

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

October 21, 2003

Proclamations and Presentations

5:30 p.m.

- A. Proclamation Proclaiming October 21, 2003, as “United Way Awareness Day”.
- B. Proclamation Proclaiming October 24 and 25, 2003, as “Make a Difference Day”.
- C. Proclamation Proclaiming the Month of October as “National Arts and Humanities 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)
- 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 24. 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 #28, 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 September 2, 2003.
8. Second Reading of Ordinance No. 129, 2003, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the Vineyard Rezoning.

This Ordinance, which was unanimously adopted on First Reading on October 7, 2003, rezones a portion of a tract of land located at the northeast corner of East Vine Drive and I-25. This parcel is 78.6 acres in size and is currently zoned I – Industrial. The rezoning will rezone the eastern 43.8 acres of land from Industrial to Urban Estate residential, the remaining 34.8 acres of land adjacent to I-25 would remain zoned industrial. The parcel is designated as part of the I-25 Special Corridor Study on the City of Fort Collins Structure Plan and Urban Estate on the recently adopted I-25 Subarea Plan.

9. Second Reading of Ordinance No. 134, 2003, Appropriating Prior Year Reserves and Unanticipated Revenue in Various Funds and Authorizing the Transfer of Appropriated Amounts Between Funds.

This Ordinance, which was unanimously adopted on First Reading on October 7, 2003, appropriates prior year reserves and unanticipated revenues in various funds to cover expenses that were not anticipated, and therefore not included in the 2003 budget. Item B.3. includes an appropriation from Cultural Services & Facilities Fund - Museum prior year reserves for additional costs associated with the new entrance to the Museum. The appropriation in the Museum's budget needs to be transferred to the Capital Projects Fund - Museum Entrance Reorientation project and appropriated therein. This ordinance has been

amended between First and Second Reading to authorize the transfer of \$21,758, appropriated in the Museum's budget to the Capital Projects Fund - Museum Entrance Reorientation project.

10. Second Reading of Ordinance No. 135, 2003, Appropriating Unanticipated Grant Revenue In the Equipment Fund and the General Fund for Congestion Mitigation and Air Quality Projects and Authorizing the Transfer of Appropriations.

The City of Fort Collins was awarded a Congestion Mitigation and Air Quality (CMAQ) grant in 2002. This money was originally appropriated into the North Front Range Transportation & Air Quality Planning Council Fund (NFR) for the construction of a compressed natural gas (CNG) fueling facility, a natural gas appliance and an emission repair project. However, at the end of 2002, the contract with the NFR lapsed and the projects were closed.

The City of Fort Collins entered into a new contract with the Colorado Department of Transportation in January of 2003. This contract, as amended, includes funding for these Projects.

Ordinance No. 135, 2003, was unanimously adopted on First Reading on October 7, 2003, appropriating unanticipated grant revenue for congestion mitigation and air quality projects.

11. Second Reading of Ordinance No. 136, 2003, Making Certain Appropriations Related to Operating Expenses of the Metropolitan Planning Organization.

As the host organization, the City has advanced its funds on behalf of the MPO and member organizations. When the MPO receives federal and state grant monies, it reimburses the City. In 2003, the MPO has taken steps to become an independent organization. With the independent status of the MPO, the monetary transactions between the two organizations should be recognized more formally. This Ordinance, which was unanimously adopted on First Reading on October 7, 2003, appropriates prior year reserve funds in the City's Transportation Fund to transfer to the MPO. The Ordinance also appropriates the reimbursements that the MPO has made and expects to make to the City. In 2003, the City expects that the transfers to the MPO will not exceed \$2,100,000, the amount of the appropriation from prior year reserves and unanticipated (at the time the budget was adopted) revenue.

12. Second Reading of Ordinance No. 137, 2003, Amending the Legal Description of the Jacoby Farm Property and Authorizing the Sale of the Additional Seven Acres of Land to Larimer County.

On September 3, 2002 City Council adopted Ordinance No. 117, 2002 authorizing the sale of approximately 160 acres of the Jacoby Farm to Larimer County for the Open Lands Program. The sale is about to be finalized and it was discovered through a land survey that

the legal description contained in the ordinance omitted a seven acre parcel. This Ordinance, which was unanimously adopted on First Reading on October 7, 2003, corrects the situation and authorizes the sale of the seven acres

13. Second Reading of Ordinance No. 138, 2003, Amending the Zoning Map of the City of Fort Collins by Amending the Zoning Classification for that Certain Property Known as the City of Fort Collins Vehicle Storage and Operations Service Maintenance Facility Rezoning.

