

June 6, 2017

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

● **ROLL CALL**

PRESENT: Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak
Staff Present: Atteberry, Daggett, Winkelmann

● **AGENDA REVIEW: CITY MANAGER**

City Manager Atteberry noted Item No. 8, *Items Relating to the Adoption of the 2015 International Codes*, is a public hearing.

● **CITIZEN PARTICIPATION**

Eric Sutherland questioned the efficacy of spraying for mosquitos after someone gets sick and discussed short-term rentals.

Mel Hilgenberg stated the Fort Collins Rescue Mission should be moved to the old Fort Ram building. He suggested the old Fort Collins airport site or the Hughes Stadium site could be used for affordable housing.

Greg Levrette discussed the Citizens Review Board process regarding Fort Collins Police Services.

Cari Brown, ARC of Larimer County, expressed concern regarding the proposed change in Transfort Route 12.

Adam Eggleston discussed the U+2 Ordinance and requested information regarding the timeline of potential options for changes to that ordinance.

Taylor Summer expressed concern regarding the proposed change in Transfort Route 12.

Kim Miller thanked Council for its continued commitment to the Climate Action Plan. She stated local governments will need to take the lead in meeting climate goals and encouraged Mayor Troxell to add his name to the Climate Mayors' letter.

Andrew Bondi encouraged Mayor Troxell to add his name to the Climate Mayors' letter and encouraged Council to make more aggressive statements regarding meeting climate goals.

Chris Johnson, Bike Fort Collins, suggested a complete transit network and the support of mixed-income transit-oriented development are two of the most cost-effective measures cities can undertake to curb climate change.

Jana Newman stated Council should consider the repercussions of not joining the Climate Mayors' letter, vision, and goals.

Mary Ann Jacoboski expressed concern regarding the proposed change in Transfort Route 12.

Dennis (last name indecipherable) expressed concern regarding the proposed change in Transfort Route 12.

Robert Bradley discussed bus routes.

● **CITIZEN PARTICIPATION FOLLOW-UP**

Mayor Troxell stated he intends to discuss the Climate Mayors' letter during Other Business.

Councilmember Stephens thanked the speakers who addressed Route 12.

● **CONSENT CALENDAR**

Mayor Troxell opened the public hearing for Item No. 8, *Items Relating to the Adoption of the 2015 International Codes*.

Councilmember Overbeck withdrew Item No. 12, *First Reading of Ordinance No. 080, 2017, Designating the James Ross Proving-Up House Located at The Farm at Lee Martinez Park, 600 North Sherwood Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins*, from the Consent Agenda.

Councilmember Summers withdrew Item No. 4, *Items Relating to the Completion of the 2017 Spring Cycle of the Competitive Process for Allocating City Financial Resources to Affordable Housing and Community Development Activities Utilizing Funds from the Federal Community Development Block Grant (CDBG) Program, Federal HOME Investment Partnerships (HOME) Program the City's Affordable Housing Fund (AHF) and the City's Human Services Program (HSP)*, from the Consent Agenda.

Eric Sutherland withdrew Item No. 16, *Resolution 2017-054 Confirming a Process and Timeline to Seek Possible Resolution of Long Term Issues Regarding the Boxelder Basin Regional Stormwater Authority*, from the Consent Agenda.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to adopt and approve all items not withdrawn from the Consent Agenda.

Mayor Troxell closed the public hearing for Item No. 8.

RESULT:	CONSENT CALENDAR ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

1. **Consideration and Approval of the Minutes of the May 2 and May 16, 2017 Regular Council Meetings and the May 9, 2017 Adjourned Meeting. (Adopted)**

The purpose of this item is to approve the minutes from the May 2 and May 16, 2017 Regular Council meetings and the May 9, 2017 Adjourned Council meeting.

2. **Second Reading of Ordinance No. 064, 2017, Appropriating Unanticipated Grant Revenue in the General Fund and Authorizing the Appropriation of Restricted Northern Colorado Drug Task Force General Fund Reserves for Fort Collins Police Services 2017 Task Force Programs and Services. (Adopted)**

This Ordinance, unanimously adopted on First Reading on May 16, 2017, appropriates funds between accounts and projects for the multi-jurisdictional Northern Colorado Drug Task Force (NCDTF). Fort Collins Police Services applied to the Office of National Drug Control Policy and the Department of Justice on behalf of the NCDTF for federal grant monies to help fund the investigation of illegal narcotics activities in Larimer County. These grant awards will be used to offset joint task force operations. In addition, because of the significant decrease in federal funds available for drug enforcement, the drug task force is transferring \$288,853 from its forfeiture reserve account to its 2017 operating budget to cover unfunded expenses. The majority of the forfeiture reserve account is made up of assets seized from people engaged in illegal drug activities.

3. **Second Reading of Ordinance No. 065, 2017, Appropriating Prior Year Reserves in the Transportation Fund for the Elizabeth and Shields Underpass Improvement Project, and Transferring Appropriations to the Cultural Services and Facilities Fund for the Art in Public Places Program. (Adopted)**

This Ordinance, unanimously adopted on First Reading on May 16, 2017, appropriates \$280,000 from the Transportation Fund Reserves for traffic signal and pedestrian signal improvements associated with the Elizabeth and Shields Underpass improvement project. Colorado State University (CSU) is funding and constructing an \$8.7M pedestrian and bicycle underpass, and intersection lane improvements at the Elizabeth and Shields intersection. As part of this project, the City is upgrading the traffic signal system and constructing a new pedestrian/bicycle signal west of the intersection. The City's Traffic Operations Department will perform the construction work associated with this appropriation. The project is expected to be substantially complete in August 2017.

