

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

October 2, 2001

Proclamations and Presentations

5:30 p.m

- A. Proclamation Proclaiming October 11, 2001 as "Lights on Afterschool! Day".
- B. Proclamation Proclaiming the Week of October 8-13, 2001 as "National Fire Prevention Week".

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 27. 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 #34, 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 21, 2001 and September 4, 2001 and the adjourned meeting minutes of August 28, 2001.
8. Second Reading of Ordinance No. 140, 2001, Appropriating Unanticipated Revenue and Prior Year Reserves in the Transportation Services Fund to be Used to Complete Construction of a Bicycle/Pedestrian Bridge Over the Poudre River, Completing the Bicycle/Pedestrian Connection from Riverside to Lemay Along State Highway 14.

The City has received a funding letter from Colorado Department of Transportation (CDOT) allowing for additional funding to be added to the State Highway 14 and Lemay Avenue Intersection project. The bridge will be constructed over the Poudre River on the south side of the Mulberry Street (SH14) vehicular bridge and the sidewalk will be extended from Lemay to Riverside.

Design work has been completed and these funds would be added to the construction budget for this project. In addition to the bridge, the City is also constructing sidewalk along the south side of Mulberry Street in order to provide a safe and direct bicycle/pedestrian connection from Riverside Avenue to Lemay Avenue. Ordinance No. 140, 2001, which was unanimously adopted on First Reading on September 18, 2001, appropriates unanticipated revenue and prior year reserve funds to complete the project.

9. Second Reading of Ordinance No. 146, 2001, Authorizing a Declaration of Covenants, Conditions and Restrictions for a 478.5 Acre Portion of Long View Farm Open Space.

“Ute Farm” and “One Putt” are part of the Long View Farm Open Space between Loveland and Fort Collins. The properties were purchased in 1997 by Larimer County, the City of Loveland, and the City of Fort Collins. The property is managed by Larimer County, pursuant to an intergovernmental agreement between the owning entities that was signed in 1997. Larimer County has applied for, and Great Outdoors Colorado Trust Fund (GOCO) has awarded, a grant to assist in the purchase of the property. The proceeds of the grant will be shared by the owning entities. GOCO requires that certain restrictions be agreed to by landowners in order to protect the conservation values of the property for which a grant has been awarded.

Ordinance No. 146, 2001, which was unanimously adopted on First Reading on September 18, 2001, authorizes the execution of a Declaration of Covenants, Conditions and Restrictions on the Ute Farm/One Putt property.

10. Second Reading of Ordinance No. 147, 2001, Authorizing the Acquisition by Eminent Domain Proceedings of Certain Lands for the Glenmoor Detention Pond in the Canal Importation Basin.

The proposed Glenmoor Detention Pond is a component of the Canal Importation Basin Master Drainage Plan, recently adopted by City Council (Ordinance No. 121, 2001). The property lies along the Plum Channel north of West Elizabeth and just to the east of Taft Hill Road and is approximately 4.92 acres in size. This detention pond will provide needed volume to slow flood flows and protect downstream properties from flooding. Although construction of the pond is not the highest priority in the basin, the property was already in the City’s land development process for approval of 40 residential units. In order to ensure the property would be available to construct the pond, the City entered into negotiations with the property owner to purchase the land. The property owner does not object to selling the property to the City, however, the City and the property owner have been unable to reach agreement on the fair market value of the property. Appraisals by both the City and the owner have been completed. Both the City and the property owner have agreed eminent domain proceedings are the next logical step to allow the court to determine fair market value.

Ordinance No. 147, 2001, was unanimously adopted on First Reading on September 18, 2001.

11. First Reading of Ordinance No. 150, 2001, Authorizing the Purchasing Agent to Enter into an Extension of the Golf Professional Services Agreement at Collindale Golf Course for up to Five Additional Years.

The existing Agreement with Collindale Golf Course contractual Golf Professional James H. Greer, PGA, expires on December 31, 2001. This five-year Agreement was entered into on December 10, 1996. As stated in the Agreement, "...This Agreement may be extended beyond the original five (5) year term if performance is satisfactory and subject to City Council approval and negotiation of a mutually acceptable extension Agreement". The performance of Mr. Greer has been very satisfactory during the term, and staff has negotiated a mutually acceptable extension to the Agreement. A new section has been added to the Agreement regarding "Behavior/Standards of Personal Conduct", which gives the City additional authority to discipline and/or terminate the Agreement due to personal behavior and standards of personal conduct requirements for individuals working for or as contractors, as defined.

