

# AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

May 18, 1999

## Proclamations and Presentations

5:30 p.m

- A. Proclamation Proclaiming the Week of May 16-22, 1999 as "Emergency Medical Services Week".
- B. Proclamation Proclaiming the Month of May as "Better Speech and Hearing Month".
- C. Presentation of a Proclamation to City Council by Representatives of the Greeley Independence Stampede Proclaiming June 23 - July 4, 1999, as "Fort Collins Day at the Greeley Stampede."

## 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 29. 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 #37, 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 minutes of the adjourned meeting of April 20, 1999, and the regular meeting minutes of April 20, 1999.
8. Second Reading of Ordinance No. 71, 1999, Appropriating Unanticipated Revenue in the Capital Projects Fund to Be Used for the Gateway Mountain Park Access Road Project.

Gateway Mountain Park is a 400-acre site located five miles up the Poudre Canyon. The site is owned by the City of Fort Collins and was previously the City's Water Treatment Plant. The City Council has provided direction to make this property accessible to the public. Ordinance No. 71, 1999, which was unanimously adopted on First Reading on May 4, 1999, appropriates additional funds from the Colorado Department of Transportation for the Gateway Mountain Park Access Road Project.

9. Second Reading of Ordinance No. 72, 1999, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Lon Carlson for the Construction of an Aircraft Hangar.

The Airport Manager has negotiated a twenty-five year lease of property with Lon Carlson, for the construction of an aircraft hangar. Lon Carlson will construct a hangar that will provide at least 2,000 square feet of aircraft storage space. At the expiration of the lease, the improvements revert to the ownership of the Cities. Ordinance No. 72, 1999, was unanimously adopted on First Reading on May 4, 1999.



10. Second Reading of Ordinance No. 73, 1999, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Donald R. Eller for the Construction of an Aircraft Hangar.

The Airport Manager has negotiated a twenty-five year lease of property with Donald R. Eller, for the construction of an aircraft hangar. Donald R. Eller will construct a hangar that will provide at least 2,500 square feet of aircraft storage space. At the expiration of the lease, the improvements revert to the ownership of the Cities. Ordinance No. 73, 1999, was unanimously adopted on First Reading on May 4, 1999.

11. Second Reading of Ordinance No. 74, 1999, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to James Grubbs for the Construction of an Aircraft Hangar.

The Airport Manager has negotiated a twenty-five year lease of property with James Grubbs, for the construction of an aircraft hangar. James Grubbs will construct a hangar that will provide at least 2,000 square feet of aircraft storage space. At the expiration of the lease, the improvements revert to the ownership of the Cities. Ordinance No. 74, 1999, was unanimously adopted on First Reading on May 4, 1999.

12. Second Reading of Ordinance No. 75, 1999, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Mike S. Hoffman for the Construction of an Aircraft Hangar. (Hanger Site A)

The Airport Manager has negotiated a twenty-five year lease of property with Mike S. Hoffman, for the construction of an aircraft hangar. Mike S. Hoffman will construct a hangar that will provide at least 2,500 square feet of aircraft storage space. At the expiration of the lease, the improvements revert to the ownership of the Cities. Ordinance No. 75, 1999, was unanimously adopted on First Reading on May 4, 1999.

13. Second Reading of Ordinance No. 76, 1999, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Mike S. Hoffman for the Construction of an Aircraft Hangar. (Hanger Site B)

The Airport Manager has negotiated a twenty-five year lease of property with Mike S. Hoffman, for the construction of an aircraft hangar. Mike S. Hoffman will construct a hangar that will provide at least 2,500 square feet of aircraft storage space. At the expiration of the lease, the improvements revert to the ownership of the Cities. Ordinance No. 76, 1999, was unanimously adopted on First Reading on May 4, 1999.



14. Second Reading of Ordinance No. 77, 1999, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to David F. Klink for the Construction of an Aircraft Hangar.

