

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

January 21, 2003

**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 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. Consideration and approval of Council meeting minutes of November 19, 2002.
8. Second Reading of Ordinance No. 187, 2002, Authorizing the Modification of the Meadow Springs Ranch Grazing Lease With Natural Fort Grazing Association, Inc.

The Natural Fort Grazing Association, Inc. (“NFGA”) requested that the City restructure the current lease term (nine years, seven months and 16 days) of its lease with NFGA to a series of one-year terms, renewable annually, for up to a total of ten years. This change was requested due to recent changes in the property tax treatment of publicly-owned property which is leased and used by private parties. Ordinance No. 187, 2002, was unanimously adopted on First Reading on December 17, 2002, and authorized the modification of the Meadow Springs Ranch Grazing Lease. Second reading of the Ordinance was postponed from the Council’s January 7th meeting to January 21st, in order to clarify the impact of the change on the lease. Staff does not anticipate that the proposed modification of the lease will be detrimental to the City as the lessor.

9. Second Reading of Ordinance No. 001, 2003, Appropriating Prior Year Reserves in the Open Lands Fund Representing Reimbursement from the Great Outdoors Colorado Trust Fund to Be Used for the Acquisition of Open Space, Trails, and Natural Areas.

This Ordinance, which was unanimously adopted on First Reading on January 7, 2003, by a vote of 5-0 (Councilmembers Bertschy and Tharp absent), appropriates grant funds received from Great Outdoors Colorado (GOCO) for three properties in the Poudre/Big Thompson GOCO Legacy project as well as grant money received from GOCO as a result of an adjustment to a previous grant that was received for the Jensen portion of the Cathy Fromme Prairie Natural Area.

10. Second Reading of Ordinance No. 002, 2003, Appropriating Unanticipated Grant Revenue in the General Fund for the Radon Program and Authorizing the Transfer of Matching Funds Previously Appropriated in the Natural Resources Operating Budget to the Grant Project.

This Ordinance, which was unanimously adopted on First Reading by a 5-0 vote (Councilmembers Bertschy and Tharp absent) on January 7, 2003, appropriates \$15,000 in unanticipated revenue in the General Fund for the Radon Program. The funds will be used to continue the radon education and testing programs.

11. Second Reading of Ordinance No. 003, 2003, Appropriating \$85,000 in Funds in the Sheldon Lake Project for the City Park Pool Renovation Project.

This Ordinance, which was unanimously adopted by a 5-0 vote (Councilmembers Bertschy and Tharp absent) on First Reading on January 7, 2003, appropriates funds in the Sheldon Lake Project for the City Park Pool renovation.

12. Second Reading of Ordinance No. 004, 2003, Appropriating Unanticipated Revenue in the General Fund for Police Services for the Larimer County Multi-Jurisdictional Drug Task Force.

In November 2002, the LCDTF received a grant for the purchase a mobile lab trailer to use in the surveillance and cleanup of methamphetamine labs. The current grant, for \$15,816, provides for supplies and equipment to be used in conjunction with the trailer. Ordinance No. 004, 2003, which was unanimously adopted by a 5-0 vote (Councilmembers Bertschy and Tharp absent) on First Reading on January 7, 2003, appropriates unanticipated revenue for the Larimer County Multi-Jurisdictional Drug Task Force.

13. Items Relating to the Appropriation of Miscellaneous Revenues for Police _____ Services.

A. Second Reading of Ordinance No. 005, 2003, Appropriating Unanticipated Grant Revenue in the General Fund for the Police Services Victim Services Team.

The Fort Collins Police Services Victim Services Team has been awarded a one-year grant in the amount of \$19,000 for the period of January 1 to December 31, 2003, by the Eighth Judicial District V.A.L.E. Board to help fund services. Ordinance No. 005, 2003, which was unanimously adopted by a 5-0 vote (Councilmembers Bertschy and Tharp absent) on First Reading on January 7, 2003, appropriates the funds for this program.

B. Second Reading of Ordinance No. 006, 2003, Appropriating Unanticipated Grant Revenue in the General Fund for the Police Services/Rape Aggression Defense Self-Defense Program.

