

AGENDA

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

November 7, 2000

Proclamations and Presentations

5:30 p.m

- A. Proclamation Proclaiming November 8, 2000 as “National Young Reader’s Day”.

Regular Meeting

6:00 p.m.

PRESENTATION OF COLORS BY BOY SCOUT TROOP 96

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 #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 October 17, 2000.
8. Second Reading of Ordinance No. 140, 2000, Designating the Howard Carriage House, 131 North Loomis Avenue, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, John Loudon, initiated this request for Fort Collins Landmark designation for the Howard Carriage House. This building has great architectural significance to Fort Collins, as an unusual and locally rare example of a pressed concrete carriage house. The building was the carriage house for the locally landmarked Howard House, at 145 North Loomis, and contributes to the historical and architectural significance of the Howard House. Ordinance No. 40, 2000, was unanimously adopted on First Reading on October 17, 2000.

9. Second Reading of Ordinance No. 141, 2000, Designating the Henry Jessup/Cal Johnson Farm Buildings, 2902 Rigden Parkway, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owner of the property, Rigden Farm, LLC, initiated this request for Fort Collins Landmark designation for the Henry Jessup/Cal Johnson Farm Buildings. The buildings and structures are architecturally significant as examples of a c.1920s Craftsman style agricultural farmhouse, with associated farm structures. Ordinance No. 141, 2000, was unanimously adopted on First Reading on October 17, 2000.

10. Second Reading of Ordinance No. 142, 2000, Designating the Edwin and Ella Wolf House and Garage, 120 Pearl Street, as a Historic Landmark Pursuant to Chapter 14 of the City Code.

The owners of the property, Joe and Virginia McConathy, initiated this request for Fort Collins Landmark designation for the Edwin and Ella Wolf House and Garage. This building has architectural significance to Fort Collins, as a good example of the Craftsman bungalow style of architecture in Fort Collins. Dating to the period of significance, the garage shares many of the same stylistic elements as the house, and contributes to the architectural importance of the property.

Ordinance No. 142, 2000, was unanimously adopted on First Reading on October 17, 2000.

11. Second Reading of Ordinance No. 143, 2000, Authorizing the Conveyance of a Non-Exclusive Utility Easement at the Timberline Substation Site to QWest Corporation.

Ordinance No. 143, 2000, which was unanimously adopted on First Reading on October 17, 2000, grants QWest a utility easement on the east side of the Timberline Substation site. QWest is improving its service in the area by abandoning the old cable and replacing it with fiber. This easement is four feet in width and runs the length of the property, or 775 feet. The location of this easement is in the grassy area east of the fence and trees on the Substation site.

12. Second Reading of Ordinance No. 144, 2000, Authorizing the Purchasing Agent to Enter into an Extension of the Golf Professional/Concessionaire Agreement for City Park Nine Golf Course.

The existing agreement with City Park Nine Golf Course Golf Professional/Concessionaire Dale Smigelsky expires on December 31, 2000. This four-year agreement was entered into on February 20, 1997, after being awarded through request for proposals # P-606. As per Section 7.5 of the agreement (and noted in the RFP document), "This agreement may be extended beyond the original four year term if performance is satisfactory, and subject to City Council approval and negotiation of a mutually acceptable extension agreement." Performance has been very satisfactory and staff has negotiated a mutually acceptable extension. Ordinance No. 144, 2000, was unanimously adopted on First Reading on October 17, 2000.

13. Second Reading of Ordinance No. 146, 2000, Amending Sections 2-636 and 2-638 of the City Code Pertaining to Financial Disclosure Statements.

The provisions of Sections 2-636 and 2-638 of the City Code currently require a candidate for City Council to file a financial disclosure within 10 days of accepting nomination, another full disclosure statement 30 days after the election, and another disclosure statement or disclosure statement update before June 1. The last two filings are approximately one month apart. This Ordinance, which was unanimously adopted on First Reading on October 17, 2000, amends Sections 2-636 and 2-638 of the City Code to eliminate the double filing after an election by requiring annual filings to begin the year *after* the year in which election or appointment occurs. In addition, the Ordinance requires only one full disclosure statement, with updates thereafter.

14. Second Reading of Ordinance No. 147, 2000, Amending Section 7-117 of the City Code Pertaining to the Nomination of Candidates for a Recall Election.

Ordinance No. 147, 2000, which was unanimously adopted on First Reading on October 17, 2000, amends Section 7-117 of the City Code to require that candidates in a recall election file nomination petitions no later than 40 days prior to the date of the recall election.

