



Karen Weitkunat, Mayor
Gerry Horak, District 6, Mayor Pro Tem
Bob Overbeck, District 1
Lisa Poppaw, District 2
Gino Campana, District 3
Wade Troxell, District 4
Ross Cunniff, District 5

City Council Chambers
City Hall West
300 LaPorte Avenue
Fort Collins, Colorado

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Carrie Daggett
Interim City Attorney

Darin Atteberry
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**Regular Meeting
November 4, 2014
(Revised 11/3/14)**

**Proclamations and Presentations
5:30 p.m.**

A. Proclamation Declaring November 25-December 10 as 16 Days of Activism Against Gender Violence.

**Regular Meeting
6:00 p.m.**

- PLEDGE OF ALLEGIANCE
- CALL MEETING TO ORDER
- ROLL CALL
- AGENDA REVIEW: CITY MANAGER
 - City Manager Review of Agenda.

- Consent Calendar Review

This Review provides an opportunity for Council and citizens to pull items from the Consent Calendar. Anyone may request an item on this calendar be “pulled” off the Consent Calendar and considered separately.

- Council-pulled Consent Calendar items will be considered before Discussion Items.
- Citizen-pulled Consent Calendar items will be considered after Discussion Items.

- **CITIZEN PARTICIPATION**

Individuals who wish to make comments regarding items scheduled on the Consent Calendar or wish to address the Council on items not specifically scheduled on the agenda must first be recognized by the Mayor or Mayor Pro Tem. **Before speaking, please sign in at the table in the back of the room.** The timer will buzz once when there are 30 seconds left and the light will turn yellow. The timer will buzz again at the end of the speaker’s time. Each speaker is allowed 5 minutes. If there are more than 6 individuals who wish to speak, the Mayor may reduce the time allowed for each individual.

- State your name and address for the record
- Applause, outbursts or other demonstrations by the audience is not allowed
- Keep comments brief; if available, provide a written copy of statement to City Clerk

- **CITIZEN PARTICIPATION FOLLOW-UP**

Consent Calendar

The Consent 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 Pulled Consent Items. Items remaining on the Consent Calendar will be approved by City Council with one vote. The Consent Calendar consists of:

- Ordinances on First Reading that are routine;
- Ordinances on Second Reading that are routine;
- Those of no perceived controversy;
- Routine administrative actions.

1. Second Reading of Ordinance No. 139, 2014 Being the Annual Appropriation Ordinance for the Fort Collins Downtown Development Authority Relating to the Annual Appropriations for Fiscal Year 2015 and Fixing the Mill Levy for the Downtown Development Authority for Fiscal Year 2015.

This Ordinance, unanimously adopted on First Reading on October 21, 2014, sets the Downtown Development Authority (DDA) 2015 Operations and Maintenance Budget amount of \$744,084 to be appropriated for fiscal year 2015 for the administrative operations budget, appropriates the 2015 Line of Credit Draw in the amount of \$1,000,000, sets the amount of \$3,191,396 for debt service payments to be appropriated for fiscal year 2015 and sets the 2015 Mill Levy for the Fort Collins DDA at five (5) mills, unchanged since tax year 2002. The approved Budget becomes the Downtown Development Authority’s financial plan for 2015.

2. Items Relating to Appropriating Prior Year Reserves and Unanticipated Revenue in Various City Funds and Authorizing the Transfer of Appropriated Amounts between Funds or Projects.

- A. Second Reading of Ordinance No. 140, 2014, Appropriating Prior Year Reserves and Unanticipated Revenue in Various City Funds and Authorizing the Transfer of Appropriated Amounts Between Funds or Projects.
- B. Second Reading of Ordinance No. 141, 2014, Appropriating Prior Year Reserves in the Benefits Fund for Unanticipated Expenditure Increases.
- C. Second Reading of Ordinance No. 142, 2014, Appropriating Prior Year Reserves in the Transportation Services Fund to be Used to Cover Snow Removal Expenses.
- D. Second Reading of Ordinance No. 143, 2014, Appropriating Prior Year Reserves in the Self-Insurance Fund for Insurance Expenses.

