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

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

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ADJOURNED MEETING

April 29, 2013

6 p.m.

1. Call Meeting to Order.
2. Roll Call.
3. Continuance of Items Relating to the Foothills Mall to May 7, 2013. (staff: Josh Birks, Bruce Hendee; 5 minute staff presentation; 5 minute discussion)
 - A. Public Hearing and Consideration of Amendments to the Midtown Urban Renewal Plan to Authorize the Use of Tax Increment Financing in the Foothills Mall Area of the Plan.
 - B. Public Hearing and Consideration of Amendments to the Foothills Metropolitan District Service Plan.

Staff has proposed that the Midtown Urban Renewal Plan be amended to authorize the use of tax increment financing in the Foothills Mall area of the Plan, in connection with the furtherance of a proposed redevelopment of the Foothills Mall for the eradication of blight under the Plan. As required in connection with such an amendment, notice of a public hearing on the Plan amendment for April 29, 2013, was provided to all property owners, residents, and owners of business concerns in the Urban Renewal Area, and to Larimer County, and was published in the Fort Collins Coloradoan.

In addition, amendments to the Service Plan of the Foothills Metropolitan District related to the redevelopment of Foothills Mall have also been proposed. Notice of a public hearing for April 29, 2013, on the proposed amendments was published and mailed as required by City policy.

Staff is requesting that each of the two public hearings described in the notices, and consideration of the related items, be continued to May 7, 2013, in order to allow further time for development of

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the details of a related redevelopment and reimbursement agreement, as well as a related preliminary agreement with Larimer County.

4. First Reading of Ordinance No.068, 2013, Authorizing the Conveyance of a Non-Exclusive Utility Easement to Public Service Company of Colorado. (staff: Rich Richter, Karen Cumbo; 5 minute staff presentation; 10 minute discussion)

This Ordinance conveys a Non-Exclusive Utility Easement to Public Service Company of Colorado("PSCo").

The City of Fort Collins staff worked with PSCo over the past several months to determine the alignment of and mitigate the impacts for a new 16 inch high pressure gas transmission line within city limits. The project is designed and construction is expected to start in May of 2013. Most of the City issues were addressed, and City Council approved easements in Natural Areas and passed Resolution 2013-022 on March 19, 2013, directing the use of the payments from PSCo be used for natural areas and trails.

There was continuing concern, however, about the proposed location of the pipeline in private property at the northwest corner of Harmony Road and Shields Street. Although this was primarily an issue of concern between the property owner and PSCo, the City expressed concern over the impacts on future commercial development at the site. At its March 19 meeting, City Council directed the City Manager to follow up with PSCo on this issue. Following several conversations with senior PSCo executives and project staff, they agreed in principle to relocate the pipeline within the Shields Street right-of-way if the City agreed to pay for any relocation of the approximately 2,000 feet of line adjacent to the property that may be necessary in the next fifteen years.

This is a low-risk option, given the location of the pipeline in the Shields Street right of way. PSCo is re-designing the pipeline within the Shields Street right-of way. In order to document this agreement between the City and PSCo, staff recommends a Non-Exclusive Pipeline Easement within the Shields Street right-of-way.

5. Other Business.
 - a. Motion to consider adjourning into Executive Session under Section 2-31(a)(2) of the City Code, for the purpose of meeting with the City Attorney, City Manager and other affected members of City staff to discuss potential litigation and related legal matters.
6. Adjournment.