

District 4 Meeting with Kurt Kastein – Issues that Affect You
August 18, 2005
7:00-9:00 p.m.
Community Room, Harmony Library, 4616 S. Shields St.

Agenda of meeting:

1. Council Actions
2. Future Agenda Items
3. Occupancy Ordinance
4. Human Rights Protection Ordinance
5. Fall Land Use Code Update
6. Your Priorities

Recent Council Actions

1. Storm water Financing
 - Reviewing Water Budgeting in Spring
 - Water Tiers
 - Federal Government request that a conservation approach is utilized in order to increase Halligan
 - Storm water financing- extending the length of terms but not increasing rate this year
 - This gives option to reassess planned cap improvements over time
2. Cultural Neighborhood Plan
3. Eminent Domain Proceeding
4. Airport Master Plan – Debate about expansion 8500 to 10,000 feet, to allow more corporate jets
5. City Compensation & Benefits Review
6. Retreat held on August 5th to discuss Budget and Policy Plan
7. Timberline& Prospect SID – Owners will pay 2.5 million (including intersection improvements)
 - Adequate Public Facility Ordinance
 - Already adding Street Oversizing Fees
 - BOB – Vote to extend tax 10 years for transportation and CLRS
8. Alternative funding Options for Library Services – Fort Collins behind national average
 - There is a possible taxing district to include County or card fees

Kurt Kastein District 4 Meeting
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9. Support C&D on statewide ballot – Economic Recovery – 1 Billion for state transportation Improvement
 - Money for CSU/CU, etc plus K – 12

Question: What about Doug Bruce's objections? i.e.; TABOR. Referendum C & D help account for downturn in economy

Future Council Actions:

1. Occupancy
2. Human Rights Protection
3. City Manager's Suggested 2006-2007 Budget
4. SW Annexation – August 24, WS 9/27 & 10/18
5. Fall Land Use Code Update – WS 10/25 & 12/06
6. Strategic City Economic Action Plan
7. Cable TV Franchise Renewal Ordinance

Negotiations include:

- Basic cable package
- Public access
- Future changes

Questions: Are there other vendors?

- No since they own the infrastructure
- Federal Legislation requires a contract be awarded
- May enter into arbitration

Has the City looked at using electric wiring for broadband?

- Telecom Board is investigating
- Number One Issue is basic Cable Package

8. New Policy Agenda Items (next time) – This will result in a workplan giving City Manager direction

Occupancy Ordinance

- Party Land Use Code – defines number of residents in house based on family unit

Questions:

1. (Staff question) How does City define family?
 - Blood relationship
 - Does it include elderly parents?

Response: A "family" is currently defined as "an individual living alone, or either of the following groups living together as a single housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

(1) any number of persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship unless such number is otherwise specifically limited in this Land Use Code; or (2) any unrelated group of persons consisting of: a. not more than three (3) persons; or b. not more than two (2) unrelated adults and their related children, if any."

Since a family includes any number of related persons, elderly parents are included as family members.

2. Ram's Village is suffering financially for following law!
 - Need to enforce
 - **(Staff question)** Is a dwelling unit an apartment unit or a single family house?
Response: A dwelling unit is "one (1) or more rooms and a single kitchen and at least one (1) bathroom, designed, occupied or intended for occupancy as separate quarters for the exclusive use of a single family for living, cooking and sanitary purposes, located in a single-family, two-family or multi-family dwelling or mixed-use building."
Therefore, every apartment unit is a dwelling unit and every single family home is a dwelling unit.
3. **(Staff question)** What is relationship between parking and bedrooms for apartments, multi-family and single family units?
Response: Apartments and multi-family are the same thing. Parking for such buildings is based on the number of bedrooms per unit. The code requires 1.5 parking spaces for every one bedroom apartment unit, 1.75 parking spaces for every two bedroom apartment unit, 2 parking spaces for every 3 bedroom apartment unit, and 2.5 parking spaces for every four or more bedroom apartment unit. Single family dwellings are required to have one off-street parking space if the lot has more than 40' of street frontage, and two parking spaces if the lot has 40' or less of street frontage.

Human Rights Protection Ordinance

4. State law prohibits racial profiling
5. Kurt does not want to tie hands of police activities
6. **(Staff question)** What are "equal services" as listed in proposed HRPO? On September 6 City Council Meeting agenda
Response: I believe the general intent was access to all City services, although to my knowledge, a complete list of services was never actually specified.

Comment:

- In California this type of ordinance can limit civil police from keeping their duties to criminal offenses, and leave immigration issues to Federal Government
- Patriot Act Provision raised red flags – Local police can get Federal dollars to help enforce immigration issues
- Citizen requests a Resolution to support legal aliens (it can lead to punishing law abiders)

Fall Land Use Code Update

- Council needs to solicit more comprehensive input from previously not heard from groups, from landowners and business owners without holding it against them
 - Can't hold "Fiefdoms" in City departments (anecdotal evidence)

Randy: Thinks it is already high quality Code, we've done a lot with Zucker Report to implement streamlining development review

Woman: I can name 5 people who have difficulty but aren't willing to come forward due to "retribution"

Citizen: Fort Collins is a good city but would like to see some modification for bigger lot size

Schumm: He worked for condo developers who had four inspectors do inspection in one day making it hard for him to pass inspections. He got sideways with engineering inspector whose boss backed her and she failed him.