4. **Second Reading of Ordinance No. 069, 2017, Waiving Certain Fees for Housing Catalyst's Village on Redwood Affordable Housing Project and Appropriating Prior Year Reserves in Various City Funds to Refund Specified Fees. (Adopted)**

This Ordinance, unanimously adopted on First Reading on May 16, 2017, determines whether development fee waivers in the amount of \$100,708 will be provided to Housing Catalyst for its Village on Redwood affordable housing project pursuant to City Code, the Land Use Code and an Intergovernmental Agreement between the City of Fort Collins and the Fort Collins Housing Authority dated July 3, 2013 and, if granted, to make an appropriation to refund this amount to Housing Catalyst.

5. **First Reading of Ordinance No. 070, 2017, Appropriating Prior Year Reserves in the Capital Improvement Expansion Fund and in the Keep Fort Collins Great Tax Fund For Disbursement to the Poudre Fire Authority. (Adopted)**

The purpose of this item is to appropriate funds from the Fire Capital Expansion Account to Poudre Fire Authority (PFA) for payment of debt on Fire Station 4. Station 4, located at 1945 West Drake Road, was built through a Lease/Purchase funding source at a rate of 4%, with 20 installments. The Fire Capital Improvement Expansion Fund has been used to make the annual Lease/Purchase payments. The Lease/Purchase agreement allows for prepayment after December 18, 2017. Paying off the Station 4 Lease/Purchase will save Poudre Fire Authority \$451,000 in interest payments over the next ten years, and will allow Capital Expansion Fees to build for the future construction of PFA's next fire station. During the 2017 PFA Budget process, the Board of Directors directed staff to pay off the outstanding debt on Station 4, utilizing Capital Expansion Fees that have been collected for the benefit of PFA and held in an earmarked account.

6. **Items Relating to the Mulberry Street/State Highway 14 Bridge over the Poudre River. (Adopted)**

- A. Resolution 2017-050 Authorizing the Mayor to Execute a Contract Amendment to the Intergovernmental Agreement Between the City and the Colorado Department of Transportation for Construction of the Mulberry Street Bridge Across the Poudre River.
- B. First Reading of Ordinance No. 071, 2017, Appropriating Unanticipated Revenue in the Wastewater Fund for the State Highway 14 Bridge over the Poudre River Project.

The purpose of this item is to reconcile the City's financial contribution to the Colorado Department of Transportation's (CDOT) State Highway (SH) 14 Bridge over the Poudre River Project. The original Intergovernmental Agreement (IGA) estimated a base project cost of \$1,210,000, excluding a \$100,000 credit for work to be performed by the City. This Contract Amendment will amend the existing IGA between the City and CDOT to reflect a final reimbursement amount of \$1,155,885, the actual cost of the improvements excluding project credits. This item will also appropriate \$83,044 into the Wastewater Fund for work performed by the City.

7. **Items Relating to the Adoption of the 2015 International Codes. (Adopted)**

- A. Public Hearing and First Reading of Ordinance No. 072, 2017, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2012 International Building Code (IBC) and Adopting the 2015 International Building Code, with Amendments.
- B. Public Hearing and First Reading of Ordinance No. 073, 2017, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2012 International Energy Conservation Code (IECC) and Adopting the 2015 International Energy Conservation Code, with Amendments.
- C. Public Hearing and First Reading of Ordinance No. 074, 2017, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2012 International Residential Code (IRC) and Adopting the 2015 International Residential Code, with Amendments.
- D. Public Hearing and First Reading of Ordinance No. 075, 2017, Amending Chapter 5, Article IV, of the Code of the City of Fort Collins for the Purpose of Repealing the 2012 International Mechanical Code (IMC) and Adopting the 2015 International Mechanical Code, with Amendments.
- E. Public Hearing and First Reading of Ordinance No. 076, 2017, Amending Chapter 5, Article IV, of the Code of the City of Fort Collins for the Purpose of Repealing the 2012 International Fuel Gas Code (IFGC) and Adopting the 2015 International Fuel Gas Code, with Amendments.

The purpose of this item is to recommend adoption of the 2015 International Codes (I-Codes). The 2015 I-Codes represent the most up-to-date construction standards establishing minimum requirements to safeguard the public health, safety, and general welfare from hazards attributed to the built environment within the City of Fort Collins.

8. **First Reading of Ordinance No. 077, 2017, Amending the Fort Collins Traffic Code Regarding Stadium Events. (Adopted)**

The purpose of this item is to formally adopt a new violation of the Residential Parking Permit Program (RP3) for Colorado State University's (CSU) major stadium events. Consistent with the intergovernmental agreement (IGA) between the City and CSU, staff has worked with neighborhoods adjacent to the university campus to develop parking restrictions during major events at the new CSU stadium. Non-residents will not be permitted to park in participating neighborhoods during

football games or any events with an expected attendance of 12,000 or greater. City Parking Services staff will be enforcing these restrictions four hours prior to the start of an event until the end of the event.

9. **First Reading of Ordinance No. 078, 2017, Designating the Dairy Gold Creamery Laboratory located at 212 Laporte Avenue, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins. (Adopted)**

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with the procedures described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2017-017.

The purpose of this item is to designate the Dairy Gold Creamery Laboratory located at 212 Laporte Avenue, currently the Butterfly Café, as a Fort Collins Landmark. The Operation Services Department of the City of Fort Collins is initiating this request on behalf of the City as the owner. This structure is eligible for recognition as a Landmark due to its historic integrity and significance to Fort Collins under Designation Standard A, for its association with the twentieth-century dairy industry in Fort Collins; and Standard C, for the building's Modernist design with Googie influences, which well represents the trend as expressed in this community in the late 1950s and early 1960s.