The Airport Manager has negotiated a twenty-five year lease of property with David F. Klink, for the construction of an aircraft hangar. David F. Klink will construct a hangar that will provide at least 2,000 square feet of aircraft storage space. At the expiration of the lease, the improvements revert to the ownership of the Cities. Ordinance No. 77, 1999, was unanimously adopted on First Reading on May 4, 1999.

15. Second Reading of Ordinance No. 78, 1999, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for That Certain Property Known as the Mountain Vista Subarea Plan Rezoning.

On March 16, 1999 City Council adopted the *Mountain Vista Subarea Plan*, as an element of *City Plan*, including the following key Plan components: Vision and Goals, Framework Plan, Transportation, and Principles and Policies. In addition, certain implementation recommendations were adopted at this Hearing including an amendment to the *City Structure Plan Map*, *Master Street Plan Map*, and *Parks and Recreation Policy Plan Map*. Rezoning of the subarea was deferred until May to allow for notification of affected property owners. Ordinance No. 78, 1999, was unanimously adopted on First Reading on May 4, 1999.

16. Second Reading Ordinance No. 79, 1999, Amending Ordinance No. 95, 1992, to Include Those Portions of the Street Railway Car Barn/Trolley Barn not Currently Designated in the Historic Landmark Designation Pursuant to Chapter 14 of the City Code.

The main section of the Street Railway Car Barn and a portion of the South Addition were designated as a Local Landmark by Ordinance No. 95, 1992; however, approximately three-quarters of this addition was situated on land then owned by the railroad, and therefore was not included in the designation. Since that time the City has purchased this land. Ordinance No. 79, 1999, was unanimously adopted on First Reading on May 4, 1999 to include those portions of the street railway car barn that had not be designated.

Also, a second addition, located on the north side of the Car Barn, was intended to be included in the original designation. Staff has since discovered that there is a question as to whether the legal description accompanying the original designation included this portion of the building. Facilities Services is therefore requesting that this North Addition be included in the amended designation, to reconcile the legal description to that intended.

17. Emergency Ordinance No. 80, 1999, Appropriating Bond Proceeds in the Water Fund.

On May 4, 1999, the Council, sitting as the Board of the Enterprise, approved the proposed bond issue on second reading. However, Enterprise the Ordinance as adopted on first



reading had not been published as required by the City Charter and Code. The Colorado Water Resources and Power Development Authority is scheduled to close the final transaction on May 20, 1999. There are several other municipalities involved in the Authority's transaction and the City would have to drop out of the transaction if the Enterprise Ordinance is not adopted by the Enterprise Board. Therefore, the Enterprise Ordinance is again being presented to the Enterprise Board, this time as an emergency ordinance. This Emergency Ordinance No. 80, 1999, is recommended for passage by the Council to appropriate the proceeds of the bonds. Time is of the essence with regard to this Ordinance because of pending contracts that require immediate approval for the funding of additional improvements related to the project. Approval by Council will avoid delays in the timely completion of the project improvements.

18. First Reading of Ordinance No. 81, 1999, Appropriating Proceeds from the Issuance of City of Fort Collins, Colorado, Stormwater Utility Enterprise, Storm Drainage Revenue Bonds, Series 1999, Dated June 1, 1999, in the Aggregate Principal Amount of \$20,060,000, and Appropriating Unanticipated Revenues in the Storm Drainage Fund for Bond Debt Service.

The Board of the Stormwater Utility Enterprise will be considering an Ordinance later during tonight's Council Meeting to consider the issuance of City of Fort Collins, Colorado, Stormwater Utility Enterprise, Storm Drainage Revenue Bonds, Series 1999, Dated June 1, 1999, in the Aggregate Principal Amount of \$20,060,000. Authorizing the issuance of the bonds and appropriating the proceeds are both necessary to complete the bond transaction.

19. First Reading of Ordinance No. 82, 1999, Authorizing the Mayor to Execute a Quit Claim Deed Dedicating to the Colorado Department of Transportation Certain Portions of the Access Rights-of-way on Harmony Road Adjacent to Harmony Technology Park First Filing.