Possible thought:

Have one person overseeing each development proposal and provide accountability to each department below

Three (3) units per acre changed to five (5) units per acre (maybe less density would be better)

Distance on gas stations versus market driven

Kurt Kastein thinks we should make parking requirements easier

Does this include zoning changes?

Kurt does not want to throw out structure plan & parcels zoning

Yes, people can give input

Pete Wray: New Zone will be between Urban estate and natural area. Has not been done yet.

Questions and Answers

1. (Staff question) Does City have an ombudsman type person? Could they oversee development review?

Response: There is currently no such position. However, the City is in the process of hiring an Economic Advisor who will help provide focus on the City's future services in regards to economic vitality and related activities. It's possible that an ombudsperson type of function could be a reality at some future point.

2. Licensing fees for bicyclists:

(Staff question) Why are they not being licensed when they use the roads?

Response: The police department does not create laws or set such policy so I have no idea what discussions have occurred over the years regarding the institution of an ordinance which requires bike owners to purchase a license to help pay for the cost of maintaining our city roadways. However, I'll give you my best guess.

When I came to CSU in 1971 the city required all bike owners to purchase a license for their bikes so bicycles could be more easily identified if they were stolen. I don't know when this requirement was rescinded but believe it was before 1980. I couldn't tell you how the revenue was used when the requirement was in force. I have heard that the main reason this ordinance was vacated is because citizens simply refused to comply and the cost to administer the program was no longer reasonable. I believe this same thing would happen if we enacted a similar ordinance today to help pay for road repairs and that the following issues would make this program ineffective and inefficient:

A new bureaucracy would have to be added to the city to run the program which would reduce profits designated for road repairs. Also, the administration of such a system may not be feasible in light of the city's current economic situation.

I can't imagine that a license fee for bikes would generate enough income to significantly impact the extraordinary costs of road repairs in our city.

In order for a program like this to be successful, there would have to be ridged enforcement of the license requirement. Unfortunately FCPS does not have the resources available to make this a priority and it wouldn't take long for the citizens to realize that not much would happen if they refused to purchase a bike license.

- (Staff question) Why are bicycle infractions not enforced?

Response: At Police Services we respond to all calls based on priority and bike infractions are near the bottom of the list. Officers on patrol are expected to deal with bicycle traffic infractions if they observe them and have time to deal with them but other responsibilities like answering calls for service, traffic enforcement (motor vehicles), investigation of committed crime and community problem solving are a higher priority for us.

3. SW Annexation meeting:

- How do we get around the “quasi-judicial” issue and allow to hold meeting?
- Steve Roy responded it was okay

4. Drake & Shields Safeway

- a. Bikes/Cars near collisions (traveling north on Taft Hill on west side to school). Large trees blocks view.
- b. (Staff question) Devonshire Fire Signal. Could it be turned into a crossing signal?

Response: As far as the fire signal on Devonshire, the Fire Authority supports a crossing signal there to better citizen safety as long as it can still act as a fire signal. From a traffic engineering technical perspective, the signal could easily be turned into a pedestrian signal and still function as the fire signal as well. We would be required to install a cross-walk, an additional

pole, and the push buttons. This could be done at a cost of approximately \$5000, which is not included in our budget.

Taft Hill – children can't cross for 1 mile between Horsetooth & Drake (Primrose) SW corner has brick pillars – bikes going north on road against traffic. She almost hit him.

5. Compensation & Benefits

- 15 – 20% employee share of premiums is 33% raise
- 70th percentile of pay maximum ranges in not actually salary you're paid
- Top range is set at 70th percentile
- City Manager sent letter that 100 employees will be cut throughout the ranks
- Only fund certain things citizens want (BFO). A whole department can go away
- Why wouldn't we expect City employees to do 100% as opposed to 100% of the 70th percentile, we live in a choice city?

6. Kudos on BOB civility

(Staff question) What is Lincoln Center (LC) renovation?

Response: The Lincoln Center renovation consists of four primary areas:

1. South Lobby—expand entrance, add restrooms, add elevator to balcony level.
2. Flow Through Space—several smaller additions and reconfiguration in hallways and entrance areas to more fully accommodate heavy foot traffic.
3. Renovate Conference Rooms—update rooms to meet the needs of today's customer and increase rentability
4. Theaters—renovate fly space, add grid system, create dressing facilities and storage, improve acoustics and stage floor in mini-theater, update lighting and sound equipment in both.

The total cost for the project is \$11 million. Building on Basics includes \$5 million and the Lincoln Center is committed to pursuing additional dollars through fund-raising to complete as much of the project as possible.

