

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

Council Chambers
City Hall West
300 LaPorte Avenue
Fort Collins, Colorado
6 p.m.

Cablecast on City Cable Channel 14
on the Comcast cable system

Darin Atteberry, City Manager
Steve Roy, City Attorney
Wanda Krajcek, City Clerk

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

ADJOURNED MEETING

October 27, 2009

1. Call Meeting to Order.
2. Roll Call.
3. First Reading of Ordinance No. 105, 2009, Appropriating Prior Year Reserves and Unanticipated Revenue in Various City Funds and Authorizing the Transfer of Appropriated Amounts Between Funds or Projects. (staff: Chuck Seest)

This item was pulled from the Consent Agenda by a citizen on October 20, 2009 and Council adjourned that meeting before "Pulled Consent" items were considered.

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 2009 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 appropriates prior year reserves and unanticipated revenue in various City funds, and authorizes the transfer of appropriated amounts between funds. The City Charter permits the City Council to provide by ordinance for payment of any expense from prior year reserves. The Charter also permits the City Council to appropriate unanticipated revenue received as a result of rate or fee increases or new revenue sources. Additionally, it authorizes the City Council to transfer any unexpended appropriated amounts from one fund to another upon recommendation of the City Manager, provided that the purpose for which the transferred funds are to be expended remains unchanged; the purpose for which they were initially appropriated no longer exists; or the proposed transfer is from a fund or capital project account in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

4. Resolution 2009-098 Concerning Implementation of Standards Created by Amendments to the Public Utility Regulatory Policies Act of 1978 and Contained in the Energy Independence and Security Act of 2007. (staff: Brian Janonis, Steve Catanach)

This item was pulled from the Consent Agenda by a citizen on October 20, 2009 and Council adjourned that meeting before "Pulled Consent" items were considered.

The Energy Independence and Security Act of 2007 (EISA) amended the Public Utility Regulatory Policies Act of 1978 (PURPA) to create four new standards regarding integrated resource planning, rate design modifications to promote energy efficiency investments, and smart grid investments and information. EISA also includes a new standard to provide incentives for recovery of industrial waste energy. EISA requires both regulated (investor-owned) and nonregulated (municipal and rural electric cooperatives) electric utilities to consider the standards after notice and public hearing and to make a determination on whether or not to implement the standards. The utility may determine that it is not appropriate to implement a particular standard and decline to do so as long as it sets forth its reasons in writing and makes the writing available to the public. The Staff Report lists the specific EISA standards and the particular practices and policies which address the standards. Staff believes, and the Electric Board concurs, that the current electric utility practices and policy are in compliance with the standards.

5. Items Relating to the Riverwalk Annexation and Zoning. (staff: Ted Shepard; 5 minute staff presentation; 15 minute discussion)
 - A. Second Reading of Ordinance No. 099, 2009, Annexing Property Known as the Riverwalk Annexation to the City.
 - B. Second Reading of Ordinance No. 100, 2009, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Riverwalk Annexation to the City.

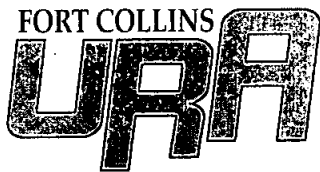
These Ordinances, unanimously adopted on First Reading on October 6, 2009 annex and zone 265.65 acres generally located at the southwest quadrant of Interstate 25 and East

Harmony Road. The site is bounded by I-25 on the east, Harmony Road on the north, the Fossil Creek Reservoir Inlet Ditch on the west and Kechter Road on the south. The requested zoning is T, Transition.

The applicant has asked that the zoning for the south half of the property be amended on Second Reading from Public Open Lands District (POL) to Transition District (T). This is consistent with the petition for annexation, which requests that the entire property be placed in the T zone. Staff and the P&Z Board initially recommended that the south half of the property be placed in the Public Open Lands (POL) zone since the anticipated use of that portion of the property is for a water storage facility. However, staff does not object to the request to place the entire parcel in the T-Transition Zone District as the land use regulations that would control the property are not impacted. The property, if zoned T-Transition, would require a subsequent zone change before any development could occur except that the proposed zoning condition recommended by the P&Z would allow dirt removal in accordance with a Type II permit. Staff believes that rezoning the entire parcel T does not impact the City's ability to ensure the property conforms with the City's adopted Plans, Policies and Regulations.

6. Other Business.

7. Adjournment.



urban renewal authority

Doug Hutchinson, President
Kelly Ohlson, Vice-President
Ben Marvel
Lisa Poppaw
Aislinn Kottwitz
Wade Troxell
David Roy

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City Hall West
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MEETING AGENDA

October 27, 2009

1. Call Meeting to Order.
2. Roll Call.
3. Resolution No. 021 Approving an Agreement Between the Fort Collins Urban Renewal Authority and SunTerrace Townhomes, LLC. for the SunTerrace Townhomes. (staff: Mike Freeman, Josh Birks, Christina Vincent; 5 minute staff presentation; 45 minute discussion)

SunTerrace Townhomes, LLC ("Applicant") is proposing to build a 56 unit multifamily rental complex on the north side of the Old Town North development. The applicant is seeking tax increment financing (TIF) assistance from the URA to cover the financing gap that exists for the project. The applicant is looking to use the TIF as leverage for the federal loan application, intended as the project's permanent financing mechanism. There are not extraordinary site constraints as in other URA projects, but the applicant is seeking assistance for local street fees associated with the Old Town North development that would be triggered as a result of the number of building permits this project would generate. This is the fifth URA applicant seeking TIF from the URA Board in the past twelve months.

