



# REGULAR MEETING AGENDA

## FORT COLLINS CITY COUNCIL

July 18, 2006

Doug Hutchinson, Mayor  
Karen Weitkunat, District 2, Mayor Pro Tem  
Ben Manvel, 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

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on the Comcast cable system

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### Proclamations and Presentations 5:30 p.m.

- A. Proclamation Proclaiming “Endurance” as the Community Character Focus of the Month of July 2006.
- B. Proclamation Naming Tuesday, August 1, 2006 as Neighborhood Night Out.
- C. Proclamation Proclaiming Fort Collins to be a “City of One”.
- D. Proclamation Proclaiming the month of August as Carcinoid Cancer Awareness Month.

### 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. **Before speaking, please sign in at the table in the back of the room.** The timer will buzz once when there are 30 seconds left and the light will turn yellow. The timer will buzz again at the end of the speaker's time. 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 37. 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. 46, 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 Regular Meetings of May 2, 2006, May 16, 2006, and June 6, 2006, and the Adjourned Meetings of May 23, 2006, June 13, 2006, and June 27, 2006.7. Second Reading of Ordinance No. 071, 2006, Vacating Portions of the Rights-of-Way as Dedicated on the Plat of Cameron Park Second Filing.

This Ordinance, which was unanimously adopted on First Reading on May 2, 2006, vacates the right-of-way for the frontage road in Cameron Park Second Filing, located west of College Avenue, north of Cameron Drive. The Redtail development proposal, submitted November 20, 2003, shows a different street layout than was originally platted in the Cameron Park Second Filing. The right-of-way is no longer needed but the area will be retained as a utility, drainage and public access easement.

8. Second Reading of Ordinance No. 091, 2006, Appropriating Unanticipated Revenue in the Capital Projects Fund - Willow Street Environmental Remediation Project and Northside Aztlan Community Center Replacement Project to be Used for Environmental Site Mitigation in the Vicinity of Willow Street.

This Ordinance, unanimously adopted on First Reading on June 6, 2006, appropriates \$200,000 in unanticipated revenue in the Capital Projects Fund - Willow Street Environmental Remediation capital project, in the form of a payment from Public Service Company of Colorado, and up to \$50,000 in the Northside Aztlan Community Center Replacement Project in the form of a payment from Schrader Oil Company of Colorado. The payment will help offset some of the City's costs in complying with Environmental Protection Agency requirements to mitigate contamination and take reasonable steps required in connection with contamination that passes across and under Willow Street and the Northside Aztlan Community Center site. The payment from Schrader is designated for design and construction of a passive vapor barrier/venting system for the Northside Aztlan Community Center.

9. Second Reading of Ordinance No. 093, 2006, Amending Section 2-447 of the City Code Relating to Membership of the Youth Advisory Board.

This Ordinance, unanimously adopted on First Reading on June 6, 2006, reduces the membership of the Youth Advisory Board from 9 members to 7 and will no longer require any members to be appointed by Team Fort Collins.

10. Second Reading of Ordinance No. 094, 2006, Amending Section 2-182 of the City Code Relating to Membership of the Community Development Block Grant Commission ("CDBG Commission").

The membership of the Community Development Block Grant (CDBG) Commission ("Commission") consists of 11 members appointed by City Council. For the past several years it has become difficult to recruit and maintain full membership. The Commission has been experiencing difficulty in obtaining a quorum for some of its meetings, making it difficult to conduct its duties and functions. This Ordinance, which was unanimously adopted on First Reading on June 6, 2006, reduces the membership of the Commission to 9 members to make it easier to obtain quorums and to perform its duties in a more efficient and timely manner.

11. Second Reading of Ordinance No. 095, 2006, Authorizing the Conveyance of Certain Real Property along Cedarwood Drive Subject to a Perpetual Utility Easement.

