

# AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

November 16, 1999

**Regular Meeting  
6:00 p.m.**

## PRESENTATION OF COLORS BY WEBELOS PACK #193

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 23. 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 #33, 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. Consideration and adoption of the Council meeting minutes of October 5 and October 19, 1999.
8. Second Reading of Ordinance No. 153, 1999, Authorizing the Purchasing Agent to Enter into an Agreement for the Lease-Purchase of Vehicles and Equipment and Appropriating Funds Related Thereto.

Ordinance No. 153, 1999, was unanimously adopted on First Reading on November 2, 1999, authorizes the Purchasing Agent to enter into a lease-purchase financing agreement with Safeco Credit Company at 5.25 percent interest rate.

9. Second Reading of Ordinance No. 161, 1999, Amending Section 2-28 of the City Code Pertaining to Regular Meetings of the City Council.

Ordinance No. 161, 1999 which was unanimously adopted on First Reading on November 2, 1999, gives Council the authorization to cancel a regularly scheduled Council meeting.

10. Second Reading of Ordinance No. 162, 1999, Designating the South Unit of the Price Paired Home, 626 South Meldrum Street, Fort Collins, Colorado, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, David Alciatore, is initiating this request for Local Landmark designation for the South Unit of the Price Paired Home. The building is architecturally important as an excellent example of the Paired American Foursquare, and is one of only a handful of these duplex homes in Fort Collins. Ordinance No. 162, 1999 was unanimously adopted on First Reading on November 2, 1999.

11. Second Reading of Ordinance No. 163, 1999, Designating the Arthur and Lillian Andrew House, Barn and Garage, 515-515½ South Meldrum Street, Fort Collins, Colorado, as Historic Landmarks Pursuant to Chapter 14 of the City Code.

The owners of the property, Thomas T. and Diane M. Tucker, are initiating this request for Local Landmark designation for the Arthur and Lillian Andrew House, Barn and Garage, 515 - 515½ South Meldrum Street. The buildings are significant as representative examples of vernacular residential architecture typical of the turn of the century. Ordinance No. 163, 1999 was unanimously adopted on First Reading on November 2, 1999.

12. Second Reading of Ordinance No.164, 1999, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the Elizabeth Street Apartments Rezoning.

Ordinance No. 164, 1999, which was unanimously adopted on First Reading on November 2, 1999, rezones approximately 1.925 acres of property located on the north side of West Elizabeth Street between Constitution and City Park Avenue.

13. Second Reading of Ordinance No. 165, 1999, Making Various Amendments to the City of Fort Collins Land Use Code.

Ordinance No. 165, 1999, was unanimously adopted on First Reading on November 2, 1999. There is one slight change between First and Second Reading. Staff has modified the language relating to **Fences and Walls** (Section 31) (Code Section 3.8.11) (Issue Number 263). The change to the new standard is as follows as noted in italics:

Fencing and Walls. Fencing and walls shall meet the following standards:

If used along collector or arterial streets, such features shall be made visually interesting and shall avoid creating a "tunnel" effect. Compliance with this standard *shall* be accomplished by integrating architectural elements such as brick or stone columns, incorporating articulation or openings into the design, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings or similar techniques. *In addition to the foregoing and* to the extent reasonably feasible, fences and sections of fences that exceed one hundred (100) feet in length shall vary the alignment or setback of at least one third (1/3) of the length of the fence or fence sections (as applicable) by a minimum of five (5) feet.

14. First Reading of Ordinance No. 175, 1999, Appropriating Unanticipated Revenue in the General Fund for the Local Action Plan Development for the Cities for Climate Protection Campaign.

This Ordinance appropriates \$9,175 of unanticipated revenue in the General Fund for the Cities for Climate Protection Campaign that Fort Collins joined in 1997. The funds are part of a grant to the City for use by the Natural Resources Department to complete development of our Local Action Plan to Reduce Greenhouse Gas Emissions. This amount represents the second half of the City's grant allocation, to be received in 1999 upon submittal of the final report to ICLEI.



15. First Reading of Ordinance No. 176, 1999, Appropriating Unanticipated Revenue in the Benefits Fund to Cover Medical Insurance Claims and Other Expenses.

This Ordinance appropriates revenue received in the Benefit Fund to cover estimated costs of medical claims and benefit expenses in 1999. The remaining \$400,000 in revenues received in the Benefit Fund will be retained to augment plan reserves for future unanticipated medical claims. In addition, changes are being made to the 2000 benefit plans to increase revenues from employee contributions. This change is expected to further enhance the Benefit Fund reserves standing.