The Golf Board took public input/comments on the proposed extension at its August 15, 2001 meeting, receiving no public opposition and only positive and supportive comments to extend the Agreement. The Golf Board then voted unanimously to recommend that City Council extend the Agreement with James H. Greer for up to five additional one-year renewal periods through December 31, 2006. The City Code requires contracts over five years in length to be approved by Council.

12. First Reading of Ordinance No. 151, 2001, Amending Chapter 2 of the City Code Relating to the Functions of the Human Relations Commission.

During the City Council's periodic review of the Human Relations Commission ("HRC") at its July 24 study session, the HRC noted that its functions relating to human service needs recommendations and its role in relation to the Citizen Review Board have changed. The HRC requested that the City Code be changed to reflect these changes.

Because the procedures for the allocation of funds to meet basic human needs in the City have changed and the HRC is no longer involved in that process, that function has been removed. The wording of the function concerning the facilitation of the review of citizen complaints concerning the actions of police officers or community services officers has been modified to clarify that the members of the HRC can assist citizens who wish to file complaints.

13. First Reading of Ordinance No. 152, 2001, Authorizing the Conveyance to Legacy Land Trust of an Undivided Interest in the Sauer Open Space Conservation Easement, Authorizing a Grant Agreement with Great Outdoors Colorado, and Authorizing the Amendment of the Intergovernmental Agreement with Larimer County and Loveland for the Sauer Open Space.

Sauer Open Space is located between Loveland and Fort Collins west of Taft Hill Road, abutting the southern portion of Coyote Ridge Natural Area. The property was purchased in 2000 by the City of Loveland, Larimer County, and the City of Fort Collins. The property is managed by the City of Loveland.

Great Outdoors Colorado Trust Fund (GOCO) awarded a \$500,000 grant to assist in purchase of the property. GOCO places certain requirements on landowners in order to protect the conservation values of the property. These restrictions are reflected in Ordinance No. 42, 2000, adopted on Second Reading on May 2, 2000, authorizing the conveyance of a conservation easement to Larimer County. After that Council action was taken, GOCO determined that the proposed arrangement was not acceptable, and instead required that an outside party have the power to enforce the easement. Since the conveyance of an interest in the conservation easement to that party, the Legacy Land Trust, was not included in Ordinance No. 42, 2000, this Ordinance authorizes that Legacy Land Trust be provided an interest in the conservation easement.

14. Resolution 2001-122 Authorizing the City Manager to Enter into an Intergovernmental Agreement with the Colorado Department of Transportation for Funding the Design of Crosswalk Improvements at the Intersections of U.S. Highway 287 and LaPorte Avenue, Mountain Avenue, Oak Street and Olive Street.

The City of Fort Collins applied for and received \$21,000 of Federal Hazard Elimination Funds and State matching funds to pay for 100% of the costs to design crosswalk improvements at the intersections of U.S. Highway 287 and LaPorte Avenue, Mountain Avenue, Oak Street and Olive Street in Fort Collins. The crossings will be constructed of either asphalt or concrete, with stamped and colored enhancement features to improve safety by increasing visibility of the crossings. Adoption of this Resolution allows the City Manager to execute a contract with the State for the receipt of funds for completing the design of crosswalk improvements at the above-mentioned intersections.

15. Resolution 2001-123 Finding Substantial Compliance and Initiating Annexation Proceedings for the Pineridge Fifth Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 4.76 acres of publicly owned property located southeast of Hughes Stadium including a portion of the South Overland Trail and County Road 42C rights of way, and small piece of the Pineridge Natural Area. The recommended zoning is Public Open Lands (POL).

16. Resolution 2001-124 Finding Substantial Compliance and Initiating Annexation Proceedings for the Fossil Creek Wetlands Natural Area Second Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 24.74 acres of publicly owned property located south of Trilby Road, east of Timberline Road, north of Carpenter Road, and west of I-25. The recommended zoning is Public Open Lands (POL).

17. Resolution 2001-125 Finding Substantial Compliance and Initiating Annexation Proceedings for the Cathy Fromme Natural Area First Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 81 acres of publicly-owned property located south of Harmony Road, east of Taft Hill Road, north of Trilby Road, and west of Shields Street. The recommended zoning is Public Open Lands (POL), and it is adjacent to a larger piece of Public Open Lands.

18. Resolution 2001-126 Finding Substantial Compliance and Initiating Annexation Proceedings for the Cathy Fromme Natural Area Second Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 156 acres of publicly-owned property located south of Harmony Road, east of Taft Hill Road, north of Trilby Road, and west of Shields Street. The recommended zoning is Public Open Lands (POL), and it is adjacent to the Cathy Fromme Natural Area First Annexation which is also proposed to be Public Open Lands.

19. Resolution 2001-127 Finding Substantial Compliance and Initiating Annexation Proceedings for the Westchase Annexation No. 1.

