

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

March 19, 2002

Proclamations and Presentations

5:30 p.m

- A. Proclamation Proclaiming March 21, 2002 as “Absolutely Incredible Kid Day@”.

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 18. 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 #25, 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. 039, 2002, Appropriating Unanticipated Grant Revenue in the General Fund for the Fort Collins Public Library.

This Ordinance, which was unanimously adopted on First Reading on March 5, 2002, appropriates State of Colorado grant money provided under the State Funding to Libraries Act for the Fort Collins Public Library to purchase materials.

8. Second Reading of Ordinance No. 040, 2002, Appropriating Prior Year Reserves in the Street Oversizing Fund and Authorizing the Transfer of Appropriations from the Street Oversizing Fund to the Capital Projects Fund for the Shields Street, Stuart Street to Hobbit Drive, Project.

This Ordinance, which was unanimously adopted on First Reading on March 5, 2002, appropriates and transfers funds from the Street Oversizing Fund Prior Year Reserves to the Capital Projects Fund to construct arterial roadway improvements on Shields Street from Stuart Street to Hobbit Drive. This project will go out to bid as soon as funds are available.

9. Second Reading of Ordinance No. 041, 2002, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for That Certain Property Known as the Bella Vista Rezoning.

Ordinance No. 041, 2002, which was unanimously adopted on First Reading on March 5, 2002, rezones 2.959 acres located at the northeast corner of East Horsetooth Road and Stanford Road. The site is currently vacant. The zoning for this property is MMN - Medium Density Mixed-Use Neighborhood. The surrounding properties are zoned MMN - Medium Density Mixed-Use Neighborhood (to the north, south, and east) and C - Commercial (to the west).

10. Second Reading of Ordinance No. 042, 2002, Appropriating Prior Year Reserves in the Building Community Choices Northside Aztlan Community Center Replacement Capital Project and Authorizing the Project to Proceed.

This Ordinance, which was unanimously adopted on First Reading on March 5, 2002, appropriates \$100,000 from the Building Community Choices, Community Enhancement Projects Fund. This Fund contains accumulated sales tax to replace the current Northside Aztlan Community Center (NACC). City Council has expressed interest in keeping the facility on the current site and on not disrupting operation of the current facility until construction of the new facility is completed.

11. First Reading of Ordinance No. 048, 2002, Appropriating Unanticipated Revenue in the General Fund to be Returned to the Fort Collins Housing Authority to Fund Affordable Housing Related Activities.

The Fort Collins Housing Authority (the “Authority”) made a payment to the City from its 2001 budget for the sum of \$13,334 as a “Payment in Lieu of Taxes” (“PILOT”) for public services and facilities. The Authority annually requests that the City refund the money “...to again fund sorely needed affordable housing related activities, to attend the low-income housing needs of Fort Collins residents.”

Resolution 92-93 reinstated the requirement by the City of the Authority to make the annual PILOT payments to the City. The purpose of the Resolution was to clarify that these funds are the property of the City and not excess Housing and Urban Development (“HUD”) funds. The City may spend the PILOT revenues as it deems appropriate in accordance with law, including remitting the funds to the Authority if the Council determines that such remittal serves a valid public purpose. The Council has remitted the PILOT to the Authority annually since 1992.

12. First Reading of Ordinance No. 044, 2002, Appropriating Unanticipated Grant Revenue in the Building Community Choices Community Park Improvements Project and Approving Projects for the Building Community Choices Community Park Improvements Project.

The Building Community Choices - Community Park Improvement project is available to fund improvements to existing community parks. Parks and Recreation staff has developed management plans for the parks that include a prioritized list of improvements needed at each park. The improvements set forth in this Ordinance were identified as the most important.

13. First 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 City’s Parks and Recreation Policy Plan identifies the extension of the Poudre River Trail to Laporte as an important extension of the City’s trail system. Efforts to build this trail have been

ongoing since 1985. Recent key right-of-way acquisitions enable the City to build the trail in 2002-2003.

The Parks and Recreation Policy Plan (adopted by City Council in 1996) identifies trails that link Fort Collins to surrounding communities, including Laporte. The Laporte Area Planning Commission supports the trail connection. Residents of the Laporte area have expressed support for the trail as a needed recreation facility and as a pedestrian/bike friendly route to access Fort Collins. Existing roads in the area have very limited shoulders and create safety concerns for pedestrian or bicycle use.