16. First Reading of Ordinance No. 177, 1999, Appropriating Unanticipated Revenue in the General Fund for the Climate Wise Local Government/Industrial Partnership to Reduce Greenhouse Gas Emissions.

This Ordinance appropriates \$11,000 of unanticipated revenue in the General Fund. These funds will be used to encourage local industrial and manufacturing businesses to increase energy efficiency, reduce waste generation, save money, and reduce their greenhouse gas emissions. The City will encourage local businesses to participate in the Department of Energy's and EPA's Climate Wise program through offers of technical assistance, economic incentives, and opportunities for public recognition. Participating businesses will be able to take advantage of existing outreach programs offered by the City's Transportation Demand Management department to develop strategies to reduce emissions from the transportation sector. In order to take a leadership role, the City also will develop a plan to reduce greenhouse gases from municipal activities.

17. First Reading of Ordinance No. 190, 1999, Appropriating Prior Year Reserves for the 1998 Manufacturer's Use Tax Rebate Program.

In March 1996, City Council approved a temporary rebate program for use tax paid on manufacturing equipment. The program was amended in February 1999 to include several changes suggested by staff and the manufacturing community. The goal of the program is to maintain the local economic base by providing modest tax relief to manufacturing concerns located in Fort Collins. During 1998, the City of Fort Collins received \$4,298,241 in use tax receipts from eligible companies within the Standard Industrial Code classification for manufacturers. This constitutes 72% of all use tax paid by local businesses in 1998.

18. First Reading of Ordinance No. 178, 1999, Continuing a Temporary Manufacturing Equipment Use Tax Rebate Program For Fort Collins' Manufacturers.

In March 1996, City Council approved a temporary rebate program for use tax paid on manufacturing equipment. The goal of the program was to maintain the local economic base by providing modest tax relief to manufacturing concerns located in Fort Collins. The



program has been authorized to provide rebates to manufacturers for 1997, 1998 and 1999. Modifications were made to the program in 1999 to reflect several requests made by the manufacturing community. Staff is now requesting that Council approve the program without any changes or modifications for 2001.

19. First Reading of Ordinance No. 179, 1999, Adopting the 2000 Classified Employees Pay and Classification Plan.

When the City initiated the project of revising the compensation and classification system, there were specific objectives to be met as follows:

- Develop labor market comparisons that are consistent with the City's compensation philosophy of total compensation set at the 70th percentile
- Implement an effective, dependable job classification system
- Consolidate job titles
- Develop a structured compensation plan
- Develop a compensation plan that is understandable to employees and easily implemented by managers

This pay plan represents "Phase II" of the new pay plan implementation. This pay plan continues in the philosophy of market comparability and competitiveness.

20. First Reading of Ordinance No. 180, 1999, Amending Section 2-575 of the City Code Relating to Councilmember Compensation.

Article II, Section 3 of the City Charter provides that the compensation of Councilmembers shall be adjusted annually for inflation in accordance with the Denver/Boulder Consumer Price Index. In 1999, Councilmembers were compensated \$515 per month, and the Mayor received \$770 per month.

This Ordinance amends Section 2-575 of the City Code to set the 2000 compensation of Councilmembers at \$525 and the compensation of the Mayor at \$790.

21. Items Relating to the Brookfield Annexation and Zoning.

- A. Resolution 99-136 Setting Forth Findings of Fact and Determinations Regarding the Brookfield Annexation.
- B. First Reading of Ordinance No. 181, 1999, Annexing Property Known as the Brookfield Annexation to the City of Fort Collins.



- C. First Reading of Ordinance No. 182, 1999, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Brookfield Annexation.

This is an annexation and zoning of approximately 50.30 acres in size of private land. The subject annexation is located south of East Harmony Road, east of Cinquefoil Lane alignment, west of County Road 7 and north of County Road 36. The property has rural agricultural uses and is in the FA-1 Farming District in Larimer County. The recommended zoning is the **Harmony Corridor District (HC)**. This is a 100% voluntary annexation.

APPLICANT: Tom Iskiyan  
Chateau Development Co.  
8101 East Prentice Avenue, Suite 815  
Greenwood Village, CO 80111

OWNERS: Thomas Morroni  
Electrical Equipment Engineering Company - Employee Profit Sharing Trust  
P.O. Box 16383  
Denver, CO 80216

North Poudre Irrigation Company  
C/o Dwayne Aranci  
41288 Weld County Road #15  
Fort Collins, CO 80524

22. First Reading of Ordinance No. 183, 1999 Authorizing the Conveyance of Nonexclusive Easement Interests for the Construction of Off Site Water and Sewer Lines Related to the Harmony Ridge P.U.D. in the Cathy Fromme Prairie Natural Area.

