

# **AGENDA**

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

August 15, 2000

## **Proclamations and Presentations**

**5:30 p.m**

- A. Proclamation Proclaiming August 24, 2000 as "United Way Awareness Day".
- B. Proclamation Proclaiming August 26, 2000 as "Women's Equality Day".
- C. Presentation of a Plaque by the Professional Engineers of Colorado Honoring the City of Fort Collins as "Employer of the Year 1999-2000" and Recognizing the City's Support of the Society and the Engineering Profession.

## **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 32. 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 #42, 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 the Council Meeting minutes of July 18, 2000, and the adjourned meeting minutes of June 11, 2000.

8. Second Reading of Ordinance No. 85, 2000, Designating the Marsh/Geist House and Garage, 1006 LaPorte Avenue, Fort Collins Colorado, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, Tim Hackett, initiated this request for Fort Collins landmark designation for the Marsh/Geist House and Garage. Ordinance No. 85, 2000, was unanimously adopted on First Reading on July 18, 2000.

9. Second Reading of Ordinance No. 86, 2000, Designating the Franz-Smith Cabin, Fort Collins Museum, 200 Mathews Street, Fort Collins Colorado, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, the City of Fort Collins, initiated this request for Fort Collins landmark designation for the Franz-Smith Cabin. This building is important for its architectural and historical significance to Fort Collins. Ordinance No. 86, 2000, was unanimously adopted on First Reading on July 18, 2000.

10. Items Relating to Calling a Special Election for November 7, 2000, and Placing Proposed Charter Amendments on Said Ballot.

- A. Second Reading of Ordinance No. 87, 2000, Calling a Special Municipal Election to Be Held in Conjunction with the November 7, 2000 Larimer County General Election.
- B. Second Reading of Ordinance No. 88, 2000, Submitting to a Vote of the Registered Electors of the City of Fort Collins Proposed Amendments to Articles IX and X of the City Charter, Pertaining to Petition Circulators.
- C. Second Reading of Ordinance No. 89, 2000, Submitting to a Vote of the Registered Electors of the City of Fort Collins a Proposed Amendment to Article IV of the City Charter, Pertaining to Residency Requirements.

Ordinance No. 87, 2000, which was unanimously adopted on First Reading on July 18, 2000, calls a Special Municipal Election to be held in conjunction with the November 7, 2000 Larimer County General Election. Ordinance No. 88, 2000 and Ordinance No. 89, 2000, which were also unanimously adopted on First Reading on July 18, 2000, place individual Charter amendments on the November 7, 2000 Special Election ballot.

- 11. Second Reading of Ordinance No. 90, 2000, Authorizing the Mayor to Execute a Deed Establishing and Limiting Rights of Access Along a Certain Portion of State Highway No. 68 (Harmony Road), and Accepting a Quit Claim from the Colorado Department of Transportation to the City Eliminating Existing Rights and Limitations of Access.

This Ordinance, which was unanimously adopted on First Reading on July 18, 2000, authorizes the Mayor to execute the warranty deed establishing the new A-Line access rights and limitations and also accepts the warranty deed from CDOT eliminating the prior access rights and limitations. Each deed is dependent upon the other and without one the other cannot be delivered.

- 12. First Reading of Ordinance No. 93, 2000, Appropriating Unanticipated Revenue in the Transit Services Fund for Transfer to the Capital Projects Fund Transit Center Capital Project.

On June 20, 2000, Council adopted Ordinance No. 78, 2000, authorizing the transfer of \$1,698,400 from the Transit Services Fund to the Capital Projects Fund for the completion of the Downtown Transit Center. Only \$300,000 of the federal funds has been appropriated, and this Ordinance appropriates the remaining \$1,398,400 of unanticipated federal funds for the transit project. The project is scheduled to (1) be bid in September 2000; (2) start construction in November 2000; and (3) be open for operation in June 2001.

- 13. First Reading of Ordinance No. 94, 2000, Appropriating Unanticipated Revenue in the Capital Projects Fund 1/4 Cent Building Community Choices Natural Areas Capital Project to be used for Environmental Education Projects.

In July 1996, the City Council adopted Resolution 96-85, supporting the Poudre/Big Thompson Legacy Grant Application. From that application, Great Outdoors Colorado awarded \$3.4 million.

The \$50,000 for which appropriation is requested is an element of that grant covering education/interpretation features in the Fort Collins area. The \$50,000 will be appropriated in the Natural Areas Quarter-Cent Building Community Choices fund education project.

