

# **AGENDA**

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

March 21, 2000

## **Proclamations and Presentations**

**5:30 p.m**

- A. Proclamation Proclaiming the Month of March as “Census 2000 Awareness Month”.
- B. Proclamation Proclaiming the Month of March as “Women’s History Month”.
- C. Proclamation Proclaiming the Month of March as “Sexual Assault Awareness Month”.
- D. Proclamation Proclaiming the Month of March as “Youth Employment for Summer 2000”.
- E. Presentation by the Commission on the Status of Women to the Winners of the Women’s History Essay Awards.

## **Regular Meeting**

**6:00 p.m.**

PRESENTATION OF COLORS BY BOY SCOUT TROOP #26.

- 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 17. 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 #23, 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 adoption of the Council meeting minutes of January 18, February 1, February 15 and March 7, 2000.
8. Second Reading of Ordinance No. 199, 1999, Authorizing the Lease of Portions of the Resource Recovery Farm to Western Mobile Northern, Inc. for Gravel Mining.

Ordinance No. 199, 1999, which was unanimously adopted on First Reading on December 7, 1999, authorizes the conveyance of a mining lease to Western Mobile Northern, Inc. for mining of sand and gravel at the Resource Recovery Farm. Since that time, negotiations regarding the 40-acre parcel along the Poudre River on which the City had expected to acquire a conservation easement have changed course. Staff is now negotiating a contingent purchase of property totaling approximately 100 acres, and the owner of the property is not willing to grant a conservation easement given the ongoing negotiations for the sale of the property. The Owner is however, postponing additional mining on the property pending the City's purchase of the property. The Ordinance has been revised to reflect this change in the negotiations. Although the City's conveyance of the mining lease is no longer made contingent upon the owner's grant of a conservation easement, City staff believes that proceeding with the mining lease is advisable, because the mining lease will result in the payment of market rate royalties to the City for the sand and gravel on the Resource Recovery Farm, which will be reclaimed for valuable wetlands habitat post-mining. In addition, if Western Mobile is not able to mine at the Resource Recovery Farm, the chances are greatly increased that Western Mobile would instead mine the 40-acre parcel the

City seeks to preserve. Consequently, staff recommends that the conveyance of the mining lease proceed at this time.

The Ordinance has also been changed to reflect a more accurate reference to Western Mobile Northern, Inc., a corporate affiliate of LaFarge, as the mining lessee, rather than LaFarge.

9. Second Reading of Ordinance No. 24, 2000, Appropriating Unanticipated Revenue and Prior Year Reserves in the General Fund for the Northern Colorado Regional Communities I-25 Corridor Plan.

In 1999, eight jurisdictions in Northern Colorado agreed to prepare a plan for the I-25 corridor between Berthoud and Fort Collins. Seven jurisdictions agreed to share in the cost of preparing the plan, based upon population, as has been the case in the past for other regional projects. The Plan, when completed, will address design, local transportation networks, and protection of important natural areas and open lands. The planning effort is underway and is expected to be completed in 2001. Ordinance No. 24, 2000, which was unanimously adopted on First Reading on March 7, 2000, appropriates the funds needed to complete the project.

10. Second Reading of Ordinance No. 25, 2000, Designating the Sondburg House, Garage, and Chicken Coop, 237 West Street, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, John Litschert, is initiating this request for Local Landmark designation for the Sondburg House, Garage, and Chicken Coop. The house and garage are significant for their architectural importance to Fort Collins as locally rare examples of residential Art Moderne architecture. The chicken coop has architectural importance for its representation of the property's early history. This Ordinance was unanimously adopted on First Reading on March 7, 2000.

11. First Reading of Ordinance No. 26, 2000, Appropriating Prior Year Reserves in the General Fund and Unanticipated Revenue in the Cultural Services and Facilities Fund for the Franz-Smith Cabin Relocation Project.

In October of 1999, a small homestead cabin, the Franz-Smith Cabin, came to the attention of staff at the Fort Collins Museum as a significant structure of Fort Collins' past that is in danger of being lost. The circa 1882 Franz-Smith Cabin represents 70 years of agricultural tradition in the southern communities of Fort Collins. The cabin stood adjacent to South Shields near Harmony Road until it was displaced in 1987 with the development of a new subdivision at that location. The Larimer County Historic Alliance (LCHA) relocated the cabin to Livermore in an attempt to save it from demolition, but the LCHA's dream of an architectural park was never realized. The cabin currently sits on blocks behind the Forks Restaurant on Colorado Department of Transportation (CDOT) land, where it can no longer stay.

The Museum is requesting City Council appropriate the \$35,370 towards this relocation project. Because \$7,000 of the matching contribution will be from in-kind contributions, it is not necessary to appropriate funds for that portion of the project.