15. Second Reading of Ordinance No. 149, 2000, Appropriating Prior Year Reserves in the Community Parkland Capital Improvement Expansion Fund for the New Skate Park at Edora Park.

The Parks and Recreation staff have been working with the youth of Fort Collins for over a year to develop a skate park. Earlier this year Council approved a \$50,000 Great Outdoor Colorado grant for this project and also included the skate park as one of the projects in the Building Community Choices-Poudre School District package. The skate park will be located in Edora Park, south of the ballfields. Ordinance No. 149, 2000, was unanimously adopted on First Reading on October 17, 2000, and appropriates prior year reserves (from fees for community parkland) to be used in the Capital Expansion Fund, with existing appropriations to construct a skate park at Edora Park.

16. Second Reading of Ordinance No. 150, 2000, Adopting and Determining the Effective Date of the District-Precinct Map for the 2001 Regular Municipal Election.

Ordinance No. 150, 2000, which was unanimously adopted on First Reading on October 17, 2000, adopts the District-Precinct Map for the 2001 regular municipal election for the purposes of (1) determining the eligibility for District Council offices for the April 3, 2001 election; (2) determining eligibility for any interim appointments to fill any District Council vacancies which may occur after November 17, 2000; and (3) determining residency for voting in any special municipal election conducted after November 17, 2000, except for any special municipal election held in conjunction with a Larimer County Consolidated or General Election.

17. First Reading of Ordinance No. 159, 2000, Appropriating Unanticipated Federal Grant Revenue in the General Fund for the Forums and Fiestas Multicultural Outreach Project.

This Ordinance appropriates \$6,000 of federal government grant money provided under the Library Services and Technology Act for the City's Library Forums and Fiestas Multicultural Outreach project.

18. First Reading of Ordinance No. 160, 2000, 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 Safeco Credit Company at an interest rate of 5.95%. The agreement shall be for an original term from the execution date of the agreements to the end of the current fiscal year. The agreement shall provide 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.

19. First Reading of Ordinance No. 161, 2000, Authorizing a Mail Ballot Election for the April 3, 2001 Regular Municipal Election.

This Ordinance authorizes the April 3, 2001 regular municipal election to be conducted by mail ballot, adopts the Mail Ballot Election Act of the Uniform Election Code governing mail ballot elections, authorizes the City Clerk to submit a mail ballot plan to the Secretary of State, and establishes the polling place for in-person voting for the April election.

20. First Reading of Ordinance No. 162, 2000, Establishing Local Election Campaign Provisions.

This Ordinance establishes local provisions regulating election campaigns, which supersede the provisions of the Fair Campaign Practices Act (FCPA) contained in Article 45 of Title 1 of the Colorado Revised Statutes, with the exception of Section 1-45-117 pertaining to limitations on contributions by state and political subdivisions. Inasmuch as practical, the local provisions very closely follow the provisions of the FCPA. The drafting of local provisions resulted from discussions with Council in September regarding discrepancies between disclosure report filing dates contained in the FCPA and a filing date provision in the City Code. The enactment of local provisions will embody regulations pertaining to election campaigns in a single set of laws, thereby eliminating confusion caused by the need to be familiar with the requirements of both the FCPA and the City Code.

21. First Reading of Ordinance No. 163, 2000, Authorizing the Lease of the Building on the City's "Pickle Plant" Property to Dellenbach Motors for Automobile Storage.

The Council adopted the Poudre River Use Framework on May 16, 1995. The Pickle Plant Site was one of the four key parcels of land identified for City acquisition. The City acquired the site in 1995. In order to help fund the acquisition of the Pickle Plant Site, the storage facility at the site was leased to Larrabee's Home Furnishing Center, LTD. for five years. The lease expires on December 22, 2000. Larrabee's is going out of business and will no longer need the storage facility. Dellenbach Motors has expressed interest in leasing the facility to store classic automobiles. The lease term will be on a renewable quarter to quarter basis. The lease is subject to termination by the City at any time, upon proper notice to Dellenbach. Any funds collected from the lease will be set aside for future renovation of the Pickle Plant Site.

22. First Reading of Ordinance No. 164, 2000, Authorizing the City of Fort Collins to Enter into an Option Agreement to Sell Forty Acres of the Meadow Springs Ranch Property to the United States Fish and Wildlife Service for its Black-Footed Ferret Breeding Facility.

