

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

June 15, 2004

Proclamations and Presentations

5:30 p.m.

- A. Presentation of a Proclamation to City Council by Representatives of the Rocky Mountain Stampede Proclaiming June 24, 2004, as “Fort Collins Day at the Rocky Mountain Stampede.”

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 17. 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. Consideration and approval of the Council meeting minutes of April 20, May 4 and May 18, 2004 and the adjourned meeting minutes of April 29, 2004.

8. Second Reading of Ordinance No. 090, 2004, Amending Section 2-29 of the Code of the City of Fort Collins Relating to Special Meetings.

This Ordinance, which was adopted 6-0 (Councilmember Tharp was absent) on First Reading on June 1, 2004, amends Section 2-29 of the City Code relating to the calling of special meetings and the notice requirements for said meetings.

9. Second Reading of Ordinance No. 091, 2004, Making Various Amendments to the City of Fort Collins Land Use Code.

Staff identified a variety of proposed changes, additions and clarifications in the Spring 2004 biannual update of the Land Use Code. This Ordinance, which was adopted 6-0 (Councilmember Tharp was absent) on First Reading on June 1, 2004, makes various amendments to the Land Use Code.

10. First Reading of Ordinance No. 094, 2004, Amending Chapter 26 of the City Code Related to Wastewater Discharges of Mercury from Dental Offices.

This Ordinance establishes requirements for wastewater discharges from dental offices that place or remove dental amalgam containing mercury. The regulations are based on best management practices.

11. First Reading of Ordinance No. 095, 2004, Authorizing the Purchasing Agent to Enter into an Agreement for the Financing by Lease-Purchase of Vehicles and Equipment.

This Ordinance will authorize the Purchasing Agent to enter into a lease-purchase financing agreement with Koch Financial Corporation at 4.19 percent interest rate. The agreement is for an original term from the execution date of the agreements to the end of the current fiscal year. The agreement provides for renewable one-year terms thereafter, to a total term of five (5) years, subject to annual appropriation of funds needed for lease payments. The total lease terms, including the original and all renewal terms, will not exceed the useful life of the property. This lease-purchase financing is consistent with the financial policies of the City of Fort Collins.

12. First Reading of Ordinance No. 096, 2004, Authorizing the Grant of a Non-exclusive Easement to Qwest Corporation upon City-owned Property.

The proposed easement is located within Tract "B", Brown Farm First Filing, 850' south of West Prospect Road on the west side of South Taft Hill Road. This property is owned by the City and is maintained by the Parks Department. The easement area would be used for a telecommunication cabinet to provide DSL service to the community

13. Items Relating to the Colorado Department of Transportation Proposed Rest Area.

- A. First Reading of Ordinance No. 097, 2004, Authorizing the Conveyance of Approximately 16 Acres of City Property and a Related Temporary Easements to the Colorado Department of Transportation for Use and for a New Public Rest Area in Exchange for Approximately 22 Acres of Land and Related Access Easements.
- B. First Reading of Ordinance No. 098, 2004, Authorizing the Amendment of the City's Mining and Reclamation Agreement With LaFarge for Mining on the Resource Recovery Farm in Connection with the Exchange of Land for a New Colorado Department of Transportation Rest Area.

These items relate to a voluntary exchange of parcels to allow the Colorado Department of Transportation to develop a new rest area immediately south of the current Colorado Welcome Center on Prospect Road near Interstate 25. This proposed exchange will allow a new rest area to be built on a 16.024 acre site designed to be compatible with and enhance existing adjacent improvements.

14. First Reading of Ordinance No. 099, 2004, an Ordinance Approving and Authorizing the City of Fort Collins, Colorado, to Enter into a Site Agreement Between the City and Fort Collins Capital Leasing Corporation, a Lease Agreement Between the Corporation and the City, a Certificate Purchase Agreement among the Corporation, the City and George k. Baum & Company and a Financial Guaranty Agreement Between the City and the Certificate Insurer and Approving a Trust Indenture Between the Corporation and the

Trustee, a Leasehold Deed of Trust from the Corporation to the Public Trustee of Larimer County for the Benefit of the Trustee and a Preliminary Official Statement and a Final Official Statement Relating to Certain Lease Certificates of Participation, Series 2004A.

