

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

November 18, 2003

Presentation

5:30 p.m.

~ Recognition and Presentation of Awards to Climatewise Partners ~

Regular Meeting

6:00 p.m.

PLEDGE OF ALLEGIANCE

1. CALL MEETING TO ORDER.
2. ROLL CALL.
3. CITIZEN PARTICIPATION (limited to 30 minutes)
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

6. CONSENT CALENDAR

The Consent Calendar consists of Item Numbers 7 through 14. 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 Agenda Item #20, Pulled Consent Items. The Consent Calendar consists of:

- 1) Ordinances on First Reading that are routine;
- 2) Ordinances on Second Reading that are routine;
- 3) Those of no perceived controversy;
- 4) Routine Administrative actions.

CONSENT CALENDAR

7. Items Relating to Various Code Changes.

- A. Second Reading of Ordinance No. 144, 2003, Amending Sections 20-2 and 20-3 of the City Code Pertaining to the Abatement of Unsanitary or Dangerous Premises.
- B. Second Reading of Ordinance No. 145, 2003, Amending Section 9-2 of the City Code Pertaining to the Uniform Fire Code.
- C. Second Reading of Ordinance No. 146, 2003, Amending Section 2-671 of the City Code Pertaining to the Powers and Duties of the Director of the Office of Emergency Management.

Following the blizzard of March, 2003, City and Poudre Fire Authority staff reviewed the need for any City Code amendments that would be helpful in effectively dealing with future emergency situations. These three Ordinances, which were unanimously adopted on First Reading on November 4, 2003, clarify the authority of the City and PFA to take emergency actions, provide for the publication of emergency rules and regulations adopted by the City Manager, and provide a penalty for a knowing violation of such emergency rules and regulations.

8. Second Reading of Ordinance No. 147, 2003, Appropriating Prior Year Reserves in the Wastewater Fund for Prepayment of Debt Service.

Each year, the Finance Department reviews all of the City's debt instruments to determine if there are opportunities to lower interest payments. This year, staff evaluated an opportunity to save interest by prepaying debt service from reserves held in the Wastewater fund. In 1995, the City of Fort Collins issued \$13,800,000 of refunding bonds to lower annual costs of the Wastewater fund. The bonds mature in 2005. Under the conditions of the bond ordinance, the City may prepay the bonds that mature in 2004 and 2005 without any prepayment penalty. By prepaying the bonds, the City can avoid \$147,500 of interest costs on the bonds. Ordinance No. 147, 2003, was unanimously adopted on First Reading on November 4, 2003.

9. Items Relating to the Appropriation of Miscellaneous Revenues for Police Services.

- A. First Reading of Ordinance No. 157, 2003, Appropriating Unanticipated Grant Revenue in the General Fund for the Police Services Safety Belt Program.
- B. First Reading of Ordinance No. 158, 2003, Appropriating Unanticipated Grant Revenue in the General Fund for Police Services and Authorizing the Transfer of Matching Funds Previously Appropriated in the Police Services Operating Budget to the Grant Project.

- C. First Reading of Ordinance No. 159, 2003, Appropriating Unanticipated Grant Revenue in the General Fund for the Youth Community/Family Conferencing and Restore Programs and Authorizing the Transfer of Matching Funds Previously Appropriated in the Municipal Court Operating Budget to the Grant Project.

The City has received the following grants for Police Services:

- A \$3,000 grant from the Colorado Department of Transportation for the Colorado *Click It or Ticket* "November Mobilization" 2003 campaign for the enforcement of seat belt laws.
- A grant in the amount of \$62,259 from the U.S. Department of Justice, Local Law Enforcement Block Grant (LLEBG) program for the procurement of equipment and technology related to basic law enforcement functions. This grant requires a cash match of \$6,918 which will be met by the existing Police Service budget.
- A grant in the amount of \$47,195 from the Colorado Division of Criminal Justice, for the continuation and of the Restorative Justice Program. A cash match of \$5,244 is required and will be met by the Municipal Court budget.

10. First Reading of Ordinance No. 160, 2003, Appropriating Unanticipated Grant Revenue in the General Fund for the Radon Program and Authorizing the Transfer of Matching Funds Previously Appropriated in the Natural Resources Operating Budget to the Grant Project.

This Ordinance appropriates the \$15,000 CDPHE grant funds in the General Fund for the Radon Program. It also authorizes the transfer of \$15,000 from the Natural Resources operating budget to the Grant Fund. The funds will be used to continue the radon education and testing programs.

11. First Reading of Ordinance No. 161, 2003, Appropriating Storm Drainage Fund Prior Year Reserves into the Fossil Creek Basin Capital Project for the Construction of Storm Water Improvements Associated with the Timberline Road Waterline Improvement Project.

The Fossil Creek Drainage Basin Master Plan identifies the need to improve the storm drainage culverts under Timberline Road at Fossil Creek, between Trilby and Carpenter Roads. The new culverts are a prerequisite for a future project that will remove approximately 105 homes from the Fossil Creek floodplain in the Paragon Point area. These improvements are adjacent to the Fossil Creek Wetlands Natural area on the west and the Fossil Creek Reservoir Natural area on the east.

