

AGENDA
OF THE
COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

August 3, 1999

**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 24. 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 #29, 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 approval of the meeting minutes of July 6 and July 20, 1999.
8. Second Reading of Ordinance No. 115, 1999, Appropriating Unanticipated Revenue and Prior Year Reserves in the Transit Services Fund to be Used for the Provision of Transit Services.

Ordinance No. 115, 1999, was unanimously adopted on First Reading on July 20, 1999, and appropriates additional federal funds made available in 1999 for the City as well as transferring funds from the Transit Services Fund prior year reserves for the required local matching funds.

9. Second Reading of Ordinance No. 116, 1999, Authorizing the Transfer of Appropriations from the General Fund to the Debt Service - Certificates of Participation Fund for the Purpose of Making the Payments on the 1998 Lease Purchase Certificates of Participation (Civic Center Facilities Project).

Ordinance No. 116, 1999, which was unanimously adopted on First Reading on July 20, 1999, provides for the internal transfer of the General Fund and Downtown Development Authority Debt Service Fund appropriations to the new Debt Service - Certificates of Participation Fund.

10. Second Reading of Ordinance No. 117, 1999, Appropriating Unanticipated Revenue In the Capital Projects Fund to Be Used For The Downtown Intersection Renovation Project.

Ordinance No. 117, 1999, which was unanimously adopted on First Reading on July 20, 1999, appropriates \$162,355 of existing appropriations within the General Improvement District #1 Fund in the Capital Projects Fund. The money will be used to begin the design work and preliminary engineering for the project.

11. Public Hearing and Second Reading of Ordinance No. 118, 1999, Authorizing the Issuance of Not to Exceed \$8,980,000 of Private Activity Bonds for the Dry Creek Apartments Project and Authorizing the Execution of Certain Related Documents and Instruments.

Representatives from Concorde Capital Corporation contacted the City of Fort Collins in December of 1998 requesting that the City consider issuing private activity bonds for the purpose of supporting an affordable housing project. The project will consist of up to 150 dwelling units. Twenty-seven of the units will be for individuals or households making no greater than 60% of area median income. Forty percent of the units will be for households under the 50% median income level. The remainder of the project (33%) will be rented at market rates. The City Council considered the request and approved a resolution inducing the project on January 19, 1999. This action used all of the City's 1999 private activity bond

allocation of \$2,684,075. Concorde Capital and City staff prepared an allocation to the state for additional bonding capacity and made a presentation to the state allocation board. The board awarded \$6.3 million of additional allocation to the project. Ordinance No. 118, 1999 was unanimously adopted on First Reading on July 20, 1999.

12. Second Reading of Ordinance No. 119, 1999, Authorizing the Conveyance of a Parcel by a Quit Claim Deed to Dayton Family LLP in Exchange for a Parcel to be Acquired from Them by the City.

In September 1999, the City plans to construct a right-turn lane to alleviate congestion at the southwesterly corner of the Horsetooth/Mason Street Intersection. Two properties are affected by the project. The corner lot has already been purchased by the City. An agreement has been reached with Dayton Family LLP, owner of the adjacent property, "Horsetooth Lanes". As part of the Dayton agreement, the City needs to convey to the Dayton Family LLP sufficient property to allow for the replacement of 21 parking spaces to be eliminated as a result of the conveyance to the City. These spaces will be constructed on a portion of the corner lot and transferred to the Daytons by Quit Claim Deed. Ordinance No. 119, 1999 was unanimously adopted on First Reading on July 20, 1999.

13. Second Reading of Ordinance No. 120, 1999, Amending Section 2-32 of the City Code With Regard to the Posting of Public Notice of the Meetings of Council Committees.

The City Code provisions pertaining to open meetings presently require that all Council committee meetings at which a majority or quorum is in attendance must not only be open to the public but shall be held only after full and timely notice to the public. In the case of three-member Council committees, this could be construed to mean that no two Council members who are on the same committee can discuss any public business without the posting of notice. Ordinance No. 120, 1999, which was unanimously adopted on First Reading on July 20, 1999, requires that any such discussions remain open to the public but would not require the posting of the prior public notice before they could occur.

14. Second Reading of Ordinance No. 121, 1999, Appropriating Prior Year Reserves in the Sales and Use Tax Fund to Partially Fund the Restoration of the Northern Hotel.