The City has been planning for the construction of a Police Services building for many years. Monies for the acquisition of land for the facility were approved by the voters as part of the Building Community Choices dedicated quarter cent sales and use tax. Police Services, with the assistance of Operations Services, has identified a site to serve as the location for the new facility. The building will be approximately 92,800 square feet and will be located on approximately 10 acres of land on the west side of Timberline Road between Drake and Prospect Roads. The cost of the Police Services facility transaction, including land costs, will be approximately \$30.1 million which includes \$585,000 in financing costs.

The lease transaction will also provide a funding source for the construction of a storage facility to contain deicing materials at the City's existing Streets facility on North Lemay. The estimated cost of the storage facility will be about \$1.7 million with \$30,000 of financing costs.

15. First Reading of Ordinance No. 100, 2004, an Ordinance Approving and Authorizing the City of Fort Collins, Colorado, to Enter into a Site Agreement Between the City and Fort Collins Capital Leasing Corporation, a Lease Agreement Between the Corporation and the City, a Certificate Purchase Agreement among the Corporation, the City and George k. Baum & Company and a Financial Guaranty Agreement Between the City and the Certificate Insurer and Approving a Trust Indenture Between the Corporation and the Trustee, a Leasehold Deed of Trust from the Corporation to the Public Trustee of Larimer County for the Benefit of the Trustee and a Preliminary Official Statement and a Final Official Statement Relating to Certain Lease Certificates of Participation, Series 2004B.

By adoption of this Ordinance, Council would approve and authorize the legal documents necessary to complete a lease purchase certificate of participation transaction for land conservation in compliance with the City Council approved Land Conservation Focus Area Map and the Natural Areas Program's Framework for Land Conservation. With the proceeds from the transaction, the Program will acquire the Bobcat Ridge Natural Area, acquire the Andrijeski property, and reimburse the City for the acquisition of the Soapstone Ranch. The total amount of land to be acquired and conserved through these transactions is 18,318 acres with a value of \$11.6 million. The Program will have an additional \$3.4 million for other projects.

The use of COPS is a cost efficient and effective way to maximize the land conservation efforts of the Natural Areas Program. The cost of these primarily regional conservation projects, which were acquired to take advantage of "once in a life time opportunities," will be spread over fifteen years. The proceeds from the COPS will be focused almost exclusively on local and community separator conservation projects, where much of the land

- will either be too expensive to conserve in the future or simply not longer available for conservation.
16. First Reading of Ordinance No. 101, 2004, Amending Section 2-596 of the City Code and Setting the Compensation of the Interim City Manager.

City Council appointed Darin Atteberry as Interim City Manager, effective June 16, 2004, via Resolution 2004-065 on May 25, 2004. City Council appointed Mr. Atteberry to this position with the understanding that his compensation would be adjusted and that the compensation increase would be made effective with the date of his appointment as Interim City Manager. The Ordinance also makes a City vehicle available to Mr. Atteberry during the period of his service as Interim City Manager.

17. Resolution 2004-072 Approving and Adopting Chapter 3 – Air Quality Policy of the Air Quality Plan as a Policy Element of the City’s Comprehensive Plan.

City Council is being asked to adopt an update to the City’s air quality policies, which are now over ten years old. The Policy Chapter of the 2004 Air Quality Action Plan, if adopted by Council, will supercede the 1993 Air Quality Policy Plan. Council action will also incorporate the Policy Chapter as an element of City Plan. Staff worked closely with the Air Quality Advisory Board and obtained input from the public and other Council advisory boards during the update process.

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

18. Consent Calendar Follow-up.
This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.
19. Staff Reports.
Status Report on Council Requests.
20. Councilmember Reports.
- A. Resolution 2004-073 Expressing Appreciation for the Services of John Fischbach as City Manager.