This Ordinance, unanimously adopted on First Reading on June 6, 2006, authorizes conveyance of fee title to real property located along Cedarwood Drive by the City. Staff has determined it is not necessary for the City to own the property, originally purchased to install a sewer line to serve surrounding development. The City will reserve and retain a utility easement on and under this tract for the existing sewer line and in order to utilize the easement for any other utility purposes.

The Ordinance has been amended on Second Reading to state that the property will be offered to the general public on set terms and conditions and for the established price of \$1,000. The reason that this change has been made is that the prospective purchaser of the property is a City employee and Article IV, Section 9(b)(2) of the City Charter prohibits City employees from purchasing property from the City unless the property is offered for sale to all members of the general public on the same terms and conditions, at an established price, and not by bid or auction.

12. Second Reading of Ordinance No. 096, 2006, Amending the Zoning Map by Changing the Zoning Classification for That Certain Property Known as the Cargill Rezoning.

This Ordinance, which was unanimously adopted on First Reading on June 6, 2006, rezones 29.5 acres located on the north side of Drake Road, approximately 1/2 mile east of Timberline Road. The site currently contains the Cargill canola research facility and test fields. It is in the T - Transition District. The requested zoning for this property is LMN - Low Density Mixed-Use Neighborhood.

13. Items Relating to the Peterson Annexation and Zoning.

- A. Second Reading of Ordinance No. 097, 2006, Annexing Property Known as the Peterson Annexation.
- B. Second Reading of Ordinance No. 098, 2006, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Peterson Annexation.

These Ordinances, unanimously adopted on First Reading on June 6, 2006 annex and zone 27.89 acres located on the south side of East Vine Drive between Interstate 25 and County Road 5. The property is undeveloped and located in the FA1 - Farming District in Larimer County. The requested zoning for this annexation is UE - Urban Estate, which is consistent with the Structure Plan designation and is in conformance with the I-25 Subarea Plan.

14. Items Relating to the Streamside Annexation and Zoning.

- A. Second Reading of Ordinance No. 099, 2006, Annexing Property Known as the Streamside Annexation.
- B. Second Reading of Ordinance No. 100, 2006, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Streamside Annexation to the City.

These Ordinances, which were unanimously adopted on First Reading on June 6, 2006, annex and zone 73.67 acres located on the south side of East Vine Drive between Interstate 25 and County Road 5. The property is undeveloped and located in the FA1 - Farming District in Larimer County. The requested zoning for this annexation is UE - Urban Estate, which is consistent with the Structure Plan designation and is in conformance with the I-25 Subarea Plan.

15. Items Relating to the Johnston Annexation and Zoning.
- A. Second Reading of Ordinance No. 101, 2006, Annexing Property Known as the Johnston Annexation to the City of Fort Collins, Colorado.
  - B. Second Reading of Ordinance No. 102, 2006, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Johnston Annexation to the City of Fort Collins, Colorado.

These Ordinances, unanimously adopted on First Reading on June 6, 2006, annex and zone a property approximately 36.82 acres in size. The site is 6111 South Timberline Road, approximately one-half mile south of Kechter Road on the west side of Timberline Road.

16. Second Reading of Ordinance No. 103, 2006, Calling a Special Municipal Election on September 12, 2006 and Authorizing the Conduct of Said Election as a Mail Ballot Election.

On May 19, 2006, the City Clerk's Office received an initiative petition to amend the City Charter relating to collective bargaining. The Clerk's Office has completed its review of the petition and has determined that the petition contains a sufficient number of signatures to place the initiated measure on a special election ballot. Pursuant to C.R.S. 31-2-210(4), if the petition is certified as sufficient by the City Clerk, the election must be held as near as possible to the approximate date stated in the petition (September 12, 2006). This Ordinance, unanimously adopted on First Reading on June 6, 2006, calls for the election to be held on September 12, 2006 and authorizes the election to be conducted as a mail ballot election.

17. First Reading of Ordinance No. 105, 2006, Appropriating Unanticipated Developer Contributions in the General Fund for Affordable Housing.