10. **First Reading of Ordinance No. 079, 2017, Designating the Continental Oil Company Property Located at 225 Maple Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins. (Adopted)**

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with the procedures described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2017-017.

The purpose of this item is to designate the Continental Oil Company Property located at 225 Maple Street as a Fort Collins Landmark. This building currently houses FoCo Café. The Operation Services Department of the City of Fort Collins is initiating this request on behalf of the City as the owner. The Continental Oil Company Property consists of a warehouse/office building, shop/garage, and a pump house. Each of these buildings is eligible for recognition as a Landmark due to its historic integrity and significance to Fort Collins under Designation Standard A, for its association with the early industrial growth of the early twentieth-century occurring near the railroads and river; and Standard C for its early twentieth-century design characteristics.

11. **Resolution 2017-051 Stating the Intent of the City of Fort Collins to Annex Certain Property and Initiating Enclave Annexation Proceedings for Such Property to be Known as the Blehm-Homestead Annexation. (Adopted)**

This is a City-initiated request to annex a 109-acre enclave consisting of 28 parcels into the City of Fort Collins. The parcels became an enclave with the annexation of the Kechter Farm Annexation on May 16, 2014. As of May 16, 2017, the City is authorized to annex the enclave by ordinance in accordance with Colorado Revised Statutes §31-12-106. The Blehm-Homestead Enclave Annexation is located in southeast Fort Collins, abuts Kechter Road to the north and south and is situated between Ziegler and South Timberline Roads. The requested zoning for this annexation is the Urban Estate (UE) zone district, which complies with the City of Fort Collins Structure Plan. The surrounding properties are existing residential and education land uses. Through current outreach efforts, staff is not aware of any objections to the annexation and zoning of the Blehm-Homestead Enclave.

The proposed Resolution makes a finding that the land area has been completely contained within the boundaries of the City for not less than three years, initiates annexation proceedings, sets a hearing date for the annexation ordinance and directs the City Clerk to publish notice. The hearing will be held at the time of first reading of the annexation and zoning ordinances; not less than thirty days of prior notice is required by state law. Through current outreach efforts, staff is not aware of any objections to the annexation and zoning of the Blehm-Homestead Enclave.

12. **Resolution 2017-052 Approving Fort Fund Grant Disbursements. (Adopted)**

The purpose of this item is to approve Fort Fund grants from the Cultural Development and Programming and Tourism Programming Accounts for the selected community and tourism events, based upon the recommendations of the Cultural Resources Board.

13. **Items Relating to an Intergovernmental Agreement with Larimer County for Jail Services. (Adopted)**

- A. Resolution 2017-053 Authorizing an Intergovernmental Agreement with Larimer County for Jail Services.
- B. First Reading of Ordinance No. 084, 2017, Appropriating Prior Year Reserves in the General Fund for Larimer County Jail Services.

The purpose of this item is to authorize the City Manager to enter into a new intergovernmental agreement (IGA) with Larimer County relating to the City's use of the Larimer County Jail for municipal defendants and appropriate funding to pay for services for 2017. The proposed IGA would be effective through the end of 2018 and reserves 3 beds at the jail for use by Fort Collins Municipal Court defendants at a significantly increased cost to the City.

14. **Resolution 2017-055 Making Appointments to the Air Quality Advisory Board, Citizen Review Board, Senior Advisory Board and Transportation Board of the City of Fort Collins. (Adopted)**

The purpose of this item is to appoint individuals to fill vacancies that currently exist on the Air Quality Advisory Board, the Citizen Review Board, the Senior Advisory Board and the Transportation Board due to resignations of board members. During the fall recruitment period applicants were selected to step into a future vacancy on the Transportation Board. Applications continued to be solicited for the Air Quality Advisory Board and the Senior Advisory Board. Council teams interviewed applicants for the Air Quality Board and the Senior Advisory Board during May.

● **END CONSENT**

● **STAFF REPORTS**

Jackie Kozak-Thiel discussed the visit to the Room at the Inn in Nashville, a best practice model in community-based sheltering.

Jackson Brockway, Graduate Management Assistant, discussed the pilot year for the Safe Place to Rest project. He stated the project is a simple, volunteer-driven model to provide flexible overnight shelter options for those experiencing homelessness during the coldest months of the year from November to April. The model provides emergency overflow shelters and a community-centered approach to shelter that seeks to bring the community together to address challenging issues such as homelessness. Nightly operations started at Catholic Charities with staff-facilitated intake of guests, breathalyzer tests, and provided transportation to each site. Transportation was then provided to the Rescue Mission for breakfast.

Holly LeMasurier, Outreach Fort Collins Program Director, recognized the team of volunteers and partners that provided over 1,200 hours of community service to this project. She stated the key strategy for year two is to develop a community-based coordination system and gradually reduce the role of the City in day-to-day operations.

● **COUNCILMEMBER REPORTS**

Councilmember Overbeck reported on the groundbreaking for the new Maple Hill Park.

Councilmember Cunniff reported on Fort Collins' hosting of a statewide solid waste summit.

Mayor Troxell noted Susie Gordon, Environmental Program Manager, received a lifetime achievement award as part of the solid waste summit.

Mayor Pro Tem Horak reported on the Platte River Power Authority board meeting and the tri-city water districts of Greeley, Loveland and Fort Collins.