The applicant disagrees with staff's recommendation for a TIF contribution of \$562,000 and requests that the URA Board vote on the requested amount of \$961,844. Staff does not support the applicant's requested amount based on the pro forma analysis, the appropriate use of TIF for those additional costs, and will therefore be recommending denial of the resolution.

4. Other Business.

5. Adjournment.

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REGULAR MEETING

October 27, 2009

1. Call Meeting to Order.
2. Roll Call.
3. First Reading of Ordinance No. 057, Determining and Fixing the Mill Levy for the General Improvement District No. 1 for the Fiscal Year 2010; Directing the Secretary of the District to Certify Such Levy to the Board of County Commissioners of Larimer County; and Making the Fiscal Year 2010 Annual Appropriation. (staff: Chuck Seest; 5 minute staff presentation; 10 minute discussion)

The sum of \$237,000 is anticipated to be collected from the mill levy of 4.924 mills for fiscal year 2009 as adjusted by the temporary tax credits. Additional revenue for the General Improvement District(GID) No. 1 from sources like automobile specific ownership taxes, ad valorem taxes, and interest earnings are anticipated to total \$15,000. The total 2009 revenue for GID No. 1 will be \$252,000, which when combined with reserves of \$418,902, generate a total of \$670,902 and the recommended appropriations for this amount are as follows:

- \$142,702 in lease payments to the Fort Collins Capital Leasing Corporation for downtown sidewalk improvements.
- \$250,000 to be used for capital improvements in the downtown area, primarily sidewalk repairs.
- \$250,000 to be used for one – time capital improvements in the downtown area, a “Way Finding” and signage system to assist businesses, residents and visitors.

Other expenses:

- \$15,500 for the property tax rebate program
- \$10,500 for the Larimer County Treasurer’s fee for collecting the property tax
- \$2,200 for estimated electrical costs for downtown lighting and water.

4. Other Business.

5. Adjournment.

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WORK SESSION

October 27, 2009

1. Call Meeting to Order.
2. North I-25 Environmental Impact Statement Update. (staff: Kathleen Bracke, Scott Weeks; Carol Parr, CDOT; 45 minute discussion)

The Colorado Department of Transportation (CDOT) is conducting the North I-25 Environmental Impact Statement (EIS) for the Interstate 25 corridor from Northern Colorado to the Denver Metropolitan area. CDOT is continuing to gather input from communities and citizens within the project area. CDOT's project team has developed a draft preferred alternative for long-range transportation improvements – both highway and transit - to link Northern Colorado to the Denver Metropolitan area. CDOT is also working on various phasing plan options for long-term implementation of the preferred alternative improvements based on future funding projections. The purpose of this work session is to share this most recent information regarding CDOT's North I-25 EIS process, to request additional input and feedback from Council regarding the proposed preferred alternative, and to discuss the various phasing plan options for these long-term transportation improvements.

3. Occupancy Ordinance Two-Year Review and Policy Discussion. (staff: Beth Sowder, Peter Barnes; 1 hour discussion)

In 2005, City Council amended the Occupancy Ordinance which prohibits more than three unrelated persons from inhabiting a single dwelling unit. At that time, Council indicated that they wanted to review the ordinance after two years of enforcement. Since enforcement of the revised ordinance began in 2007, this two-year review includes 2007-2008. The August 25, 2009 Council work session reviewed the "Economic and Market Impact Study" conducted by Corona Research which concluded that violator households have decreased significantly, neighborhood conditions have improved, rental vacancies and prices have been impacted by factors other than the occupancy ordinance, and stakeholders have some concerns about enforcement. Council also provided staff with direction regarding additional information desired for the occupancy ordinance two-year review and policy discussion.

4. Historic Preservation System Improvement Project. (staff: Steve Dush, Joe Frank; Nore Winter, consultant with Winter & Company; 1 hour discussion)

Last spring, City staff initiated a study to review the policies, regulations and processes and make recommendations for improvement of the City's historic preservation programs and statutory language as they relate to development review. A variety of different viewpoints were sought for this study, including current customers of the historic preservation program, boards and commissions, City Council, and City staff. Following input from Council at its October 27 Work Session, the staff and the consultants will finalize a report for presentation to the public and the Landmark Preservation Commission review on November 18, 2009. City staff will then proceed to implement the study's recommendation over time and as resources permit.

5. Other Business.

6. Adjournment.