12. Resolution 2003-124 Stating the City's Intent to Not Act as a Reviewing Entity in 2004 for the Colorado Historic Preservation Income Tax Credit for Qualifying Historic Rehabilitation Projects under Colorado House Bill 90-1033 (CRS 39-22-514, as Amended).

As a Certified Local Government, Fort Collins has the opportunity each year to choose to be a reviewing entity for the Colorado Historic Preservation Income Tax Credit during the next

calendar year. The City Council must adopt a resolution stating whether or not it intends to take on this responsibility in the next year.

Fort Collins became a Certified Local Government in 1991 when the Colorado Income Tax Credit was instituted, but didn't take on the reviewing entity function for this program until 1995. For three years, the Landmark Preservation Commission was the reviewing entity and performed design review on qualifying historic rehabilitation projects for the Colorado Income Tax Credit. They have declined the review from 1998 through 2003.

13. Resolution 2003-125 Authorizing the Mayor to Enter into a Law Enforcement Assistance Fund (L.E.A.F.) Contract, #L-24-04, with the Colorado Department of Transportation to Provide Funds for the Fort Collins Police Services Drunk Driving Enforcement Program.

The Colorado Department of Transportation has awarded Fort Collins Police Services a 2004 Law Enforcement Assistance Fund (L.E.A.F.) grant in the amount of \$40,000 to help reduce the number of drunk drivers in Fort Collins. This grant will provide overtime compensation for Fort Collins Police Officers who are involved in operations, which focus on the detection and arrest of drunk drivers.

14. Routine Easements.

- A. Easement for construction and maintenance of public utilities from Michael and Arlene Deitz, to underground electric services, located at 1612 Remington. Monetary consideration: \$300. Staff: Patti Teraoka.
- B. Non-exclusive easement agreement from the Board of Governors of the Colorado State University System for sanitary sewer lines, located at the Natural Resources Research Center at the Colorado State University Main Campus South. Monetary consideration: \$0. Staff: Carrie Daggett.

*****END CONSENT*****

15. Consent Calendar Follow-up.

This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.

16. Staff Reports.

Status Report on Council Requests.

17. Councilmember Reports.

ITEMS NEEDING INDIVIDUAL CONSIDERATION

18. Public Hearing and Resolution 2003-126 Making Adjustments to Transfort and Dial-A-Ride Fares. (30 minutes)

The City Council requested the examination of the Dial-A-Ride eligibility criteria and the fees and fares for Transfort/Dial-A-Ride. At the October 14, 2003 study session, Council direction was to increase fares/fees for the fixed route and Dial-A-Ride transit services by 25% except for Youth fares and Dial-A-Ride Special low-income fare. The Youth fare will remain the same, at no charge.

19. Items Relating to the Competitive Process for Allocating City Financial Resources to Affordable Housing Projects/Programs and Community Development Activities: the Fiscal Year 2003-2004 Home Investment Partnerships (HOME) Program, the Fiscal Year 2003-2004 Community Development Block Grant (CDBG) Program, and the City's Affordable Housing Fund. (30 minutes)

- A. Public Hearing and Resolution 2003-127 Approving the FY-2002-2003 Home Investment Partnerships Program for the City of Fort Collins.
- B. Public Hearing and Resolution 2003-128 Adopting Additional Programs/Projects for the FY-2003-2004 Community Development Block Grant Program for the City of Fort Collins.
- C. Public Hearing and Resolution 2003-129 Allocating Funding from the City's Affordable Housing Fund.
- D. Public Hearing and Resolution 2003-130 Approving a Policy Change in the Manner Loans are Made with CDBG, Home, and Affordable Housing Funds by Adding a 5% Fee to the Principal Repayment Amount.
- E. First Reading of Ordinance No. 162, 2003, Appropriating Unanticipated Revenue in the Home Investment Partnerships Fund.
- F. First Reading of Ordinance No. 163, 2003, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund.

The Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) Program provide funds from the Department of Housing and Urban Development to the City of Fort Collins that can be allocated to community development and affordable housing related programs and projects, thereby reducing the demand on the City's General Fund Budget to address such issues.

20. Pulled Consent Items.

ITEMS RELATING TO THE 2004 - 2005 BUDGET BUDGET CONSENT ITEMS

Items Numbers 21 through 23 are being presented together in the Consent Calendar format. These items have been reviewed and discussed at Budget Study Sessions and are being presented in this manner to expedite their adoption. Any item may be withdrawn for discussion by any member of the Council, staff or public and will be considered after the balance of the Budget Consent is adopted.

21. Second Reading of Ordinance No. 148, 2003, Amending the Code of the City of Fort Collins to Increase the Capital Improvement Expansion Fee, Street Oversizing Fee and Neighborhood Parkland Fee to Reflect Inflation in Associated Costs of Services.