12. First Reading of Ordinance No. 27, 2000, Authorizing the Conveyance of Temporary Construction Easement and Non-Exclusive Easement for Storm Drainage for Registry Ridge P.U.D. in the Colina Mariposa Natural Area.

This Ordinance grants to DALCO Land Limited Liability Company (“DALCO”) a temporary access and construction easement on 3.933 acres and a permanent drainage easement on 9.320 acres of land previously donated by DALCO to the City of Fort Collins as part of the Colina Mariposa Natural Area. The location and design of the easements and associated storm drainage facility has been approved by the City of Fort Collins as part of the final review process for the Registry Ridge P.U.D.

13. Resolution 2000-47 Establishing Rental Rates to be Charged for the City’s Surplus Raw Water for the 2000 Season.

This Resolution approves rates for the rental of the City’s surplus raw water. Each year prior to the irrigation season, the City’s Water Board (“the Board”) makes a recommendation to the Council on the rental rates to be charged for the City’s surplus raw water. The surplus water rental program was discussed at the February 24, 2000 meeting of the Board. The proposed rental rates for each type of water are based on several factors including past rental rates, assessment rates, and anticipated supply and demand conditions.

14. Resolution 2000-48 Authorizing the City Manager to Enter Into a Grant Agreement with the State Board of the Great Outdoor Colorado Trust Fund For The Development by Fort Collins Soccer Club Of a Soccer Complex Northeast of Fort Collins.

Only local governments may apply for and receive Great Outdoors Colorado (“GOCO”) Local Government grants, which are for local government parks, outdoor recreation and environmental education facility projects. Local governments may also sponsor grants for others (such as School Districts, recreational groups, etc.) who have projects that support the mission of the local government. The City, as the grant applicant/recipient, must enter into a grant agreement with GOCO, but has negotiated an agreement with the Fort Collins Soccer Club that will require the Soccer Club to provide required matching funds and comply with the grant requirements, and will give the City oversight power in order to ensure that the grant requirements are being met.

15. Resolution 2000-49 Authorizing the Purchasing Agent to Purchase Animal Control Services from the Humane Society of Larimer County for 2000 and 2001, as an Exception to Competitive Purchasing Procedures.

The City of Fort Collins has contracted with the Humane Society for Larimer County for animal control services for the past eighteen years. The contract requires a wide variety of equipment and services including: public education; maintaining and equipping a shelter facility; veterinary care; humane and modern vehicles equipped for transporting animals; radios; uniforms; administration of the pet licensing program; furnishing humane traps as appropriate; maintaining adequate liability insurance; quarterly reports to our Director of Finance; pick-up and disposal of dead animals, and generally respond to animal-related calls for services within the City. There is no other known organization, entity or individual capable of performing these services.

16. Resolution 2000-50 Authorizing an Intergovernmental Agreement with the City of Loveland and Larimer County for the Purchase and Management of Approximately Seven Hundred and Eighty-five Acres of Open Lands Between Fort Collins and Loveland.

The Resolution authorizes execution of an Intergovernmental Agreement with the City of Loveland and Larimer County for the purchase, ownership, and management of a large tract of open land located in the corridor between Fort Collins and Loveland, west of Taft Hill Road (Wilson Avenue in Loveland). This acquisition represents the last major land conservation project needed to complete the vision for the corridor west of Highway 287 established in the Plan for the Region Between Fort Collins and Loveland. The City of Fort Collins, City of Loveland, and Larimer County have been collaborating on the implementation of this plan since its adoption in 1995.

17. Routine Deeds and Easements.

- A. Easement for construction and maintenance of electric utilities from Mark A. Archuleta, located at 215 East Elizabeth, to underground existing overhead electric services. Monetary consideration: \$10.
- B. Easement for construction and maintenance of electric utilities from Arthur P. and Sandra A. Gies, located at 219 East Elizabeth, to underground existing overhead electric services. Monetary consideration: \$10.
- C. Easement for construction and maintenance of electric utilities from Cathy Ann Semerad, 221 Smith Street, to underground existing overhead electric services. Monetary consideration: \$100.

- D. Permanent right-of-way dedication for public street purposes from Steven G. Fobes (A-Z Party Rental), located northeast of Riverside Avenue. Monetary consideration: \$0.
- E. Drainage easement from Steven G. Fobes (A-Z Party Rental), located northeast of Riverside Avenue. Monetary consideration: \$10.
- F. Utility easement from Steven G. Fobes (A-Z Party Rental), located northeast of Riverside Avenue. Monetary consideration: \$0.
- G. Construction and maintenance easement to underground electric system from Kristie M. Rempfer and Sally Juday, located at 223 East Elizabeth. Monetary consideration: \$87.50

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

- 18. Consent Calendar Follow-up.  
This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.
- 19. Staff Reports.
- 20. Councilmember Reports.  
**Committees that have met since March 2 include:**  

<i>Finance Committee</i>	<i>Growth Management Committee</i>
<i>Health and Safety Committee</i>	<i>Legislative Review Committee</i>

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

- 21. First Reading of Ordinance No. 28, 2000, Amending Chapter 20 of the City Code Relating to Public Nuisance Violations.