The Fort Collins Police Services Victim Services Team has been given \$4,000 from a private donor to be used exclusively for the Rape Aggression Defense (R.A.D.) Self-Defense program. The Victim Services Team received funds from this same donor in 2002 and, as a result, it was able to provide training for over 50 women. Funds cover the cost to compensate three certified instructors per class, room rental, and materials needed for the students. Ordinance No. 006, 2003, which was unanimously adopted by a 5-0 vote (Councilmembers Bertschy and Tharp absent) on First Reading on January 7, 2003, appropriates the funds for this program.

14. Second Reading of Ordinance No. 007, 2003, Authorizing the Purchasing Agent to Enter into an Agreement for the Financing by Lease-Purchase of Vehicles and Equipment.

This Ordinance, which was unanimously adopted by a 5-0 vote (Councilmembers Bertschy and Tharp absent) on First Reading on January 7, 2003, authorizes the Purchasing Agent to enter into a lease-purchase financing agreement with Koch Financial Corporation at 3.98% interest rate.

15. Second Reading of Ordinance No. 008, 2003, Designating the Giddings Machine Shop, 401 Pine Street, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, Douglas Mohrlang, President, Giddings Machine Company, and Equity Owner, Jon Prouty, President, DaemianEnterprises, initiated this request for Fort Collins landmark designation for the Giddings Machine Shop. Ordinance No. 008, 2003, which was unanimously adopted 5-0 (Councilmembers Bertschy and Tharp absent) on First Reading on January 7, 2003, designates the Giddings Machine Shop, 401 Pine Street, as a historic landmark.

16. Items Relating to the Mason Transportation Corridor.

- A. Resolution 2003-004 Authorizing the Mayor to Enter into a Contract with the Colorado Department of Transportation for the Design and Construction of the Mason Transportation Corridor Bicycle/Pedestrian Trail Project, First Phase.
- B. First Reading of Ordinance No. 009, 2003, Appropriating Unanticipated Revenue in the Building Community Choices Capital Projects Fund, Mason Transportation Corridor Project, to be used for Design and Construction of Improvements to the Mason Transportation Corridor Project South of Harmony Road to the Future Fossil Creek Trail.

The City has received a funding letter from Colorado Department of Transportation (CDOT) that will allow work to proceed on the design and initial construction for the bicycle and pedestrian trail for the Mason Transportation Corridor, south of Harmony Road to the future Fossil Creek regional trail. This will be the first design and construction phase for the Mason Corridor's bicycle and pedestrian system. This funding letter is in addition to the \$330,000 in Congestion Mitigation & Air Quality (CMAQ) funding that the City received last year from the CDOT, bringing the total CMAQ funding for the MTC project to \$622,000.

17. Items Relating to the North College Improvement Project, Phase 1.

- A. Resolution 2003-005 Authorizing the Mayor to Enter into a Contract Funding Increase Approval Letter with the Colorado Department of Transportation for the Design and Construction of the North College Avenue Bicycle/Pedestrian Improvements.
- B. Resolution 2003-006 Authorizing the Mayor to Enter into a Contract with the Colorado Department of Transportation for the Design and Construction of the State Highway 14 Roadway Maintenance Improvements.
- C. First Reading of Ordinance No. 010, 2003, Appropriating Unanticipated Revenue in the Building Community Choices Capital Projects Fund - North College Corridor Project to be used for Bicycle and Pedestrian Improvements and Roadway Improvements along North College Avenue.

The City of Fort Collins and the Colorado Department of Transportation (CDOT) along with consulting team of Felsburg Holt & Ullevig have been working to finalize the engineering phase of the North College Avenue Improvement Project. This project includes the portion of North College Avenue (US287) from the Jefferson Street (SH14)/Maple Street intersection on the south

to Vine Drive on the north. In addition, CDOT has added maintenance funding to the project so that roadway maintenance can be completed along Jefferson and Riverside (SH14) from North College Avenue (US287) to Mulberry (SH14). The roadway maintenance improvements include asphalt mill and overlay of the roadway and concrete improvements in the intersections. The design has been developed in accordance with the US 287/SH14 Access Management Plan.

The design is based upon input from the community gathered from public open house events as well as individual meetings with local business/property owners over the last several months. The design was also presented to the City Council at a study session, and the project has been discussed with the Downtown Development Authority and the Downtown Business Association Boards of Directors.

18. First Reading of Ordinance No. 011, 2003, Appropriating Prior Year Reserves in the Street Oversizing Fund and Authorizing the Transfer of Appropriated Amounts to be used to Construct Improvements on Lemay Avenue from Fossil Creek to Trilby Road.

