

# **AGENDA**

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

March 5, 2002

## **Proclamations and Presentations**

**5:30 p.m**

- A. Proclamation Proclaiming March 16, 2002 as “Mule Deer Awareness Day”.
- B. Proclamation Proclaiming the Week of March 10-16, 2002 as “Girl Scout Week”.

## **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 #26, 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. Minutes January 15, February 5 and February 19, 2002, and the adjourned meeting minutes of January 22 and January 29, 2002.
8. Second Reading of Ordinance No. 013, 2002, Appropriating Prior Year Reserves and Transferring Appropriations.

This Ordinance, which was unanimously adopted on First Reading on February 19, 2002, reappropriates the 2001 funds for the same uses in 2002 as were originally approved by Council in 2001.

9. Items Relating to the Street Oversizing Kechter Road Improvements Project.
  - A. Second Reading of Ordinance No. 015, 2002, Appropriating Prior Year Reserves in the Street Oversizing Fund and Unanticipated Revenue in the Capital Projects Fund and Authorizing the Transfer of Appropriations Between Funds For the Construction of Improvements on Kechter Road.

This Ordinance, which was unanimously adopted on First Reading on February 5, 2002, appropriates and transfers prior year reserves in the Capital Projects Fund to construct arterial roadway improvements for the Kechter Road Improvements Project. This Ordinance has been amended between First Reading and Second Reading in that the amount to be received from Poudre School District has been reduced to more accurately reflect the amount to be paid from that source.

- B. Second Reading of Ordinance No. 016, 2002, Authorizing the Acquisition by Eminent Domain Proceedings of Certain Lands for Construction of Improvements on Kechter Road.

This Ordinance, which was unanimously adopted on First Reading on February 5, 2002, authorizes eminent domain for rights-of-way and easements from five county outparcels. The additional outparcel is included to correct a previously approved Larimer County Minor Land Division right of way dedication (Staley/Poudre School MLD 00-S1535). This Ordinance has been amended on Second Reading to indicate that five parcels, rather than four, may be acquired using eminent domain proceedings.

10. Second Reading of Ordinance No. 028, 2002, Appropriating Unanticipated Grant Revenue in the General Fund and Authorizing the Transfer of Matching Funds Previously Appropriated in the Advance Planning Budget for the Buckingham, Alta Vista, and Andersonville Neighborhoods Survey Grant Project.

This Ordinance, which was unanimously adopted on First Reading on February 19, 2002, appropriates grant funds so that an intensive-level historic survey of approximately 150 properties, and the preparation of three historic contexts, on the sugar beet industry, the Germans from Russia in Fort Collins, and the Hispanics in Fort Collins can be conducted.

11. Second Reading of Ordinance No. 029, 2002, Appropriating Unanticipated Revenue in the Capital Projects Fund and the Capital Improvement Expansion Fund and Authorizing the Transfer of Appropriations Between Funds for the Purpose of Constructing Improvements at Sheldon Lake in City Park.

Staff has determined that growth of population in the general service area of City Park has resulted and will continue to result in increased use of City Park, including increased demand for footpaths and pedestrian access around Sheldon Lake. In order to accommodate this increasing demand for pedestrian walkways, and to absorb the increased pedestrian traffic around and in the vicinity of Sheldon Lake in City Park, certain improvements around the perimeter of Sheldon Lake are necessary. Consequently, staff proposed that funds in the amount of \$125,000 be appropriated from current year revenues received in the Capital Improvement Expansion Fee Fund for Community Park Improvements, to be used for boardwalk and shoreline improvements around Sheldon Lake. This Ordinance, which was unanimously adopted on First Reading on February 19, 2002, appropriates the \$175,000 donation from the Wilkins Trust for this project.