Ordinance No. 121, 1999, which was unanimously adopted on First Reading on July 27, 1999, appropriates prior year sales and use tax reserves to partially fund restoration of the Northern Hotel.

15. Items Relating to the Mason Street Transportation Corridor Project.

- A. Resolution 99-94 Authorizing an Exemption to the Use of a Competitive Process for Additional Professional Services in Connection with the Mason Street Transportation Corridor Project.

- B. First Reading of Ordinance No. 122, 1999, Appropriating Prior Year Reserves in the Sales and Use Tax Fund for Transfer to the Building Community Choices Streets and Transportation Capital Projects Fund and Appropriating Funds Therein for the Mason Street Transportation Corridor Capital Project.

The Mason Street Transportation Corridor Project ("Corridor") is in the planning and design stage. The original scope of work issued to the consulting firm of Balloffet & Associates, Inc. ("Balloffet") for planning and design of the Corridor does not include a comprehensive travel origin and destination study. The purpose of this study is to identify transportation opportunities along the Corridor, accurately predict transit usage, and develop a multi-modal transportation model. This Ordinance appropriates revenue dedicated to the project to fund an addendum to the scope of work for Balloffet for a vehicle intercept origin and destination survey, a transit on-board survey, and a special generator study for Colorado State University.

16. Items Relating to Upgrading Crossing Warning Devices.

- A. Resolution 99-95 Authorizing the City Manager to Enter into an Agreement with the Colorado Department of Transportation, and the Burlington Northern Santa Fe Railway Company for Upgrading the Crossing Warning Devices at the West Drake Road and Burlington Northern Santa Fe Railroad Crossing.
- B. First Reading of Ordinance No. 123, 1999, Appropriating Unanticipated Revenue in the Capital Projects Fund Minor Streets Capital Project to Be Used to Upgrade Crossing Warning Devices at the West Drake Road and Burlington Northern Santa Fe Railroad Crossing.

The agreement with the Colorado Department of Transportation (CDOT), and the Burlington Northern and Santa Fe Railway Company (BNSF), is for upgrading the crossing warning devices at the West Drake Road and BNSF crossing. The project consists of upgrading the existing signal system and adding gates to improve safety. A "constant warning device" that monitors the track for approaching trains will also be upgraded with new equipment. The "constant warning device" minimizes the delay to traffic at the crossing. The new equipment will also reduce the risk of equipment failure which can cause extensive delays to traffic.

17. First Reading of Ordinance No. 124, 1999, Appropriating Unanticipated Revenue and Prior Year Reserves in the Transportation Services Fund and Authorizing the Transfer of Appropriations Between Funds for the Local and Regional Transportation Demand Management Programs.

These dollars will be used by the City of Fort Collins and the North Front Range Transportation and Air Quality Planning Council (the "NFRT&AQPC") to promote the use of alternative transportation and raise awareness of air quality issues and steps that can be

taken by citizens to help preserve good air quality. The monies are part of a state grant of federal transportation dollars allocated to the City of Fort Collins by the NFRT&AQPC.

18. Items Relating to Calling a Special Election for November 2, 1999, and Placing Proposed Charter Amendments on Said Ballot.
- A. First Reading of Ordinance No. 125, 1999, Calling a Special Municipal Election to be Held in Conjunction with the November 2, 1999 Larimer County Coordinated Election.
 - B. First Reading of Ordinance No. 126, 1999, Submitting to a Vote of the Registered Electors of the City of Fort Collins Proposed Amendments to Articles IX and X of the City Charter, Pertaining to Petition Circulators.
 - C. First Reading of Ordinance No. 127, 1999, Submitting to a Vote of the Registered Electors of the City of Fort Collins Proposed Amendments to Article X of the City Charter, Pertaining to Initiative and Referendum.
 - D. First Reading of Ordinance No. 128, 1999, Submitting to a Vote of the Registered Electors of the City of Fort Collins Proposed Amendments to Article IX, Section 1(b) of the City Charter, Pertaining to the Commencement of Recall Proceedings and the Scheduling of a Recall Election.
 - E. First Reading of Ordinance No. 129, 1999, Submitting to a Vote of the Registered Electors of the City of Fort Collins Proposed Amendments to Article VIII of the City Charter Pertaining to the Appearance of Names on Election Ballots.
 - F. First Reading of Ordinance No. 130, 1999, Submitting to a Vote of the Registered Electors of the City of Fort Collins a Proposed Amendment to Article IV, Section 9 of the City Charter Exempting Special Purpose Committees from Conflict of Interest Rules.
19. First Reading of Ordinance No. 131, 1999, Appropriating Unanticipated Revenue in the General Fund and Authorizing the Transfer of Appropriated Amounts Between Accounts and Projects for the Multi-Jurisdictional Drug Task Force.