Councilmember Overbeck stated he attended the signing of Senate Bill 278 on rolling coal.

Councilmember Martinez reported on speaking at the Family Leadership Institute hosted by Larimer County and CSU.

● **CONSIDERATION OF COUNCIL-PULLED CONSENT ITEMS**

15. **Items Relating to the Completion of the 2017 Spring Cycle of the Competitive Process for Allocating City Financial Resources to Affordable Housing and Community Development Activities Utilizing Funds from the Federal Community Development Block Grant (CDBG) Program, Federal HOME Investment Partnerships (HOME) Program the City's Affordable Housing Fund (AHF) and the City's Human Services Program (HSP). (Adopted on Second Reading)**

A. *Second Reading of Ordinance No. 066, 2017, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund.*

B. *Second Reading of Ordinance No. 067, 2017, Appropriating Unanticipated Revenue in the HOME Investment Partnerships Fund.*

Ordinance No. 066, 2017, appropriates the City's FY2017 Community Development Block Grant (CDBG) Entitlement Grant (estimated at 75% of prior year). Ordinance No. 067, 2017, appropriates the FY2017 HOME Participating Jurisdiction Grant (estimated at 75% of prior year) from the Department of Housing and Urban Development (HUD), and CDBG Reconciled funds and HOME Program Income from FY2016. Both Ordinances were unanimously adopted on First Reading on May 16, 2017.

Councilmember Summers questioned the funding allocation for the Alliance for Suicide Prevention. He discussed high suicide rates in the community and stated he would like to see additional funding for that topic area.

Beth Sowder, Social Sustainability Director, stated the Community Development Block Grant (CDBG) Commission is the team that reviews, deliberates, and provides recommendations for funding.

Councilmember Summers stated he would like to see additional funds prioritized for this topic.

Sowder noted Council would need to approve any change in funding other than allotting additional funding proportionately.

Councilmember Stephens stated the CDBG Commission work is very difficult as there is not enough funding; however, she supported providing additional funding if available.

City Attorney Daggett noted the allocation of the funding was approved by Resolution on May 16 and if there is a desire to make a change, proper public notice and a revision of that Resolution would be required.

Councilmember Martinez asked if the Alliance for Suicide Prevention is independent or part of Larimer County. Sowder replied it is an independent non-profit entity and noted it receives funding from a variety of sources.

Councilmember Cunniff stated he would not necessarily support removing funding from another entity in order to fully fund the request; however, he would be interested in partnering with the Alliance to help further its goals.

Councilmember Summers discussed high teen suicide rates in the community.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Stephens, to adopt Ordinance No. 066, 2017, on Second Reading.

Mayor Pro Tem Horak noted the CDBG Commission process is very analytical and thorough. He stated any examination of funding needs to be done comprehensively.

RESULT: **ORDINANCE NO. 066, 2017, ADOPTED ON SECOND READING [UNANIMOUS]**
MOVER: Gerry Horak, District 6
SECONDER: Kristin Stephens, District 4
AYES: Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

Mayor Pro Tem Horak made a motion, seconded by Councilmember Stephens, to adopt Ordinance No. 067, 2017, on Second Reading.

RESULT: **ORDINANCE NO. 067, 2017, ADOPTED ON SECOND READING [UNANIMOUS]**
MOVER: Gerry Horak, District 6
SECONDER: Kristin Stephens, District 4
AYES: Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

16. First Reading of Ordinance No. 080, 2017, Designating the James Ross Proving-Up House Located at The Farm at Lee Martinez Park, 600 North Sherwood Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.
(Adopted on First Reading)

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with the procedures described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2017-017.

The purpose of this item is to designate the James Ross Proving-Up House currently located at The Farm at Lee Martinez Park, 600 North Sherwood Street, as a Fort Collins Landmark. The Recreation Department of the City of Fort Collins is initiating this request on behalf of the City as the owner. The 1890 vernacular, proving-up structure is eligible for recognition as a Landmark due to its historic integrity and significance to Fort Collins under Designation Standard A, for its association with

homesteading, Standard B, for its association with the Ross family, and Standard C, for its identifiable design and construction.

Councilmembers Overbeck and Cunniff recused themselves from this item, due to a conflict of interest.

Mayor Troxell noted this is a quasi-judicial item.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Martinez, to adopt Ordinance No. 080, 2017, on First Reading.

Councilmember Stephens stated this property has to do with the Homestead Act of 1862.

RESULT:	ORDINANCE NO. 080, 2017, ADOPTED ON FIRST READING [5 TO 0]
MOVER:	Gerry Horak, District 6
SECONDER:	Ray Martinez, District 2
AYES:	Martinez, Stephens, Summers, Troxell, Horak
RECUSED:	Overbeck, Cunniff

● **DISCUSSION ITEMS**

17. **Resolution 2017-056 Adopting Council Retreat Priorities for 2017-2019. (Adopted)**

The purpose of this item is to adopt the City Council Priorities as identified during the May 2017 retreat.

City Manager Atteberry stated this list of priorities is the outcome of Council's May retreat. The priorities become an integral part of Council's overall strategy and budget resource allocation process. A quarterly update on the Council priority dashboard will be provided.

Councilmember Martinez made a motion, seconded by Councilmember Stephens, to adopt Resolution 2017-056.

Councilmember Summers suggested ongoing evaluation, discussion and prioritization in order to allow flexibility. He requested information regarding "museum integration." Mayor Troxell replied he put that item forward to address grass roots museum facilities and resources.