14. First Reading of Ordinance No. 95, 2000, Appropriating Unanticipated Grant Revenue in the General Fund for the Operation of the Fort Collins Welcome Center.

Pursuant to Resolution 99-97, the City contracted with Colorado State University for visitor center space at the Environmental Learning Center/Visitors Center to the south of Prospect Road, approximately one-quarter mile west of Interstate 25. The City, in its effort to welcome visitors to Fort Collins through the activities of its convention and visitor services contractor, the Fort Collins Convention and Visitors Bureau (the "CVB"), will use the space for the Fort Collins Welcome Center. The CVB, in addition to promoting tourism activity, will operate the Welcome Center pursuant to amendments to the City's agreement with CVB, and consistent with the City's grant agreement with the State of Colorado.

15. First Reading of Ordinance No. 96, 2000, Appropriating Unanticipated Grant Revenue in the General Fund for Fort Collins Build a Generation.

Fort Collins Build a Generation (FCBG), in collaboration with Healthier Communities Coalition, is committed to using risk-focused prevention and the results of its planning process as the primary tool to determine what strategies, programs, policies, and resources should be deployed to decrease risk and enhance protection for Fort Collins' youth. FCBG's risk assessment conducted in 1996 indicated that family management problems, family conflict, and the early initiation of problem behavior put youth in Fort Collins at risk for becoming pregnant, dropping out of school, engaging in delinquent behavior, using and/or abusing drugs and alcohol and witnessing or engaging in violent behaviors. Build a Generation will use this funding year to finalize the development and implementation of a comprehensive, strategic prevention plan.

16. First Reading of Ordinance No. 97, 2000, Appropriating Funds from the Affordable Housing Fund for an Impact Fee Rebate Payment for the Bull Run Apartments Affordable Housing Project.

The City has received an application for a development impact fee rebate for \$207,450 from the Brisben Company for its Bull Run Apartments affordable housing project. The current balance of available appropriations for development fee impact rebates is \$117,215. Additional funds in the amount of \$90,235 are needed to provide the eligible development impact fee rebate for the project. The \$90,235 needed to provide the eligible rebate is available in the General Fund's Affordable Housing Fund prior year reserves. Article V, Section 9, of the Charter of the City of Fort Collins authorizes the City Council to provide by ordinance for payment of any expense from reserves accumulated in prior years notwithstanding that such reserves were not appropriated for expenditure in the annual appropriation ordinance.

17. First Reading of Ordinance No. 98, 2000, Appropriating Unanticipated Revenue in the General Fund for the Human Rights Office.

The Human Rights Office has received an anonymous donation of \$50,000 to fund a contractual position for one year. This contractual position will be charged with developing and coordinating a year-long youth program that will develop leaders and community builders in the City of Fort Collins from under-represented, non-traditional youth leaders. In addition, this position will be preparing and conducting presentations and educational programs on topics such as diversity and multiculturalism for public and private sector groups. This position, among other things, will also be planning, promoting and coordinating community programs and projects such as Martin Luther King Jr. Day and Cinco de Mayo, and will conduct ongoing research for additional and continuous financial program assistance.

18. Items Relating to the Railroad Crossing at Trilby Road East of Shields Street.

A. Resolution 2000-98 Authorizing the City Manager to Enter into an Agreement with the Burlington Northern Santa Fe Railway Company for Upgrading the Crossing Material at the Trilby Road/Burlington Northern Santa Fe Railroad Crossing Located East of Shields Street.

B. First Reading of Ordinance No. 99, 2000, Appropriating Unanticipated Revenue in the Capital Projects Fund Minor Streets Capital Project to be Used for Upgrading the Railroad Crossing Material at the Trilby Road/Burlington Northern Santa Fe Railroad Crossing Located East of Shields Street.

As part of the requirements for off-site street improvements required of the Registry Ridge P.U.D. development project, the Developer is required to pay for 100% of the cost to upgrade the crossing material at the Trilby Road/Burlington Northern Santa Fe Railroad (BNSFRR) crossing located east of Shields Street. To pay for the improvements, the Developer has deposited \$40,000 with the City to cover the cost. The estimated cost for the improvements estimated by the BNSFRR, is \$35,040. Any funds remaining will be returned to the Developer. The installation of the crossing material will be done by the BNSFRR. The funds received from the Developer will be used to reimburse the BNSFRR for its work.

