Subordinate Tax Increment Revenue Bonds, Series 2004A.

The Downtown Development Authority Board of Directors (the "Board") adopted its proposed budget for 2008 totaling \$6,709,104 on September 13, 2007. The Board determined the mill levy necessary to provide for payment of administrative costs incurred

by the DDA at its regular meeting of September 13, 2007. Ordinance No. 115, 2007, appropriates the DDA operating funds and sets the mill levy.

Ordinance No. 116, 2007, appropriates funds for 2008 DDA debt service payments from the tax increment received by the City.

Ordinance No. 117, 2007 authorizes the transfer of appropriations of \$1,000,000 from the City of Fort Collins Museum project to the funding of Beet Street for 2008.

17. Resolution 2007-096 Adopting a Revenue Allocation Formula to Define the City of Fort Collins' Contribution to the Poudre Fire Authority Budget for the Year 2008 for Operations and Maintenance.

This Resolution establishes a Revenue Allocation Formula between the City of Fort Collins and the Poudre Fire Authority to contribute funding for maintenance and operating costs of Poudre Fire Authority.

END CONSENT

18. Consent Calendar Follow-up.
- a. This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.
19. Staff Reports.
20. Councilmember Reports.

Budget Discussion Items

The method of debate for discussion items is as follows:

- Mayor introduces the item number, and subject; asks if formal presentation will be made by staff
- Staff presentation (optional)
- Mayor requests citizen comment on the item (five minute limit for each citizen)
- Council questions of staff on the item
- Council motion on the item
- Council discussion
- Final Council comments
- Council vote on the item

Note: Time limits for individual agenda items may be revised, at the discretion of the Mayor, to ensure all citizens have an opportunity to speak. **Please sign in at the table in the back of the room.** The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.

21. First Reading of Ordinance No. 118, 2007, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations For the Fiscal Year 2008; Adopting the Budget For the Fiscal Years Beginning January 1, 2008, And Ending December 31, 2009; and Fixing the Mill Levy for Fiscal Year 2008. (10 minute staff presentation - 90 minute discussion)

The Annual Appropriation Ordinance is presented for First Reading. This ordinance sets the City Budget for the two year period 2008–2009. The Ordinance is based on the City Manager’s Recommended Budget, with several additions directed by City Council at its October 9, 2009 Work Session. The additional offers total \$1,038,916 in one-time General Fund expenditures and \$124,148 (2009 costs) in on-going General Fund offers. If approved on First Reading, these additions to the Recommended Budget would be funded through the use of an additional \$412,715 in General Fund Reserves and an increase in revenue from the Sales and Use Tax Vendor Fee of \$390,000 per year (on-going.)

These additions use all of the total available funds, including one-time Reserves and on-going Vendor Fee revenue.

22. Items Relating to Utility Rates and Charges for 2008. (10 minute staff presentation - 20 minute discussion)

- A. First Reading of Ordinance No. 119, 2007, Amending Chapter 26 of the City Code to Revise Water Plant Investment Fees and Raw Water Requirements.
- B. First Reading of Ordinance No. 120, 2007 Amending Chapter 26 of the City Code Relating to Wastewater Rates and Charges.
- C. First Reading of Ordinance No. 121, 2007, Amending Chapter 26 of the City Code to Revise Sewer Plant Investment Fees.
- D. First Reading of Ordinance No. 122, 2007 Amending Chapter 26 of the City Code Relating to Electric Rates and Charges.
- E. First Reading of Ordinance No. 123, 2007, Amending Chapter 26 of the City Code to Revise Electric Development Fees and Charges.
- F. First Reading of Ordinance No. 124, 2007, Amending Chapter 26 of the City Code to Revise Stormwater Plant Investment Fees.
- G. First Reading of Ordinance No. 125, 2007, Amending Chapter 26 of the City Code Relating to Utility Connection Fees and Miscellaneous Charges.