ITEMS NEEDING INDIVIDUAL CONSIDERATION

21. Resolution 2004-074 Expressing Council Support for a Package of Financial Assistance for the "Summit Front Range" Lifestyle Shopping Center. (1 hour - 20 minute staff presentation)

Through the adoption of Resolution 2004-074, Council would indicate its intent to set up an agreement between the City of Fort Collins and Bayer Properties, the developer of a retail project located on Harmony Road, just west of Ziegler Road (the “Lifestyle Center” or the “Center”). The project includes approximately 530,000 square feet of retail space.

22. Resolution 2004-076 Authorizing and Directing Staff to Prepare an Urban Renewal Plan and Blight Study for the North College Corridor Area. (30 minutes - 10 minute staff presentation)

In 1982, the Fort Collins City Council created an Urban Renewal Authority (URA) for the purpose of eliminating blight in the community, and designated itself as the governing authority. A URA exercises its powers by planning and carrying out urban renewal plans in urban renewal areas. Revitalization of the North College Corridor has been relatively slow and spotty. It is clear to most that if the area is to be successful, a comprehensive approach to revitalization is necessary. The City has been approached by the North Fort Collins Business Association to recognize the North College Avenue Corridor as an urban renewal project area and to create an urban renewal plan for it, including the requisite blight study. Adoption of the resolution authorizes and directs staff to prepare the plan and blight study, involving potentially affected interests.

23. Items Relating to the Trailhead Annexation. (30 minutes - 10 minute staff presentation)

- A. Resolution 2004-075 Amending the Mountain Vista Subarea Plan Map and the City's Structure Plan Map.
- B. Second Reading of Ordinance No. 092, 2004, Annexing Property Known as the Trailhead Annexation to the City of Fort Collins, Colorado.
- C. Second Reading of Ordinance No. 093, 2004, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Trailhead Annexation to the City of Fort Collins, Colorado.

On June 1, 2004, Council adopted Ordinance No. 092, 2004, on First Reading by a vote of 6-0 (Councilmember Tharp was absent) annexing the Trailhead property. Also on June 1, 2004, Council adopted Ordinance No. 093, 2004, on First Reading with the recommended zoning of the Trailhead Annexation to the Low Density Mixed Use Neighborhood District (LMN) by a vote of 5-1 (Councilmember Tharp was absent and Councilmember Hamrick opposed). As a result, an amendment to the Mountain Vista Subarea Area Plan and the City of Fort Collins Structure Plan is accompanying the annexation and zoning ordinances on Second Reading. The plan amendments will re-designate the Trailhead property from E-Employment to Low Density Mixed Use Neighborhood. This zone district is consistent with the zoning adopted by Council on First Reading.

24. Resolution 2004-077 Authorizing the Mayor to Execute an Agreement Between the City and the Colorado Department of Transportation for the Purpose of Transferring Ownership of Carpenter Road/Larimer County Road 32 and all Construction and Maintenance Obligations Appertaining Thereto from the City to the Colorado Department of Transportation. (1 hour - 10 minute staff presentation)

CDOT has entered into discussions with Larimer County, Weld County, City of Greeley, and now the City of Fort Collins, to explore the trade of jurisdiction on several Northern Colorado roadways. Of particular interest to the City of Fort Collins, is the proposal that CDOT assume jurisdiction of Larimer County Road 32 (Carpenter Road) from Larimer County and the City of Fort Collins. Ceding jurisdiction of Carpenter Road could save the City of Fort Collins millions of dollars in future capital, Street Oversizing, and maintenance costs. These savings could be applied to other priority needs in the City's transportation system. Portions of the Carpenter Road/LCR-32 corridor are near environmentally sensitive areas owned by either Fort Collins or Larimer County. Great care must be taken to ensure the preservation of this natural areas investment in the area. Similarly, nearby residents and property owners' concerns and quality of life must be considered when planning and designing improvements to this road. Mobility needs must be balanced with environmental preservation and protection. Future CDOT improvements to this road will be subject to strict National Environmental Policy Act (NEPA) analysis and mitigation policy and procedures.

25. Pulled Consent Items.
26. Other Business.
27. Adjournment.