



REGULAR MEETING AGENDA

FORT COLLINS CITY COUNCIL

May 2, 2006

Doug Hutchinson, Mayor
Karen Weitkunat, District 2, Mayor Pro Tem
Ben Marvel, District 1
Diggs Brown, District 3
Kurt Kastein, District 4
Kelly Ohlson, District 5
David Roy, District 6

City Council Chambers
City Hall West
300 LaPorte Avenue
Fort Collins, Colorado

Cablecast on City Cable Channel 14
on the Comcast cable system

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

Proclamations and Presentations 5:30 p.m.

- A. Proclamation Naming "Creativity" as the Character Community Character Focus for the month of May, 2006.
- B. Proclamation Declaring May 5-7, 2006 as "Cinco de Mayo" Celebration.
- C. Proclamation Naming May 4, 2006 as National Day of Prayer.
- D. Proclamation Declaring the Month of May as "Historic Preservation Month" and Presentation of Friends of Preservation Awards.

Regular Meeting 6:00 p.m.

PLEDGE OF ALLEGIANCE

- 1. CALL MEETING TO ORDER.
- 2. ROLL CALL.

3. CITIZEN PARTICIPATION (limited to 30 minutes)

Individuals who wish to address the Council on items not specifically scheduled on the agenda must first be recognized by the Mayor or Mayor Pro Tem. Each speaker is allowed 5 minutes. If there are more than 6 individuals who wish to speak, the Mayor may reduce the time allowed for each individual.

- State your name and address for the record
- Applause, outbursts or other demonstrations by the audience is not allowed
- Keep comments brief; if available, provide a written copy of statement to City Clerk

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

Consent Calendar

The Consent Calendar consists of Items 6 through 19. 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 Item No. 24, Pulled Consent Items. The Consent Calendar consists of:

- Ordinances on First Reading that are routine;
- Ordinances on Second Reading that are routine;
- Those of no perceived controversy;
- Routine administrative actions.

6. Consideration and Approval of the Minutes of the March 21, 2006 Regular Meeting.7. Second Reading of Ordinance No. 065, 2006, Amending the City of Fort Collins District-Precinct Map.

This Ordinance, which was unanimously adopted on First Reading on April 18, 2006, amends the City of Fort Collins District-Precinct Map, which was adopted by Council on November 16, 2004, by adjusting precinct boundaries to correspond with election precincts established by Larimer County. **These changes do not affect Council District boundaries.**

8. Second Reading of Ordinance No. 066, 2006, Amending Section 2-166 of the Code of the City of Fort Collins to Change the Name of the Commission on the Status of Women to the Women's Commission.

Ordinance No. 066, 2006, unanimously adopted on First Reading on April 18, 2006, changes the name of the group which advises City Council on issues pertaining to women from the

“Commission on the Status of Women” to the “Women’s Commission”. The new name reflects the focus of the Commission which is on issues of importance to women in Fort Collins, not just on the conditions or status of women in the community.

9. Second Reading of Ordinance No. 067, 2006, Amending the Legal Descriptions for Certain Conveyances to the Colorado Department of Transportation Approved in Ordinance No. 007, 2005.

Ordinance No. 007, 2005, approved real estate legal descriptions to convey a non-exclusive permanent sewer easement, domestic water and gas easement and a road right-of-way to accommodate the installation of a turn lane from East Prospect Road onto the access road in connection with the Colorado Department of Transportation’s development of a new rest area on East Prospect Road near the Welcome and Visitor’s Center. These legal descriptions contained typographical errors which rendered the descriptions unclear. This Ordinance, which was unanimously adopted on First Reading on April 18, 2006, amends the legal descriptions to be used in the documents of conveyance by correcting the errors.

10. Items Relating to the Sanctuary Annexation and Zoning.

- A. Second Reading of Ordinance No. 068, 2006, Annexing Property Known as the Sanctuary Annexation to the City of Fort Collins, Colorado.
- B. Second Reading of Ordinance No. 069, 2006, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Sanctuary Annexation to the City of Fort Collins, Colorado.

These Ordinances, unanimously adopted on First Reading on April 18, 2006, annex and zone 15.65 acres located approximately one-half mile south of Kechter Road and approximately one-quarter to one-half mile east of Ziegler Road. The property is undeveloped and is in the FA-1 Farming District in Larimer County. The requested zoning in the City of Fort Collins is UE – Urban Estate District.