The purpose of this item is for the Annual Year-End Adjustment. This year it is comprised of 4 separate ordinances. Ordinance No. 140, 2014, appropriates non-controversial expenses related to unanticipated revenue, grants, and unforeseen costs that had not previously been budgeted. Ordinance No. 141, 2014, appropriates funds from the Benefits Fund to cover unanticipated expenditures and employee benefits. Ordinance No. 142, 2014, appropriates funds for snow removal for the remainder of 2014 as the entire snow removal budget has been spent. Ordinance No. 143, 2014, appropriates prior year reserves for property and liability claims that are expected to exceed budget. These Ordinances were unanimously adopted on First Reading on October 21, 2014.

3. Items Relating to Ethics Review Board Code Changes.

- A. Second Reading of Ordinance No. 144, 2014, Amending Section 2-569 of the City Code Pertaining to Procedures of the Ethics Review Board.
- B. Second Reading of Ordinance No. 145, 2014, Amending Section 2-568(a) of the City Code Pertaining to Definitions Applicable to Ethical Rules of Conduct.

The purpose of Ordinance No. 144, 2014 is to adopt revisions to the City Code to simplify and expedite the process of initiating Ethics Review Board review of ethics complaints and to update provisions related to alternative composition of the Board in the event members of the Board are themselves the subject of a complaint. Ordinance No. 145, 2014 is intended to incorporate into the City Code the definitions related to conflicts of interest that are specified in the City Charter, and to add new definitions to assist in the interpretation and application of the conflicts of interest provisions in the City Charter and City Code. Both Ordinances were unanimously adopted on First Reading on October 21, 2014.

4. Items Relating to City Code Clarifications for Plant Investment Fees.

- A. Second Reading of Ordinance No. 147, 2014, Amending Chapter 26 of the City Code to Revise Water Plant Investment Fees, Excess Water Surcharge Rates and Raw Water Requirements for Meters Larger Than Two Inches in Size.
- B. Second Reading of Ordinance No. 148, 2014, Amending Section 26-284 of the City Code to Clarify the Calculation of Infiltration and Inflow in Determining Sewer Plant Investment Fees.

These Ordinances, unanimously adopted on First Reading on October 21, 2014, address several sections of Chapter 26 of the City Code relating to how plant investment fees are calculated and when the Excess Water Use Surcharge is applicable. These changes do not impact the amount charged for plant investment fees or the Excess Water Use Surcharge but rather seek to clarify the exact calculation of the fees.

5. Second Reading of Ordinance No. 149, 2014 Approving a First Amendment to the Agreement with Woodward, Inc.

This Ordinance, unanimously adopted on First Reading on October 21, 2014, amends the Agreement with Woodward, Inc. and the Fort Collins Downtown Development Authority by changing a key date in the requirement of the City Manager to present City Council with a package to renew the Building on Basics dedicated sales tax including funding for Lincoln Boulevard Improvements from November 2014 to April 2015.

6. Second Reading of Ordinance No. 150, 2014, Vacating a City Trail Easement and Any Associated Rights on Colorado State University Property Between Centre Avenue and Bay Road.

This Ordinance, unanimously adopted on First Reading on October 21, 2014, vacates a trail easement, located between Centre Avenue and Bay Road, that was obtained from Colorado State University Research Foundation in 1979 (including any prescriptive rights that may exist). This segment of the Spring Creek trail was replaced with a new and superior alignment in 2013 from an additional trail easement obtained from Colorado State University and Colorado State University Research Foundation.

7. First Reading of Ordinance No. 157, 2014, Appropriating Unanticipated Grant Revenue in the General Fund for the Environmental Services Radon Program and Authorizing the Transfer of Matching Funds Previously Appropriated in the Environmental Services Operating Budget.

The purpose of this item is to appropriate \$4,973 awarded to the City by the Colorado Department of Public Health and Environment, transfer a matching amount of \$4,973 from the 2014 General Fund and, combine these funds in the Environmental Services Radon Program account. The Radon Program carries out radon risk-reduction activities as identified in the current City budget.

8. First Reading of Ordinance No. 158, 2014, Appropriating Unanticipated Revenue and Prior Year Reserves in the General Fund to Reimburse Woodward, Inc. for Development Fees.

The purpose of this item is to appropriate \$88,344 of current year General Fund Revenue and prior year General Fund Reserves for a rebate to Woodward of development fees as approved by City Council on April 2, 2013 (Ordinance No. 055, 2013). Ordinance No. 055, 2013 approved an agreement between the City, Downtown Development Authority (DDA), and Woodward, Inc. The agreement provides Business Investment Assistance for the relocation of Woodward's headquarters as well as an expansion of its manufacturing and office facilities to a new location at the corner of Lincoln Avenue and Lemay Avenue. The project will retain or create between 1,400 and 1,700 primary jobs in the City. The City's assistance includes a rebate of Use Tax, Development Fees, and Capital Improvement Fees.