For the past twelve years, Fort Collins Police Services has applied to the Colorado Division of Criminal Justice for federal drug grant monies to help fund the investigation of illegal narcotics activities. Fort Collins is once again joined with other members of the Drug Task Force, to include the Loveland Police Department, Larimer County Sheriff's Department and the Colorado State University Police Department, in one application for funding of the multijurisdictional drug task force to be administered by the City of Fort Collins. As administrator of the 1999-2000 grant, Police Services will assure funding to other



participating agencies for their share of the federal funds. The City has recently received notification of a grant award in the amount of \$295,506. The participating agencies will be providing matching funds in the amount of \$295,506. A portion of the \$295,506 match will consist of \$32,712 from participating agencies so as to fund training and equipment needs. Fort Collins portion of the match is \$129,399. This match is met via the budgeted salary and fringe benefits (\$117,931) of existing Fort Collins Police Services personnel currently assigned to the Drug Task Force and \$11,468 earmarked for Fort Collins Polices Service's share of equipment and training costs.

20. Items Relating to Installation of New Crossing Warning Devices.

- A. Resolution 99-96 Authorizing the City Manager to Enter into an Agreement with the Colorado Department of Transportation, and the Union Pacific Railroad Company for Installing New Crossing Warning Devices at the Larimer County Road 32 and Union Pacific Railroad Crossing.
- B. First Reading of Ordinance No. 132, 1999, Appropriating Unanticipated Revenue in the Capital Projects Fund Minor Streets Capital Project to Be Used to Install New Crossing Warning Devices at the Larimer County Road 32 And Union Pacific Railroad Crossing.

The agreement with the Colorado Department of Transportation (CDOT), and the Union Pacific Railroad Company (UPRR), is for installation of crossing warning devices at the Larimer County Road 32 and UPRR crossing. The project consists of replacing the existing stop sign controlled crossing with a signal system and gates to improve safety at the crossing. In addition, the signal system will improve the function of the street by requiring vehicles to stop only for trains. This installation will work well with the traffic signal planned for installation at Larimer County Road 32 at Timberline Road (700 feet to the east of the crossing).

21. Items Related to the Development of the Visitors Center at the Environmental Learning Center (the Center).

- A. Resolution 99-97 Authorizing the Mayor to Enter into an Intergovernmental Agreement with Colorado State University Through the State Board of Agriculture for the Long-term Lease of Visitor Center Space at the Environmental Learning Center.
- B. First Reading of Ordinance No. 133, 1999, Authorizing the Conveyance of a Non-Exclusive Easement for Parking to Colorado State University Through the State Board of Agriculture in Connection with the Environmental Learning Center/Visitor Center Project.

Resolution 99-97 authorizes the Mayor to enter into an Intergovernmental Agreement with CSU. The agreement specifies the term of the Agreement (50 years) and sets out the respective rights and responsibilities of the parties regarding the leased space. The Agreement also sets forth certain terms and conditions between the City and the University regarding the development of the Center.

Ordinance No. 133, 1999, conveys an easement to CSU on City property (roughly ½ acre on the Resource Recovery Farm). The purpose of the easement is to allow CSU to develop a parking lot that will serve both the Center, and the Geologic Gardens (Rock Park – described in detail at the end of this summary). The 2-acre Rock Park will be located adjacent to the parking lot and the Center, and will be developed in 2000 and 2001.

22. Resolution 99-98 Authorizing the Mayor to Enter into an Intergovernmental Agreement with the State Board of the Great Outdoor Colorado Trust Fund for the Development of a Skate Park at Edora Park.

The development of a skate park at Edora Park will serve youth who like to skateboard or rollerblade. The design and construction of the facility will include youth that are involved in this sport, City staff, and consultation with skate park experts.

Skateboarding and rollerblading continue to increase in popularity and the City's existing skate park at the Northside Aztlan Center is unable to meet this demand. The development of the facility at Edora Park will provide a safe location for skateboarding activities and alleviate the overcrowding and over use at the existing facility.

23. Resolution 99-99 Recommending that the Board of County Commissioners Adopt the Larimer County Land Use Code Following Amendment Thereof as Suggested by the Council.

