

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

April 16, 2002

Proclamations and Presentations

5:30 p.m

- A. Proclamation Proclaiming the Month of April as “Child Abuse Prevention Month”.
- B. Proclamation Proclaiming the Month of April as “Fair Housing Month”.
- C. Proclamation Proclaiming April 19, 2002 as “Arbor Day”.
- D. Proclamation Proclaiming April 24, 2002 as “Read-Aloud Day”.
- E. Proclamation Proclaiming April 20-28, 2002 as “Colorado Landscape Architecture Week”.
- F. Proclamation Proclaiming May 2, 2002 as “National Day of Prayer”.
- G. Proclamation Proclaiming May 2-5, 2002 as “The Cinco De Mayo Celebration”.

Regular Meeting

6:00 p.m.

PRESENTATION OF COLORS BY WEBELOS PACK 197, PATROL 2

- 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 25. 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 #31, 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. Second Reading of Ordinance No. 045, 2002, Authorizing a Grant Agreement with Colorado State Parks and Appropriating Unanticipated Revenue in the Conservation Trust Fund Trail Acquisition and Development Project.

The Poudre Trail presently ends at Taft Hill Road. The Laporte Trail connection will start on the west side of Taft Hill Road where the trail will follow the abandoned rail line north and west for about 3/4 of a mile. At this point, the trail will enter the Hyde Natural Area. The trail right-of-way along the rail line will be nearly 100-feet in width and will allow for the trail to meander and provides room for landscaping.

The La Porte Trail connection was presented to the Natural Resource Advisory Board at its April 3, 2002 meeting. Park Planning and Development staff will attempt to obtain additional right-of-way for the trail from the landowner just west of the Hyde Natural Area. If successful, this would allow the trail to be located with a greater buffer from the Poudre River than the existing trail easement allows. This adjustment would reduce the impact of the trail on the River. Staff will complete these negotiations before construction starts on the trail in late 2002, early 2003.

Park Planning and Development staff will continue to involve and seek input from the Parks and Recreation and Natural Resource Advisory Boards on the trail placement. The Colorado State Trail grant has a completion date of December 31, 2003.

8. Second Reading of Ordinance No. 049, 2002, Authorizing the Transfer of Existing Appropriations Between Projects in the Storm Drainage Fund.

Staff is in the process of a comprehensive study to revise the City's Storm Drainage Basin Master Plans for the various storm drainage basins. Problem identification and the recommended plan of storm drainage improvements are expected to be completed by the end of 2002 with consideration by Council in 2003. This is an accelerated schedule since the development of the 2002 Budget. The accelerated schedule will ensure that the information is available on a timely basis for floodplain administration, financial planning, capital projects administration, and development review. Ordinance No. 049, 2002, was unanimously adopted on First Reading on April 2, 2002.

9. Second Reading of Ordinance No. 050, 2002, Appropriating Unanticipated Revenue in the Downtown Development Authority Operations and Maintenance Fund for State Historic Grant Work to be Performed on the Asmus Signs Building Located at 226 Pine Street.

The Downtown Development Authority received this grant to perform a Historic Structure Assessment of the building located at 226 Pine Street. The assessment will detail the needs and future potential of the building. Ordinance No. 050, 2002, was unanimously adopted on First Reading on April 2, 2002.

10. Second Reading of Ordinance No. 051, 2002, Appropriating Prior Year Reserves in the Street Oversizing Fund and Authorizing the Transfer of Appropriations Between Projects in the Capital Projects Fund for the Construction of Improvements to Fossil Creek Parkway.

This Ordinance, which was unanimously adopted on First Reading on April 2, 2002, transfers existing appropriations in the Capital Projects Fund from the Kechter Road Project into the Fossil Creek Parkway Improvements Project. The developers' offsite contribution will also be appropriated from the Street Oversizing Contribution in Aid account for use on the project.

11. Second Reading of Ordinance No. 052, 2002, Amending Chapter 20 of the City Code Relating to Assessment of Removal Costs.

This Ordinance, which was unanimously adopted on First Reading on April 2, 2002, corrects a discrepancy found in Section 20-44 of the City Code.

12. Items Relating to Seven Long-term Leases of Property at the Fort Collins-Loveland Municipal Airport for the Construction of Aircraft Hangars.