This Ordinance appropriates unanticipated revenue in the Advance Planning budget from Flying Heights, LLC, for density bonuses the City received in exchange for a binding, written recordable relinquishment of the City's rights under the Agreement of Restrictive Covenants Affecting Real Property. \$14,242 will be appropriated to the Affordable Housing Fund to be used in the Competitive Process to award the funds for other affordable housing projects.

18. First Reading of Ordinance No. 106, 2006, Appropriating Unanticipated Revenue in the General Fund for the Development of the North Fort Collins Business Association Action Plan.

On November 15, 2005, the City Council adopted Resolution 2005-123, which allocated \$19,000 from the Community Development Block Grant ("CDBG") Program to the North Fort Collins Business Association ("NFCBA") to complete an Action Plan outlining redevelopment strategies for the North College Avenue commercial corridor. The City has contracted with PMG Associates, Inc. ("PMG Associates") for consultant services to help complete the Action Plan. The contract has a total cost of \$20,000. As recommended by the CDBG Commission, the NFCBA is contributing \$1,000 toward the development of the Action Plan. This Ordinance appropriates the \$1,000 contribution from the NFCBA.

19. First Reading of Ordinance No. 107, 2006, Authorizing the Transfer of Appropriations Between the Building Community Choices - Taft Hill Road Improvements, Drake Road to Derby Court Project and the Building Community Choices - Prospect Road Improvements, Poudre River to Summitview Drive Project to Be Used for the Riverbend Ponds Berm Stabilization Work.

This request is to transfer \$779,890 of excess funds from the previously constructed Taft Hill – Drake to Derby project, to the Prospect Road - Poudre River to Summitview Project to address a greater than anticipated drainage need.

20. First Reading of Ordinance No. 108, 2006, Authorizing Amendments to the Intergovernmental Agreements Between the City and Poudre School District and Thompson School District Pertaining to the Land Dedication and In-Lieu Fee Requirements Contained in Such Agreements.

Since 1998, the City of Fort Collins has collected a fee-in-lieu of land dedication for both Poudre School District and Thompson School District. These fees allow a residential developer to pay a school site fee to the School Districts rather than to dedicate a parcel of land to the District for development of future schools. The ability of the school districts to require land dedication is provided under State of Colorado Statute.

The last time the amount of these fees was adjusted was in 2001. This ordinance will change the amount of the fees for each district and also modifies the fee structure to reduce the cost in payments for larger, multi-family developments.

21. First Reading of Ordinance No. 109, 2006, Amending Various Provisions of the Fort Collins Traffic Code.

The Colorado General Assembly amended certain statutory provisions this legislative session relating to various provisions in state traffic laws. This Ordinance ensures the Traffic Code is consistent with state traffic laws.

22. First Reading of Ordinance No. 110, 2006, Calling a Special Municipal Election to Be Held in Conjunction with the November 7, 2006 Larimer County General Election.

This Ordinance calls a Special Municipal Election to be held in conjunction with the November 7, 2006 Larimer County General Election, and preserves the opportunity for Council to place initiated or referred issues on the November ballot.

23. First Reading of Ordinance No. 111, 2006, Authorizing the Conveyance of a Permanent, Non-exclusive Underground Utility Easement and Multiple Temporary Construction Easements on City Property to the Boxelder Sanitation District for the Purpose of Extending Regional Sanitary Sewer.

The Boxelder Sanitation District is extending a regional sanitary sewer line to the east of its current plant at the confluence of Boxelder Creek and the Cache La Poudre River. The sanitary sewer will provide service to areas designated within the District's service area to the east of I-25. This Ordinance authorizes the conveyance to the District of a permanent

non-exclusive utility easement and a temporary construction easement on a City-owned property that is part of the Timnath Community Separator and a number of temporary easements on former Resource Recovery Farm property and Archery Range Natural Area, all for the regional sewer line project.