Larimer County has had land use and zoning regulations since 1963. These regulations set the rules for developing land in the unincorporated areas (outside the cities) of the County. In 1995, the County Commissioners decided the County's land use and zoning regulations were uncoordinated, sometimes confusing and occasionally contradictory. The Commissioners directed the County staff to undertake a major review and revision of their codes. The *Proposed Land Use Code* was sent to the City for review and comment. Copies of the proposed Code were distributed to City staff and specific responses from representatives of each of the affected City departments were collected and summarized.

In general, the *Proposed Land Use Code* is a significant improvement over the existing County land use regulations. The purpose of this Resolution is to urge the County to adopt the *Proposed Land Use Code*. There are a few minor concerns that the City staff would recommend be addressed in the document.

24. Routine Deeds and Easements.

- A. Temporary drainage easement from Country Ranch II Limited Partnership, located south of Harmony and east of County Road 9. Monetary consideration: \$0.
- B. Drainage easement from Fort Collins Plaza LLC, located south of Horsetooth and east of Mitchell Drive. Monetary consideration: \$0.
- C. Temporary construction easement from Fort Collins Plaza, LLC, located south of Horsetooth Road and east of Mitchell Drive. Monetary consideration: \$10.
- D. Easement from James R. and Elsa A. Swanstrom, to install oval vault to underground existing overhead electric system, located at 638 West Prospect. Monetary consideration: \$75.
- E. Right-of-way dedication from Country Ranch II Limited Partnership, located on Timberwood Drive between Corbett Drive and County Road 9. Monetary consideration: \$0.

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

25. Consent Calendar Follow-up.

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

26. Staff Reports.27. Councilmember Reports.

Committees that have met since July 20 include:

Finance Committee

ITEMS NEEDING INDIVIDUAL CONSIDERATION

28. Items Relating to Master Street Plan Amendments.

- A. Resolution 99-100 Amending the Master Street Plan so as to Establish a New Category of Streets Known as "Enhanced Major Arterial Streets" and Designating a Portion of East Vine Drive as an Enhanced Major Arterial.

This item is being brought back to City Council. It was first introduced as a resolution on June 15, 1999. The Resolution failed on a 3-3 vote of the City Council. This agenda item is essentially the same as the item presented for City Council's consideration earlier.

This action establishes a category of streets known as "enhanced major arterial streets," with a right-of-way width requirement up to two hundred fifty one (251) feet. It will also amend the Master Street plan to show the proposed Modified Vine Alternative as a future enhanced major arterial street in order to accommodate either an major arterial street, an alternative truck route and/or the possible relocation of Colorado Highway 14.

In addition, the classification of the old alignment of Vine Drive from Lemay Avenue to Redwood Street would be changed to a local street and the classification of the old Vine Drive from Redwood to College Avenue would be changed to a minor arterial.

This action also directs the City Manager to negotiate with Larimer County a proposed intergovernmental agreement between the County and the City which would require that all new development in the County accommodate the streets and transportation facilities shown on the City's Master Street Plan and to submit the proposed agreement to the City Council for its consideration.

Finally, the resolution directs the City Manager to continue planning, design, and right-of-way acquisition to allow for the possible construction of either a major arterial, an alternative truck route and/or the relocation of Colorado Highway 14 along the Modified Vine Alternative route.

This action does not relocate Colorado Highway 14 at this time, but does amend the Master Street Plan to allow for future planning and right-of-way acquisition for the potential relocation of Highway 14.

B. Resolution 99-101 Amending the Structure Plan Map and the Mountain Vista Area Sub Area Plan Regarding The Establishment of an Enhanced Major Arterial Street Along a Portion of East Vine Drive.

This action updates these documents to reflect the changes made in the previous resolution.

29. Pulled Consent Items.
30. Other Business.
31. Adjournment.

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

1. Call Meeting to Order.
2. Roll Call.
3. Consideration and approval of the minutes of July 20, 1999.
4. Second Reading of Ordinance No. 43, Authorizing the Transfer of Appropriations from the General Improvement District Fund to the City of Fort Collins Capital Projects Fund for the Downtown Intersection Renovation Project.

Ordinance No. 43, was unanimously adopted on First Reading on July 20, 1999, and authorizes the transfer of existing appropriations within the GID #1 Fund to the Capital Projects Fund.

5. Other Business.
6. Adjournment.