19. First Reading of Ordinance No. 100, 2000, Amending Article V, Section 23-156 of the City Code and Repealing Certain Rules and Regulations Relating to the Abandonment of Burial Spaces at Grandview and Roselawn Cemeteries.

This Ordinance will allow the cemeteries to reclaim approximately 1,800 grave spaces in which no interment has occurred and no perpetual care fee has been paid. Most of these graves spaces were sold before 1926 and the owners, heirs or assigns of these spaces have not contacted the Cemetery to date.

20. Items Concerning Payment of Additional Water and Sewer Plant Investment Fees.

- A. First Reading of Ordinance No. 101, 2000, Amending Section 26-120 of the City Code Concerning Additional Payment of Water Plant Investment Fees When Initial Payment Miscalculated.
- B. First Reading of Ordinance No. 102, 2000, Amending Section 26-283 of the City Code Concerning Additional Payment of Sewer Plant Investment Fees When Initial Payment Miscalculated.

The process used to determine water and sewer plant investment fees for large water and wastewater users depends on an engineering analysis submitted by the user. Utilities staff calculate the fees based on this submittal. While in the vast majority of situations this process is effective and results in accurate PIFs, there is the possibility that good-faith information provided by a user will prove to be incorrect. Once a facility is built, and the user begins operation, actual use characteristics may not be as originally projected. As a result, the user may owe additional PIFs. This situation currently exists.

These Ordinances authorize the General Manager of Utility Services to allow the user to pay the additional PIFs over time under reasonable terms and conditions. These Ordinances also make it unlawful for any person to knowingly provide false, inaccurate or fraudulent information to be relied upon by the Utilities when calculating a user's PIF.

- 21. First Reading of Ordinance No. 103, 2000, Amending Section 2-167 of the City Code Relating to Membership of the Commission on the Status of Women.

At its July 24, 2000 meeting, the Commission on the Status of Women (COSW) voted unanimously to recommend a reduction in the membership of the Commission from 13 members to 11 members. This Ordinance, if adopted, will reduce the membership of the Commission effective September 15, 2000 (10 days following final adoption of the Ordinance on second reading on September 5, 2000).

- 22. First Reading of Ordinance No. 104, 2000, Amending Article III of Chapter 20 of the City Code to Eliminate Xeriscape Certifications as the Basis for a Variance from the Enforcement of the Grass Height Limitation of Section 20-42 of the City Code, But Allowing Certain Ornamental Grasses to be Exempt from the Grass Height Limitation.

After reviewing the Xeriscape certification program, the City Manager and staff have determined that the program should be discontinued. However, while reviewing the xeriscape certification and grass height variance issue, it became evident that if the xeriscape variance was eliminated that there would still be the need to find a way to allow ornamental grasses. Ornamental grasses are popular landscape accents and most of them grow taller than six inches and are harmed by mowing. Currently, the City Code limits the height of all grasses to six inches. Therefore, while the proposed Ordinance would eliminate the Xeriscape Certification Program, it would also permit certain ornamental grasses to be exempt from the six (6) inch grass height limitation.

23. Items Relating to the Hearthfire Way Annexation and Zoning.

- A. Resolution 2000-99 Setting Forth Findings of Fact and Determinations Regarding the Hearthfire Way Annexation and Zoning.
- B. First Reading of Ordinance No. 105, 2000, Annexing Property Known as the Hearthfire Way Annexation to the City of Fort Collins, Colorado.
- C. First Reading of Ordinance No. 106, 2000, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Hearthfire Way Annexation to the City of Fort Collins, Colorado.

This is a request to annex and zone 3.21 acres located on the south side of Douglas Road (County Road 54), east of County Road 13, and west of County Road 11. The existing Hearthfire PUD (in the City of Fort Collins) is to the south. The property is a constructed roadway and presently serves as the access to the existing Hearthfire PUD. The requested zoning for this annexation is UE – Urban Estate. The surrounding properties are zoned O - Open (to the north, in Larimer County), FA1- Farming (to the east, in Larimer County), FA-1 - Farming (to the west, in Larimer County), and UE (to the south).

Staff is recommending that this property be included in the Residential Neighborhood Sign District. A map amendment would be necessary to place this property on the Residential Neighborhood Sign District Map.

