

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

September 19, 2000

Proclamations and Presentations

5:30 p.m.

- A. Proclamation Proclaiming the Month of October as “Domestic Violence 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)
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 28. 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 #33, 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 August 15, 2000, September 5, 2000, and the adjourned meeting minutes of July 25, 2000.
8. Second Reading of Ordinance No. 112, 2000, Appropriating Unanticipated Revenue in the Transportation Services Fund State Highway 14 and Lemay Avenue Intersection Project.

On January 18, 2000, the City Council voted unanimously to move ahead with a modern roundabout at the intersection of State Highway 14 (SH 14) and Lemay Avenue. The decision was based on the superior performance of the modern roundabout in virtually all aspects of the evaluation criteria. On June 9, 2000, the Colorado Department of Transportation (CDOT) gave its approval of the modern roundabout contingent upon entering into an Intergovernmental Agreement with the City regarding the operation and maintenance of the intersection. Ordinance No. 112, 2000, which was unanimously adopted on First Reading on August 15, 2000, appropriates unanticipated revenue to be used to construct improvements associated with the roundabout for the State Highway 14 and Lemay Avenue Intersection project.

Second Reading of Ordinance No. 112, 2000, was delayed to allow the final costs for the Wal-Mart development to be determined.

9. Second 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. Ordinance No. 113, 2000, which was unanimously adopted on First Reading on September 5, 2000, authorizes the conveyance of a non-exclusive easement for the construction of a new sewer line to connect newly developing areas in southeast Fort Collins to the existing sewer line.

10. Second Reading of Ordinance No. 114, 2000, Appropriating Unanticipated Revenue in the Capital Projects Fund Building Community Choices Community Parks Capital Project from the Colorado Division of Wildlife Through the Fishing is Fun Program to Install an Aeration System to Improve Water Quality and Fishery in Sheldon Lake at City Park.

The Parks and Recreation Department applied for and received the "Fishing Is Fun" grant to help fund installation of an ozone aeration system. This Ordinance, which was unanimously adopted on First Reading on September 5, 2000, appropriates funds for the installation of the aeration system at Sheldon Lake.

11. Second Reading of Ordinance No. 115, 2000, Appropriating Federal Grant Revenue and Authorizing the Transfer of Appropriations Between Projects in the Transportation Services Fund for the Operation of the North Front Range Transportation & Air Quality Planning Council's 2000-2001 Metropolitan Planning Organization Administration Program Year.

The North Front Range Transportation & Air Quality Planning Council (NFRT&AQPC) is the regional Metropolitan Planning Organization. The administration/program budget for the NFRT&AQPC is funded with federal transportation program dollars administered by the Colorado Department of Transportation (CDOT) based on the federal fiscal and program year of October 1, 2000 to September 30, 2001. This period does not correspond to the City's calendar year appropriation time frame, and this time differential causes some accounting and budget management problems. Ordinance No. 115, 2000, which was unanimously adopted on First Reading on September 5, 2000, enables staff to more consistently manage and track the NFRT&AQPC's budget and expenditures.

12. Second Reading of Ordinance No. 116, 2000, Appropriating \$2,424,000 from Light and Power Fund Prior Year Reserves to Relocate and Upgrade the Capacity of the Electric Substation on Overland Trail Road.

Ordinance No. 116, 2000, which was unanimously adopted on First Reading on September 5, 2000, appropriates funds allowing the Utilities to relocate the Overland Trail Substation (Overland at Mulberry) to Platte River Power Authority's Dixon Creek substation site at Overland Trail at Drake.

13. Second Reading of Ordinance No. 117, 2000, Appropriating Unanticipated Revenue in the General Fund and Authorizing the Transfer of Appropriated Amounts Between Accounts and Projects for the Multi-Jurisdictional Drug Task Force.