Staff and the Natural Resources Advisory Board (NRAB) have reviewed the easements and utility plans and have no objections to the easements being approved. All four easements will replace or modify existing easements to accommodate changes to plans for the water or sewer lines. Three of the easements are very routine and have minimal impact to the Cathy Fromme Prairie. Easement (1), as described in detail below raised issues that staff has worked with the developer to address. The easement will require that the impacts during construction be minimized and a restoration plan be developed and implemented. These requirements are improvements over the currently existing easement.

23. Routine Easement.

- A. Easement from Carl and Janet Gueswel to underground existing overhead electric services, located at 617 Smith. Monetary consideration: \$10.





28. First Reading of Ordinance No. 186, 1999 Authorizing the Conveyance of Non-exclusive Easement Interests to Boxelder Sanitation District for the Construction of Flood Control Measures and the Repair of Flood-Caused Damage in and Along the Poudre River in the Archery Range Natural Area.

This past summer Boxelder Sanitation District (BSD) received an easement from the City to do some minor emergency repair work along the Poudre River south of its sewer lagoons. This work will be done by the US Army Corp of Engineers later this fall. To adequately protect the BSD lagoons and a 4 inch sewer line, BSD contends that much more work is needed before flood season next spring. BSD has received approval from the Larimer County Flood Review Board for its proposed flood control measures. BSD needs an additional easement from the City prior to performing the additional work.

Staff, the Natural Resources Advisory Board (NRAB), and the Water Board, recommend that the use of the easement be limited to the construction of only four of the nine flood control measures and repairs of flood cause damage proposed by BSD at this time. Staff has determined that a more extensive study of the River is needed to define what flood control measures are warranted, to further explore alternatives, and to ensure that any flood control measures are compatible with future natural area restoration and enhancement efforts on the property. The other five flood control measures would have a significant impact on the River and on property that the Natural Resources Department (NRD) is in the process of acquiring for natural area purposes south of the River. Staff is recommending that the NRD partner with BSD to fund the study, since the NRD manages (or will soon manage) on behalf of the City most of the surrounding property.

29. Resolution 99-137 Establishing a Policy to Take Cost-effective Actions That Benefit the Community to Reduce Local Greenhouse Gas Emissions.

At a June Study Session, Council reviewed the Local Action Plan to Reduce Greenhouse Gas Emissions ("the Plan"). In response to Council direction, the Plan has been amended to focus on actions that not only reduce greenhouse gases but also improve local air quality, reduce local energy bills, support existing goals and City projects, or provide other benefits to Fort Collins' citizens and businesses. The purpose of the proposed resolution is to begin Plan implementation.

30. First Reading of Ordinance No. 187, 1999, Amending Section 2-581 of the City Code and Setting the Compensation of the City Attorney.

City Council met in Executive Session on November 9, 1999 to conduct the performance appraisal of City Attorney Steve Roy. This Ordinance establishes the 2000 salary and compensation of the City Attorney.





31. First Reading of Ordinance No. 188, 1999, Amending Section 2-596 of the City Code and Setting the Compensation of the City Manager.

City Council met in Executive Session on November 9, 1999 to conduct the performance appraisal of City Manager John Fischbach. This Ordinance establishes the salary and compensation provided the City Manager.

32. First Reading of Ordinance No. 189, 1999, Amending Section 2-606 of the City Code and Setting the Compensation of the Municipal Judge.

City Council met in Executive Session on November 9, 1999 to conduct the performance appraisal of Municipal Judge Kathleen M. Lane. This Ordinance establishes the 2000 salary and compensation of the Municipal Judge.

33. Pulled Consent Items.

### **ITEMS RELATING TO THE 2000 BUDGET BUDGET CONSENT ITEMS**

Items Numbers 34 through 36 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.

34. Items Relating to Utility Rates for 2000.
- A. Second Reading of Ordinance No. 166, 1999, Amending Chapter 26, Article III, Division 4 of the City Code Relating to User Fees and Charges for Water.
  - B. Second Reading of Ordinance No. 167, 1999, Amending Chapter 26, Article IV, Division 4 of the City Code Relating to Wastewater Fees and Charges.
  - C. Second Reading of Ordinance No. 168, 1999, Amending Chapter 26, Article VI, Division 4 of the City Code Relating to Electric Rates and Charges.
  - D. Second Reading of Ordinance No. 169, 1999, Amending Chapter 26, Article VII, Division 2 of the City Code Relating to Stormwater Fees.
  - E. Second Reading of Ordinance No. 170, 1999 Amending Chapter 26 of the City Code Relating to Fees for Raw-water Requirements for the Water Utility.