9. First Reading of Ordinance No. 159, 2014, Amending Section 2-568 of the City Code to add to the Ethical Rules of Conduct a Prohibition on Special Treatment and to Establish a Reporting Requirement for Councilmember Contacts with City Staff.

The purpose of this item is to promote transparency and awareness in connection with Councilmember contacts with the administrative service of the City and to establish clear standards related to special treatment in the interpretation, administration or enforcement of the Code, City regulations, policies or programs, or provision of City services by any City officer or employee.

10. First Reading of Ordinance No. 160, 2014, Designating the Avery Duplex Cottage, 134-136 North Sherwood Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

The owners of the property, Kevin and Suzanne Murray and Carl and Karen McWilliams, are initiating this request for Fort Collins Landmark designation of the Avery Duplex at 134-136 North Sherwood Street.

11. First Reading of Ordinance No. 161, 2014, Designating the Garcia Property, 321 North Whitcomb Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

The owner of the property, Kate A. Polk, is initiating this request for Fort Collins Landmark designation of the Garcia Property, located at 321 North Whitcomb Street.

12. First Reading of Ordinance No. 162, 2014, Designating the 508 Remington Street Property, 508 Remington Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

The owner of the property, James L. MacDowell III, is initiating this request for Fort Collins Landmark designation of the 508 Remington Street Property, located at 508 Remington Street.

13. Resolution 2014-099 Approving a Position Profile for the City Attorney Position.

The purpose of this item is to approve a position profile to be used in the recruitment and selection process for filling the City Attorney position. The Council Committee, in conjunction with the executive recruiter, Slavin Management Consultants created a draft position profile.

END CONSENT

- **CONSENT CALENDAR FOLLOW-UP**

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

- **STAFF REPORTS**

- A. Blue Grama Awards for Reintroduction of Black-footed ferrets to Soapstone Prairie and Poudre River restoration projects

- **COUNCILMEMBER REPORTS**

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

Discussion Items

The method of debate for discussion items is as follows:

- Mayor introduces the item number, and subject; asks if formal presentation will be made by staff
- Staff presentation (optional)
- Mayor requests citizen comment on the item (five minute limit for each citizen)
- Council questions of staff on the item
- Council motion on the item
- Council discussion
- Final Council comments
- Council vote on the item

Note: Time limits for individual agenda items may be revised, at the discretion of the Mayor, to ensure all citizens have an opportunity to speak. **Please sign in at the table in the back of the room.** The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.

14. Second Reading of Ordinance No. 151, 2014, Repealing Ordinance No. 099, 2014, Amending Chapter 12 of City Code to Establish Regulations Regarding Disposable Bags. (staff: Wanda Nelson; no staff presentation; 15 minute discussion)

On October 10, 2014, the City Clerk certified that a referendum petition seeking to repeal Ordinance No. 099, 2014, Amending Chapter 12 of City Code to Establish Regulations Regarding disposable Bags was sufficient. On October 21, 2014, Council voted 6-1 (nays: Poppaw) to repeal Ordinance No. 099, 2014.

15. Items Relating to the Transit-Oriented Development (TOD) Parking Study and Revised TOD Off-Street Parking Requirements. (staff: Seth Lorson, Laurie Kadrich, Cameron Gloss; 10 minute staff presentation; 1 hour discussion)

- A. Resolution 2014-100 Approving the Transit-Oriented Development (TOD) Parking Study.
- B. First Reading of Ordinance No. 163, 2014, Amending the Land Use Code to Address Parking Issues Related to the Transit-Oriented Development (TOD) Overlay Zone.

The purpose of this item is to consider approval of the Transit Oriented Development (TOD) Parking Study and corresponding revisions to residential and commercial off-street parking requirements within the Land Use Code (LUC). At its September 11, 2014 meeting, Planning and Zoning Board recommended adoption of the following LUC revisions:

Residential

1. Minimum parking requirements for multi-family and mixed-use dwellings; and
2. Alternative compliance.

Commercial*

1. Minimum parking requirements for nonresidential land uses city-wide; and
2. Alternative compliance.

*The commercial parking recommendation was qualified as a necessary interim measure until a comprehensive parking management approach is adopted. The management approach includes on-street paid parking and residential parking permit programs at the perimeter, public parking garages, and a transportation demand management (TDM) program.