The City has recently received notification of a grant award in the amount of \$295,506. The participating agencies will be providing matching funds in the amount of \$295,506. A portion of the \$295,506 match will consist of \$3,320 from Colorado State University to fund some training expenses. Fort Collins' portion of the match is \$137,979. This match is met via the budgeted salary and fringe benefits of existing Fort Collins Police Services personnel currently assigned to the Drug Task Force. Ordinance No. 117, 2000, was unanimously adopted on First Reading on September 5, 2000.

14. Second Reading of Ordinance No. 118, 2000, Appropriating Unanticipated Revenue in the General Fund for Police Services and Authorizing the Transfer of Matching Funds Previously Appropriated in the Police Services Operating Budget to the LLEBG Grant Project.

Fort Collins Police Services has been awarded a grant under the U. S. Department of Justice, Local Law Enforcement Block Grant program (LLEBG) in the amount of \$84,943 for the procurement of equipment and technology related to basic law enforcement functions. A local cash match of \$9,438 is required and will be met by the existing Police Services budget. The grant funds will be used to continue the mobile data terminals (MDTs) to laptop computer conversion project. The MDTs are outdated and have fewer capabilities than laptop computers. Converting from MDTs to laptop computers enhances the officers' abilities to complete reports and other documentation in the field. Ordinance No. 118, 2000, was unanimously adopted on First Reading on September 5, 2000.

15. Second Reading of Ordinance No. 119, 2000, Appropriating Unanticipated Revenue in the General Fund for the Purchase of the Computer Aided Dispatch System, the Fire Records Management System, and the Automatic Vehicle Locating System.

Police Services (FCPS), Poudre Fire Authority (PFA), Poudre Valley Hospital (PVH), and Municipal Court are cooperatively replacing existing computer aided dispatch (CAD), Police records management (Police RMS), Fire records management (Fire RMS), and court computer systems. PFA and PVH have agreed to purchase an automatic vehicle locating system (AVL) that will allow real time tracking and monitoring of their vehicle fleets. FCPS and PFA will be

purchasing laptops to replace existing mobile data terminals in their vehicles. Ordinance No. 119, 2000, was unanimously adopted on First Reading on September 5, 2000.

16. Second Reading of Ordinance No. 120, 2000, Authorizing the Acquisition by Eminent Domain Proceedings of Certain Lands Necessary for the Construction of Public Improvements in Connection with the Roundabout at Mulberry and Lemay.

Improvements at the intersection of Mulberry (SH14) and Lemay will include construction of a three lane modern roundabout with pedestrian and bike amenities. The proposed location is the current intersection. A small amount of additional right-of-way (ROW) is needed at all four corners of the existing intersection. Ordinance No. 120, 2000, which was unanimously adopted on First Reading on September 5, 2000, authorizes acquisition by eminent domain proceedings certain lands necessary for the construction improvements at Mulberry and Lemay. Since First Reading, a minor revision in the roundabout design has caused the addition of a 274 sq. ft. slope easement on the Storm Mountain Corporation site.

17. Items Relating to an Intergovernmental Agreement with Larimer County Concerning the Coyote Ridge Natural Area.

- A. Second Reading of Ordinance No. 123, 2000, Authorizing an Intergovernmental Agreement with Larimer County Concerning the Coyote Ridge Natural Area and Authorizing the Conveyance of an 28.09% Undivided Interest in Portions of Coyote Ridge Natural Area to Larimer County.
- B. Second Reading of Ordinance No. 124, 2000, Appropriating Unanticipated Revenue in the 1/4 Cent Sales Tax for Natural Areas Capital Fund Received from Larimer County for the Coyote Ridge Natural Area.

Ordinance No. 123, 2000, which was unanimously adopted on First Reading on September 5, 2000, authorizes the City to enter into an intergovernmental agreement with Larimer County regarding the management of the Coyote Ridge Natural Area and authorizing the City to quit claim an undivided 28.09% interest in Tract A and Tract B to the County in exchange for \$430,750, and an additional 5.24% interest in Tract C to be conveyed to the City.