A. Second Reading of Ordinance No. 053, 2002, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Fred Tiece, III, for the Construction of an Aircraft Hangar.

- B. Second Reading of Ordinance No. 054, 2002, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Donald R. Eller (Lease "C") for the Construction of an Aircraft Hangar.
- C. Second Reading of Ordinance No. 055, 2002, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Donald R. Eller (Lease "D") for the Construction of an Aircraft Hangar.
- D. Second Reading of Ordinance No. 056, 2002, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Bob Ferrero for the Construction of an Aircraft Hangar.
- E. Second Reading of Ordinance No. 057, 2002, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Owen Morgan for the Construction of an Aircraft Hangar.
- F. Second Reading of Ordinance No. 058, 2002, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Bill Sheel for the Construction of an Aircraft Hangar.
- G. Second Reading of Ordinance No. 059, 2002, Authorizing the Long-Term Lease of Property at the Fort Collins-Loveland Municipal Airport to Cole Smith for the Construction of Aircraft Hangars.

The Airport Manager has negotiated the lease of property for the construction of several aircraft hangars. The hangars will provide a combined total of at least 44,750 square feet of aircraft storage space. At the expiration of the lease, the improvements revert to the ownership of the Airport. The construction of the hangars will generate new revenue for the Airport and help meet the aircraft storage needs of local aircraft owners. These seven Ordinances were unanimously adopted on First Reading on April 2, 2002.

13. Second Reading of Ordinance No. 060, 2002, Authorizing the Acceptance of a Donation of 1.524 Acres of Land from Waterglen, LLC and Appropriating Unanticipated Revenue in the Neighborhood Parkland Fund Waterglen Park Project.

Waterglen Neighborhood Park will primarily serve the Waterglen Development. The developer of Waterglen is donating the land for this 1.524-acre park. The park will provide a beautiful, peaceful place for residents with landscaping, trees, sidewalk, drinking fountain, shelter and picnic tables. The public process for the design of the park will occur in late 2002 with development in early 2003. Ordinance No. 060, 2002 was unanimously adopted on First Reading on April 2, 2002.

14. First Reading of Ordinance No. 061, 2002, Authorizing the Purchasing Agent to Enter into an Agreement for the Financing by Lease-Purchase of Vehicles and Equipment.

This Ordinance will authorize the Purchasing Agent to enter into a lease-purchase financing agreement with Koch Financial Corporation at 5.05% interest rate. The agreement shall be for an original term from the execution date of the agreement to the end of the current fiscal year. The agreement shall provide for renewable one-year terms thereafter, to a total term of five (5) years, subject to annual appropriation of funds needed for lease payments. The total lease terms, including the original and all renewal terms, will not exceed the useful life of the property. This lease-purchase financing is consistent with the financial policies of the City of Fort Collins.

15. First Reading of Ordinance No. 062, 2002, Amending Chapter 23, Article X of the City Code Regarding Parks, Trails and Recreation Areas.

With the expansion of City Park and Recreation lands into the Poudre Canyon, the Parks and Recreation Department wishes to be able to apply the provisions of the City Traffic Code on lands owned by the City but located outside of the City limits. In particular, the Parks and Recreation Department wants to be able to ticket vehicles that do not display a day use parking permit in parks such as Gateway where such permits will be required.

The current Code provisions pertaining to recreation areas are specifically applicable to City parks and recreation areas located inside the City limits. Incorporating the Traffic Code by reference into the recreation areas provisions of the Code will make the Traffic Code applicable to parks and recreation areas outside of the City limits in the same way that other provisions of the Code, including those dealing with animal control, fire prevention and miscellaneous offenses, are already incorporated in the recreation area provisions. As a result, special officers, commissioned by the City of Fort Collins Police Department, will be able to ticket individual vehicles whose drivers fail to purchase day use parking passes as required, using the existing parking provisions of the Traffic Code. Currently the City Traffic Code is not specifically enforceable outside of the City limits. Chapter 23 of the Code also contains a typographical error that will be corrected by this ordinance.

16. Hearing and First Reading of Ordinance No. 063, 2002, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the 1040 East Elizabeth Rezoning.

