

# AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

November 2, 1999

## **Proclamations and Presentations**

**5:30 p.m**

- A. Proclamation Proclaiming the Week of November 4-13, 1999 as "International Week".
- B. Proclamation Proclaiming the Week of November 14-20, 1999 as "American Education Week".
- C. Proclamation Proclaiming November 15, 1999 as "America Recycles Day".

## **Regular Meeting**

**6:00 p.m.**

### PRESENTATION OF COLORS BY WEBELOS PACK 12

- 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 21. 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 #27, 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. Second Reading of Ordinance No. 154, 1999, Appropriating Unanticipated Revenue in the General Fund for Police Services Drunk Driving Enforcement Program.

Ordinance No. 154, 1999, which was unanimously adopted on First Reading on October 19, 1999, appropriates \$41,000 in grant funds for expenditure in the Police Services Drunk Driving Enforcement Program.

8. Second Reading of Ordinance No. 155, 1999, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the North College Rezoning.

This Ordinance, which was unanimously adopted on First Reading on October 19, 1999, rezones approximately 2.8 acres of property located on the northwest corner of Cherry Street and College Avenue from the current zoning of POL - Public Open Lands to zone CCR - Community Commercial, Poudre River District. The property was zoned incorrectly in 1997.

9. Second Reading of Ordinance No. 156, 1999, Vacating Portions of the Rights-of-Way for Morning Dove Lane, South of Dusty Sage Drive, as Dedicated on the Harmony Ridge P.U.D. Plat.

Ordinance No. 156, 1999, which was unanimously adopted on First Reading on October 19, 1999, vacates the street rights-of-way for Morning Dove Lane south of Dusty Sage Drive.

10. Second Reading of Ordinance No. 157, 1999, Amending Ordinance No. 121, 1987, by Including in the Landmark Designation of the Power Plant Building and Art Deco Fountain at 430-500 North College Avenue the Landmark Designation of the Rock Garden, Waterway, Pool, and Historic Plantings Known as the "Grotto", Pursuant to Chapter 14 of the City Code.

Ordinance No. 157, 1999, which was unanimously adopted on First Reading on October 19, 1999, approved this request from the leasee of the property, Colorado State University, along with the owner of the property, the City of Fort Collins, to amend Ordinance No. 121, 1987 to include the Rock Garden, Waterway, Pool, and Historic Plantings known as the "Grotto". The designation of the grotto as a Local Landmark will allow Colorado State University to apply for State Historic Fund grants for the stabilization and restoration of the feature.

11. Second Reading of Ordinance No. 158, 1999, Designating the Burnett/Killgore House and "Outhouse", 128 North Sherwood Street, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

Ordinance No. 158, 1999, which was unanimously adopted on First Reading on October 19, 1999, approved this request for Local Landmark designation for the Burnett/Killgore House and "Outhouse" as initiated by the owner of the property, Jan Krucky. The building and structure are significant for their architectural importance, as representative examples of vernacular residential architecture typical of the turn of the century.

12. Second Reading of Ordinance No. 159, 1999, Designating the Clammer/Juel House, Garage, Iron Fence and Stone Walk, 729 Remington Street, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, Elliot Juel Ray, initiated this request for Local Landmark designation for the Clammer/Juel House, Garage, Iron Fence and Stone Walk. The house is architecturally significant as a representative example of a Late 19th - Early 20th Century vernacular residence. The garage, built in the 1930s, has considerable architectural significance in its own right, and contributes to the architectural importance of the property. The property still retains its original wrought-iron fence and stone walkway. Additionally, the property has historical significance for its associations with Mayor Samuel H. Clammer, and with the Christoffer Juel family. Ordinance No. 159, 1999, was unanimously adopted on First Reading on October 19, 1999.

13. Second Reading of Ordinance No. 160, 1999, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for Certain Properties Located Within the West Central Neighborhoods Plan and Known as the West Central Neighborhoods Plan Second Subarea Rezoning.

The **West Central Neighborhoods Plan** was adopted by the City Council on March 16, 1999, as a subarea (neighborhood) plan for an "L" shaped area of approximately three square



miles located west, southwest, and south of the Colorado State University Main Campus. On June 1, 1999, the Council adopted on Second Reading Ordinance No. 90, 1999, which rezoned most of the properties proposed for rezoning within the Plan's boundaries as recommended in the **West Central Neighborhoods Plan**. The property located at 1132 West Prospect Road and the properties located north of West Prospect Road, adjacent to Whitcomb Street and Blevins Court, were deleted from the initial rezoning effort and temporarily retained in their existing R-L, Low Density Residential, District to allow staff additional time to work with the property-owners to discuss and evaluate their rezoning issues. Ordinance No. 160, 1999, which was unanimously adopted on First Reading on October 19, 1999, amends the zoning map by changing the zoning classification for certain properties located within the West Central Neighborhoods Plan.

