

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

**May 6, 2003**

**Proclamations and Presentations**  
**5:30 p.m.**

- A. Proclamation Proclaiming May 11-17, 2003, as "National Women's Health Week".
- B. Proclamation Proclaiming May 16-18, 2003, as "Alzheimer's Awareness Weekend".
- C. Proclamation Proclaiming May 17, 2003, as "Kid's Day America/International".
- D. Proclamation Proclaiming the Month of May as "Mediation Month".
- E. Proclamation Proclaiming the Month of May as "Preservation Month".
- F. Proclamation Proclaiming the Month of May as "Older Americans Month".

**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 20. 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. Consideration and approval of the Council meeting minutes of March 18, March 25, 2003.
8. Second Reading of Ordinance No. 062, 2003, Appropriating Prior Year Reserves in the Street Oversizing Fund and Authorizing the Transfer of Appropriated Amounts to be Used to Construct Interim Roadway Improvements on County Road 11 and Douglas Road.

Phase II of this project overlays, widens and repairs County Road 9 and County Road 11, from International to Douglas Road, as well as Douglas Road, from County Road 11 to County Road 13. This phase two overlay project will be an interim improvement project and will provide two travel lanes and two bike lanes, allowing new development in the area to begin construction.

This Ordinance, which was unanimously adopted 6-0 (Councilmember Hamrick was absent), on April 15, 2003, transfers funds deposited with the City from the developments for construction of Phase 2 of the overlay project.

9. Second Reading of Ordinance No. 063, 2003, Appropriating Unanticipated Grant Revenue in the Cultural Services and Facilities Fund to be Used to Implement the Native American Graves Protection and Repatriation Act.

The 2003 NAGPRA Repatriation grant will support the stipends and travel for tribal representatives and elders to come to Fort Collins for the repatriation and reinterment process. The Cheyenne and Arapaho Tribes have agreed to reinter the human remains locally at Roselawn cemetery. The grant also provides funds for a NAGPRA consultant to organize

and manage the repatriation process. The reinterment is expected to take place in June 2003.

This Ordinance, which was unanimously adopted 6-0 (Councilmember Hamrick was absent), on April 15, 2003, appropriates unanticipated grant revenue in the Cultural Services and Facilities Fund for the implementation of the Native American Graves Protection and Repatriation Act.

10. Second Reading of Ordinance No. 064, 2003, Authorizing the Acceptance of a Donation of a Trail Right-of-Way from Lafarge West, Inc., and Appropriating Unanticipated Revenue in the Conservation Trust Fund for the Laporte Trail Connection.

This Ordinance, which was unanimously adopted 6-0 (Councilmember Hamrick was absent), on April 15, 2003, authorizes the acceptance of a donation of a trail right-of-way from Lafarge West, Inc., and appropriates unanticipated revenue for the Laporte Trail Connection.

11. Second Reading of Ordinance No. 065, 2003, Appropriating Unanticipated Grant Revenue in the Capital Projects Fund - Traffic Signal Timing System Project to be Used for Installation of the First Phases of Additional Traffic Management Equipment for the Advanced Traffic Management System.

The City has been awarded a Federal Congestion Mitigation and Air Quality Grant which will be used to install additional traffic management equipment as part of the new Advanced Traffic Management System (ATMS). City staff is planning on using a sole source contract for the project with current ATMS vendor, Econolite, Inc. The City has 41 intersections up and running under the new traffic system and believes that it is in our best interest to have Econolite install additional traffic management equipment that is 100% compliant and operational with the ATMS. Ordinance No. 065, 2003, was unanimously adopted 6-0 (Councilmember Hamrick was absent), on First Reading on April 15, 2003.

12. First Reading of Ordinance No. 067, 2003, Authorizing the City Manager to Execute Amendments to Two Long-Term Leases of Property at the Fort Collins-Loveland Municipal Airport in Order to Reduce the Amount of Liability Insurance Required of the New Tenant, Eagle Air Investments, LLC, and to Make Other Insurance Related Changes.

The Firewall Lease Agreement to be assigned to Eagle Air Investments, LLC requires proof of liability insurance in the amount of \$5,000,000. Since the September 11, 2001 terrorist act, the insurance industry has been trying to recover from the significant losses that occurred as a result of this tragedy. In addition, since the tragedy, the insurance industry has become very reluctant to insure companies involved in any manner with the aviation industry. As a result it has become very difficult to obtain insurance quotes, even at high premiums. As a result, Eagle Air Investments has asked for a reduction in the level of liability limits from five million to one million. An amendment to the lease will be prepared that requires a review of insurance industry conditions at the end of two years. If the industry conditions have improved or if any liability concerns from the cities arise, the limits will be raised to

the five million dollar amount. Given the insurance and aviation industry current conditions, Airport management supports this request to temporarily reduce the limits of coverage.

13. First Reading of Ordinance No. 068, 2003, Designating the John and Edna Squires House, 810 West Mountain Avenue, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the City Code.

The owners of the property, David Thompson and Stephanie Malsack, are initiating this request for Fort Collins Landmark designation for the Squires House. The house merits consideration for individual Fort Collins landmark designation for its significance under City of Fort Collins Landmark Preservation Standards (A) - Association with events that have made a significant contribution to the broad patterns of history; and (C) - Embodies the distinctive characteristics of a type, period, or method of construction. The property contains a historic residence and a concrete block garage. The garage is not a part of these designation proceedings.

14. Items Relating to the Halcyon Second Annexation.

- A. Resolution 2003-058 Setting Forth Findings of Fact and Determinations Regarding the Halcyon Second Annexation.
- B. First Reading of Ordinance No. 069, 2003, Annexing Property Known as the Halcyon Second Annexation to the City of Fort Collins, Colorado.
- C. First Reading of Ordinance No. 070, 2003, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Halcyon Second Annexation to the City of Fort Collins, Colorado.