24. First Reading of Ordinance No. 112, 2006, Authorizing the Conveyance of a Temporary Construction Easement over City Property to the Boxelder Sanitation District for the Purpose of Extending Sanitary Sewer.

In 1999, Boxelder Sanitation District acquired a deed of perpetual easement along the western edge of the Vangbo property (a 2005 Natural Resources Timnath Community Separator purchase, east of the Boxelder Plant across I-25) from the previous owner. The easement was acquired in anticipation of the construction of a sanitary sewer line on the east side of I-25. At the same time the District acquired a temporary construction easement 30 feet in width and adjacent to the perpetual easement. This temporary construction easement was for a period of one year with a one year extension. The project has not yet been constructed and the temporary construction easement has expired.

The construction of the sanitary sewer line is now planned to begin in the summer of 2006. The construction will take place in the existing perpetual easement area, however because the original term of the temporary construction easement has expired, Boxelder has requested a 30 foot wide construction easement for a period of two years. No trenching or installation of permanent facilities will be done within the temporary construction easement area.

Staff has determined that the temporary easement is not in an area that is ecologically sensitive and the disturbed land can be easily restored. Vegetation along the proposed easement alignment consists of a smooth brome dominated pasture. Restoration of the easement area will utilize grass mixes reflective of existing vegetation.

25. First Reading of Ordinance No. 113, 2006, Authorizing the Conveyance of a Permanent Drainage Easement on Pelican Marsh Natural Area for the Provincetowne Third Filing Development.

The proposed permanent, non-exclusive drainage easement consists of a 50-foot wide area on Pelican Marsh Natural Area that extends up to approximately 73 feet in length (2,937 square feet) and outlets into an existing 200 foot drainage easement already located on the Natural Area. The channel to be constructed within the proposed easement is designed to convey 25 cubic feet per second (“cfs”) and will consist of side slopes of 4:1 (four horizontal feet to one foot of vertical increase), a depth of 1 foot, and a 2-foot bottom width.

The proposed easement is in an area of reestablished native vegetation. Staff has determined that impacts to this area can be restored. Reclamation of these easement area will utilize grass mixes reflective of existing vegetation.

26. First Reading of Ordinance No. 114, 2006, Designating the Reinholt/Mitchell House, 509 East Myrtle Street, as a Fort Collins Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, Robert Mitchell, is initiating this request for Fort Collins Landmark designation for the Reinholt/Mitchell House. The building is judged to be both architecturally and historically significant under Fort Collins Landmark Standards (2) and (3). The Reinholt/Mitchell House has tremendous architectural significance to Fort Collins as a rare and locally distinctive example of Prairie-influenced 20th Century Vernacular architecture, with very good integrity. Additionally, the residence is an excellent illustration of the elaborate work of noted Fort Collins master mason Leroy "Roy" Nye.

27. First Reading of Ordinance No. 118, 2006, Amending Section 4.21(b)(2)(c) of the Land Use Code to Add Two Permitted Uses to the H-C, Harmony Corridor Zone District.

This is a request for Two Text Amendments to the Land Use Code to add, *Small Animal Hospitals* and *Indoor Kennels* as permitted uses in the Harmony Corridor Zone District. The proposal to add *Indoor Kennels* would be conditioned such that there must be an association with either a *Small Animal Veterinary Clinic* or *Small Animal Veterinary Hospital*. Both new uses are proposed as being subject to Administrative Review (Type One).

28. First Reading of Ordinance No. 116, 2006, Vacating an Alley Right-of-way on Block 33 Established as Part of the 1873 Map of the Town of Fort Collins.

This Ordinance authorizes the vacation of an alley right-of-way located north of Maple Street, west of North Mason Street, in Block 33. A pedestrian spine linear park is proposed through the middle of the block where the right-of-way is located. The right-of-way is no longer needed, but access, drainage, and utility easement will be retained.