This Ordinance will dedicate additional right-of-way to the Colorado Department of Transportation for access right-of-way for future widening of the south side of State Highway 68 (Harmony Road) from County Road 9 east to Cambridge Drive. This new right-of-way is in addition to that dedicated with the Harmony Technology Park First Filing Plat.

20. First Reading of Ordinance No. 83, 1999, Appropriating Prior Year Reserves in the General Employees' Retirement Fund.

In 1998 General Employees Retirement Plan (the "GER Plan") members were asked to elect whether they would like to transfer their defined benefit plan balance in the GER Plan to a money purchase plan. Of 800 active GER Plan members, 368 elected to convert from the GER Plan to the Money Purchase Plan. Employees hired in 1998 were not eligible to make the election to convert because they had not been employed by the City for at least six months. The General Employees Retirement Committee has now set up a conversion option for the 72 employees hired in 1998.



This Ordinance authorizes a \$400,000 appropriation to accommodate separated vested employees who have elected to take single sum payments from the GER Plan, thus terminating their membership in the GER Plan. The Ordinance also authorizes a \$250,000 appropriation for the employees hired in 1998 who have elected to convert their GER Plan benefits to the ICMA Money Purchase Plan.

21. First Reading of Ordinance No. 84, 1999, Appropriating Prior Year Reserves and Unanticipated Revenue in the General Fund for Promotion of Convention and Visitor Activities and for Cultural Development and Programming Activities.

This Ordinance appropriates 1998 lodging tax receipts dedicated to the Convention and Visitors Bureau, Cultural Development and Programming (CDP), Visitor Events, and Tourism Capital. In addition, it appropriates unexpended 1998 appropriations for CDP and visitor events, and revenue received for CDP in 1998 and 1999 for use in the specified programs. The following information explains each of these funding sources.

Lodging tax revenue for 1998 was estimated to be \$459,673, while the actual receipts totaled \$528,797. The 1999 budget appropriated the estimated 1998 receipts of \$459,673. The additional 1998 lodging tax receipts in the amount of \$69,124 have not been appropriated. In accordance with City Code Section 25-244, 75% of the total receipts are to be used for the promotion of convention and visitor activities, and 25% for cultural development and programming (CDP) activities. In accordance with the City's contract for services with the Convention and Visitors Bureau (CVB) for 1996, the City's 1996 payment to CVB was set at \$250,000, with annual increases at a rate not to exceed the prevailing rate of inflation as established by the Denver-Boulder Consumer Price Index.

22. First Reading of Ordinance No. 85, 1999, Authorizing Dedication of Certain Property for Public Highway to Improve Access to the Larimer County Landfill.

Larimer County plans to construct a new access to the Landfill approximately 700 feet south of the existing access. In conjunction with the project, additional right-of-way is needed to accommodate safety improvements in the form of turn lanes and wider shoulders. Some of the property included in the project (1.05 acres) is owned jointly by the City of Fort Collins, City of Loveland and County of Larimer; therefore, approvals and signatures are required of each municipality. While the dedication is not presently needed, it is necessary to clarify future intended use of the land should the ownership of the adjoining land change.

23. First Reading of Ordinance No. 86, 1999, Authorizing the Conveyance of a Non-Exclusive Easement for a Sanitary Sewerline on Riverbend Ponds Natural Area to the Boxelder Sanitation District.

Countryside Park Subdivision, which is located north of the Riverbend Ponds Natural Area, was originally designed as a mobile home park and is one of the oldest areas served by the



Boxelder Sanitation District. Consequently, the existing sewer lines were engineered with some 45° angles that have the potential to cause service disruption to Countryside Park and Mulberry Commercial Park users. The District is requesting a 20' easement (.0061 acres) on Riverbend Ponds Natural Area for a sewerline extension that will tie into an existing 30' sewerline to alleviate the problem. Natural Area staff has approved the project.

24. First Reading of Ordinance No. 87, 1999, Authorizing the City of Fort Collins to Grant a Non-Exclusive Easement on Meadow Springs Ranch to Poudre Valley Rural Electric Association.