Ordinance No. 138, 2003, which was unanimously adopted on First Reading on October 7, 2003, rezones three parcels of land at the northwest corner of Vine Drive and Wood Street, just west of the existing City of Fort Collins Service Center.

The site contains the City's Fleet Service Building and is also used for material storage. The rezone facilitates the expansion of the Fort Collins Service Center.

14. Second Reading of Ordinance No. 139, 2003, Amending Ordinance No. 097, 2003 Zoning Property Known as the Swift Addition to the Fossil Lakes P.U.D. Annexation to Correct an Error in the Legal Description Contained in Said Zoning Ordinance.

On July 22, 2003, City Council adopted Ordinance No. 097, 2003, amending the Zoning Map of the City of Fort Collins and classifying for zoning purposes the property included in the Swift Addition to the Fossil Lakes PUD Annexation.

A typographical error in the legal description contained in the zoning ordinance, resulting in a faulty legal description. This Ordinance, which was unanimously adopted on First Reading on October 7, 2003, amends the original zoning ordinance by replacing the incorrect legal description with an amended legal description.

15. Second Reading of Ordinance No. 140, 2003, Authorizing the Lease of Property at the Fort Collins-Loveland Municipal Airport to Alliance Equipment Company, LLC, for the Storage of Construction Equipment and Supplies.

Alliance Equipment Company, LLC, wishes to lease two acres of Airport property for outdoor storage of construction equipment and supplies. The Agreement is for a three-year period, beginning November 1, 2003. The lease contains adequate restrictions to prevent any incompatible land use related to Airport operations. The Agreement will provide a new revenue source for the Airport.

Ordinance No. 140, 2003, was unanimously adopted on First Reading on October 7, 2003.

16. Items Relating to Intergovernmental Agreement with the Colorado Department of Transportation for the Design and Construction of Bike Lanes on College Avenue (US 287) from Harmony Road to Carpenter Road.
- A. Resolution 2003-112 Authorizing the Mayor to Execute an Intergovernmental Agreement with the Colorado Department of Transportation for the Design and Construction of Bike Lanes on College Avenue (US 287) from Harmony Road to Carpenter Road.
 - B. First Reading of Ordinance No. 141, 2003, Appropriating Revenue from the Colorado Department of Transportation in the Transportation Fund for the US 287/South College Avenue Bicycle Lane Project.

The City of Fort Collins Transportation Planning office received a grant from CDOT Enhancement Funds for FY 2003-05 to construct on-street bicycle lanes on South College Avenue/US 287 from Harmony Road/SH68 southward to Carpenter Road/CR32.

This new commuter bikelane facility will greatly improve safety and connectivity for local as well as regional commuter cyclists. This primary route between Fort Collins and Loveland has been identified through the public planning process by the City of Fort Collins as well as the North Front Range Metropolitan Planning Organization (MPO) as a critical link in the local and regional bicycle lane system. Both the City of Fort Collins Bicycle Program Plan and the North Front Range Bicycle & Pedestrian Plan indicate the need for this project.

17. First Reading of Ordinance No. 142, 2003, Authorizing the Issuance of City of Fort Collins, Colorado, Downtown Development Authority Taxable Subordinate Tax Increment Revenue Bonds, Series 2003, Dated Their Delivery Date, in the Aggregate Principal Amount of \$1,000,000 for the Purpose of Financing Certain Capital Improvements and Capital Projects; and Providing for the Pledge of Certain Incremental Ad Valorem Tax Revenues to Pay the Principal of, Interest on and Any Premium Due in Connection with the Redemption of the Bonds.

The City of Fort Collins created the Downtown Development Authority to make desired improvements in the downtown area. Through tax increment financing, the DDA has made significant contributions to the redevelopment and improvement of the downtown area. This Ordinance provides funding from unreserved fund balance in the DDA Debt Service Fund to make additional improvements in the downtown area. The Ordinance authorizes the issuance of \$1 million of short term bonds for the projects which will be paid from the tax increment revenue.

18. First Reading of Ordinance No. 143, 2003, Authorizing the Conveyance of Approximately 4,561 Square Feet of City Land to the Hetzel Family in Exchange for Certain Easements for the LaPorte Trail Connection and Additional Compensation.

