

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 18

DATE: March 4, 2008

STAFF: John Stokes

SUBJECT

First Reading of Ordinance No. 028, 2008, Authorizing the Lease of a Portion of a Building Located at Gateway Natural Area.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

The Land Conservation Board has not formally reviewed this lease, however the Board members were emailed the Council AIS for review and asked to voice concerns, if any.

FINANCIAL IMPACT

Natural Areas will receive \$200 per month for approximately eight months each year for an estimated \$1,600 each year for lease of the building. Natural Areas will be responsible for all utility costs associated with the office building/residence as a large portion of the building will continue to be used for the Gateway Natural Area Ranger office and maintenance shop and other Natural Areas purposes.

EXECUTIVE SUMMARY

The City of Fort Collins owns two houses at Gateway Natural Area. One house is occupied and leased by the Gateway Natural Area Ranger, a full-time employee. The other house is used as the Ranger's office and maintenance shop. The office/house is a three bedroom bi-level including a master bedroom with a full bathroom, kitchen, living room, dining room, and an additional bedroom/office and bathroom on the upper level. The maintenance shop, storage, and garage are on the lower level. A Seasonal Maintenance Assistant would lease a portion of the residential building containing the office and maintenance shop but have exclusive use of only the master bedroom and attached bathroom. The remaining rooms and garage would remain fully functional and continue to be used by City employees for Gateway operations and maintenance and other Natural Areas purposes.

BACKGROUND

The City's Natural Resources Department took over the responsibility of Gateway Mountain Park from Parks and Recreation in January 2007. The Gateway Natural Area Ranger was hired in

February 2007 and is leasing the house at 5212 Poudre Canyon Road. The house at 5216 Poudre Canyon Road is usually unoccupied and is used as the Ranger's office and maintenance shop. Natural Resources Staff has reviewed the Gateway Ranger's recommendations for leasing the building containing the office and maintenance shop to the Ranger's Seasonal Maintenance Assistant and believes it is in the best interest of the City to enter into a month-to-month lease with the Seasonal Maintenance Assistant.

Allowing the Seasonal Maintenance Assistant to lease this building will provide the City with the following benefits:

1. Reduce the amount of overtime paid to complete a variety of tasks which require work after normal hours.
2. Provide an on-site presence when the Ranger is off-site.
3. Provide timely assistance to Gateway's visitors at times when the Ranger is not available.
4. Would provide a person on-site to handle snow-plowing duties when the Ranger is not on duty.
5. Would provide additional site security.

The Seasonal Maintenance Assistant will pay rent monthly at the rate of two hundred dollars (\$200) per month. This is a 33% reduction from the fair market rental rate. The reduce rate is being offered since the Seasonal Maintenance Assistant will be required to live on site and to perform job duties at odd hours of the day and night that will interrupt off-duty personal activities.

The Seasonal Maintenance Assistant will pay for utilities beyond basic water and electricity, such as long-distance phone calls, satellite TV and internet service. The lease requires that the leased premises be occupied only by the Seasonal Maintenance Assistant and no additional persons are allowed to occupy the building per the lease, except for uses consistent with Natural Areas purposes.

The City will be responsible for maintenance of the office/house for repairs of plumbing, all appliances, wiring, exterior premises, structural components and painting when necessary. The employee can make no repairs or alterations without prior written permission from the City.

The Seasonal Maintenance Assistant will be required to vacate the premises when he/she is no longer in this designated position or when he/she completes their seasonal employment.

ORDINANCE NO. 028, 2008
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE LEASE OF A PORTION OF A BUILDING LOCATED AT
GATEWAY NATURAL AREA

WHEREAS, the City of Fort Collins is the owner of Gateway Natural Area (the "Natural Area"); and

WHEREAS, there are two residential buildings located on the Natural Area, one of which is leased by the Gateway Natural Area Ranger, while the other, referred to as the Gateway Natural Area office/house (the "Premises) is used as the Ranger's office and maintenance shop as shown on Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, City staff has proposed that the City lease a portion of the Premises to a seasonal maintenance assistant for approximately an eight month period on an annual basis; and

WHEREAS, City staff has identified a number of benefits to the City as a result of the residence and more consistent presence of an on-site seasonal maintenance assistance on the Natural Area; and

WHEREAS, City staff has proposed that a portion of the Premises, including the master bedroom and attached bathroom, be leased at a rate of \$200 per month, on a month-to-month basis for a total possible lease period of approximately eight months each year for an indefinite number of years; and

WHEREAS, under Sections 23-111 and 23-114 of the Code of the City of Fort Collins, the Council is authorized to lease any and all interests in real property owned in the name of the City, provided that the Council first finds that the lease is in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the Council hereby finds that leasing a portion of the Premises located at Gateway Park under the terms described above is in the best interests of the City.

Section 2. That the City Manager is hereby authorized to execute lease agreements on an annual basis for the Premises on terms and conditions consistent with this Ordinance, together with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City.

Introduced, considered favorably on first reading, and ordered published this 4th day of March, A.D. 2008, and to be presented for final passage on the 18th day of March, A.D. 2008.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 18th day of March, A.D. 2008.

Mayor

ATTEST:

City Clerk

Exhibit A
Gateway Natural Area - Leased Building