The proposed easement will provide necessary electrical service to a cattle watering well in the southwestern corner of the City-owned Meadow Springs Ranch and to a portion of the neighboring Diehl Ranch. The proposed easement is 20 feet wide and approximately one mile long (2.42 acres). The City and the Diehl ranch will cooperate on the development of this power line if the easement is approved.

25. Resolution 99-55 Adopting the Recommendation of the Cultural Resources Board Regarding Fort Fund Disbursements.

On November 30, 1998 revised guidelines for the Cultural Development and Programming and Tourism accounts (Fort Fund) were adopted and approved through the City Manager's office. These newly adopted guidelines created a three-tiered funding system for organizations that apply for grants from Fort Fund. Tier #1 was established as an annual programming fund for organizations whose primary purpose is to present three or more public events annually. These groups may apply for funding from Tier #1 each April. Tier #2 allows organizations that are not eligible for Tier #1 support to apply for funding of events that are not fund-raising in nature and do not generate more than \$2,500 in proceeds after expenses. Tier #3 allows organizations that are not eligible for Tier #1 support to apply for funding of events that generate more than \$2,500 in proceeds after expenses and are fund-raising in nature. Applications for support from Tier #2 and Tier #3 are accepted each January and June.

26. Resolution 99-56 Finding Substantial Compliance and Initiating Annexation Proceedings for the Johnson-Harmony Annexation.

This is a request for a 100% voluntary annexation. The property being considered for annexation is approximately 63.265 acres in size and is located south of East Harmony Road and east of Cambridge Avenue. The existing uses of the properties are agricultural in Larimer County. The proposed zoning for this annexation is Harmony Corridor District (HC).

The proposed Resolution accepts the annexation petition, finds that the petition and accompanying map are in substantial compliance with the Municipal Annexation Act, and directs that the published notice required by State law be given of the Council's hearing to



consider the needed annexation ordinance. The hearing will be held at the time of First Reading of the annexation and zoning ordinances on July 6, 1999. Not less than thirty days prior published notice is required by State law.

27. Resolution 99-57 Authorizing the Mayor to Execute an Intergovernmental Agreement with the Northern Colorado Water Conservancy District Acting by and through the Pleasant Valley Pipeline Water Activity Enterprise and the City of Fort Collins Water Utility Enterprise for Participation in the Pleasant Valley Pipeline Project.

The Pleasant Valley Pipeline (PVP) Project is included in the Water Treatment Facilities Master Plan that was approved by City Council in June 1997. When constructed, the pipeline will convey additional water from the Poudre River to the City's Water Treatment Facility on West LaPorte Avenue. Additional pipeline capacity from the Poudre River will increase the capability and reliability of delivering raw water to the Water Treatment Facility.

The PVP project has been formulated as a regional project with the City of Fort Collins, City of Greeley, and the three local Water Districts that comprise the Soldier Canyon Filter Plant, as project participants. The Northern Colorado Water Conservancy District (NCWCD) has formed the "PVP Enterprise" to design, construct, own, and operate the pipeline. This Resolution will allow the City to enter into an intergovernmental agreement with NCWCD to provide funding for this phase of the project and to address how the costs will be allocated among the participants.

28. Resolution 99-58 Appointing a New City Representative to the Board of Trustees of the Northern Colorado Community Housing Corporation dba Funding Partners for Housing Solutions.

Councilmember Chuck Wanner's term will expire on May 20, 1999 as the City's representative to the Board of Trustees of Northern Colorado Community Housing Corporation, dba Funding Partners for Housing Solutions. This Resolution reappoints Councilmember Chuck Wanner as the City representative to that Board.

29. Routine Easements.

- A. Deed of Easement from William R. Allison, to install an oval vault, located at 828 West Prospect. Monetary consideration: \$60.
- B. Deed of Easement from Larry and Debra Dunn, and Joe Ryk, to install an oval vault to underground existing overhead electric services, located at 2045 West Mulberry. Monetary consideration: \$80.