29. Items Relating to Block 33, Fort Collins, Colorado.

- A. First Reading of Ordinance No. 117, 2006, Authorizing the Sale of City-owned Property Consisting of the Vacated Alley Right-of-Way on Block 33, Fort Collins, Colorado to Penny Flats, LLC.
- B. First Reading of Ordinance No. 118, 2006, Authorizing the Conveyance of a Non-Exclusive Public Access, Drainage, Utility and Maintenance Easement to Penny Flats, LLC.
- C. First Reading of Ordinance No. 119, 2006, Authorizing the Conveyance of a Temporary Construction Easement over Portions of Block 33 to Penny Flats, LLC.

In July 2004, the City Council adopted Resolution 2004-081, setting out a process for selling portions of Block 33 to a private developer. A developer was selected and on July 19, 2005, City Council approved Ordinance No. 077, 2005, which authorized the sale, in phases, of a portion of Block 33 to Penny Flats, LLC. The proposed development is a mixed use project having approximately 150 dwelling units with approximately 30,000 square feet of commercial space.

The Option Agreement for Purchase and Sale of Real Property was entered into on February 24, 2006. This Agreement has the property being conveyed in three parcels, with the first portion to be conveyed 30 days following final approval of the PDP process for the development, which is expected this fall. During the negotiations and planning of this project, a few items were identified that needed further Council approval. These Ordinances approve these items.

30. Resolution 2006-070 Approving Expenditures from the Art in Public Places Reserve Accounts in the Cultural Services and Facilities Fund and the Storm Drainage Fund to Commission an Artist to Create Sculptural Elements for the Spring Canyon Community Park Project.

This Resolution would approve expenditures of \$92,000 for design, fabrication, travel, installation, contingency and related project expenses for a project to install multiple art elements by Karl Ciesluk in Spring Canyon Community Park.

31. Resolution 2006-071 Adopting the Recommendations of the Cultural Resources Board Regarding Fort Fund Disbursements.

The guidelines for the Cultural Development and Programming and Tourism Programming accounts (Fort Fund) provide a three-tiered funding system. Organizations may apply for grants from these accounts to fund community events. Tier #1 was established as an annual programming fund for organizations whose primary purpose is to present three or more public events annually. These groups may apply for funding from Tier #1 each April. Tier #2 allows organizations that are not eligible for Tier #1 support to apply for funding of events that are not fund-raising in nature and do not generate more than \$5,000 in proceeds after expenses. Tier #3 allows organizations that are not eligible for Tier #1 support to apply for funding of events that generate more than \$5,000 in proceeds after expenses and are fund-raising in nature. Applications for support from Tier #2 and Tier #3 are accepted each January and June.

Disbursements from funds in the City's Cultural Development and Programming and Tourism Programming accounts as shown on Exhibit "A" to the Resolution were recommended by the Cultural Resources Board at its regular meeting of June 28, 2006. Adoption of this Resolution will approve the recommended disbursements for Tier #2 and Tier #3 applicants.

32. Resolution 2006-072 Authorizing the Execution of a Grant Contract with the Colorado Council on the Arts for Funding of the Lincoln Center's Outreach and Educational Activities.

The City Cultural Services Department was recently awarded a matching grant from the Colorado Council on the Arts in the amount of \$18,750 to support the Lincoln Center's outreach, partnership, and educational activities during the 2006-2007 performance season. The Colorado Council on the Arts requires that the City Council obligate the local match funding, as well as authorize the City Manager to execute the contract and bind the City to its terms. Match funding was appropriated in the Cultural Services Department budget by Ordinance No. 132, 2005, which authorized the 2006 City expenditure budget.

33. Resolution 2006-073 Adopting a Real Estate Resale Provision for Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and Affordable Housing Fund Loans.

The City currently uses a competitive process to allocate funding from the Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) federal grant programs, and the Affordable Housing Fund for the acquisition of land and/or buildings (real estate) for affordable housing programs/projects and providing for, or improving public facilities. Funds are allocated as deferred, due on sale, zero-interest loans with a five percent (5%) simple interest loan to be repaid if the real estate is ever resold. Staff and the CDBG Commission propose an expansion of the current City policy to include a Real Estate Resale Provision that would protect City resources from projects that fail to be completed and are resold at a profit of more than five percent.