Ordinance No. 124, 2000, which was unanimously adopted on First Reading on September 5, 2000, appropriates unanticipated revenue received by Larimer County for acquisition and development of open space, trails, and natural areas in the Coyote Ridge Natural Area.

18. Second Reading of Ordinance No. 125, 2000, Amending Section 7-127 of the City Code Relating to Independent Expenditures.

Ordinance No. 125, 2000 was unanimously adopted on First Reading on September 5, 2000. Council directed staff to include language in the Ordinance on Second Reading that would clarify the point in time when independent expenditures must be reported. Under the new language, an

independent expenditure in excess of \$100 must be reported as soon as an agreement is reached for the provision of the property or services in question, regardless of when payment is to be made for such property or services.

19. First Reading of Ordinance No. 126, 2000, Appropriating Unanticipated Grant Revenue in the General Fund for Police Services for the Juvenile Justice and Delinquency Prevention Grant Project.

Fort Collins Police Services has been awarded a grant under the Colorado Division of Criminal Justice, Juvenile Justice and Delinquency Prevention (JJDP) in the amount of \$18,500 for salaries and costs associated with implementing a Youth Community/Family Conference (restorative justice) Program. Restorative justice is an alternative method of holding a youth offender accountable for his or her actions by conferencing with the youth and the victim to develop appropriate consequences for the offense. By learning to understand the impacts of their actions on the victim, Criminal Justice Officials are optimistic repeat offenses will be reduced.

Grant funds will be used to hire a part-time (20 hours) contractual "Conferencing Coordinator". This person will work closely with law enforcement, school district personnel and members of the juvenile Criminal Justice System to ensure that community/family conferencing is made available as an option in juvenile criminal cases. The coordinator will accept referrals of juvenile offender cases and forward these to volunteer facilitators from the community for conferencing. The coordinator will also be responsible for outcome follow-up and general marketing of the program. Part of the funds will be directly applied to marketing costs.

20. First Reading of Ordinance No. 127, 2000, Appropriating Unanticipated Revenue in the Capital Projects Fund Downtown Railroad Track Consolidation Capital Project to be Used for Improvements Associated with Phase III of the Railroad Consolidation Project.

This Ordinance is necessary to authorize the acceptance of the \$500,000 in State funds to be used for the relocation and improvement of various railroad tracks, upgrade the crossings of the Union Pacific tracks at Linden Street and Lincoln Avenue, and implement the design and construction of various street improvements related to the crossing improvements.

The work, which was originally scheduled for this summer, was delayed in order to complete agreements with the State for the acceptance of these funds. The funds could only be used to reimburse for work done after the agreement is fully executed. The work will likely be completed next spring.

21. First Reading of Ordinance No. 128, 2000, Authorizing the Transfer of Appropriations From the Street Oversizing Fund to the Capital Projects Fund and Between Projects in the Capital Projects Fund to be Used for Downtown Civic Center Improvements.

Transportation Services has been working toward improving the transportation infrastructure surrounding the Civic Center project. The Civic Center Transportation Plan included an analysis of a full range of improvements to support the Civic Center project, including parking, lighting, landscaping, pedestrian access, transit, and street improvements. Staff has identified these elements of the plan as necessary to enhance and support the current construction of the parking structure, Larimer County Justice Center, City office building, and the proposed transit center.

Working with affected City departments, BNSF Railroad, DDA, Larimer County, and building contractors, staff put together a plan for improvements and funding, phased to coincide with the completion of each building project.

This Ordinance authorizes the transfer of existing appropriations into the Capital Projects Fund Downtown Civic Center project to be used for construction of improvements. Predominant funding and construction management is through the Street Oversizing Program.