What the Lincoln Center cannot do now:

When the building was originally built, no one predicted it would see 275,000 in annual attendance. Facilities are becoming worn, and structural changes are needed to make it function in the way its being used today. More restrooms, larger pathways, and entries, and an elevator will accommodate the high usage. The conference rooms require upgrades in technology and appearance to be valued in the marketplace, and generate income for its operations. The theaters are well attended, but the quality and caliber of performances is continually compromised by the limited fly height, and sound equipment. For example, 42nd

Street had 29 backdrops; out stage could only display 2, thus greatly reducing the production value. Fort Collins Children Theater need more wireless microphones than our sound console can handle, limiting their production. The Lincoln Center frequently has to rent equipment to meet sound needs, and the fly height precludes installing an appropriate orchestra shell. The mini-theater also runs on antiquated technology. These renovations are needed for the Lincoln Center to continue to serve as a viable performance and conference venue for the community.

7. Can you get public access not on Comcast?

(Staff question) Why doesn't City have what CSU has closed – circuit TV
Response: Only on Comcast, not on DISH.

(Staff question) Do other cities have competitors for providing cable?

Response: Some larger metropolitan areas have more than one cable company. For the most part, however, most cities only have one. The reason is that installing a cable system is very capital intensive, and therefore costly. Cable companies then want to recover those costs within the term of the franchise agreement. If there is more than one cable company, and the subscriber base is split, it takes much longer to recover the capital investment. The City has a non-exclusive franchise agreement with Comcast, which means a competitor could also negotiate an agreement with the City to install a system, but none have approached the City.

8. What about “NO on 1” money?

Response: This is part of \$90 million general fund still paying for services. Without this there would be a \$13 million cut not the current 8 million in cuts

Question: Does the City do an exception process every off-budget year?

Response: Yes. Council gets monthly revenue/costs/budget updates

Question: Is the City really in that bad of shape?

Response: 10 year (misuse by author) budget picture is a “wish list” (i.e.; land bank, put officers on street) Last year City spent into the Reserves. This year, we can't deficit spend, services will need to be reduced

Question: **(Staff question)** What does City charter demand we keep in Reserve?

Response: I am not aware of any Charter requirements regarding reserves.

The city does maintain reserves that are required by law or contract and serve a specific purpose. The City has some policies regarding reserves (see 2004-2005 Operating Budget, Financial Management Policies, page 120).

Question: CDOT funding transfer Harmony Road (from College to I-25)

\$13 million lump sum to City not to put in reserve to spend for road maintenance later.

9. What is opposition to doing grid system of busses & smaller vehicles?

Response: Transfort Allocation 4 years ago; Same \$ for same efficiency

Phase 2 – Mason Street Corridor

Needs \$60 million – Need City \$ to watch Federal

Council wants to skip 2

Phase 3 – Grid

Phase 4 – Full Build out with Grid

We get Federal dollar match for current fleet

Why are mini-busses less efficient?

Randy response: Ebb & flow with time of day, i.e.; storm drainage system is only use during floods.

10. Why did Council buy Abraxis Glass shop by 215 N. Mason, when citizens voted that down?

- Diggs response: The City is buying now at bargain price. City will develop the entire area by City Hall.
- “The heck with it.”

11. Who is responsible for accountability to citizens?

Collective Bargaining approved by citizens. City is now taking issue to court.

Kastein response: Asking arbitrators to decide what City employees are paid when Charter dictates City Manager to dictate City pay. The City did not put on ballot the FOP did.

12. Mason Street Corridor

\$20 million part of \$100 million improvement transit package?

Council won't ask again

May become a citizen initiative

13. Disappointed that Council didn't let citizen vote on Mason Street alone

Shouldn't portray citizens “vote against Mason Street” when it was bundled with other issues.

14. Les Kaplan critiqued City for Harmony Road re-zoning

Kastein response: We are going to look at several corridors. Do sub areas plans still fit?

15. Can performance reviews of City employee include citizen input? What about peer preview? Citizen input?

Kastein response: Darin guarantees by January 1, 2006, every employee gets performance review.

16. Why do parking lots not have straight lines? Crazy directions. Take away S-Curves!

- Kastein response: Darin Atteberry has been told we need to ease burden on parking for new developers. People don't follow codes. Kurt wants it relaxed, the Council needs to hear from developers.

Landscaping requirements may be part of problem with parking

We need to set up public meeting for Parking

Need citizen feedback in writing. We want citizen input. Bear Rock Home Depot

17. How many years out is City Plan?

Kastein response: 2025

18. Status of following items?

1. (Staff question) Spring Creek Park –

Response: Spring Canyon Community Park is on schedule for construction to start in early 2006 with the park being open to the public in 2007.

2. (Staff question) Four lane on Trilby to I-25?

Response: Trilby Road is designated on the City's Master Street Plan as a future 4-lane arterial street from US-287 to Timberline Road. East of Timberline, Trilby transitions to a 2-lane collector street servicing primarily residential development. This segment of Trilby meanders in a northeast fashion to meet up with the current Cambridge Avenue at Kechter Road. There are no plans to continue Trilby as a 4-lane arterial east to I-25.

3. (Staff question) Foothills Mall developers; What is status?

Response:

ACTION ITEM:

(Staff question) Have 10 year budget placed on web.

Response: It is currently there at <http://www.fcgov.com/budgetcrunch/history.php>.