The Council Health and Safety Committee has worked with staff and the community over the past nine months to develop and refine a proposed public nuisance ordinance. Input has been received from more than 500 people via community meetings, e-mail, letters and phone calls. Several revisions to the ordinance have been made to respond to feedback from the community. Staff believes that the current draft of the ordinance achieves the goals of the Health and Safety Committee while addressing many of the concerns expressed by members of the public. However, the issue remains controversial, and concerns exist around the fundamental question of whether property owners should be held responsible for the behavior of tenants and visitors to their property.



22. Items Relating to the State Highway 14 Truck Route Relocation Project, Including Strategies for Conforming to Ballot Initiative Mandates, Preliminary Project Structure, and Projected Timelines.

- A. Resolution 2000-51 Approving a Project Description, Process and Time Frame for Compliance with Ballot Issue 200 Pertaining to the Relocation of the Colorado Highway 14 Truck Route.

This Resolution will approve the various planning phases of the project.

- B. First Reading of Ordinance No. 29, 2000, Authorizing the Transfer of Funds from the Northeast Truck Route Project Account into a New Account Entitled the Truck Route Relocation Project Account and Appropriating the Expenditure of Funds from Said Account to Meet the Requirements of Ballot Issue 200.

Ordinance No. 29, 2000 will transfer the funds remaining in the Building Community Choices Northeast Truck Route account to a new account earmarked for the purposes specified in the Initiated Ordinance.

The next phase of the State Highway 14 Truck Route Relocation Project will need to be a highly collaborative, cooperative effort between key signatories that includes considerable levels of public involvement in order to be a successful endeavor. This project is clear in its charge, as mandated by ballot initiative. City staff has proposed a phased planning effort that will comply with the ballot issue language and will set the stage for a successful analysis and recommendation of strategies for reducing the amount of through truck traffic along State Highway 14 and US Highway 287 in the City of Fort Collins Urban Growth Area. A goal of this project is that this will be a cooperative effort between City, County, Regional, and State agencies. It is estimated that all phases of the project will be completed third quarter of 2001. Note: This project may actually have a shorter timeline than portrayed in this memo. These are preliminary estimates only and will be refined as the Scope of Work is finalized.

23. Pulled Consent Items.

24. Other Business.

25. Adjournment.

This meeting needs to be adjourned to March 28, 2000 for the purpose of hearing the Mulberry-Lemay Crossing (Walmart) Appeal.



**AGENDA**  
OF THE BOARD OF COMMISSIONERS OF  
THE FORT COLLINS HOUSING AUTHORITY

March 21, 2000

**Regular Meeting**  
**6:00 p.m.**

**(or as soon thereafter as the City Council completes its business)**

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 Boardmembers to follow-up on issues raised during Citizen Participation.

5. AGENDA REVIEW: EXECUTIVE DIRECTOR
6. Consideration and approval of the regular meeting minutes of January 18, 2000 and February 15, 2000 and adjourned meeting minutes of October 5, 1999.
7. Resolution No. 28 Approving for Submission to the U.S. Department of Housing and Urban Development the Public Housing Assessment Certification for the Fort Collins Housing Authority.

The Public Housing Assessment System (PHAS) was established to objectively measure public housing agency performance in key public housing program areas. PHAS is intended to enable HUD to ensure program integrity and accountability by identifying management capabilities and deficiencies.

Housing Authorities (HAs) must submit the HUD-required PHAS certification form within 90 calendar days after the end of its fiscal years. The certification must be approved by Housing Authority Board resolution and be signed by the board of commissioners' chairperson and by the executive director.

Upon receipt of the PHAS certification, HUD will rate the HAs' performance under each PHAS indicator and prepare a profile which shows the rating for each indicator. HAs with PHAS scores of at least 90 percent shall be rated high performers. HAs with PHAS scores

of 60 to 89 percent shall be rated standard. HAs with scores of less than 60 percent shall be rated troubled.

8. Resolution No. 29 Changing the Persons Authorized to Sign Checks on Behalf of the Authority.

The Board previously authorized the Acting Executive Director of the Housing Authority and the Assistant to the Acting Executive Director to sign certain checks on behalf of the Authority. This resolution substitutes the Office of the Director of Housing Programs for the Assistant to the Acting Executive Director, since the latter position no longer exists.

9. Other Business.

10. Adjournment.