Ordinance No. 120, 2007 and Ordinance No. 122, 2007 establish monthly wastewater and electric rates for 2008 as follows:

	% Increase
Wastewater	12
Electric	2.0 - 2.6

The electric rate Ordinance also includes a housekeeping change to the power adjustment clause.

Ordinance No. 125, 2007, updates utility connection fees and miscellaneous charges for returned items and turn-off notices to recover the cost of these services.

Ordinances Nos. 119, 121, 123, and 124, 2007, adopt revised water, sewer and stormwater plant investment fees and electric development fees. The fees are one-time charges paid by developers or builders for the cost of the utility infrastructure needed to serve new development. Per Council direction, plant investment fees are reviewed on an annual basis and revised during the biennial budget cycle. Plant investment fees (PIFs) for water, wastewater and stormwater were updated with the 2006-2007 budget. Electric development fees and charges are updated annually.

Non-Budget Discussion Items

The method of debate for discussion items is as follows:

- Mayor introduces the item number, and subject; asks if formal presentation will be made by staff
- Staff presentation (optional)
- Mayor requests citizen comment on the item (five minute limit for each citizen)
- Council questions of staff on the item
- Council motion on the item
- Council discussion
- Final Council comments
- Council vote on the item

Note: Time limits for individual agenda items may be revised, at the discretion of the Mayor, to ensure all citizens have an opportunity to speak. **Please sign in at the table in the back of the room.** The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.

23. Items Relating to the Prospect Road/I-25 Interchange Rezoning. (15 minute staff presentation - 30 minute discussion)
- A. Resolution 2007-097 Amending the *City Plan Structure Plan Map* Pertaining to the Southwest Corner of Prospect Road and I-25.
 - B. Resolution 2007-098 Amending the *City Structure Plan Map* Pertaining to the Northeast Corner of Prospect Road and I-25.
 - C. Resolution 2007-099 Amending the I-25 Subarea Plan.
 - D. First Reading of Ordinance No. 126, 2007, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classifications for That Certain Property Known as the Southwest Corner of East Prospect Road and I-25 Rezoning.

- E. First Reading of Ordinance No. 127, 2007, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classifications for that Certain Property Known as the Northeast Corner of East Prospect Road and I-25 Rezoning.

This is a request to amend the *I-25 Subarea Plan* and the *City Plan Structure Plan* map, and rezone 143 acres located at the southwest corner of East Prospect Road and Interstate 25 and rezone 105 acres located at the northeast corner of East Prospect Road and Interstate 25.

The current *Structure Plan* designations for the 143 acres in the southwest are Commercial Corridor District, for a 25 acre parcel, and Open Lands, Parks and Stream Corridors, for a 118 acre parcel. The current *I-25 Subarea Plan* designations are Commercial Corridor District and Proposed Open Space, with corresponding zoning district designations of 25 acres of C, Commercial and 118 acres of POL, Public Open Lands. The City proposes a *Structure Plan* amendment and amendments to the *I-25 Subarea Plan* to change the area into the Employment District designation with a corresponding rezoning to the E, Employment District.

The current *Structure Plan* designation for 86 of the 105 acres in the northeast is the Industrial District and the current *I-25 Subarea Plan* designation for the area is also Industrial District. The current *Structure Plan* designation for 19 of the 105 acres is the Urban Estate District and the current *I-25 Subarea Plan* designation for the area is also Urban Estate. The applicant proposes a *Structure Plan* amendment and amendments to the *I-25 Subarea Plan* to change the area into additional Commercial Corridor and Employment District designations with corresponding rezonings to the C, Commercial District and the E, Employment District.