APPLICANT: March & Liley, P.C.  
c/o Lucia Liley  
110 East Oak Street, Suite 2000  
Fort Collins, CO 80524

OWNER: Hearthfire, Inc.  
11941 West 48th Avenue  
Wheatridge, CO 80033

24. Items Relating to the Riverbend Third Annexation and Zoning.

- A. Resolution 2000-100 Setting Forth Findings of Fact and Determinations Regarding the Riverbend Third Annexation and Zoning.
- B. First Reading of Ordinance No. 107, 2000, Annexing Property Known as the Riverbend Third Annexation to the City of Fort Collins, Colorado.
- C. First Reading of Ordinance No. 108, 2000, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Riverbend Third Annexation to the City of Fort Collins, Colorado.

This is a request to annex and zone 1.25 acres located on the south side of East Mulberry Street, north of the Cache La Poudre River, and east of Timberline Road between Eric Street and Eric Court. The property is currently being used as part of the Country Club Gardens Nursery operation and is in the FA – Farming Zoning District in Larimer County. The requested zoning in the City of Fort Collins is LMN – Low Density Mixed-Use Neighborhood.

Staff is recommending that this property be included in the Residential Neighborhood Sign District. A map amendment will not be necessary to place this property on the Residential Neighborhood Sign District Map.

APPLICANT: Riverbend Farms  
 c/o Stewart & Associates  
 103 South Meldrum Street  
 Fort Collins, CO 80521

OWNER: Riverbend Farms  
 110 East Oak Street, Suite 200  
 Fort Collins, CO 80524

25. Items Relating to the Trilby Heights Sixth Annexation and Zoning.

- A. Resolution 2000-101 Setting Forth Findings of Fact and Determinations Regarding the Trilby Heights Sixth Annexation and Zoning.
- B. First Reading of Ordinance No. 109, 2000, Annexing Property Known as the Trilby Heights Sixth Annexation to the City of Fort Collins.
- C. First Reading of Ordinance No. 110, 2000, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Trilby Heights Sixth Annexation to the City of Fort Collins, Colorado.

This is a request to annex and zone 6.54 acres located on the west side of South Shields Street and south of Trilby Road. The property is partially developed as a roadway (Trilby Road), and the remainder is undeveloped. It is in the FA1 – Farming Zoning District in Larimer County. The requested zoning in the City of Fort Collins is LMN – Low Density Mixed-Use Neighborhood and UE – Urban Estate.

Staff is recommending that this property be included in the Residential Neighborhood Sign District. A map amendment will not be necessary to place this property on the Residential Neighborhood Sign District Map.

APPLICANT: March & Liley, P.C.  
 c/o Lucia Liley

110 East Oak Street, Suite 200  
Fort Collins, CO 80524

OWNER: Dalco Land, L.L.C.  
c/o U.S. Homes Corporation  
6000 Greenwood Plaza Boulevard, Suite 200  
Englewood, CO 80111

26. First Reading of Ordinance No. 111, 2000, Designating the S. A. Johnson House, 623 Mathews Street, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, Lori Thompson, is initiating this request for historic landmark designation for the S. A. Johnson House. This building is significant to Fort Collins as a good example of the Classic Cottage architectural style. The home is listed on the National Register of Historic Places as a contributing element of the Laurel School National Register District, established in 1980.

27. Resolution 2000-102 Authorizing the Mayor to Enter into an Intergovernmental Agreement with Larimer County for the Provision of Social and Human Services During the Second Half of Calendar Year 2000.

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 second half of 2000. The intergovernmental agreement allocates the remaining portion of the funds appropriated in the 2000 budget for these purposes. Since 1981, the City has contracted with Larimer County to allocate and administer the distribution of human services funds via the Human Resource Grant Program administered by the County.

29. Resolution 2000-104 Appointing a Representative to the Larimer County Open Lands Advisory Board.

In the November 1995 election, the voters of Larimer County approved the “Help Preserve Open Spaces” initiative for a county-wide 1/4-cent sales and use tax specifically earmarked for open space, natural areas, wildlife habitat, regional parks and trails. The initiative requires the Larimer County Board of Commissioners to create an Open Lands Advisory Board to make recommendations regarding the County’s share of the sales and use tax. The initiative stipulates that the Advisory Board “at a minimum shall consist of one (1) elected official or appointee from the municipalities of Berthoud, Estes Park, Fort Collins, and Loveland; one (1) member from the Larimer County Planning Commission; and four (4) citizens appointed at large”.

On March 5, 1996 Council adopted Resolution 96-36 appointing Tom Shoemaker as the City’s representative. The Larimer County Commissioners Office has informed the City that Mr. Shoemaker’s term has expired and has requested that the City appoint a representative to serve

until June 30, 2003. This Resolution reappoints Tom Shoemaker, Natural Resources Director, as the representative of the City of Fort Collins to the Larimer County Open Lands Advisory Board.