Mayor Pro Tem Horak requested staff comment regarding the process moving forward. Kelly DiMartino, Assistant City Manager, replied the next step will be placement of the approved list into the Council Priorities Dashboard, from which specific action items and items that require more in-depth policy discussion will result. A quarterly report on that Dashboard will be provided. City Manager Atteberry noted several of the items are already moving forward in terms of funding, policy discussions, or projects.

RESULT:	RESOLUTION 2017-056 ADOPTED [UNANIMOUS]
MOVER:	Ray Martinez, District 2
SECONDER:	Kristin Stephens, District 4
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

18. Resolution 2017-057 Directing the City Manager to Begin 365 Days Per Year Public Transportation Service. (Adopted)

The purpose of this item is to provide direction to staff on a 365 service option for public transportation and to authorize the initiation of such transit service in August 2017.

Kurt Ravenschlag, Transfort and Dial-a-Ride General Manager, stated this item offers four options for a level of service that would provide transit service 365 days a year. Council approved half of the funding necessary for 365-day service for MAX and 4 Transfort routes and directed staff to seek funding partners for the additional funds. Two funding partners, ASCSU and Colorado State University administration, have been identified; however, a funding shortfall of about \$217,000 still exists.

Ravenschlag described the four options for 2017: Option 1 provides MAX plus two additional routes, Option 2 provides MAX plus three additional routes, Option 3 provides MAX plus five routes; however, it would include service cuts that would allow for the service to operate annually without a deficit, and Option 4 is the same as Option 3 but would only cut service for 2017 and would increase the budget for 2018. He discussed the options for 2018.

John Sears supported the expansion of Dial-a-Ride service to Sundays.

Cheryl Distaso, Fort Collins Community Action Network, supported adoption of Option 4.

Cari Brown, ARC of Larimer County, discussed the importance of transit for people with disabilities and supported adoption of Option 4.

Michael Devereaux supported adoption of Option 4 for full Sunday bus service.

Andy (no last name given) supported adoption of Option 4.

Robert Bradley supported Sunday bus service.

Daniela (no last name given) supported adoption of Option 4.

Councilmember Cunniff thanked the speakers and asked how many routes could be extended to 11 PM during the week for the nearly \$500,000. Ravenschlag replied it would likely fund five or six routes.

Councilmember Martinez requested staff input regarding Dr. Frank's comments regarding the focus on Sunday service. City Manager Atteberry replied he will be drafting a response to Dr. Frank and stated CSU has expressed a commitment to funding with the caveat the University and City will work together to develop service plans in the future. CSU's funding will disappear should an agreement not be reached.

City Manager Atteberry noted Option 4 comes with a significant funding gap; therefore, staff will need to make recommendations for cuts and proposed resources.

Councilmember Martinez stated his vote may be dependent upon what would be cut to provide funding for Option 4. Mike Beckstead, Chief Financial Officer, replied these services should not be started then stopped; therefore, ongoing revenue is necessary. One-time money could be used temporarily; however, that would affect future ongoing funding requirements.

City Manager Atteberry stated the update of the Transportation Master Plan will help resource these conversations and those with CSU and ASCSU.

Councilmember Martinez asked how frequently the Transportation Master Plan is updated. Ravenschlag replied it is approximately every ten years.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt Resolution 2017-057, Option 4.

Mayor Pro Tem Horak stated \$140,000 is needed; however, not until the end of 2018. He stated 365-day service should happen in Fort Collins and it is worthwhile to proceed.

Mayor Troxell requested staff input regarding Dial-a-Ride in the context of this proposal. Ravenschlag replied Dial-a-Taxi service is currently available on Sundays for Dial-a-Ride clientele and that will continue. Additionally, Dial-a-Ride service will be provided within $\frac{3}{4}$ of a mile of any of the fixed routes operating on Sundays and holidays.

Councilmember Martinez asked if Option 4 is a preferred option for CSU. City Manager Atteberry replied increase transit service is always a better option for students, though the University may prefer other services to be considered prior to 365-day service.

Councilmember Cunniff requested information regarding the Transportation Board's opinions. Ravenschlag replied the item went before the Board during the Budgeting for Outcomes process during which time the Board supported moving forward with Sunday service; however, the Board has not considered these options.

Councilmember Martinez asked how Option 4 would affect Route 12. Ravenschlag replied there would be no evening service reductions proposed for Route 12 with Option 4; however, there is a separate process regarding potential service and route changes.

Councilmember Cunniff expressed support for Option 2 and stated he would oppose the motion.

Councilmember Stephens stated she would support the motion.

Councilmember Overbeck stated he would support the motion.

Mayor Pro Tem Horak read a letter supporting Sunday bus service from a 6-year-old citizen.

Councilmember Martinez asked if the adoption of Option 4 would hurt the relationship with CSU. City Manager Atteberry replied in the negative and stated Dr. Frank has shared his thoughts on prioritization and has requested participation in the future of transit in the city.

Councilmember Martinez asked if drivers will receive time and a half pay on holidays. City Manager Atteberry replied in the affirmative.

Mayor Pro Tem Horak stated he does not see this as a guarantee for MAX plus five routes service in the future but rather an opportunity to gather data; however, it is not likely Sunday service will be removed in the future.

City Manager Atteberry noted these routes will need to meet certain performance standards.

Councilmember Stephens asked if staff has analyzed the impact of this option on the City's climate action goals. City Manager Atteberry replied in the affirmative.

Councilmember Stephens requested additional details on that topic for the future and suggested capturing the number of students riding in order to provide data for future funding requests.

Mayor Troxell stated he would support the motion given citizen support and thanked CSU for its partnership.