The La Porte Trail Connection will provide a safe off-street pedestrian/bicycle connection for Fort Collins and La Porte. The nearly 1 3/4 mile long trail will extend the Poudre River Trail from Taft Hill Road to Lions Park in La Porte. A portion of the trail just east of Overland Trail Road is located on land adjacent to the Hetzel family property.

Through negotiations with the Hetzel family, the City will acquire needed easements for the trail project in exchange for monetary considerations and land not needed for the trail. The Hetzel driveway is located on a portion of the land the City will be deeding to the Hetzels.

The temporary construction access easement is 7,859 square feet in size. The permanent access easement is 11,234 square feet in size. The permanent floodplain easement is 2,418 square feet in size. The land the City will deed to the Hetzels is 4,561 square feet in size.

19. Resolution 2003-113 Authorizing Incentive Programs for Energy Efficiency and Water Conservation.

This Resolution supports and authorizes the ongoing use of incentive and rebate programs to encourage City Utilities' customers to replace outdated or inefficient fixtures, make improvements and utilize other technologies for the purpose of improving energy efficiency and water conservation. The City will be authorized to participate in local, regional or national incentive programs related to energy efficiency and water conservation.

20. Resolution 2003-114 Authorizing an Intergovernmental Agreement with Boulder County's Longs Peak Energy Conservation Program for Administration of the City's REACH (Residential Energy Assistance Through Community Help) Program.

This Resolution will authorize the City Manager to enter into an Intergovernmental Agreement (IGA) with Longs Peak Energy Conservation Program to administer the REACH program for the City for an initial term until September 2004, with extensions of the IGA for up to three additional one year terms, subject to the availability of sufficient funds.

21. Resolution 2003-115 Authorizing the City Manager to Implement a Zero Interest Loan Program.

This Resolution will permit the City Manager to administer a zero interest loan program to assist City residents. Loans are used by the Utilities and Natural Resources to provide an incentive for homeowners to make energy, water and air quality improvements to their homes.

22. Resolution 2003-116 Authorizing an Intergovernmental Agreement with Colorado State University Regarding the Use and Replacement of Certain Fiber Optics Cables.

The proposed Intergovernmental Agreement with Colorado State University (CSU) will permit the City of Fort Collins to use four strands of CSU's fiber optic cable for twenty (20) years, with the option of extending that use for a lease rate to be agreed upon at that time, in exchange for which the City will provide the labor to replace an existing CSU-owned fiber optic cable located in City-owned conduits along West Mulberry Street. The Agreement also provides a revocable permit from the City to CSU for the location of approximately 1,000 feet of CSU fiber optic cable in City conduit in a City utility easement located to the east of and under the lawn and paved parking area of the National Wildlife Research Center at 4101 LaPorte Avenue. This conduit has already been installed and will form a part of the fiber optic loop that CSU is in the process of completing.

The proposed new fiber would provide additional redundancy in the telecommunications infrastructure to the Water Treatment Facility (WTF) on West Laporte Avenue. CSU is installing fiber optic cables at its West Campus area to a point just across Laporte Avenue from the WTF. The IGA allows the City to install additional conduit and fiber connecting the existing WTF telecommunications system to CSU's new fiber, and allows the City the use of four strands of CSU fiber for 20 years. This use is valued at approximately \$55,200 over the 20 year time period. These four strands will be extended to the WTF to complete the redundant pathway.

23. Resolution 2003-117 Repealing and Readopting Guidelines for Initiating and Developing Council Ordinances and Resolutions.

This Resolution will amend the Council guidelines for initiating and developing Council ordinances and resolutions. The amended language would state that, if the City Attorney or City Manager need clarification regarding an ordinance or resolution not on the Council Policy Agenda that was initiated at the direction of the Leadership Planning Team or three or more Councilmembers, that direction is to be sought from the Councilmembers requesting the item.

24. Routine Easement.

A. Easement for construction and maintenance of public utilities from Margaret R. Kritzer, to underground electric services, located at 1105 West Mountain. Monetary consideration: \$200.

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

25. Consent Calendar Follow-up.

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

26. Staff Reports.
Status Report on Council Requests.

27. Councilmember Reports.

ITEMS NEEDING INDIVIDUAL CONSIDERATION

There are no items scheduled for discussion at this time.

28. Pulled Consent Items.

29. Other Business.

30. Adjournment.