The Halcyon Second Annexation is 17.32 acres in size, located east of College Avenue, south of Trilby Road, and north of Robert Benson Lake. The parcel is contiguous to existing city boundaries by the Halcyon Annexation. The recommended zoning is Low Density Mixed-Use Neighborhood (LMN).

15. First Reading of Ordinance No. 071, 2003 Amending Ordinance No. 030, 2003 and Ordinance No. 031, 2003 Annexing and Zoning Property Known as the South Taft Hill Seventh Annexation to Correct an Error in the Legal Descriptions Contained in Said Annexation and Zoning Ordinances.

On March 25, 2003, City Council adopted Ordinance No. 030, 2003 annexing property known as the South Taft Hill Seventh Annexation to the City of Fort Collins, and Ordinance No. 031, 2003 amending the Zoning Map of the City of Fort Collins and classifying for zoning purposes the property included in the South Taft Hill Seventh Annexation.

A typographical error in the legal descriptions contained in the annexation and zoning ordinances, resulting in a legal description that does not "close". This Ordinance amends the

original annexation and zoning ordinances by replacing the incorrect legal description with an amended legal description.

All other documents, including the annexation map, to be recorded at the County Clerk and Recorder, contain the correct legal descriptions.

16. Items Relating to the Willow Brook Annexation No. 3.

- A. Resolution 2003-057 Setting Forth Findings of Fact and Determinations Regarding the Willow Brook Annexation No. 3.
- B. First Reading of Ordinance No. 072, 2003, Annexing Property Known as the Willow Brook Annexation No. 3 to the City of Fort Collins, Colorado.
- C. First Reading of Ordinance No. 073, 2003, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Willow Brook Annexation No. 3 to the City of Fort Collins, Colorado.

The Willow Brook Annexation No. 3 is 4.76 acres in size, located north of Kechter Road, west of Jupiter Road. The parcel is contiguous to existing City boundaries by the Willow Brook Annexation No. 2 and the Webster Farm Annexation. The recommended zoning is Low Density Mixed-Use Neighborhood (LMN).

17. First Reading of Ordinance No. 074, 2003, Amending the Zoning Map of the City of Fort Collins and Classifying the Huber Property for Zoning.

This is a request to zone a parcel owned by the City of Fort Collins Stormwater Utility, that is presently "not zoned", to POL (Public Open Lands). The subject site consists of 1.05 ± acres located south of Drake Road and west of Taft Hill Road.

18. Resolution 2003-058 Approving the Purchase of Additional Traffic Management Equipment and Services from Econolite as an Exception to the Competitive Purchasing Process.

The Traffic Department needs additional traffic management equipment as part of the new Advanced Traffic Management System (ATMS). City staff is requesting the use of the current ATMS vendor, Econolite, Inc. The City has 41 intersections up and running under the new traffic system and believes that it is in the City's best interest to have Econolite install additional traffic management equipment that is 100% compliant and operational with the ATMS. Past experiences with integration between various systems have proven to be problematic for the Department/City. It is intended that the entire ATMS be operating by the end of the year.

19. Resolution 2003-059 Authorizing a One Year Lease of City-Owned Property at 4913 South College Avenue.

This house is located on property owned by the City. Until the land is utilized, renting the house will generate revenue and will discourage vandalism. This action will approve a one-year lease, with the option to renew the lease for an additional year.

20. Routine Deeds and Easements.

A. Utility easements from alpha Gamma Rho Chapter House Loan Fund, Board of Governors of the Colorado State University System by and through Colorado State University, and Rocky Mountain Sig Foundation, to replace an old sewer line, located west of South Shields Street. Monetary consideration: \$500 (to C.S.U. only). Staff: Helen Matson.

B. Storm drainage, sidewalk and utility easement from Paragon Point P.U.D. Community Estates Association, Inc., for the Lemay Avenue Widening Project, located at Paragon Point P.U.D. Monetary consideration: Storm drainage easement \$2054, sidewalk and utility easement \$784. Staff: Eileen Bayens.

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

21. Consent Calendar Follow-up.

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

22. Staff Reports.

23. Councilmember Reports.

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

24. Resolution 2003-061 Expressing Support for the Fort Collins-Timnath-Windsor Community Separator Study.

Fort Collins, Timnath Windsor and Larimer County have been working over the past two years on a project to support successful implementation of community separators in the Timnath area, consistent with the 1999 Northern Colorado Community Separator Study.

The project has been successfully completed, and staff is recommending that each participating jurisdiction adopt a resolution to accept the project study report and express support for implementing the community separator program outlined in the document.

25. Resolution 2003-062 Providing Direction with Regard to the Development of an Intergovernmental Agreement Pertaining to the Possible Formation of a North Front Range Rural Transportation Authority.

This Resolution would give direction to the MPO Policy and Oversight Committee with regard to the drafting of a proposed intergovernmental agreement relating to the potential creation of a North Front Range Rural Transportation Authority. The Resolution states that the City Council would be willing to consider a proposed intergovernmental agreement under which all counties and municipalities signing the agreement would participate in the Authority if the proposed agreement is approved by a majority of the registered electors within the boundaries of the Authority, regardless of whether the agreement is approved by a majority of the registered electors within the City of Fort Collins.

26. Resolution 2003-063 Adopting Revised Rules of Procedure Governing the Conduct of City Council Meetings (Option A or Option B).

This resolution would establish a new regulation for City Council meetings that would require all such meetings to be concluded no later than 10:30 p.m. except for items commenced before 10:30 p.m. and except for extensions approved by a majority of the Council.

27. Pulled Consent Items.

28. Other Business.

29. Adjournment.