30. Resolution 2000-105 Making an Appointment to the Natural Resources Advisory Board.

A vacancy currently exists on the Natural Resources Advisory Board due to the resignation of Richard Harness. Councilmembers Bertschy and Byrne reviewed the applications on file and are recommending Linda Knowlton to fill the vacancy with a term to begin immediately and set to expire on December 31, 2004.

31. Resolution 2000-106 Making an Appointment to the Urban Growth Area Review Board.

The Intergovernmental Agreement between the Larimer County Commissioners and the Fort Collins City Council established a Fort Collins Urban Growth Area Review Board to act as the single recommending body to the Commissioners concerning development applications for properties located within the unincorporated portions of the UGA that are ineligible for voluntary annexation into the city. The Board consists of two members appointed by the City Council, two members appointed by the County Commissioners, and three members appointed by mutual agreement of the Council and the Commissioners, who shall be residents of the Urban Growth Area (the area between the City limits and the Urban Growth Area boundary).

There is currently one vacancy on the UGA Review Board requiring Council action. Larimer County did not receive a sufficient number of applications to fill the three joint City/County vacancies during last year's recruitment. In order for the Urban Growth Area Review Board to have a quorum at its meetings, two appointments were made last year. Recruitment efforts were continued by Larimer County and the Commissioners and Councilmember Mason are recommending Mary Warring to fill the remaining vacancy.

32. Routine Deeds and Easements.

- A. Deed of dedication for easement for a permanent utility easement from Sharp Point Properties, LLC, located south of Prospect Avenue and east of Midpoint Drive. Monetary consideration: \$10.
- B. Deed of dedication for a slope and grading easement from James E. and Christy A. Farnell, located on Shields between Trilby and Harmony. Monetary consideration: \$10.
- C. Deed of dedication for a slope and grading easement from Wayne and Mary E. Specht, located on Magnolia and 12th Street. Monetary consideration: \$10.
- D. Deed of dedication for a drainage and utility easement from The Writer Corporation, located north of County Road 36 and west of County Road 9. Monetary consideration: \$10.

- E. Deed of dedication for right-of-way from Meldrum Properties, Inc., located west of Mitchell Drive on College Avenue, south of Horsetooth Road. Monetary consideration: \$10.
- F. Deed of dedication for right-of-way from A Simpleton Partnership, LLC, located on Riverside Avenue, east of Lemay Avenue. Monetary consideration: \$10.
- G. Deed of dedication for easement from Evermark, LLC, located on College and Foothills Parkway. Monetary consideration: \$10.
- H. Easement for construction and maintenance of public utilities from Kathleen Washecka, to underground electric services, located at 209 North Grant. Monetary consideration: \$10.

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

- 33. Consent Calendar Follow-up.  
This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.
- 34. Staff Reports.
- 35. Councilmember Reports.  
**Committees that have met since July 18 include:**  
*Growth Management Committee                      NFRT&AQPC*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

- 36. Resolution 2000-107 Determining the Design, Cost and Scheduling of the Taft Hill Road Improvements as Authorized Pursuant to Ordinance No. 31, 1997.

Fort Collins voters approved the South Taft Hill Road Improvements in 1997. However, the Building Community Choices ballot language states the “design, cost and scheduling” of this project shall be determined by City Council without substantially changing the essential character. The staff recommendations are the result of extensive public outreach and conceptual design engineering completed over the last nine months. Staff recognizes that this project is in an area with established residents and businesses. Staff also recognizes the importance of providing safe and efficient transportation facilities that will meet current and future demands. Staff believes that the recommended 100-foot wide road (including the raised median), with a few isolated modifications to the width, best meets the project objectives. The anticipated schedule calls for completion of design and right-of-way acquisition by early 2001 and construction during 2001 and 2002. The conceptual cost estimate indicates that the project as recommended can be built within budget.

37. Items Relating to the Proposed Roundabout at the Intersection of State Highway 14 and Lemay Avenue.

- A. Resolution 2000-108 Authorizing the Mayor to Execute an Intergovernmental Agreement with the Colorado Department of Transportation Regarding the Responsibilities for the Proposed Roundabout at the Intersection of State Highway 14 and Lemay Avenue.
- B. First Reading of Ordinance No. 112, 2000, Appropriating Unanticipated Revenue in the Transportation Services Fund State Highway 14 and Lemay Avenue Intersection Project.