In the spring of 1998, the City was approached by the United States Fish and Wildlife Service about possibly relocating the Black Footed Ferret Breeding Facility from Wyoming to Colorado and siting it on the City's Meadow Springs Ranch. In July of 1998, the City Council adopted Resolution 98-112 supporting this move and authorizing staff to proceed with negotiations for not more than 35 acres. After further site review the Department of the Interior has asked for an option to buy 40.05 acres. The Fish and Wildlife Service have chosen a site on the east side of I-25 one mile north of the Buckeye exit. The Service has offered to pay the City \$1 for a four-month option to purchase the site. In the event that the option is exercised the City would receive \$32,000 for the 40.05 acre tract including easements for utilities, phone and an access road. Under the purchase agreement that the City and the Fish and Wildlife Service will enter into for this transaction, the Fish and Wildlife Service will also be granted a right of first refusal to purchase any of the City's land within one-half mile of the property being purchased for the breeding facility.

23. First Reading of Ordinance No. 165, 2000 Approving the Restated and Amended Parking Agreement and Amendment to the Downtown Development Authority Agreement Regarding the Opera Galleria.

In 1994 the City of Fort Collins entered into an agreement with the Opera Galleria property owner that entitled the Opera Galleria to purchase a number of parking permits in the Laporte-America Lot adjacent to the property, as well as the Block 31 Lot and the Old Town Parking Structure. The current owner of the Opera Galleria, Ed Orr of Opera Galleria, LLC, requested that the City of Fort Collins amend and restate the original agreement to reflect that the Laporte America Lot was replaced by the Civic Center Parking Structure and that the Block 31 Lot is no longer available for permit customers, and to allow for monthly payment for the permits (rather than annual). The proposed amendments to the original agreements maintain the City's original position and provide the Opera Galleria with the same rights to purchase permits for tenants of the building.

24. Resolution 2000-131 Revising the *Mountain Vista Subarea* "Framework" and "Transportation" Plan Maps to Conform to the *Master Street Plan*.

During the review process for the Waterfield 2nd Filing PUD Project, two collector streets were reclassified as residential local streets including Merganser Road and Garganey Drive. Merganser Road was previously shown on the *Master Street Plan* as a Collector to its northern termini. It is now to be built as a Collector only partially. The northern portion of Merganser in the Waterfield development will be built as a Local road. The northern portion of this road network will not generate Collector level volumes. Garganey Drive was previously shown as a Collector roadway on the *Master Street Plan* but will be built to local road standards with a cul-de-sac at this

western terminus. Environmentally sensitive areas preclude a through Collector road in this location. Traffic on this road will not meet Collector-level volumes.

25. Resolution 2000-132 Adopting Revisions to the Master Street Plan.

Staff has compiled a list of minor changes necessary to help "clean up" the City of Fort Collins Master Street Plan. These proposed changes to the Master Street Plan consist of correcting alignments and classifications shown currently on the map to more accurately reflect actual built alignments or to reflect alignments shown in approved development plans. In addition street name changes previously approved by Council are to be amended on the Master Street Plan. These changes are minor in scope and do not require extensive public process. Master Street Plan changes as a result of approved development plans have already received public input as part of development review process.

26. Resolution 2000-133 Approving an Exemption to the Use of a Competitive Process for the Purchase of a 15KV Electrical Switchgear Power Control Center.

The switchgear will be purchased directly from the manufacturer, Powell Electrical Manufacturing Company, for a total price of \$1,244,445. The money for this purchase is budgeted and available in the Dixon Creek Substation project of the Light and Power Department. The total project budget is \$2.5 million.

27. Resolution 2000-134 Authorizing the Mayor to Execute an Intergovernmental Agreement with Colorado State University to Develop a Transit Center Adjacent to the Lory Student Center.

The City and Colorado State University have been working together since 1996 to develop a campus transit center. Work is expected to begin on final drawings this fall. This Intergovernmental Agreement (IGA) represents the respective rights and obligations of the City and the University concerning the development, maintenance, operation, use and ultimate retirement of the Transit Center. This IGA includes terms for the City to lease the property, upon which the Transit Center is to be located, from the University for a period of thirty-three years and four months.

28. Routine Easement.

- A. Easement for construction and maintenance of public utilities from the Poudre Fire Authority, to underground existing overhead electric system, located at 505 Peterson. Monetary consideration: \$180. Staff: Patti Teraoka.