RESULT:	RESOLUTION 2017-057 ADOPTED [6 TO 1]
MOVER:	Gerry Horak, District 6
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Horak
NAYS:	Cunniff

(Secretary's Note: The Council took a brief recess at this point in the meeting.)

19. Items Relating to Capital Expansion Fees and the Electric Capacity Fee. (Adopted on Second Reading)

- A. *Second Reading of Ordinance No. 049, 2017, Amending Chapters 7.5, 8 and 24 of the Code of the City of Fort Collins Concerning Revisions to Terminology and Decreases and Phased Increases of the Capital Expansion Fees and Amending Section 3.3.2(G) of the Land Use Code to Revise Related Terminology.*
- B. *Second Reading of Ordinance No. 068, 2017, Amending Chapter 26 of the Code of the City of Fort Collins Regarding Calculation and Collection of Development Fees Imposed for the Construction of New or Modified Electric Service Connections.*

These Ordinances, unanimously adopted on first reading on May 16, 2017, adopt fee recommendations for capital expansion and transportation expansion fees and electric capacity fees effective beginning October 1, 2017. On first reading, Alternative 2 of Ordinance No. 049, 2017 was adopted, which provides for fee increases without any phasing in amounts less than what is recommended in the studies for the Capital Expansion Fees and the Transportation Expansion Fee for the lesser amount recommended in those studies.

Alternative 3 will be presented to Council as requested. It provides funding for transportation improvements.

A new Section 30 has been added to the Ordinance to direct the City Manager to appoint a working group of citizens and City staff to further study the issue of capital expansion and transportation expansion fees. This includes the appointment of a member of Council to act as a communications liaison between the Council and the City Manager and his working group.

Discussion arose during First Reading of the Ordinance about how the new fees would apply to projects that are currently in the entitlement pipeline. Two suggested alternatives have been provided for Council consideration.

Tiana Smith, Revenue and Project Manager, stated Council voted unanimously for Alternative 2 on First Reading. She discussed the proposed working group and its intent. She noted there is no phasing with Alternatives 2 and 3 and stated the main difference between the two is the option for transportation capital expansion fees. There are two options for when fees would be

applicable, either at the time of submission of the completed development application or at submission of the building permit application.

City Attorney Daggett made a suggestion regarding the placement of language in the Ordinance.

Eric Sutherland requested assurance fees are being collected according to City Code and discussed Timnath's collection of fees and use of tax increment.

Kevin Jones, Chamber of Commerce, read a letter from the Chamber expressing concern regarding housing costs in the community but supporting adoption of Alternative 2 with Option B.

Adam Eggleston supported Alternative 2 and the proposed working group.

Rob Cagen discussed parks and noted maintenance is becoming an issue in terms of existing parks.

Councilmember Cunniff requested information regarding the current timing of fee payments. Tom Leeson, Community Development and Neighborhood Services Director, replied fees are currently paid at the time of building permit.

Councilmember Cunniff asked how much time typically lapses between final plan submission and issuance of a building permit. Leeson replied it is highly variable. Applicants have three years to submit a final plan once a project development plan is approved. Typically, building permits are turned around in one to two years.

Councilmember Cunniff asked how often building permits do not get issued after final plan submittal. Leeson replied it is infrequent recently; however, during the recession, it occurred more often.

Councilmember Martinez asked about locking in fees during the development process rather than being responsible for fee rates at the time of building permit. Leeson replied Option 1 would change fees to be applicable based on the time of the complete development application submittal.

Councilmember Overbeck asked about the composition of the proposed working group. Smith replied a recommendation was made to include a hotel builder as someone from commercial development.

Councilmember Overbeck suggested adding up to three citizens-at-large. City Manager Atteberry replied his goal is always to create a balanced group. He stated it is Council's prerogative to opt to include a Councilmember liaison.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 049, 2017, Option 2, as amended, on Second Reading, and include Councilmember Cunniff as the liaison.

Councilmember Cunniff made a motion, seconded by Councilmember Stephens, that the chart included as attachment 4 to the AIS be substituted for the chart published in Section 16 on pages 10 and 11 of Ordinance No. 049, 2017.

Councilmember Cunniff stated his amendment is essentially for Option 3. He discussed the use of vehicle miles travelled and stated this option could ultimately lead to a reduction in fees for projects that help to accomplish Transit Master Plan objectives.

Councilmember Stephens supported the methodology and use of vehicle miles travelled.

Councilmember Cunniff supported Option 3 stating the methodology is strong and supported by a variety of sources. He stated there is a strong nexus between the planning process and fees.

Councilmember Overbeck expressed support for Option 3.

Mayor Pro Tem Horak stated he would not support the amendment despite supporting its concept. He stated this is an interim solution and expressed concern regarding a major change in methodology.

Councilmember Summers agreed with Mayor Pro Tem Horak.

Councilmember Cunniff noted Option 3 is not new and was available on First Reading.

Mayor Troxell stated he would oppose the amendment.

The vote on the motion to amend was as follows: Yeas: Overbeck, Cunniff and Stephens. Nays: Summers, Horak, Troxell and Martinez.

THE MOTION FAILED.

Councilmember Summers requested information regarding the main motion. Mayor Pro Tem Horak replied the main motion is for Alternative 2 with fees being paid at time of building permit and appointing Councilmember Cunniff to be the liaison for the working group.

Councilmember Summers requested additional information regarding charging fees at the time of plan approval. Leeson replied the proposal would put fees in effect at the time of a complete development application and this Ordinance would go into effect on October 1, 2017; therefore, any complete development application submitted prior to that date would fall under the current fee schedule regardless of when a permit is pulled.