34. Resolution 2006-074 Authorizing the City Manager to Enter Into an Intergovernmental Agreement with the Colorado Department of Transportation for the Provision of Transportation Services for Elderly Persons and Persons with Disabilities.

The Colorado Department of Transportation awarded the City of Fort Collins two replacement vehicles for the Dial-A-Ride fleet under the Federal Transit Administration 49 USC §5310: Elderly Individuals and Individuals with Disabilities. In the BFO process, accepted Offer #521: Paratransit Vehicle Replacement acknowledged this application process and match requirements.

The match ratio is higher than 20% due to the Colorado Department of Transportation's required vehicle acquisition process. All grantees use the same bid, already compiled by Colorado Department of Transportation staff. Dial-A-Ride vehicles utilize safety and vehicle features different than those outlined in the Colorado Department of Transportation bid, and therefore are at additional cost.

35. Resolution 2006-075 Authorizing the City's Participation in the Proposed Fort Collins Regional Library District.

A citizen group has petitioned for creation of a Library District that would include the City in its service area. Voters will be asked to form and fund the District in November. State law requires the City, as operator of an existing public library within the boundaries of the proposed District, to decide whether or not to participate in the District [C.R.S. §24-90-106(1)], and to consent to the County paying the costs of the election, rather than requiring the petitioners to post a bond to cover those costs [C.R.S. §24-90-107(3)(c)(II)]. This Resolution approves the City's participation, in the event the District is formed, and consents to the County paying the costs of the election.

36. Resolution 2006-076 Making an Appointment to the Natural Resources Advisory Board.

A vacancy currently exists on the Natural Resources Advisory Board due to the resignation of Gerry Hart. Councilmembers Manvel and Brown reviewed the applications on file and

are recommending Elizabeth Pruessner to fill the vacancy. The term will begin immediately and is set to expire on December 31, 2010.

37. Routine Easement.

- A. Easement for construction and maintenance of public utilities from Randall J. Morgan, to underground existing electric system, located at 931 East Harmony Road. Monetary consideration: \$10. (See Map #1).
- B. Easement dedication for drainage from Los Encinos, LLC, located at 2313 Kechter Road. Monetary consideration: \$0. (See Map #2).
- C. Deed of dedication for right-of-way from Timberline Autoplex, LLC and Timberline Star Properties, LLC, located on Timberline Road (7,681 square feet). Monetary consideration: \$0. (See Map #3).
- D. Deed of dedication for right-of-way from Timberline Autoplex, LLC, located on Timberline Road (17,645 square feet). Monetary consideration: \$0. (See Map #3).
- E. Deed of dedication for right-of-way from Timberline Development, LLC, located on Timberline Road (18,554 square feet). Monetary consideration: \$0. (See Map #3).
- F. Deed of dedication for right-of-way from Timberline Star Properties, LLC, located on Timberline Road (4,965 square feet). Monetary consideration: \$0. (See Map #3).
- G. Deed of dedication for an emergency access easement from Timberline Star Properties, LLC, located on Timberline Road (30,844 square feet). Monetary consideration: \$0. (See Map #3).
- H. Deed of dedication for slope and drainage easement from Timberline Star Properties, LLC, located on Timberline Road (9,629 square feet). Monetary consideration: \$0. (See Map #3).
- I. Deed of dedication for temporary construction easement from Timberline Star Properties, LLC, located on Timberline Road (5,136 square feet). Monetary consideration: \$0. (See Map #3).
- J. Deed of dedication for utility and drainage easement from Timberline Star Properties, LLC, Timberline Star Properties, LLC, located on Timberline Road (12,330 square feet). Monetary consideration: \$0. (See Map #3).
- K. Easement for construction and maintenance of public utilities from Jay D. Stoner, to underground electric service, located at 1295 North College Avenue. Monetary consideration: \$500. (See Map #4).