This is a request for a 100% voluntary annexation. The site is approximately 4.279 acres of property located within and just west of the Timberline Road right-of-way, just north of the intersection of Timberline and Trilby. The property is in the Fossil Creek Reservoir Planning Area. The recommended zoning is Low Density Mixed Use Neighborhood (LMN).

20. Resolution 2001-128 Finding Substantial Compliance and Initiating Annexation Proceedings for the Westchase Annexation No. 2.

This is a request for a 100% voluntary annexation. The site is approximately 157.93 acres of privately owned property located north of the current Trilby Road alignment and east of Timberline Road. The recommended zoning is a combination of LMN – Low-Density Mixed Use Neighborhood zone district, and UE – Urban Estate Zone District. The property is located within the Fossil Creek Reservoir Area Plan.

21. Resolution 2001-129 Finding Substantial Compliance and Initiating Annexation Proceedings for the Coyote Ridge First Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 2.5 acres of publicly-owned property located south of Harmony Road, north of Trilby Road, within the South Taft Hill Road right-of-way. The recommended zoning is Public Open Lands (POL), and it is adjacent to the Cathy Fromme Natural Area Second Annexation which is also proposed to be Public Open Lands.

22. Resolution 2001-130 Finding Substantial Compliance and Initiating Annexation Proceedings for the Coyote Ridge Second Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 181 acres of publicly-owned property located south of Harmony Road, north of the Carpenter Road (County Road 32) alignment, west of and within the South Taft Hill Road right-of-way. The recommended zoning is Public Open Lands (POL), and it is adjacent to the Cathy Fromme Natural Area Second Annexation which is also proposed to be Public Open Lands.

23. Resolution 2001-131 Finding Substantial Compliance and Initiating Annexation Proceedings for the Coyote Ridge Third Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 161 acres of publicly-owned property located south of Trilby Road, north of the Carpenter Road (County Road 32) alignment, west of and within the South Taft Hill Road right-of-way. The recommended zoning is Public Open Lands (POL), and it is adjacent to the Coyote Ridge Second Annexation which is also proposed to be Public Open Lands.

24. Resolution 2001-132 Finding Substantial Compliance and Initiating Annexation Proceedings for the Coyote Ridge Fourth Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 192 acres of publicly-owned property located south of Trilby Road, north of the Carpenter Road (County Road 32) alignment, and west of the South Taft Hill Road right-of-way. The recommended zoning is Public Open Lands (POL), and it is adjacent to the Coyote Ridge Third Annexation which is also proposed to be Public Open Lands.

25. Resolution 2001-133 Finding Substantial Compliance and Initiating Annexation Proceedings for the Coyote Ridge Fifth Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 325 acres of publicly-owned property located south of the Trilby Road alignment, north and south of the Carpenter Road

(County Road 32) alignment, and west of South Taft Hill Road. The recommended zoning is Public Open Lands (POL), and it is adjacent to the Coyote Ridge Fourth Annexation which is also proposed to be Public Open Lands.

26. Resolution 2001-134 Finding Substantial Compliance and Initiating Annexation Proceedings for the Coyote Ridge Sixth Annexation.

This is a request for a 100% voluntary annexation. The site is approximately 235 acres of publicly-owned property located south of Trilby Road, north of the Carpenter Road (County Road 32) alignment, east of South Taft Hill Road, and west of Shields Street. The recommended zoning is Public Open Lands (POL), and it is adjacent to the Coyote Ridge Second and Third Annexations which are also proposed to be Public Open Lands.

27. Routine Deeds and Easements.

- A. Deed of dedication for easement for permanent right-of-way for public street purposes, from Everwest, located north of East Foothills Parkway and east of South College Avenue. Monetary consideration: \$10. Staff: Sheri Wamhoff.
- B. Deed of dedication for easement from Everwest, for permanent right-of-way for public street purposes, located north of East Foothills Parkway and east of South College Avenue. Monetary consideration: \$10. Staff: Sheri Wamhoff.
- C. Deed of dedication for easement from K & M Company, for a permanent utility easement, located east of North Timberline and north of East Vine Drive. Monetary consideration: \$10. Staff: Sheri Wamhoff.
- D. Deed of dedication for right-of-way from K & M Company, for permanent public street right-of-way easement dedication, located east of North Timberline and north of East Vine Drive. Monetary consideration: \$10. Staff: Sheri Wamhoff.
- E. Deed of Dedication for right-of-way from Warren K. and David M. Kraxberger, for public street purposes, located at 909 North College. Monetary consideration: \$10. Staff: Katie Moore.

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

28. Consent Calendar Follow-up.

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

35. Other Business.

36. Adjournment.