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

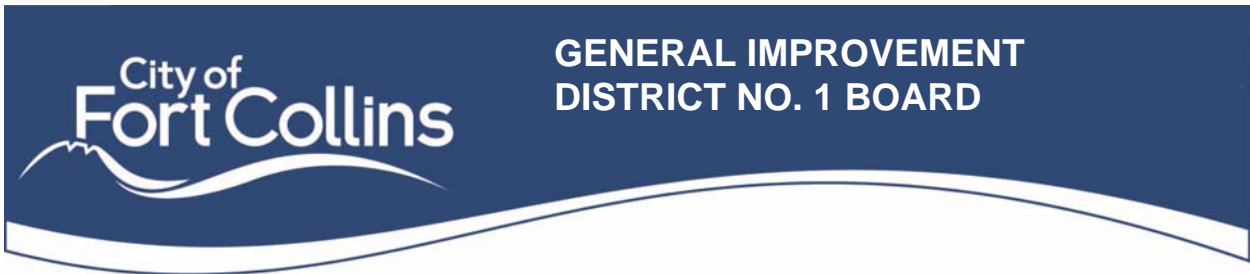
- **OTHER BUSINESS**

- A. On-Campus Stadium Resolution Direction.

- **ADJOURNMENT**

- A. Council will consider a motion to adjourn to 6:00 p.m., Wednesday, November 12, 2014.

Every Council meeting will end no later than 10:30 p.m., except that: (1) any item of business commenced before 10:30 p.m. may be concluded before the meeting is adjourned and (2) the City Council may, by majority vote, extend a meeting until no later than 12:00 a.m. for the purpose of considering additional items of business. Any matter which has been commenced and is still pending at the conclusion of the Council meeting, and all matters scheduled for consideration at the meeting which have not yet been considered by the Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.



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General Improvement District No. 1 Board Meeting November 4, 2014

(after the Regular Council Meeting, which begins at 6:00 p.m.)

- **CALL MEETING TO ORDER**
- **ROLL CALL**

1. First Reading of Ordinance No. 066, Determining and Fixing the Mill Levy for the General Improvement District No. 1 for the Fiscal Year 2015; Directing the Secretary of the District to Certify such Levy to the Board of Commissioners of Larimer County; and Making the Fiscal Year 2015 Annual Appropriation (staff: Mike Beckstead; 3 minute staff presentation; 5 minute discussion)

The sum of \$276,000 is anticipated to be collected from the mill levy of 4.924 mills for fiscal year 2015 imposed within the General Improvement District No. 1 (GID) boundaries. Additional revenue for GID No. 1 from automobile specific ownership taxes, ad valorem taxes, and interest earnings are anticipated to total \$38,000 resulting in an expected revenue total of \$314,000 for 2015.

In addition, the 2015 budget will include the use of \$920,000 from GID No. 1 reserves to contribute to the \$3 million makeover of Old Town Square that is being led by the Downtown Development Authority (DDA).

- **OTHER BUSINESS**
- **ADJOURNMENT**



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Skyview South General Improvement District No. 15 Board Meeting November 4, 2014 (after the General Improvement District No. 1 meeting)

- **CALL MEETING TO ORDER**
- **ROLL CALL**
- 1. First Reading of Ordinance No. 006, Determining and Fixing the Mill Levy for the Skyview South General Improvement District No. 15 for the Fiscal Year 2015; Directing the Secretary of the District to Certify Such Levy to the Board of Commissioners of Larimer County; and Making the Fiscal Year 2015 Annual Appropriation. (staff: Mike Beckstead; 3 minute staff presentation; 5 minute discussion)

This Ordinance includes the annual appropriation for 2015 of \$1,000. The sum of \$24,700 is anticipated to be collected from the mill levy of 10.0 mills for fiscal year 2015. Additional revenue for the General Improvement District (GID) No. 15 ("GID No. 15") from interest earnings is anticipated to generate \$370. The total 2015 revenue for GID No. 15 is expected to be \$25,070. The total amount will be used in the future to maintain and repair roads in the Skyview subdivision.

- **OTHER BUSINESS**
- **ADJOURNMENT**