Councilmember Cunniff stated he would support the main motion and discussed the potential role of the Council liaison. He expressed concern regarding at least a \$1,000,000 of verifiable impacts to growth that are not being assessed.

Councilmember Stephens stated she would support the original motion despite concerns about the \$1,000,000 loss. She supported involving affordable housing in the scope of the working group.

Councilmember Overbeck stated he would support the motion and supported the formation of a working group.

Councilmember Summers agreed affordable housing should be involved in the scope of the working group.

Councilmember Martinez asked what types of resources will be required for the working group.

Smith replied the recommendation, upon approval, is for 1.5-hour monthly meetings for an undetermined amount of time. City Manager Atteberry stated no extra staff will be required, though extra time will be required. The determination is that the process will add value.

RESULT:	ORDINANCE NO. 049, 2017, OPTION 2, AS AMENDED, ADOPTED ON SECOND READING [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 068, 2017, on Second Reading.

RESULT:	ORDINANCE NO. 068, 2017, ADOPTED ON SECOND READING [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

20. **Items Relating to the Lease Financing of the Firehouse Alley Parking Garage. (Adopted on First Reading)**

- A. *First Reading of Ordinance No. 081, 2017, Authorizing the Leasing of Certain City Property and the Execution and Delivery by the City of a Site Lease, a Lease Purchase Agreement, and Other Documents and Matters in Connection with the Financing of the City's Acquisition of Certain Parking Facilities; Setting Forth Certain Parameters and Restrictions with Respect to the Financing; and Providing for Other Matters Related Thereto.*
- B. *First Reading of Ordinance No. 082, 2017, Appropriating the Lease Financing Proceeds in the Capital Projects Fund to be Used for the Purchase of a Portion of the Firehouse Alley Parking Structure and to Pay for Related Lease Financing Costs.*

The purpose of this item is to authorize the financing and acquisition of the Firehouse Alley Parking Structure. Total costs are projected to be \$8,430,000. The City will acquire approximately 216 spaces located on the second and third floors.

John Voss, Controller, stated this item addresses the lease financing arrangement to acquire the Downtown parking garage.

Josh Birks, Economic Health and Redevelopment Director, stated parking is highlighted as a need throughout various City plans, specifically through public/private partnerships. This lot will provide 323 physical parking spaces, 216 of which are considered public parking. Birks reviewed the history of the project and Council's involvement therein.

Voss stated the term of the lease is ten years with the first payments beginning in January 2018. The Senior Center is the asset which will be leased to help pay for the financing in order to attract more investors for more favorable terms and rates.

Eric Sutherland stated this amount is equivalent to providing ten years of Sunday Transfort service. Little evidence regarding revenue and operation and maintenance costs has been provided. Council is not observing constitutional limitations regarding tax increment financing.

Councilmember Overbeck asked how many EV stations will be provided at the parking garage. Birks replied the facility will include a solar equivalent to offset most of the electrical use of the parking structure and there will be 9 EV spaces with 3 having charging stations to start. There will be flexibility in the type of stations installed.

Councilmember Stephens asked about the cost per parking stall. Birks replied the cost per stall is approximately \$35,000; however, land costs are not included.

Councilmember Cunniff congratulated staff on coming in under projections for the cost.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt Ordinance No. 081, 2017, on First Reading.

Mayor Troxell stated this is a good news item.

Councilmember Martinez asked how security will be handled at the parking structure. Birks replied the plan calls for more security cameras than are in existing parking structures and the operations will utilize the same security service utilized in existing structures.

Councilmember Stephens commended the public/private partnership and suggested some type of wayfinding app or other means to direct drivers to the garages rather than circling Old Town for parking.

RESULT: **ORDINANCE NO. 081, 2017, ADOPTED ON FIRST READING [UNANIMOUS]**
MOVER: Gerry Horak, District 6
SECONDER: Bob Overbeck, District 1
AYES: Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt Ordinance No. 082, 2017, on First Reading.

RESULT: **ORDINANCE NO. 082, 2017, ADOPTED ON FIRST READING [UNANIMOUS]**
MOVER: Gerry Horak, District 6
SECONDER: Bob Overbeck, District 1
AYES: Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

21. First Reading of Ordinance No. 083, 2017, Appropriating and Transferring Prior Year Reserves in the General Fund and Appropriating Prior Year Reserves in the Light and Power Fund for Broadband Strategic Support Services. (Adopted on First Reading)

At the May 9, 2017, Council Work Session discussion concerning the City's Broadband efforts, staff highlighted the need to dedicate resources to support further development and details associated with a Municipal Retail model. Staff is requesting \$160k of one-time funding to be appropriated for consulting support per the current work scope. The effort to develop a more detailed Municipal Retail fiber internet service model will run in parallel with staff efforts to issue a Request for Proposal (RFP) to explore a third party alternative. As the work scope describes, consultants will work with City staff to develop details around how to launch a Municipal Retail fiber internet service. Those plans will enable the City, upon approval by Fort Collins voters authorizing the City to move forward, to immediately begin the effort, issue RFPs to support the design and construction, and begin internal processes for call centers, billing, marketing, sales, etc.

Mike Beckstead, Chief Financial Officer, stated this item addresses the use of additional resources for the City's broadband efforts.

Eric Sutherland discussed Council's previous adoption of an Ordinance related to broadband.

Councilmember Cunniff made a motion, seconded by Councilmember Overbeck, to adopt Ordinance No. 083, 2017, on First Reading.