In the mid-1980's the City Council adopted the East Side Neighborhood Plan as an element of the City's Comprehensive Plan. In September 1991, the City Council rezoned the subject property from the R-H, High Density Residential, District to the N-C-B, Neighborhood Conservation Buffer, District as part of the land use implementation actions for the East Side Neighborhood Plan. In March of 1997, the City Council approved a comprehensive rezoning of areas in the city as part of the implementation actions for City Plan. Unfortunately, when the City Plan rezonings were done the subject property was mistakenly rezoned from the N-C-B to the N-C-L, Neighborhood Conservation Low Density, District. This rezoning request will correct the mistake made by the

City in March 1997, and return the property to the N-C-B zone to be consistent with the East Side Neighborhood Plan.

17. First Reading of Ordinance No. 064, 2002, Designating the Historic First Baptist Church, 328 Remington Street, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The current owner of the property, North Pointe Community Church, is initiating this request for Fort Collins Landmark designation for the First Baptist Church.

The historic First Baptist Church, the two-story rough-faced sandstone building on the northeast corner of Magnolia and Remington Streets, displays a combination of elements from Gothic Revival and Richardsonian Romanesque architecture. These elements include the beautiful stained glass windows with tracery, the only “rose” window in town, pointed arched Gothic windows, crenellated parapets called battlements, massive towers, buttressed walls, and a steeply pitched roof. The integration of the two distinct styles in the First Baptist Church provides Fort Collins with a building of unique architectural design. Designated a contributing building in the Laurel School National Register Historic District in 1980, it is one of the most prominent buildings in that district.

18. First Reading of Ordinance No. 065, 2002, Authorizing the Grant of a Non-Exclusive Easement to Platte River Power Authority for the Relocation of a Water Line.

The City of Fort Collins Utilities’ project consists of constructing a new earthen settling basin to collect water sludge. Water sludge will be released into the basin as a result of routine cleaning of the flocculation and sedimentation treatment trains. The construction of this basin is required by the City’s National Pollution Discharge Elimination System (NPDES) permit.

The City of Fort Collins Utilities has proposed to grant a non-exclusive easement to Platte River Power Authority to accommodate the relocation of the Utilities’ 10-inch raw water line that is located beneath the new settling basin. The new water pipeline will be located east and south of the location of the existing pipeline. Once this easement is granted to Platte River Power Authority, PRPA will vacate the previous easement granted by the City for this water pipeline. The existing water pipeline must be moved by the end of May 2002.

19. Resolution 2002-034 Approving Expenditures from the Art in Public Places Reserve Account in the Cultural Services and Facilities Fund to Commission an Artist to Create Two Artistic Elements, “The Ripple Cove” and “The Time Pods”, at Fossil Creek Community Park.

This Resolution would approve the expenditure of \$74,591 for design, fabrication, installation and contingency for this project. Andy Dufford and his team from Artscapes LLC., will create two site-specific artworks. “Ripple Cove,” a sitting space/amphitheater carved into the water’s edge in the grassy area on the eastern shore of the lake and “Time Pods” which are carved limestone sculptures that are located in the “Time Walk” area of the park.

20. Resolution 2002-035 Approving Expenditures from the Art in Public Places Reserve Account in the Cultural Services and Facilities Fund to Commission an Artist to Create a Site Specific Art Piece Entitled “Hidden Habitats” for the Nix Farm Natural Areas Project.

This Resolution would approve expenditures of \$20,045 for administration, commission of the artist to create and install the artwork, contingency and maintenance of the piece. The artist, Joe McGrane will create a sculptural sandstone wall and paving design that engages the visitor in activities associated with wildlife discovery while also creating a habitat. The wall supports four sculptural animal “burrows” and connects the Nix Farm Habitat Garden to its broader landscape setting.

21. Resolution 2002-036 Approving Expenditures from the Collindale Clubhouse Project in the Golf Fund to Commission an Artist to Create Artistic Elements That Include Mosaics and Carved Insets for the Collindale Club House Chimney and Selected Walkways.

This Resolution would approve expenditures of \$26,000 for administration, commission of the artist, creation of the artwork, contingency and maintenance of the art. The artist team from Surface Strategy Inc. will integrate the artwork into the design of the building structure and walkways.