Staff recommends this property be included in the Residential Neighborhood Sign District. A map amendment is necessary to place this property on the Residential Neighborhood Sign District Map.

11. First Reading of Ordinance No. 071, 2006, Vacating Portions of the Rights-of-Way as Dedicated on the Plat of Cameron Park First Filing.

This site is located west of College Avenue, north of Cameron Drive. The streets were dedicated as a county development proposal as shown and laid out on the Cameron Park First Filing. The dedicated right-of-way was annexed into the City when the parcel was annexed in 1992. On November 20, 2003, the Redtail development proposal was submitted and shows a different street layout than was originally platted. The frontage road will not be continued and the improvements in this area will be removed with the Redtail project. Therefore, the right-of-way for the frontage road is no longer necessary and is proposed for vacation. The area will be retained as a utility, drainage and public access easement.

All public and private utilities have been notified of the proposed vacation and no objections were reported.

12. First Reading of Ordinance No. 072, 2006, Vacating Portions of the Rights-of-Way as Dedicated on the Plat of Cameron Park Second Filing.

This site is located west of College Avenue on the west end of Cameron Drive. The streets were dedicated as a county development proposal as shown and laid out on the Cameron Park Second Filing. Neither the streets nor the development were built. The dedicated right-of-way was annexed into the City when the parcel was annexed in 1988. On November 20, 2003, the Redtail development proposal was submitted and shows a different street layout than was originally platted. Therefore, the rights-of-way for the streets are no longer necessary and are proposed for vacation at this time.

All public and private utilities have been notified of the proposed vacation and no objections were reported.

13. Resolution 2006-045 Finding Substantial Compliance and Initiating Annexation Proceedings for the Peterson Annexation.

Cedar Pointe Land & Livestock, L.L.C., c.o. Duane Lebsack, has submitted a written petition requesting annexation of 27.89 acres located on the south side of East Vine Drive between Interstate 25 and County Road 5. The property currently is undeveloped. It is in the FA1 - Farming District in Larimer County. The requested zoning for this annexation is UE - Urban Estate. The surrounding properties are currently zoned: I - Industrial in the City to the west, FA-1 Farming in Larimer County to the north, M - Multi-Family and M1 - Multi-Family in Larimer County to the south, and FA-1 Farming in Larimer County to the east.

The property is located within the Fort Collins Urban Growth Area. According to policies and agreements between the City of Fort Collins and Larimer County contained in the *Intergovernmental Agreement for the Fort Collins Urban Growth Area*, the City will agree to consider annexation of property in the UGA when the property is eligible for annexation according to State law. This property gains the required 1/6 contiguity to existing City limits from a common boundary with the Kirschner Annexation (December, 1993) to the west.

14. Resolution 2006-046 Finding Substantial Compliance and Initiating Annexation Proceedings for the Streamside Annexation.

Cedar Pointe Land & Livestock, L.L.C., c.o. Duane Lebsack, has submitted a written petition requesting annexation of 73.67 acres located on the south side of East Vine Drive between Interstate 25 and County Road 5. The property currently is undeveloped. It is in the FA1 - Farming District in Larimer County. The requested zoning for this annexation is UE - Urban Estate. The surrounding properties are currently zoned: FA1 - Farming in Larimer County to the west, FA-1 Farming in Larimer County to the north, R1 - Residential and M - Multi-Family in Larimer County to the south, and FA-1 Farming in Larimer County to the east.

The property is located within the Fort Collins Urban Growth Area. According to policies and agreements between the City of Fort Collins and Larimer County contained in the *Intergovernmental Agreement for the Fort Collins Urban Growth Area*, the City will agree to consider annexation of property in the UGA when the property is eligible for annexation according to State law. This property gains the required 1/6 contiguity to existing City limits from a common boundary with the Peterson Annexation (July, 2006) to the west.

15. Resolution 2006-047 Approving Expenditures From the Art in Public Places Reserve Account in the Cultural Services and Facilities Fund to Commission an Artist to Create Art Elements for the Police Facility Project.

This Resolution approves expenditures of \$249,037 for design, materials, installation and contingency for a project with artist Andrew Dufford of Chevo Studios to create multiple art elements for the Police Facility Project.

16. Resolution 2006-048 Authorizing the Lease of a Portion of Running Deer Natural Area to Hageman Earth Cycle, Inc., for Two Additional Years.