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





30. Consent Calendar Follow-up.  
This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.
31. Staff Reports.
32. Councilmember Reports.  
**Committees that have met since May 4 include:**  
*Growth Management Committee*  
*Health and Safety Committee*

### ITEMS NEEDING INDIVIDUAL CONSIDERATION

33. Second Reading of Ordinance No. 56, 1999, Authorizing the Mayor to Execute a Deed of Conveyance for the Sale of a 3.726-Acre Parcel Near the Intersection of East Prospect and Timberline Roads.

Ordinance No. 56, 1999, which was unanimously adopted on First Reading on April 20, 1999, authorizes the Mayor to execute a deed conveying this property, subject to utility and trail easements, and to execute such other related documents as needed to convey the property to Anchor Development Corporation.

34. Resolution 99-59 Adopting Revisions to the Master Street Plan Regarding the Realignment and Connection of Highcastle Drive with Fossil Creek Parkway Via Roma Valley Drive and Mail Creek Lane.

The Master Street Plan is a map-based plan identifying the major transportation network within the Urban Growth Area. The Plan was developed using the City Structure Plan as the basic urban form projected to the year 2015. The Structure Plan projects density, transit service, activity centers, and mixed-use corridors. This information is used to predict travel behavior and the demand for transportation infrastructure. The Master Street Plan is the map of that infrastructure.

A recent staff assessment determined that certain changes should be made to the street network within the southeast area of the City. In reviewing several new development projects and corresponding traffic impacts, and responding to more specific conditions, the proposed changes will improve circulation, safety, and avoid impacts on existing natural resources.



35. Items Relating to Library Services.

- A. Resolution 99-60 Authorizing the Mayor to Enter into an Intergovernmental Agreement with Larimer County for the Purpose of Providing Library Services to Residents of Larimer County.
- B. First Reading of Ordinance No. 88, 1999, Appropriating Unanticipated Revenue in the General Fund for the Library Outreach Program.

Larimer County provides funds to six library service providers in the County. This year, the County is paying \$119,340 to the City for library services for County residents. Of this amount, \$29,835 will be used for the City's library outreach program, which provides library services to the homebound, the economically disadvantaged and services remote bookdrops throughout the community. The Resolution authorizes the Mayor to enter into the Agreement to provide library services to County residents and for outreach service. The Ordinance appropriates \$29,835 for outreach services. The remaining \$89,505 goes into the General Fund and represents an 8.7 percent decrease over the projected amount in the 1999 budget.

36. Items Related to the West Central Neighborhoods Plan Rezoning

- A. Resolution 99-61 Amending the City Structure Plan Map, Map 3 of the West Central Neighborhoods Plan Entitled "Land Use and Housing Densities Plan", and Map 4 of the West Central Neighborhoods Plan Entitled "Zoning District Plan" With Regard to That Certain Property Located at 1125 South Shields Street.
- B. First Reading of Ordinance No. 89, 1999, Amending the Land Use Code for the Purpose of Implementing the West Central Neighborhoods Plan.
- C. Hearing and First Reading of Ordinance No. 90, 1999, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for Those Certain Properties Known as the West Central Neighborhoods Plan 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. The planning area's boundaries extend from Mulberry Street on the north to Drake Road on the south, and from the Burlington Northern/Sante Fe Railroad tracks on the east to Taft Hill Road on the west.

The **West Central Neighborhoods Plan** is organized in a manner similar to other subarea plans adopted by the City. The Plan contains four chapters. Chapter 1 presents an "Introduction." Chapter 2 presents the Plan's "Visioning and Goals." Chapter 3 presents



"Policies and Plans." And Chapter 4 lists a series of "Implementation Actions." The issues areas covered in the Plan include: (1) Land Use and Zoning, (2) Public and Private Sector Services, (3) Parks and Open Lands, (4) Neighborhood Appearance and Design, (5) Housing, (6) Transportation, and (7) Sense of Community.

37. Pulled Consent Items.

38. Other Business.

39. Adjournment.