22. Resolution 2002-037 Approving Expenditures from the Art in Public Places Reserve Account in the Water Fund for the Commission of an Artist to Design, Fabricate and Install a Water Feature for the Xeriscape Demonstration Garden That Will Be a Sculptural Translation of the Region’s Hydrological Continuum.

This project is connected to the renovation of the buffalo grass area of the Xeriscape Demonstration Garden by the Water Utility. This resolution would approve expenditure of \$55,000 for design, fabrication, installation and contingency for this project. This low-flow water feature, entitled “Watershed Stones”, will add another educational element to the Xeriscape Demonstration Garden by showing the watershed, how water reaches the plains and the never-ending cycle of water. Signs at the site will further explain our sources of water and why low water-use landscaping is so important in our arid climate.

23. Resolution 2002-038 Authorizing the Execution of a Grant Agreement with the State of Colorado for Funding of the Construction of a Snow Removal Equipment Building at the Fort Collins-Loveland Municipal Airport.

The cost to construct the snow removal building is \$333,332. The \$16,666 Aeronautic Division grant, along with matching budgeted 2002 funds of \$16,666 will assist the Airport in meeting half of the 10% match required on a Federal Aviation Administration (FAA) grant for \$300,000. The work is scheduled for Summer 2002.

24. Resolution 2002-039 Finding Substantial Compliance and Initiating Annexation Proceedings for the Poudre School District and The Timbers P.U.D. Annexation.

The Poudre School District and The Timbers P.U.D. Annexation is 35.53 acres in size. The site is located on the east side of South Timberline Road, approximately one-third mile south of Kechter Road and approximately one-half mile north of Trilby Road. Contiguity with the existing municipal boundary is gained along the south property line with a parcel known as the Westchase Annexation No. 2.

The proposed Resolution states that it is the City's intent to annex this property and directs that the published notice required by State law be given of the Council's hearing to consider the needed annexation ordinance. The hearing will be held at the time of First Reading of the annexation and zoning ordinances on May 21, 2002. Not less than 30 days prior, published notice is required by State law.

25. Routine Easements.

- A. Easement dedication from Barbara Ann Goff, for a permanent pedestrian easement, located at 800 West Prospect Avenue. Monetary consideration: \$10.
- B. Easement dedication from Soukup Investments, Ltd., for a permanent pedestrian easement, located at 228 West Prospect Avenue. Monetary consideration: \$10.

*****END CONSENT*****

26. Consent Calendar Follow-up.

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

27. Staff Reports.

28. Councilmember Reports.

Committees that have met since April 2 include:

<i>Growth Management Committee</i>	<i>NFRT&AQC</i>
<i>Legislative Review Committee</i>	<i>Poudre School District Liaison Committee</i>
<i>Transportation Committee</i>	

ITEMS NEEDING INDIVIDUAL CONSIDERATION

29. Hearing and First Reading of Ordinance No. 066, 2002, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes 0.77 Acres of Land Known as the East Elizabeth Street Rezoning.

This is a request to rezone two parcels of land located at 1004 and 1008 East Elizabeth Street from NCL – Neighborhood Conservation, Low Density District to NCB – Neighborhood Conservation, Buffer District. The properties are located north of Elizabeth Street, just west of Lemay Avenue. Together, they total .77 acres in size. One of the parcels (1004 East Elizabeth) is vacant, the other contains a single-family residential dwelling. The sites are designated as Low Density Mixed Use Residential on the City of Fort Collins Structure Plan.

30. Resolution 2002-040 Authorizing the Mayor to Enter into an Intergovernmental Agreement with Larimer County for the Provision of Social and Human Services for Calendar Years 2002 and 2003.

This Resolution authorizes the Mayor to enter into an Intergovernmental Agreement with Larimer County for the purpose of providing social and human services to the City of Fort Collins for the 2002 and 2003 calendar years. The intergovernmental agreement allocates funds appropriated in the 2002 budget for these purposes, and provides for the use of budgeted funds in 2003, contingent upon appropriation of those funds. Since 1981, the City has contracted with Larimer County to allocate and administer the distribution of human services via the Health and Human Services Community Partnerships Program administered by the County.

31. Pulled Consent Items.
32. Other Business.
33. Adjournment.