14. First 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.

This Ordinance will authorize the Purchasing Agent to enter into a lease-purchase financing agreement with Safeco Credit Company at 5.25 percent interest rate. The agreement shall be for an original term from the execution date of the agreements to the end of the current fiscal year. The agreement shall provide for renewable one-year terms thereafter, to a total term of five (5) years, subject to annual appropriation of funds needed for lease payments. The total lease terms, including the original and all renewal terms, will not exceed the useful life of the property. This lease-purchase financing is consistent with the financial policies of the City of Fort Collins.

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

The purpose of this proposed Code change is to clearly state the City Council's ability to cancel a regularly scheduled Council meeting.

16. First 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.

17. First 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.

18. Hearing and First 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.

This is a request to rezone approximately 1.925 acres of property located on the north side of West Elizabeth Street between Constitution and City Park Avenue. The property is currently, and has historically been, owned by CSU, and was therefore never zoned. The requested zoning is MMN - Medium Density Mixed-Use Neighborhood District.

APPLICANT: Deborah Willard, Affordable Housing Alliance II  
and  
Andres Plett, Kaufman & Broad Multi-housing Group

OWNERS: Colorado State University Research Foundation (CSURF) contact:  
Julie Birdsall

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

Staff has identified a variety of proposed changes, additions and clarifications in the fall biannual update of the Land Use Code. On October 21, 1999, the Planning and Zoning Board voted 6-0 to recommend approval of the proposed changes to City Council.

20. Resolution 99-131 Authorizing the Mayor to Enter into an Intergovernmental Agreement with the Colorado Department of Transportation, Division of Transportation Development, for the Provision of Public Transportation Services in Non-Urbanized Areas.

These grant funds will be used to administer the 5311 and 5310 state grant for Specialized Transportation, and operate FoxTrot and Dial-A-Ride in non-urbanized areas.



21. Resolution 99-132 Finding Substantial Compliance and Initiating Annexation Proceedings for the Fossil Creek Wetlands Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 90.43 acres of publicly owned property located south of East Trilby Road and west Timberline Road. The recommended zoning is Public Open Lands (POL), and it is adjacent to a larger piece of Public Open Lands.

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

22. Consent Calendar Follow-up.  
This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.
23. Staff Reports.
24. Councilmember Reports.  
**Committees that have met since October 19 include:**  
*Health and Safety Committee*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

25. Second Reading of Ordinance No. 152, 1999, Appropriating Unanticipated Revenue and Prior Year Reserves in the Transportation Services Fund and Authorizing the Transfer of Appropriations from the Street Oversizing Fund to the Transportation Services Fund for the Analysis and Determination of Appropriate Intersection Improvements and the Construction of Improvements at the Intersection of State Highway 14 and Lemay Avenue.

The City of Fort Collins successfully applied for Federal CMAQ funds for an Alternative Analysis of intersection improvements and the construction of those determined improvements at the intersection of SH14 and Lemay Avenue. The intersection is currently experiencing both delay and accident problems. Pedestrian connectivity is also an existing problem and this project will build a pedestrian bridge across the Poudre River and sidewalk along Mulberry to connect Lemay to Riverside. Approximately \$300,000 of the project is dedicated to these pedestrian improvements. The proposed Mulberry Lemay Crossing project (WalMart) will add considerable traffic to an existing problem. Although the Mulberry Lemay Crossing PUD will be financially responsible for improvements to the intersection based on its impacts, staff is also interested in investigating the design of a modern roundabout at this location. Ordinance No. 152, 1999, which was adopted on First Reading with a vote of 5-2 on October 19, 1999 appropriates unanticipated revenue and prior year reserves to fund these improvements.

26. Resolution 99-133 Authorizing the Acquisition of Approximately One-Hundred Sixty-Eight Acres of Land and Associated Water Rights.

Staff has negotiated a purchase and sale agreement with Willing Acres Company for the purchase of 168 acres of land and associated water rights. The majority of the land, located at the northeast corner of Trilby Road and Shields Street in southwest Fort Collins, would be incorporated into the City's growing system of public natural areas. Staff has determined that not all of the 168 acres is essential for meeting natural area purposes and has proposed that a portion of the property (approximately 50 acres) be considered for resale for the purposes of meeting the community's need for affordable housing. Resolution 99-133 would authorize the following: (1) purchase of the 168-acre tract of land and associated shares of Pleasant Valley and Lake Canal Company, (2) further investigation of the potential for resale of up to 50 acres of the property within a one-year period for purposes of meeting affordable housing needs, including a right of first refusal to the Fort Collins Housing Authority through February 29, 2000, (3) a lease agreement with Russ Jackson, the existing tenant on the property, for continued residence and farming and ranching operations, and (4) naming of the property as the "Hazaleus Natural Area" in honor of the sellers' family.