Mayor Pro Tem Horak asked how many hours will be requested of the consultants. Beckstead replied that one will be full-time and the other 24 hours per week; one is local, and the other is out of state.

Mayor Pro Tem Horak asked if the consultants would continue working once an item is placed on the ballot. Beckstead replied that would be his recommendation.

Councilmember Summers asked about the future of consultants in 2018. Beckstead replied he would avoid making any commitments to either of the consultants regarding the long-term.

Councilmember Martinez asked how long the consultants will be employed. Beckstead replied his proposal is to set up contracts with at-will termination; however, the intent is to have the contract run through the end of 2017.

Mayor Troxell stated he would support the item.

Councilmember Stephens stated she would support the item and stated this expenditure is prudent.

Councilmember Martinez stated he would cautiously support the item but encouraged due diligence in exploring a partnership as well.

RESULT:	ORDINANCE NO. 083, 2017, ADOPTED ON FIRST READING [6 TO 1]
MOVER:	Ross Cunniff, District 5
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Overbeck, Troxell, Cunniff, Horak
NAYS:	Summers

22. Resolution 2017-058 Making Certain Appointments to the Regional Water Collaboration Steering Committee. (Adopted)

The purpose of this item is to appoint Councilmembers to represent the City Council on the Regional Water Collaboration Steering Committee.

Mayor Pro Tem Horak stated he is currently on the committee and is interested in remaining.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to adopt Resolution 2017-058, with the names of Mayor Pro Tem Horak and Councilmember Cunniff inserted in the Resolution.

RESULT:	RESOLUTION 2017-058 ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

● **CONSIDERATION OF CITIZEN-PULLED CONSENT ITEMS**

23. **Resolution 2017-054 Confirming a Process and Timeline to Seek Possible Resolution of Long Term Issues Regarding the Boxelder Basin Regional Stormwater Authority. (Adopted)**

The purpose of this item is to confirm a process and timeline for a working group of member entities (City, County, Town) to formulate and develop possible modifications to the Boxelder Basin Regional Stormwater Authority (the Authority) Intergovernmental Agreement (Boxelder IGA).

Eric Sutherland discussed the Boxelder Stormwater Authority and stated the City is off track.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt Resolution 2017-054.

Mayor Pro Tem Horak stated this is part of the movement to determine who will care for the two structures and to ensure members are being treated fairly.

RESULT:	RESOLUTION 2017-054 ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

● **OTHER BUSINESS**

Mayor Pro Tem Horak requested and received Council support for the placement of the occupancy study on Council's agenda.

Councilmember Cunniff stated he could potentially support a change in zones that currently allow an exemption process for extra occupancy and a study of why that process is underutilized.

Mayor Pro Tem Horak requested the City Manager provide a memo regarding the possible format of the study.

Mayor Troxell stated Council is committed to the Climate Action Plan and noted two letters were submitted in January and February. He supported Fort Collins' deliberative process and historical restraint in pursuing national and international issues at the city level.

Jackie Kozak-Thiel, Social Sustainability Director, stated the City joined the Mayors' National Climate Action Agenda in 2015, and following a lengthy process through the Legislative Review Committee, Fort Collins signed on to the Mayors' Climate Action letter. The City found the Paris Agreement to be in alignment with the City's goals. This new letter focuses on honoring the Paris Agreement and its goals. Fort Collins goals are more aggressive than those of the Paris Agreement.

Mayor Troxell requested Council input regarding how to proceed.

Councilmember Cunniff thanked Mayor Troxell for bringing the item before Council and supported the Mayor signing the letter.

Mayor Troxell stated he would rather place a focus on best practices and implementation.

Councilmember Overbeck supported the process and the letter.

Mayor Troxell supported the letter.

- **Consideration of a motion to cancel the June 20, 2017 Regular Council meeting.**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to cancel the June 20, 2017 Council meeting, as permitted under Section 2-28 of the City Code, due to the schedule conflict with the Colorado Municipal League conference.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

- **Consideration of a motion to call a special meeting for 6:00 p.m., Tuesday June 27, 2017.**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, pursuant to Section 2-29(a) of the City Code, to call a Special Meeting of the Council for 6:00 PM on Tuesday, June 27, 2017, to be held at City Hall, 300 LaPorte Avenue, for the purpose of conducting the mid-year evaluations of the City Manager, City Attorney, and Municipal Judge.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

- **Consideration of a motion to move the Tuesday, July 4 Regular Council meeting to 6:00 p.m., Wednesday, July 5, 2017.**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, as permitted under Section 2-28 of the City Code, to reset the regularly scheduled July 4, 2017 City Council meeting to Wednesday, July 5 at 6:00 PM due to the national holiday on Tuesday, July 4.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

- **Consideration of a motion to call a special meeting for 6:00 p.m., Tuesday, August 8, 2017.**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, pursuant to Section 2-29(a) of the City Code, that the City Council shall call a Special Meeting of the Council for 6:00 PM on Tuesday, August 8, 2017, to be held at City Hall, 300 LaPorte Avenue,

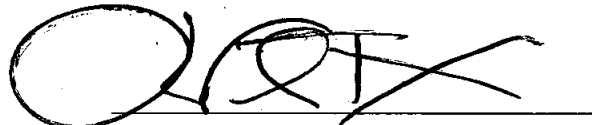
for the purpose of considering matters related to broadband and other telecommunication services in Fort Collins, and taking related actions.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

• **ADJOURNMENT**

The meeting adjourned at 10:15 PM.





Mayor

ATTEST:



City Clerk