Hageman Earth Cycle, Inc. is requesting a continuation of a lease of approximately 15 acres of Running Deer Natural Area for a period of time starting July 1, 2006 and ending June 30, 2008. This lease will allow that business to continue using the site for the purposes of a public organic waste material "fee" drop off site, the temporary stock piling of these materials until they are transported off site to the lessee's composting site, and the sale of landscaping products. This lease does not allow the composting of materials on site.

17. Resolution 2006-049 Authorizing the Mayor to Execute an Intergovernmental Agreement Between the City and Colorado State University to Convey Right-of-Way to the City as Part of the East Prospect Road Improvement Project.

In April, the City began work on the East Prospect Road Improvement Project, which involves widening a portion of Prospect Road adjacent to the Colorado State University (CSU) property at the Environmental Learning Center (ELC). CSU has agreed to convey to the City a strip of property adjacent to Prospect Road approximately 64 feet wide and 726 feet long to be used as right-of-way for Prospect Road.

18. Resolution 2006-050 Authorizing the Mayor to Enter into a Contract with the Colorado Department of Transportation for the Design and Construction of the Harmony Road and Shields Street Intersection Improvements.

This funding contract between the City and the Colorado Department of Transportation (CDOT) will secure funding for a portion of the construction of the Shields Street and Harmony Road Intersection Improvements. The design of this project is currently underway and is a part of the Harmony Road Improvements (College to Seneca) funded by the Building on Basics sales tax.

19. Resolution 2006-051 Making an Appointment to the Transportation Board.

A vacancy currently exists on the Transportation Board due to the resignation of Lee Watkins. Councilmembers Kastein and Ohlson reviewed the applications on file and are recommending Jim Clausen to fill the vacancy with a term to begin immediately and set to expire on December 31, 2008.

END CONSENT

20. Consent Calendar Follow-up.

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

21. Staff Reports.

- Economic Health Update

22. Councilmember Reports.

Discussion Items

The method of debate for discussion items is as follows:

- Mayor introduces the item number, and subject; asks if formal presentation will be made by staff
- Staff presentation (optional)
- Mayor requests citizen comment on the item (five minute limit for each citizen)
- Council questions of staff on the item
- Council motion on the item
- Council discussion
- Final Council comments
- Council vote on the item

Note: Time limits for individual agenda items may be revised, at the discretion of the Mayor, to ensure all citizens have an opportunity to speak.

23. Items Relating to Land Conservation at Soapstone Prairie Natural Area. (40 minutes - 15 minute staff presentation)

- A. First Reading of Ordinance No. 073, 2006, Authorizing the Conveyance of 441 Acres of Land to the State Land Board Subject to a Conservation Easement in Exchange for 3,873 Acres of Land Located Within Soapstone Prairie Natural Area.
- B. First Reading of Ordinance No. 074, 2006, Authorizing the Lease of Portions of the Bernard Ranch Property to be Acquired by the City to the Bernards Through 2012.

This item includes two ordinances, each of which would authorize a real property transaction related to the conservation and use of Soapstone Prairie Natural Area.

The first proposed transaction entails a trade of 441 acres within the Wellington community separator for 3,873 acres of State Land Board property that lies within the boundary of Soapstone Prairie Natural Area. The City will retain a conservation easement on the 441-acre parcel, enforceable by the City, that restricts development to a total of twenty-three home sites. Three of the home sites are already built out and the additional twenty home sites will be clustered on the northwest corner of the property. The State Land Board will obtain various water rights associated with the property. In addition to the 3,873 acres of land, the City will receive \$811,000 in cash to equalize the exchange values.

The second transaction entails a purchase of 1,760 acres over a seven-year period for total consideration of \$2,000,000. As portions of the "Bernard Ranch" are acquired, they will be leased back to the seller for continued ranching activities. This lease requires City Council approval. Ultimately, the property will be resold to conservation-minded buyers subject to a conservation easement by which the City would limit development on the property.

24. Pulled Consent Items.
25. Other Business.
26. Adjournment.

Every Council meeting will end no later than 10:30 p.m., except that: (1) any item of business commenced before 10:30 p.m. may be concluded before the meeting is adjourned and (2) the City Council may, by majority vote, extend a meeting until no later than 12:00 a.m. for the purpose of considering additional items of business. Any matter which has been commenced and is still pending at the conclusion of the Council meeting, and all matters scheduled for consideration at the meeting which have not yet been considered by the Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.