12. Second Reading of Ordinance No. 030, 2002, Appropriating Prior Year Reserves Designated for Community Park Improvements in the Capital Improvement Expansion Fund for Transfer to the Capital Projects Fund Webster Community Park Capital Project and the Kechter Road Improvements Project for the Purpose of Acquiring Land from Poudre School District for the Webster Community Park Site and for the Construction of Improvements to Kechter Road.

The Parks and Recreation Policy Plan, which was adopted by City Council in 1996, plans for community parks to be developed throughout the City. The southeast section of the community will need to be served by a 50 to 60 acre community park based on the projected density of residential development. Poudre School District and the City have looked at the Webster Site as a joint location for the new 2004 high school and a community park. The District purchased the 160-acre site in 2001.

It is cost effective to develop Kechter Road along the park boundary in conjunction with the construction of roads and infrastructure for the new high school. Building the road now also benefits the students and Poudre School District by improving access to the new high school. Ordinance No. 030, 2002, was unanimously adopted on First Reading on February 19, 2002.

13. Second Reading of Ordinance No. 031, 2002, Amending Chapters 23 and 28 of the City Code so as to Provide for the Regulation of Electric Assisted Bicycles.

This Ordinance, which was unanimously adopted on First Reading on February 19, 2002, amends the City's Traffic Code to define the following:

1. What qualifies as an electric assisted bicycle.
2. Maximum speed capability.
3. Rules and regulations for use of these bicycles.

A separate definition of electric assisted bicycle was necessary to ensure compliance with standards and safeguards such as maximum speed capability and areas of allowed use.

14. Items Relating to the Fossil Lake Annexation No. 1.

- A. Second Reading of Ordinance No. 032, 2002, Annexing Property Known as the Fossil Lake Annexation No. 1.
- B. Second Reading of Ordinance No. 033, 2002, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Fossil Lake Annexation No. 1.

Resolution 2002-020 Setting Forth Findings of Fact and Determinations Regarding the Fossil Lake Annexation No. 1 was adopted on February 19, 2002.

These Ordinances, which were unanimously adopted on First Reading on February 19, 2002, annex and zone the property known as the Fossil Lake Annexation No. 1.

15. Items Relating to the Fossil Lake Annexation No. 2.

- A. Second Reading of Ordinance No. 034, 2002, Annexing Property Known as the Fossil Lake Annexation No. 2.
- B. Second Reading of Ordinance No. 035, 2002, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Fossil Lake Annexation No. 2.

Resolution 2002-021 Setting Forth Findings of Fact and Determinations Regarding the Fossil Lake Annexation No. 2 was unanimously adopted on February 19, 2002.

These Ordinances, which were unanimously adopted on First Reading on February 19, 2002, annex and zone the property known as the Fossil Lake Annexation No. 2.

16. Items Relating to the Fossil Lake Annexation No. 3.

- A. Second Reading of Ordinance No. 036, 2002, Annexing Property Known as the Fossil Lake Annexation No. 3.
- B. Second Reading of Ordinance No. 037, 2002, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Fossil Lake Annexation No. 3.

Resolution 2002-022 Setting Forth Findings of Fact and Determinations Regarding the Fossil Lake Annexation No. 3 was unanimously adopted on February 19, 2002.

These Ordinances which were unanimously adopted on First Reading on February 19, 2002, annex and zone the property known as the Fossil Lake Annexation No. 3.

17. Second Reading of Ordinance No. 038, 2002, Appropriating Unanticipated Revenue in the Building Community Choices Capital Projects Fund, North College Corridor Project, Phase 1 Prior Year Reserves in the Transportation Services Fund and Authorizing the Transfer of Appropriations to Be Used for Bicycle and Pedestrian Improvements along North College Avenue Between Jefferson Street and Vine Drive.

The first phase of the North College Improvement project is funded by the City's *Building Community Choices* 1/4 cent sales tax.