27. Pulled Consent Items.

## ITEMS RELATING TO THE 2000 BUDGET

### BUDGET CONSENT ITEMS

Items Numbers 28 through 32 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.

28. Items Relating to Utility Rates for 2000.

- A. First 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. First Reading of Ordinance No. 167, 1999, Amending Chapter 26, Article IV, Division 4 of the City Code Relating to Wastewater Fees and Charges.
- C. First Reading of Ordinance No. 168, 1999, Amending Chapter 26, Article VI, Division 4 of the City Code Relating to Electric Rates and Charges.

- D. First Reading of Ordinance No. 169, 1999, Amending Chapter 26, Article VII, Division 2 of the City Code Relating to Stormwater Fees.
- E. First 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 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.

29. First 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.

The City has imposed a Parkland Fee for neighborhood parks since 1968. In August of 1996, Council adopted Ordinance No. 105, 1996, which conformed the Neighborhood Parkland Fee to the housing size differentials in the Capital Improvement Expansion Fee ordinance, and updated the fee schedule to reflect pre-1996 inflation. The Neighborhood Parkland fees were adjusted for inflation in 1997 and 1998 along with the Capital Improvement Expansion Fees.

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%. This Ordinance adjusts the fee schedules in Chapter 7.5 and Chapter 23 of the Code to this level of inflation. All amounts have been rounded to the nearest dollar.

30. Resolution 99-134 Adopting an Amendment to the Financial Management Policies.

On April 20, 1999, Council adopted Resolution 99-46. That Resolution established the Principles for Budget planning including the categorization of services and priorities of funding. These Principles guide in planning the allocation of limited resources to best meet the service needs for the good of the whole community. The Principles also provide a



written framework that will help residents better understand why and how decisions regarding the allocation of resources to meet service needs are made.

Resolution 99-46 also directed the City Manager to prepare an amendment to the City's Financial Management Policies to incorporate the Principles for Budget Planning and to present that amendment for Council consideration as part of the 2000 and 2001 budget process. The amendment adopted by this Resolution will become part of the Financial Management Policies of the City. The Policies remain in effect until they are subsequently amended or repealed by Council action.

31. Resolution 99-135 Adopting a Revenue Allocation Formula to Define the City of Fort Collins' Contribution to the Poudre Fire Authority Budget for the Year 2000 for Operations and Maintenance.

Adoption of the Resolution will establish a Revenue Allocation Formula (RAF), thereby defining the City's contribution to the Poudre Fire Authority in 2000 for operations and maintenance.

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

- A. First 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.

- B. First 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.

This Ordinance appropriates funds for the payment of debt service related to DDA projects for 2000, as approved by the DDA Board on October 7, 1999. Included in this Ordinance is a recommended appropriation of \$100,000 to be used for debt service obligations incurred by the City for the acquisition and renovation of facades, construction and installation of public improvements and acquisitions of property interest. City staff is recommending the Council appropriate \$282,129, in the DDA Debt Service Fund budget approved by the DDA Board. This appropriation represents the DDA's share of the annual payment on the certificates of participation used to finance the Civic Center Parking Structure. According to agreements between the City, the County, and the DDA, each party will be responsible for one-third of the lease payments attributable to the parking structure for the period 1999 -



2006. After 2006, when the DDA tax increment sunsets, the City and County will equally share in the DDA's commitment through 2016.

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

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

33. First 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.

There have been three Study Sessions involving discussion of the 2000-2001 budget for the City of Fort Collins. In addition, two Public Hearings were held along with input from the Boards and Commissions of the City to aid in the development of the budget. From City Council direction and the input from the public and Boards and Commissions, the City of Fort Collins 2000-2001 Biennial Budget was developed and is now presented to City Council for consideration and adoption and to appropriate the necessary monies to fund the budget for fiscal year 2000. The Second Reading of this Ordinance to adopt the 2000-2001 budget and appropriate monies for fiscal year 2000 is scheduled for November 16, 1999.

This Ordinance also sets the 2000 City mill levy at 9.797 mills, unchanged since 1991.

34. Pulled Budget Consent Items.
35. Other Business.
36. Adjournment.

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

37. Call Meeting to Order.
38. Roll Call.



39. First 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.

40. Other Business.
41. Adjournment.