These five ordinances, which were unanimously adopted on First Reading on November 2, 1999, increase the City's utility rates for water by an average of 6%, wastewater by 2% and stormwater by 10%. The rate increase for water varies by customer class based on the Utilities' cost of service study. There is no monthly rate increase for electric customers; however, the charge for initiating a new service will increase. The Water and Electric Boards have reviewed the rate changes in conjunction with their discussions on the recommended 2000-2001 budget.

35. Second Reading of Ordinance No. 171, 1999, Amending the City Code to Adjust the Capital Improvement Expansion and Neighborhood Parkland Fees for Increases to Reflect Inflation, Based on the Denver-Boulder Consumer Price Index.

In May of 1996, Council adopted Ordinance No. 51, 1996, which established capital improvement expansion fees for Library, Community Parkland, Police, Fire, and General Government services. The purpose of the fees is to have new development pay a proportionate share of the capital improvements and equipment that will be necessary to provide services to the development. The Code provisions approved by the Ordinance provide for the annual adjustment of the fees to keep up with inflation, using the Denver-Boulder (now Denver-Boulder-Greeley) Consumer Price Index.

Based on the Denver-Boulder-Greeley Consumer Price Index for all urban consumers, the inflation level since the last annual adjustment is an increase of 2.87%. Ordinance No. 171, 1999, which was unanimously adopted on First Reading on November 2, 1999, adjusts the fee schedules in Chapter 7.5 and Chapter 23 of the Code to this level of inflation.

36. Items Relating to the 2000 Downtown Development Authority Budget.

- A. Second Reading of Ordinance No. 172, 1999, Appropriating Operating Funds and Approving the Budget of the Downtown Development Authority for the Fiscal Year Beginning January 1, 2000, and Fixing the Mill Levy for the Downtown Development Authority for Fiscal Year 2000.

The Downtown Development Authority (the "DDA") adopted the proposed DDA budget for 2000, totaling \$281,163, and determined the mill levy necessary to provide for payment of all properly authorized expenditures incurred by the District, at its regular meeting of October 20, 1999. Ordinance No. 172, 1999, was unanimously adopted on First Reading on November 2, 1999.

- B. Second Reading of Ordinance No. 173, 1999, Appropriating Revenue in the Downtown Development Authority Debt Service Fund for Payment of Debt Service for the Year 2000.



Ordinance No. 173, 1999, which was unanimously adopted on First Reading on November 2, 1999, appropriates funds for the payment of debt service related to DDA projects for 2000, as approved by the DDA Board on October 7, 1999.

**\*\*\*END BUDGET CONSENT\*\*\***

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

37. Second Reading of Ordinance No. 174, 1999, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for the Fiscal Year 2000 and Adopting the Budget for the Fiscal Years Beginning January 1, 2000, and Ending December 31, 2001, and Fixing the Mill Levy for Fiscal Year 2000.

Council directed at the First Reading of this Ordinance that the Ordinance be amended on Second Reading to substitute an ongoing Development Review Engineer position for the one-time funded contractual Development Review Engineer proposed for fiscal year 2000. The amendment is included in this Ordinance to adopt the 2000-2001 Budget and to appropriate funds for fiscal year 2000 on Second Reading.

38. Pulled Budget Consent Items.
39. Other Business.
40. Adjournment.



## 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. 44, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for the Fiscal Year 2000 and Approving the Biennial Budget for the General Improvement District #1 for the Fiscal Years Beginning January 1, 2000, and January 1, 2001, and Fixing the Mill Levy for the General Improvement District #1 for Fiscal Year 2000.

Included in the recommended appropriations of the 2000 General Improvement District #1 budget is an appropriation of \$165,000 for lease payments in connection with the Lease Certificates of Participation for Street Improvements. An appropriation of \$25,000 is to be used for improvements to the Downtown District in accordance with the Downtown Capital Improvement Program approved by Council in 1992. The remaining appropriations requested for 2000, totaling \$26,000, will be used for the residential rebate program and for routine maintenance costs within the District. Ordinance No. 44 was unanimously adopted on First Reading on November 2, 1999.

4. Other Business.
5. Adjournment.



**MEETING OF THE BOARD OF  
COMMISSIONERS OF THE FORT COLLINS HOUSING AUTHORITY**

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 Boardmembers to follow-up on issues raised during Citizen Participation.

5. Agenda Review: Acting Executive Director.
6. Consideration and approval of the regular meeting minutes of September 21 and October 19, 1999.
7. There are no items to be considered at this time.
8. Other Business.
9. Adjournment.

This meeting needs to be adjourned to December 14, 1999, for the purpose of appointing an Executive Director and approving the Housing Authority Budget.