24. First Reading of Ordinance No. 128, 2007 Authorizing the Conveyance of 143 Acres of Land To Colorado State University Research Foundation In Exchange for 267 Acres of Land Adjacent to Reservoir Ridge Natural Area. (15 minute staff presentation - 45 minute discussion)

The adoption of this Ordinance will authorize a land exchange between the City of Fort Collins and the Colorado State University Research Foundation (CSURF). The proposed exchange consists of the City trading 143-acres of City-owned land at the southwest corner of I-25 and Prospect (a portion of the former Resource Recovery Farm) for 267-acres of state-owned land on Colorado State University's foothills campus. The exchange land currently owned by the City would become a gateway for Colorado State University into the City, and ultimately would include research, development, educational, and light manufacturing facilities. The exchange land currently owned by Colorado State University would become part of the Reservoir Ridge Natural Area, which is owned/managed by the City's Natural Areas Program. In addition to the exchange, the City would acquire an option to purchase an additional 27 acres from CSURF that is adjacent to the CSURF exchange property and Reservoir Ridge.

25. Pulled Consent Items.

26. Other Business.

- a. Consider Adjourning into Executive Session to Discuss Legal Matters.

27. Adjournment.

Every Council meeting will end no later than 10:30 p.m., except that: (1) any item of business commenced before 10:30 p.m. may be concluded before the meeting is adjourned and (2) the City Council may, by majority vote, extend a meeting until no later than 12:00 a.m. for the purpose of considering additional items of business. Any matter which has been commenced and is still pending at the conclusion of the Council meeting, and all matters scheduled for consideration at the meeting which have not yet been considered by the Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.



REGULAR MEETING AGENDA

GENERAL IMPROVEMENT DISTRICT NO. 1

October 16, 2007

Doug Hutchinson, Mayor
Kelly Ohlson, District 5, Mayor Pro Tem
Ben Manvel, District 1
Lisa Poppaw, District 2
Diggs Brown, District 3
Wade Troxell, District 4
David Roy, District 6

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1. Call Meeting to Order.
2. Roll Call.
3. First Reading of Ordinance No. 054, Determining and Fixing the Mill Levy for the General Improvement District No. 1 for the Fiscal Year 2008; Directing the Secretary of the District to Certify Such Levy to the Board of County Commissioners of Larimer County; and Making the Fiscal Year 2008 Annual Appropriation.

The sum of \$240,000 is anticipated to be collected from the mill levy of 4.924 mills for fiscal year 2008. Additional revenue for the GID No. 1 from sources like automobile specific ownership taxes, ad valorem taxes, and interest earnings are anticipated to total \$60,000. The total 2008 revenue for GID No. 1 will be \$300,000 and the recommended appropriations for this amount include the following:

- \$145,120 in lease payments to the Fort Collins Capital Leasing Corporation for downtown sidewalk improvements.
- \$117,880 to be used for capital improvements in the downtown area. (City Planning staff will convene a meeting to update the Capital Improvement Program for the GID.)
- Other expenses:
 - \$15,500 for the property tax rebate program,
 - \$8,000 for maintenance and repairs,

- \$12,000 for the Larimer County Treasurer's fee for collecting the property tax, and
- \$1,500 for estimated electrical costs for downtown lighting.

4. Other Business.

5. Adjournment.

REGULAR MEETING AGENDA

URBAN RENEWAL AUTHORITY

October 16, 2007

Doug Hutchinson, President
Kelly Ohlson, Vice-President
Ben Manvel
Lisa Poppaw
Diggs Brown
Wade Troxell
David Roy

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1. Call Meeting to Order.
2. Roll Call.
3. Resolution No. 010 Adopting a Budget for the Fort Collins Urban Renewal Authority.

The sum of \$403,000 is anticipated to be collected from the tax increment generated within the North College Avenue Urban Renewal Authority Plan Area for fiscal year 2008. The recommended appropriations for this amount include the following:

- \$38,000 in annual debt service on the loan from the City of Fort Collins' Stormwater Utility approved by City Council on April 4, 2006,
- \$220,000 to be used for project commitments in the North College URA Plan Area (Commission will need to approve the individual projects as presented),
- \$145,000 for administrative expenses (includes all or a portion of three positions in the City Planning and Community Development Department).
- On October 4, 2007, staff reviewed the 2008 Budget with the North College Citizens' Advisory Group (CAG). Although no formal recommendation was made, the group was comfortable with the budget as outlined above.

4. Other Business.
5. Adjournment.