Roundabouts have been proven in Colorado and across the world to reduce congestion, accidents, and air pollution over standard signalized intersections. The risk that the Fort Collins roundabout at the intersection of Mulberry and Lemay will fail the agreed-upon criteria is less than minimal. One of the best experts in the field has been hired to assist the City in this endeavor, and staff is confident that the project will be a success.

Item “B” deals with appropriating revenue from the Mulberry-Lemay Crossings project in the amount of \$1,000,000. These are the funds that the developer agreed to pay to the City if this project were being built as a traditional intersection. Congestion Mitigation and Air Quality funds (CMAQ) and Street Oversizing funds are paying for the remaining portion of the project (total estimated cost is approximately \$2,000,000). The remaining part of the project budget was appropriated last fall.

38. Resolution 2000-109 Establishing the Meaning of a "Valid Development Application" for the City of Fort Collins Under Proposed Initiative #256, "Citizen Management of Growth".

Staff recommends that the Council establish a local interpretation of the term “valid development application”, for the specific purpose of applying the provisions of the Citizen Management of Growth Initiative in case the Initiative is approved by the voters. This Resolution would interpret “valid development application” as meaning either an application for approval of an Overall Development Plan, an application for approval of any subsequent plan under the Land Use Code (Project Development Plan, Final Plan, Development Construction Permit, Building Permit), and/or any application for plan approval filed under prior law (known as the Transitional Land Use Regulations) which remains viable under the provisions of Ordinance No. 161, 1996, as amended. This would have the effect of including properties covered by such applications into “committed areas” under the Initiative.

39. First Reading of Ordinance No. 113, 2000, Authorizing the Conveyance of Non-exclusive Easement Interests for the Construction of an Offsite Sewer Line Related to the Linden Park Development in Fossil Creek Wetlands Natural Area.

The City of Fort Collins purchased the parcels of land now known as Fossil Creek Wetlands Natural Area in 1995. The northern portion of the property contains an existing sewer line, which provides service to portions of southeast Fort Collins. The proposed easements would allow the

construction of a new sewer line to connect newly developing areas in southeast Fort Collins to the existing sewer line.

40. Items Relating to the Licensing and Regulation of Pawnbrokers and Secondhand Dealers.

- A. Second Reading of Ordinance No. 91, 2000, Amending Chapter 15, Article VIII of the City Code Relating to Pawnbrokers.
- B. Second Reading of Ordinance No. 92, 2000, Amending Chapter 15, Article XI, of the City Code Relating to Secondhand Dealers.

The first major codification of the current ordinances regulating the pawn and secondhand dealer industries was completed in 1972, with some minor changes made in 1986. A City staff team (Police, Finance and City Attorney) began working on changes to the ordinances in June of 1997 in order to address some issues that have arisen in the past 13 years regarding implementation and enforcement of the ordinances.

The costs associated with monitoring, enforcing and regulating the industry, as required by the ordinances and state law, have increased dramatically over the last 13 years. The different types of secondhand property involved in transactions have also changed dramatically.

Ordinance No. 91, 2000, was adopted by a 5-1 vote, and Ordinance No. 92, 2000, was unanimously adopted on First Reading on July 18, 2000, making various amendments to the City Code to increase consistency in reporting and monitoring procedures and provide those regulated with a clear understanding what is required of them.

41. Second Reading of Ordinance No. 84, 2000, Amending Ordinance No. 40, 2000, Authorizing Acquisition by Eminent Domain Proceedings of Certain Easements for the Locust Street Outfall Project.

The construction of the Locust Street Outfall project is currently scheduled for the summer and fall of 2000. The proposed capital improvements include the construction of approximately 4000 feet of 108 inch pipe, 540 feet of 12' x 6' culvert and 1700 feet of 72 inch pipe. Additional inlets, necessary curb and gutter replacement, and asphalt replacement will also be replaced with a 27-inch sanitary sewer, roughly following the route of the proposed storm sewer.

In April 2000, City Council adopted Ordinance No. 40, 2000, authorizing the use of eminent domain if necessary to obtain the needed easements. After adoption of Ordinance No. 40, 2000, the legal description for the temporary construction easement for one of the parcels needed for the Project changed.

Ordinance No. 84, 2000, which was unanimously adopted on First Reading on July 18, 2000 (Councilmember Weitkunat withdrawn) revises the legal description for the required temporary construction easement.

42. Pulled Consent Items.

43. Other Business.

44. Adjournment.