With the development of the Fossil Creek Community Park, arterial street improvements are planned for Lemay Avenue adjacent to the Park property. The Paragon Point Development south of the Southridge Greens Golf Course previously established a cash escrow for the widening of Lemay Avenue adjacent to their property. These projects have been combined to improve Lemay Avenue to a four lane arterial from the Fossil Creek bridge south to Trilby Road. In conjunction with this project, traffic signals will be installed at Lemay/Trilby, Lemay/Fossil Creek Blvd, and Lemay/Southridge Greens Blvd. In addition, the pedestrian underpass for the Fossil Creek Trail under Lemay Avenue will be constructed with this project. The Stormwater Utility has identified upgrades to the existing drainage crossing at Lemay and Stonegate Drive to be constructed with this project. These improvements will complete the arterial widening of Lemay Avenue to Trilby Road. Except for these Stormwater upgrades and the pedestrian underpass, the project will be funded through developer contributions and the Street Oversizing Program.

19. First Reading of Ordinance No. 012, 2003, Appropriating Unanticipated Revenue in the General Fund for the Purpose of Completing a Historic Structure Assessment of the Historic Armstrong/Mountain Empire Hotel at 249-261 South College Avenue in Fort Collins.

The City of Fort Collins has been awarded a grant by the Colorado Historical Society. The purpose of the grant is to complete a Historic Structure Assessment of the Armstrong/Mountain Empire Hotel. The assessment will determine the exterior and interior physical condition of the historic building with recommendations for rehabilitation.

20. First Reading of Ordinance No. 013, 2003, Amending Chapter 26, Sections 26-412 and 26-444 of the City Code Related to Transmission Facilities and Electric Service.

This Ordinance revises Section 26-412 of the City Code to authorize the City Manager to execute an easement or revocable permit to allow non-City owned electric facilities to remain in place or be relocated into City rights-of-way or easements. Current City Code requires a franchise for such

lines. Instead of a franchise, the new Code language will permit a routine administrative agreement to address areas where existing non-City owned electric facilities are located in the city and are required to serve customers outside the city limits. It will also permit the lines to remain in place to continue to serve customers inside the city until such time as the City's electric utility can provide service to the newly annexed customers. A third use of the easement or revocable permit will be to permit existing non-City owned electric facilities to be relocated from private easements into City rights-of-way or easements when such relocation is necessary to accommodate street and intersection improvements or other City-approved projects. The Code changes outline necessary provisions for the easements or revocable permits that are to be authorized by the City Manager.

21. Items Relating to First Free Will Baptist Church Annexation.

- A. Resolution 2003-007 Setting Forth Findings of Fact and Determinations Regarding the First Free Will Baptist Church Annexation.
- B. First Reading of Ordinance No. 014, 2003, Annexing Property Known as the First Free Will Baptist Church Annexation to the City of Fort Collins, Colorado.
- C. First Reading of Ordinance No. 015, 2003, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the First Free Will Baptist Church Annexation to the City of Fort Collins, Colorado.

The First Free Will Baptist Church Annexation is 4.62 acres in size, located west of College Avenue and north of Trilby Road. The site is the current location of the First Free Will Baptist Church. The parcel is contiguous to existing City boundaries by the Timan First Annexation. The recommended zoning is Low Density Mixed-Use Neighborhood. (LMN).

*****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.

ITEMS NEEDING INDIVIDUAL CONSIDERATION

25. Resolution 2003-008 Adopting a Policy for the Use, Management and Retention of Electronic Mail by the Mayor and City Council and Adopting Guidelines for the Retention of Electronic Mail.

On April 17 and July 16, 2002, the Council Governance Committee reviewed and recommended adoption of a policy relating to electronic mail. At the November 12, 2002 City Council Retreat, the Mayor and Council reaffirmed their request for staff to develop a draft policy regarding the use and retention of e-mail pertaining to City business. A study session discussion on the topic was held December 10.

26. Discussion Relating to Possible Amendments to the 2003 Boards and Commissions Work Plans.

In order to amend individual Board and Commission Work Plans, Councilmembers need to propose specific amendments at the January 21, 2003 Council Meeting pursuant to the previously established policy for initiating and developing Council Ordinances and Resolutions. Council Liaisons and Deputy City Manager Diane Jones have reviewed the Boards and Commissions Work Plans for 2003.

27. Pulled Consent Items.

28. Other Business.

29. Adjournment.