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.

14. First Reading of Ordinance No. 046, 2002, Authorizing the Conveyance of a Non-Exclusive Easement for Storm Drainage for Peak View Development Across Overland Trail Park in Exchange for Conveyance of a .25 Acre Tract of Land.

Peak View Development is a residential development planned adjacent to a portion of the north property line of Overland Trail Park. The development needs to convey stormwater flows to a pond located on Park property. The pond serves as storage for stormwater flows and irrigation water for the park. The easement will define where a pipe to convey stormwater flows is located on the park. The stormwater pipe will daylight into the pond.

The Peak View Development will be improving a portion of land (about 0.25 acre) adjacent to the park that is unneeded for its development. This area is unusable for development since it is about 25 feet wide by about 425 feet long and is located south of a road along the north side of the Park. Costs to improve this area with landscaping and irrigation are estimated at about \$25,000 and will be the responsibility of the development. Upon acceptance of the work by the City, the .25 acre tract of land will be deeded to the City and included in the Park. The conveyance of the tract of land and the cost of the landscape/irrigation improvements more than offset the consideration due the City for the stormwater easement.

15. First Reading of Ordinance No. 047, 2002, Authorizing the Conveyance of Two Non-exclusive Easements for Storm Drainage Across Westfield Park to the Pool of Dreams Development, Ltd.

Pool of Dreams Development is located on the north edge of Westfield Park. Stormwater flows from the Pool of Dreams Development cross a portion of the Park to reach the drainage channel that runs through the Park. Two drainage easements totaling 0.14 acre are needed from the City. The consideration for these easements was included as part of the terms negotiated in the sale of the land to Pool of Dreams by Ordinance No. 125, 2001.

16. Resolution 2002-028 Establishing Rental Rates to be Charged for the City's Surplus Raw Water for the 2002 Season.

This Resolution approves rates for the rental of the City's surplus raw water. Each year prior to the irrigation season, the City's Water Board ("the Board") makes a recommendation to the Council on the rental rates to be charged for the City's surplus raw water. The surplus water rental program was discussed at the February 28, 2002, meeting of the Board. The proposed rental rate for each type of water is based on several factors including past rental rates, assessment rates, and anticipated supply and demand conditions.

17. Resolution 2002- 030 Making Appointments to Various Boards and Commissions.

A vacancy currently exists on the Affordable Housing Board due to the resignation of David Danforth. Councilmembers Wanner and Bertschy reviewed the applications on file. The Council interview team is recommending Joe Hebert to fill the vacancy on the Affordable Housing Board with a term to begin immediately and set to expire on December 31, 2003.

A vacancy currently exists on the Commission on Disability due to the resignation of Kathryn Johnson. Councilmembers Tharp and Kastein reviewed the applications on file. The Council interview team is recommending Joan Cook to fill the vacancy on the Commission on Disability with a term to begin immediately and set to expire on December 31, 2003.

A vacancy currently exists on the Commission on the Status of Women due to the removal of Deb Tamlim. Councilmembers Weitkumat and Tharp reviewed the applications on file and are recommending Kristin Chatnani to fill the vacancy on the Commission on the Status of Women with a term to begin immediately and set to expire on December 31, 2003.

A vacancy currently exists on the Electric Board due to the resignation of Virginia Purvis. Applications were solicited and Councilmembers Hamrick and Martinez conducted interviews. The Council interview team is recommending Dan Bihn to fill the vacancy on the Electric Board with a term to begin immediately and set to expire on December 31, 2003.

Vacancies also exist on the Golf Board due to the resignation of Brian Cobb and one unfilled vacancy remaining from the annual appointment process. Applications were solicited and Councilmembers Bertschy and Tharp conducted interviews. The Council interview team is

recommending Grant Sherwood and Lauren DeRosa to fill the vacancies on the Golf Board with terms to begin immediately and set to expires on December 31, 2002 and December 31, 2003 respectively.

A vacancy currently exists on the Housing Authority due to the resignation of Angie Payton (resident position). Applications were solicited and Councilmembers Wanner and Bertschy conducted interviews. The Council interview team is recommending Mary Greeley to fill the vacancy on the Housing Authority with a term to begin immediately and set to expire on December 31, 2005.

A vacancy currently exists on the Natural Resources Advisory Board due to the resignation of Bonnie Pierce. Councilmembers Martinez and Hamrick reviewed the applications on file and are recommending Arvind Panjabi to fill the vacancy on the Natural Resources Advisory Board with a term to begin immediately and set to expire on December 31, 2004.