22. Items Relating to a Brownfields Assessment Pilot Project for the Downtown River Corridor.

- A. Resolution 2000-114 Authorizing the City Manager to Enter into an Intergovernmental Agreement with the U.S. Environmental Protection Agency for a Brownfields Assessment Pilot Program in the Downtown River Corridor.
- B. First Reading of Ordinance No. 129, 2000, Appropriating Unanticipated Grant Revenue in the General Fund for a Brownfields Assessment Pilot Program in the Downtown River Corridor.

The Brownfields Pilot Program is sponsored by the Environmental Protection Agency (EPA) to “empower States, communities, tribes, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely cleanup, and promote the sustainable use of brownfields.” EPA defines brownfields as “abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination.”

In February of this year, the City submitted an application to the EPA for grant funding to complete a brownfields pilot assessment in the Downtown River Corridor. The application was based on findings from the Downtown River Corridor Implementation project that concerns about the potential for environmental contamination are an impediment to revitalization of the downtown river corridor, both in terms of cleanup and enhancement of the river corridor itself and in terms of redevelopment of adjacent properties. The Downtown River Corridor Implementation Program, adopted by Council in Resolution 2000-95 (July 18, 2000), identified a top priority project to complete environmental assessments throughout the river corridor area to determine the extent of contamination concerns and the necessary level of cleanup to meet the community’s goals.

23. First Reading of Ordinance No. 130, 2000, Designating the Gill/Nelson Farm, 5529 Timberline Road, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owners of the property, Ray and Patty Seaser and Jeff Nowak, are initiating this request for landmark designation for the Gill/Nelson Farm. The farmhouse is significant to Fort Collins as an excellent example of Italianate architecture. The property also has historical value to the community, for its association with the agricultural development of the Fort Collins area. The property contains three buildings, a circa 1890 two story brick house, a circa 1880 stone milk house or bunkhouse, and a circa 1930 two-car garage.

24. Resolution 2000-115 Approving Expenditures from the Art in Public Places Reserve Account in the Cultural Services and Facilities Fund for the Purchase of a Sculpture “Support” for the Front Rotunda of the New Civic Center (City) Office Building.

Section 23-303 of the City Code, which was added to the Code in 1995, established the Art in Public Places Reserve Account, and designated it for the use in the acquisition or leasing or works of art, maintenance, repair or display of works of art, administrative expenses related to the Art in Public Places Program, in accordance with the Art in Public Places Guidelines adopted by the Council in Ordinance No. 20, 1995. The Council permanently adopted the Art in Public Places Program, and reenacted City Code Chapter 23, Article IX, with certain modifications in 1998.

The Selection Committee chose the artist using the City’s competitive bid process. This Committee was comprised of seven APP Board members; one person from Oz Architecture, one representative from the City’s Facilities Department, and a Purchasing Department representative. The committee reviewed the proposals for this project, selected four finalists and made its selection at the Board’s regular meeting on July 19. After the Committee ranking, the APP Board voted unanimously to select Rafe Ropek’s sculpture, “Support”. Artist Rafe Ropek is nationally known for his public art and currently has major pieces in Fort Collins located at the Senior Center, Lincoln Center and Home State Bank.

25. Resolution 2000-116 Finding Substantial Compliance and Initiating Annexation Proceedings for the Prospect-East Frontage Road Annexation.

The Prospect-East Frontage Road Annexation is 47.15 acres in size. The site is generally located on the east side of the I-25 Frontage Road, approximately one-half mile north of Prospect Road. Contiguity with the existing municipal boundary is gained along the south property line with a parcel known as the Galatia Annexation.

The proposed Resolution states that it is the City’s intent to annex this property and directs that the published notice required by State law be given of the Council’s hearing to consider the needed annexation ordinance. The hearing will be held at the time of First Reading of the annexation and

zoning ordinances on November 21, 2000. Not less than 30 days prior published notice is required by State law.

26. Resolution 2000-117 Authorizing an Intergovernmental Agreement Between the City and the Fort Collins Housing Authority Relating to the Provision of Administrative and Legal Services.