## END CONSENT

38. Consent Calendar Follow-up.

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

39. Staff Reports.

40. 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. **Please sign in at the table in the back of the room.** The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.

41. Second Reading of Ordinance No. 092, 2006, Appropriating Prior Year Reserves Designated for Fire Services in the Fire Protection Capital Improvement Expansion Fund for Payment to the Poudre Fire Authority to be Used for Headquarters Building Expansion. (no staff presentation – 5 minute discussion)

Poudre Fire Authority plans to expand the Headquarters Building, located at 102 Remington, as there is a shortage of space for current and future needs. This Ordinance appropriates prior year reserves collected from the fire protection capital expansion fee in the amount of \$1,400,176, and transfers that amount to the Authority capital budget to pay for the expansion. Ordinance No. 092, 2006 was adopted on First Reading on June 6, 2006 with a vote of 6-1 (Nays: Ohlson).

42. Second Reading of Ordinance No. 104, 2006, Making Various Amendments to the Land Use Code. (no staff presentation – 5 minute discussion)

This Ordinance, adopted on First Reading on June 6, 2006, by a vote of 6-1 (Nays: Ohlson), makes amendments to the Land Use Code to resolve implementation issues and to improve both the overall quality and “user-friendliness” of the Code. One section concerning

downtown building height standards was removed at First Reading for consideration at another date.

43. Items Relating to the Southwest Annexation. (10 minute staff presentation – 90 minute discussion)

- A. Resolution 2006-077 Stating the Intent of the City of Fort Collins to Annex Certain Property and Initiating Annexation Proceedings for Such Property to be Known as the Southwest Enclave Annexation.

This is a request to initiate annexation of a County enclave that is completely surrounded by properties that have been annexed into the City. The proposed annexation area is composed of approximately 2.748 square miles (1,748 acres) of property generally bordered on the north by Harmony Road, the south by Trilby Road, South Taft Hill Road on the west and 1/4 mile east of College Avenue to the east.

- B. Resolution 2006-078 Creating a Southwest Enclave Annexation Transition Committee.

This Resolution would create an Annexation Transition Committee. Transition committees will be required by law for large enclave annexations initiated after September 1, 2006. Even though the resolution initiating this particular annexation is being considered by the Council before September 1, creation of such a committee shows a continued City commitment to communicate effectively with enclave property owners. The annexation transition committee will serve as an information conduit between the City and enclave residents. The Committee will be comprised of two City staff employees, two Larimer County staff employees and five citizens who reside, own property or operate a business within the enclave area. The resolution gives the City Manager the authority to appoint the City staff members and the citizen members of the Committee.

44. Resolution 2006-079 Approving the 2006 Fort Collins-Loveland Municipal Airport Master Plan. (10 minute staff presentation – 1 hour discussion)

The *Fort Collins-Loveland Municipal Airport Master Plan* is a policy document that assesses needs and proposes physical improvements to accommodate future aviation needs at the airport. The Fort Collins-Loveland Airport has been in continuous operation since its construction in 1964. Overall Master Planning had been completed for the airport, but hasn't been updated since 1993. The Federal Aviation Administration requires periodic updates to the master plan as a condition of eligibility for Federal grants. The plan represents a compendium of potential improvements based on assumptions about the ongoing and future uses. The document does not commit the City to fund or undertake any of the listed items. Those decisions may be made by the Council in the future.

Terms of the agreement between Loveland and Fort Collins to jointly operate and improve the airport state that the two cities have joint policy making authority on airport matters. The Master Plan Update has been conducted under the direction of the Cities of Fort Collins and Loveland, with financial assistance from the Federal Aviation Administration (FAA) and the Colorado Department of Transportation Division of Aeronautics.

45. Pulled Consent Items.

46. Other Business.

47. 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.