A vacancy currently exists on the Personnel Board due to the resignation of Charles Washington. Applications were solicited and Councilmembers Martinez and Hamrick conducted interviews. The Council interview team is recommending James Lyall to fill the vacancy on the Personnel Board with a term to begin immediately and set to expire on December 31, 2006.

A vacancy currently exists on the Telecommunications Board due to the resignation of Bill Murray. Councilmembers Weitkumat and Tharp reviewed the applications on file and are recommending Kristin Chatnani to fill the vacancy on the Commission on the Status of Women with a term to begin immediately and set to expire on December 31, 2003.

A vacancy currently exists on the Transportation Board due to the resignation of Steve Yeldell. Applications were solicited and Councilmembers Kastein and Weitkumat conducted interviews. The Council interview team is recommending Edward Jakubauskas to fill the vacancy on the Transportation Board with a term to begin immediately and set to expire on December 31, 2003.

18. Routine Deeds and Easements.

- A. Deed of dedication for easement from Tidal Wave Car Wash, LLC, for a permanent utility easement, located on the northwest corner of JFK and Troutman Parkway. Monetary consideration: \$10.
- B. Deed of dedication for easement from Tidal Wave Car Wash, LLC, for a permanent drainage easement, located on the northwest corner of JFK and Troutman Parkway. Monetary consideration: \$10.
- C. Deed of dedication for right-of-way from Tidal Wave Car Wash, LLC, for public street purposes, located on the northwest corner of JFK and Troutman Parkway. Monetary consideration: \$10.

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

19. Consent Calendar Follow-up.
This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.
20. Staff Reports.
21. Councilmember Reports.
Committees that have met since March 5 include:
Growth Management Committee *Legislative Review Committee*
Poudre School District Liaison Committee

ITEMS NEEDING INDIVIDUAL CONSIDERATION

22. First Reading of Ordinance No. 043, 2002, Appropriating Prior Year Reserves in the Sales and Use Tax Fund for Transfer to the Capital Projects Fund-Harmony Road, Seneca Street to the BNSF Railroad Crossing Project to be Used for Preliminary Design, Right-of-Way Acquisition and Initial Project Construction.

Arterial street improvements are planned for approximately one and one-half (1½) miles of Harmony Road, from approximately 600 feet east of Seneca Street to the BNSF Railroad crossing near Mason Street. Harmony Road will then be completely improved to a four-lane arterial from College Avenue to Taft Hill Road, greatly improving capacity along this important east-west arterial link. The project will include construction of intersection improvements at Harmony and Shields.

23. Resolution 2002-027 Establishing a Policy to Implement Hydrogen-Related Projects Within the City.

Adoption of this Resolution would direct the City Manager to seek external grant funding for the purpose of hiring a grant writer and to implement hydrogen demonstration projects. The Resolution also directs the City Manager to explore partnerships in order to implement projects, and to develop and carry out a plan to provide community education regarding hydrogen. The Resolution calls for the City Manager to bring recommended projects before Council for approval.

24. Resolution 2002-029 Approving the Purchase of Professional Services from Felsburg Holt & Ullvig (FHU) as an Exception to the Competitive Procurement Process.

Felsburg Holt & Ullevig (FHU) was selected in July of 2000, using the City's request for proposal process, to perform the project planning and conceptual design of the North College Corridor Improvements Phase I. When FHU was selected it was anticipated that a separate request for proposal process would be used for preliminary design, final design and construction related professional services. The reason for this was that construction was not scheduled until 2005. Now the construction schedule has been accelerated so that construction is planned for 2003. Time is now of the essence, and allowing FHU to move directly from conceptual design to the preliminary and final designs will help the project proceed as quickly and efficiently as possible. FHU is the most qualified firm for this work and has proven to have the expertise to do very high quality work during the conceptual design phase. The firm has demonstrated the capability to complete the design work in a timely manner while meeting all of the City and CDOT requirements. It is important for the project to move from the conceptual design phase into the preliminary and final design phases as quickly and efficiently as possible in order for this design work to be completed by the end of 2002 so that construction can begin in 2003. Putting the remaining services out for a new bid would result in higher cost to the City and delay of the project.

25. Pulled Consent Items.

26. Other Business.

27. Adjournment.