The Fort Collins Housing Authority was established by the Fort Collins City Council, pursuant to the provisions of the Colorado Revised Statutes for the purpose of providing affordable, safe and sanitary housing for low income families in the community. The City has a great deal of interest in the success of the Housing Authority. The Housing Authority's budget is quite restrictive and federal funding has been cut for the past several years. The City is able to provide some services which will enhance Housing Authority operations. Some services, such as providing Human Resource consultation, are expected to be minimal and the cost of such services can easily be absorbed. Other services, such as the Housing Authority's use of City phone, e-mail and voice mail systems are billed to and reimbursed by the Housing Authority. The Intergovernmental Agreement also spells out the terms and conditions of occasional supplemental legal services, and specifies that the Housing Authority shall separately procure legal services from independent counsel for general operations. The Agreement specifies that all services shall be subject to limitation by the City Manager and shall not interfere with the provision of adequate and timely services to the City of Fort Collins.

27. Resolution 2000-118 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).

On June 30, 2000 one City Council term expired. The City was just recently advised of this expiration of term and LaMills Garrett has continued attending meetings even after the expiration of the term. Therefore, this Resolution recommends the reappointment of LaMills Garrett to the Urban Growth Area Review Board to fulfill the expired City Council appointment with a term set retroactive to July 1, 2000 and set to expire July 30, 2003.

28. Routine Easements.

- A. Easement for construction and maintenance of public utilities from P.E.A.K. Community Church, to underground overhead electric services, located at 500 Mathews. Monetary consideration: \$1360.
- B. Grant of access easement from Patricia M. Casey Revocable Trust for perpetual access and landscaping easement, located at the old Union Pacific Jefferson Street Station Depot. Monetary consideration: \$10.

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

- 29. Consent Calendar Follow-up.
This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.
- 30. Staff Reports.

Natural area improvements.
- 31. Councilmember Reports.
Committees that have met since September 5 include:

<i>Governance Committee</i>	<i>Growth Management Committee</i>
<i>NFRT&AQPC</i>	<i>Poudre School District Liaison Committee</i>

ITEMS NEEDING INDIVIDUAL CONSIDERATION

- 32. Items Relating to Elections.
 - A. First Reading of Ordinance No. 121, 2000, Amending Section 7-127 of the City Code Relating to Campaign Contribution Limits.
 - B. First Reading of Ordinance No. 122, 2000, Amending Section 7-129 of the City Code Relating to Election Campaign Reports. (Options A and B)

These ordinances were presented for Council consideration on September 5, 2000, and after discussion, consideration was postponed until September 19, 2000. Staff has made revisions to Ordinance No. 122, 2000, in accordance with the direction received on September 5.

At its June 27, 2000 Study Session, Council discussed the current limit (\$50) imposed on campaign contributions. The consensus of the Council was that the limits should be increased to \$100 for Mayoral candidates and \$75 for District candidates. If adopted, this Ordinance (Item A) will implement those increases and will become effective well in advance of campaign periods

for the April 2001 election. The Ordinance will also conform several of the definitions in this Section to those contained in the Fair Campaign Practices Act (FCPA).

On September 5, Councilmember Mason asked that an option be brought forward requiring that all campaign reports that are filed with the Municipal Clerk, either under the FCPA or the City Code, be current as of two days prior to the filing date. Accordingly, two options of Ordinance No. 122, 2000 (Item B) are being presented for Council's consideration. Option "A" is essentially the same as the Ordinance presented to the Council at the September 5 meeting. It would make the requirement for the additional campaign report that is required under the City Code consistent with the state requirement, that is, the report would have to be current as of five (5) days prior to the filing date. Option "B" would require that all reports filed with the City Clerk be current as of two (2) days prior to the filing date.

33. Pulled Consent Items.
34. Other Business.
35. Adjournment.