Ordinance No. 148, 2003, which was unanimously adopted on First Reading on November 4, 2003, increases the fee schedules for the Capital Improvement Expansion Fees and Neighborhood Parkland Fee by the estimated change in the 2003 Denver-Boulder-Greeley Consumer Price Index. The City Code requires that increases keep up with annual inflation. The fees were last adjusted in late 2002.

22. Items Relating to the 2004 Downtown Development Authority Budget.

- A. Second Reading of Ordinance No. 149, 2003, Appropriating Operating Funds and Approving the Budget of the Downtown Development Authority for the Fiscal Year Beginning January 1, 2004, and Fixing the Mill Levy for the Downtown Development Authority for 2004.

Ordinance No. 149, 2003, which was unanimously adopted on First Reading on November 4, 2003, sets the Downtown Development Authority annual mill levy at 4.05 mills and appropriates \$2,307,470 in the Operations and Maintenance Fund.

- B. Second Reading of Ordinance No. 150, 2003, Appropriating Revenue in the Downtown Development Authority Debt Service Fund for Payment of Debt Service for the Year 2004.

This Ordinance, which was unanimously adopted on First Reading on November 4, 2003, appropriates funds for 2004 from the tax increment received by the City for the DDA for debt service payments.

23. Items Relating to Utility Rates and Charges for 2004.

- A. Second Reading of Ordinance No. 151, 2003, Amending Chapter 26, Article XII, of the Code of the City Relating to Utility Connection Fees and Miscellaneous Charges.

- B. Second Reading of Ordinance No. 152, 2003, Amending Chapter 26, Article III, Division 4 of the Code of the City Relating to User Fees and Charges for Water.
- C. Second Reading of Ordinance No. 153, 2003, Amending Chapter 26, Article IV, Division 4 of the Code of the City Relating to Wastewater Fees.
- D. Second Reading of Ordinance No. 154, 2003, Amending Chapter 26, Article VI, Division 4 of the Code of the City Relating to Electric Rates and Charges.
- E. Second Reading of Ordinance No. 155, 2003, Amending Chapter 26, Article VII, Division 2 of the Code of the City Relating to Stormwater Fees.

These ordinances, which were unanimously adopted on First Reading on November 4, 2003, increase the annual Light and Power Fund Revenues by 5.3%, Wastewater Fund operating revenues by 5%, and Storm Drainage Fund operating revenues are projected to increase 10%. There are no changes to operating revenues in the Water Fund.

END BUDGET CONSENT
*****BUDGET DISCUSSION ITEMS*****

24. Second Reading of Ordinance No. 156, 2003, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for the Fiscal Year 2004; Adopting the Budget for the Fiscal Years Beginning January 1, 2004, and Ending December 31, 2005; and Fixing the Mill Levy for Fiscal Year 2004. (45 minutes)

Ordinance No. 156, 2003, was unanimously adopted on First Reading on November 4, 2003. Council adopted the 2004-2005 City budget and the corresponding appropriation of monies for fiscal year 2004 expenditures on condition that on the Second Reading, the City Manager present options to fund additional Police officers in 2004.

- 25. Other Business.
- 26. Adjournment.

This meeting will be adjourned to 6:00 p.m., November 25, 2003, to conduct the annual performance reviews of the City Attorney, City Manager and Municipal Judge.

MEETING OF THE BOARD OF DIRECTORS OF GENERAL IMPROVEMENT DISTRICT NO. 1

1. Call Meeting to Order.
2. Roll Call.
3. Second Reading of Ordinance No. 048, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for the Fiscal Year 2004 and Approving the Biennial Budget of the General Improvement District #1 for the Fiscal Years Beginning January 1, 2004, and January 1, 2005; Determining and Fixing the Mill Levy for the General Improvement District #1 for the Fiscal Year 2004; and Directing the Secretary of the District to Certify Such Levy to the Board of County Commissioners of Larimer County.

This Ordinance, which was unanimously adopted on First Reading on November 4, 2003, includes the annual appropriation for 2004 and approves the General Improvement District No. 1 Budget for 2004 at \$265,656 and for 2005 at \$257,289. This item also sets the GID No. 1 mill levy.

4. Other Business.
5. Adjournment.

MEETING OF THE BOARD OF DIRECTORS OF WATER UTILITY ENTERPRISE BOARD

1. Call Meeting to Order.
2. Roll Call.
3. Second Reading of Ordinance No. 5, Authorizing the Issuance of City of Fort Collins, Colorado, Water Utility Enterprise, Subordinate Water Revenue Bond, Series 2003, Dated December 1, 2003, in the Principal Amount of \$4,150,781.22.

Ordinance No. 5, which was unanimously adopted on First Reading on November 4, 2003, authorizes the City's Water Utility Enterprise to issue a bond, a formal document requiring payment to the North Poudre Irrigation Company. The funding allows the City to acquire from the Irrigation Company all of the property and other rights it owns that will be necessary to proceed with the permitting and development of the Halligan Reservoir Enlargement Project. Halligan Reservoir is located on the North Fork of the Poudre River and has a current capacity of 6,408 acre-feet of water.

4. Other Business.
5. Adjournment.