The City of Fort Collins and the Colorado Department of Transportation (CDOT) along with the City's consulting team have been working to finalize the conceptual design plan for the first phase

of the North College Improvement Project. The first phase of 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. The conceptual design plan has been developed in accordance with the North College Avenue/US 287 Access Management Plan. This Ordinance was unanimously adopted on First Reading on February 19, 2002.

18. First Reading of Ordinance No. 039, 2002, Appropriating Unanticipated Grant Revenue in the General Fund for the Fort Collins Public Library.

This Ordinance appropriates State of Colorado grant money provided under the State Funding to Libraries Act (Section 24-90-401, C.R.S., *et seq.*) for the Fort Collins Public Library to purchase materials.

19. First Reading of Ordinance No. 040, 2002, Appropriating Prior Year Reserves in the Street Oversizing Fund and Authorizing the Transfer of Appropriations from the Street Oversizing Fund to the Capital Projects Fund for the Shields Street, Stuart Street to Hobbit Drive, Project.

This is a joint project between the City's Street Oversizing Program and the City's Pavement Management Program to rehabilitate and improve Shields Street from the Stuart Street intersection, north to the Shields and Prospect intersection, including repaving of the Shields/Prospect intersection to correct rutting of the pavement.

This portion of Shields Street was scheduled for routine maintenance, including concrete curb and gutter repairs and milling and re-paving of the asphalt surface. The intersection of Shields and Prospect was included due to substantial rutting of the pavement in the intersection and all approach lanes.

There is an undeveloped property on the east side of Shields Street between Stuart Street and Hobbit Drive. The owners of the property are actively marketing it for development and are preparing for submittal. The Street Oversizing Program worked with the developer of the property to finalize the design plans for Shields Street ahead of the development to include the improvements into the City's Pavement Management Program for this year. It seemed more cost effective to complete the improvements at this time with the currently proposed rehabilitation project. This also places the financial responsibility for this segment on the development through the Street Oversizing Program, and conserves the City's pavement maintenance dollars. The developer of the property will be required to reimburse the fund for the local street portion of the improvements to be constructed associated with that property.

The improvements will include completing the curb and gutter along the east side, construction of a pull out bus stop with benches and shelter, sidewalks, crosswalks and ramps, streetscape landscaping, and milling and re-paving of the asphalt surface course.

20. Routine Deeds and Easements.



## ITEMS NEEDING INDIVIDUAL CONSIDERATION

24. First Reading of Ordinance No. 041, 2002, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for That Certain Property Known as the Bella Vista Rezoning.

This is a request to rezone 2.959 acres located at the northeast corner of East Horsetooth Road and Stanford Road. The site is currently vacant. The requested zoning for this property is MMN - Medium Density Mixed-Use Neighborhood. The surrounding properties are zoned MMN - Medium Density Mixed-Use Neighborhood (to the north, south, and east) and C - Commercial (to the west).

APPLICANT:                   Stanford Development, LLC  
                                       c/o Cityscape Urban Design, Inc.  
                                       3555 Stanford Road, Suite 105  
                                       Fort Collins, CO 80525

OWNER:                         Stanford Development, LLC  
                                       419 Canyon Avenue, Suite 300  
                                       Fort Collins, CO 80521

25. First Reading of Ordinance No. 042, 2002, Appropriating Prior Year Reserves in the Building Community Choices Northside Aztlan Community Center Replacement Capital Project and Authorizing the Project to Proceed.

This Ordinance appropriates \$100,000 from the Building Community Choices, Community Enhancement Projects Fund. This Fund contains accumulated sales tax to replace the current Northside Aztlan Community Center (NACC). City Council has expressed interest in keeping the facility on the current site and on not disrupting operation of the current facility until construction of the new facility is completed. This funding would allow staff to hire the services of the City's contracted architectural firm to work with all interested parties to determine the feasibility and site costs of building the new recreation center on the grounds of the current NACC and to cover other preliminary planning and research costs for the project.

26. Pulled Consent Items.
27. Other Business.
28. Adjournment.