*****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.

31. Councilmember Reports.

Committees that have met since October 17 include:

NFRT & AQPC

ITEMS NEEDING INDIVIDUAL CONSIDERATION

32. Public Hearing on Items Relating to the Completion of the Fall Cycle of the Competitive Process for Allocating City Financial Resources to Affordable Housing Projects/Programs and Community Development Activities: the City's Fiscal Year 2000-2001 Home Investment Partnerships (HOME) Programs and the City's Affordable Housing Fund.

- A. Public Hearing and Resolution 2000-135 Adopting Fiscal Year 2000-2001 Home Investment Partnerships Programs and Projects.
- B. Public Hearing and Resolution 2000-136 Allocating Funding from the City's Affordable Housing Fund.

The City Council is being asked to consider the adoption of two Resolutions. The first Resolution establishes which programs and projects will receive funding with Home Investment Partnerships (HOME) Program funds for the FY 2000–2001 Program year, which started on October 1, 2000. The second Resolution establishes which programs and projects will receive funding from the City's Affordable Housing Fund. The two Resolutions represent completion of the fall funding cycle of the competitive process for the allocation of the City's financial resources to affordable housing programs/projects and community development activities.

33. Second Reading of Ordinance No. 145, 2000, Amending Section 24-1 of the City Code Pertaining to Signs on Bus Shelters and Bus Benches.

At its January 4, 2000 meeting, Council adopted on Second Reading Ordinance No. 192, 1999, amending the City Code to allow advertising on bus shelters through October 1, 2000. Ordinance No. 145, 2000, which was adopted by a vote of 6-1 on First Reading on October 17, 2000, modifies Section 24-1 of the Code to eliminate the time restriction.

The Ordinance has been modified from First Reading to specify that advertising is permitted on bus shelters only within 300 feet of an existing commercial/retail or industrial use or land zoned to permit such use, or along any arterial street so long as no residential use fronts on the arterial street within 300 feet of the shelter.

34. Pulled Consent Items.

ITEMS RELATING TO THE 2001 BUDGET

BUDGET CONSENT ITEMS

Items Numbers 35 through 36 are being presented together in the Consent Calendar format. These items have been reviewed and discussed at Budget Study Sessions and are being presented in this manner to expedite their adoption. Any item may be withdrawn for discussion by any member of the Council, staff or public and will be considered after the balance of the Budget Consent is adopted.

35. Items Relating to Utility Rates for 2001.
- A. Second Reading of Ordinance No. 151, 2000, Amending Chapter 26, Article III, Division 4 of the City Code Relating to User Fees and Charges for Water.
 - B. Second Reading of Ordinance No. 152, 2000, Amending Chapter 26, Article IV, Division 4 of the City Code Relating to Wastewater Fees and Charges.
 - C. Second Reading of Ordinance No. 153, 2000, Amending Chapter 26, Article VI, Division 4 of the City Code Relating to Electric Rates.
 - D. Second Reading of Ordinance No. 154, 2000, Amending Chapter 26, Article VII, Division 2 of the City Code Relating to Stormwater Fees.

As proposed in the 2000-2001 budget adopted by City Council, these ordinances, which were unanimously adopted on First Reading on October 17, 2000, increase the City's utility rates for water by 6%, wastewater by an average of 2%, and electric by an average of 2%. Stormwater

will be increased by 9.3%, slightly higher than originally projected. The rate increases for wastewater and electric vary by customer class. All changes will become effective on billings issued on or after January 1, 2001.

36. Second Reading of Ordinance No. 155, 2000, Amending the City Code to Adjust the Capital Improvement Expansion and Neighborhood Parkland Fees for Increases to Reflect Inflation, Based on the Denver-Boulder-Greeley Consumer Price Index.

This Ordinance, which was unanimously adopted on First Reading on October 17, 2000, increases the fee schedules for the Capital Improvement Expansion Fees and Neighborhood Parkland Fee by the change in the 2000 Denver-Boulder-Greeley Consumer Price Index. Costs in the Capital Improvement Expansion Fees (“CIEF”) Study and the fee schedule for the Neighborhood Parkland Fees were calculated using costs from 1995. The relevant governing provisions of the City Code call for increases to keep up with annual inflation, and the fees were last adjusted in late 1999.

*****END BUDGET CONSENT*****

37. Pulled Budget Consent Items.
38. Other Business.
39. Adjournment.

**NOTE: This meeting needs to be adjourned to November 14, 2000 at 6:00 p.m., to conduct the annual evaluations of the City Attorney, City Manager and Municipal Judge.

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 for assistance.