



City Clerk
300 LaPorte Avenue
PO Box 580
Fort Collins, CO 80522
970.221.6515
970.221.6295 - fax
fcgov.com

MEMORANDUM

DATE: April 15, 2019

TO: Mayor Troxell and City Councilmembers

THRU: Darin Atteberry, City Manager *DA*
Jeff Mihelich, Deputy City Manager *J.M.*
Carrie Daggett, City Attorney

FROM: Delynn Coldiron, City Clerk

RE: Updated Summary Agenda for April 16, 2019 Meeting

Attached is an Amended Agenda for the April 16, 2019 meeting that includes the following:

1. Information related to new discussion item #27: Consideration of a Motion to Elect a Mayor Pro Tem; and
2. An amended motion to call a special meeting that now includes consideration of appointments to the Platte River Power Authority Board and the Boxelder Basin Regional Stormwater Authority.

Please let us know if you have any questions.

AGENDA ITEM SUMMARY

April 16, 2019

City Council

THIS ITEM WAS ADDED TO THE AGENDA ON APRIL 15, 2019

STAFF

Delynn Coldiron, City Clerk
Carrie Daggett, Legal

SUBJECT

Consideration of a Motion to Elect a Mayor Pro Tem.

EXECUTIVE SUMMARY

The purpose of this item is for Council to consider a motion to elect a Mayor Pro Tem.

The proposed process for electing the Mayor Pro Tem is as follows:

1. Mayor describes the responsibilities of the Mayor Pro Tem:
 - a. Under the Charter, serves in absence of Mayor.
 - b. Under the Code, Mayor and Mayor Pro Tem confer with City Manager on preparation of the agenda for each Council meeting.
 - c. Mayor and Mayor Pro Tem give direction to the City Manager and the City Attorney with regard to initiating and developing ordinances and resolutions.
2. Mayor recommends process for electing Mayor Pro Tem:
 - a. Citizen input.
 - b. Individual Councilmembers announce interest in the position.
 - c. Mayor requests a motion to elect a candidate.
 - d. If motion is seconded, discussion and vote.
 - e. Process continues until a candidate gets four votes.
3. If there is an objection to the proposed process, other Councilmembers can suggest an alternative. If objection is seconded, a motion and vote on the alternative occurs. If alternative passes, that becomes the process that will be used to select the Mayor Pro Tem. If no alternative is approved by majority vote, the Mayor's proposed process is used.

STAFF RECOMMENDATION

Staff recommends Council proceed with this item.

BACKGROUND / DISCUSSION

There is a conflict in the City Charter between when the terms for new Councilmembers begins and when a Mayor Pro Tem shall be elected.

Under Article II, Section 1(d), the Charter states that the terms of the Mayor and other members of the Council shall begin when they take the oath of office, which shall occur as the first order of business at the first regular or special Council meeting following the final certification of election results and after expiration of the recount period, or their appointment.

Agenda Item 27

The recent election was certified on April 12. An individual has five days after this date to file a request for a recount; until 5:00 p.m. on Wednesday, April 17 in this case. The next regular or special meeting following this date is April 23, 2019, which is the date set aside to swear-in the new Council.

Under Article II, Section 4, the Charter states that at the first regular or special meeting after final certification of a City election, the Council shall elect a Mayor Pro Tem for a two (2) year term from among the members of the Council to act as Mayor during the absence or disability of the Mayor.

The suggested form of motion to accomplish this action is as follows:

“I move that the Council elect _____ to serve as Mayor Pro Tem.”

Staff plans to suggest a change to this section to fix the discrepancy during the next round of Charter changes that are sent to voters.

CITY FINANCIAL IMPACTS

There are no expected financial impacts to the City organization.

Wade Troxell, Mayor
Gerry Horak, District 6, Mayor Pro Tem
Susan Gutowsky, District 1
Ray Martinez, District 2
Ken Summers, District 3
Kristin Stephens, District 4
Ross Cunniff, District 5

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

Cablecast on FCTV Channel 14
and Channel 881 on the Comcast cable system

Carrie Daggett
City Attorney

Darin Atteberry
City Manager

Delynn Coldiron
City Clerk

Regular Meeting
April 16, 2019
(amended April 15, 2019)

Persons wishing to display presentation materials using the City's display equipment under the Citizen Participation portion of a meeting or during discussion of any Council item must provide any such materials to the City Clerk in a form or format readily usable on the City's display technology no later than two (2) hours prior to the beginning of the meeting at which the materials are to be presented.

NOTE: All presentation materials for appeals, addition of permitted use applications or protests related to election matters must be provided to the City Clerk no later than noon on the day of the meeting at which the item will be considered. See Council Rules of Conduct in Meetings for details.

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 (V/TDD: Dial 711 for Relay Colorado) for assistance.

Proclamations and Presentations
5:15 p.m.

- A. Proclamation Declaring April 16, 2019, as Education and Sharing Day.
B. Proclamation Declaring April 26, 2019, as Arbor Day.
C. Proclamation Declaring April as Fair Housing Month.
D. Proclamation Declaring April 22 through April 28, 2019 as Wastewater Worker Recognition Week.
E. Proclamation Declaring April as Local Music Appreciation Month.
F. Proclamation Declaring April as Sexual Assault Awareness Month.

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.

- **PUBLIC COMMENT**

Individuals may comment regarding items scheduled on the Consent Calendar and items not specifically scheduled on the agenda. Comments regarding land use projects for which a development application has been filed should be submitted in the development review process** and not to the Council.

- Those who wish to speak are asked to sign in at the table in the lobby (for recordkeeping purposes).
- All speakers will be asked by the presiding officer to identify themselves by raising their hand, and then will be asked to move to one of the two lines of speakers (or to a seat nearby, for those who are not able to stand while waiting).
- The presiding officer will determine and announce the length of time allowed for each speaker.
- Each speaker will be asked to state his or her name and general address for the record, and to keep comments brief. Any written comments or materials intended for the Council should be provided to the City Clerk.
- A timer will beep once and the timer light will turn yellow to indicate that 30 seconds of speaking time remain, and will beep again and turn red when a speaker’s time to speak has ended.

[**For questions about the development review process or the status of any particular development, citizens should consult the Development Review Center page on the City’s website at fcgov.com/developmentreview, or contact the Development Review Center at 221-6750.]

- **PUBLIC COMMENT 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. Consideration and Approval of the Minutes of the February 19, 2019 Regular Council Meeting and the February 26, 2019 Adjourned Council Meeting.

The purpose of this item is to approve the minutes from the February 19, 2019 Regular Council meeting and the February 26, 2019 Adjourned Council meeting.

2. Second Reading of Ordinance No. 046, 2019, Appropriating Unanticipated Grant Revenue in the Light and Power Fund from Bloomberg Philanthropies for Capitalization of the Epic Efficiency Loan Program.

This Ordinance, unanimously adopted on First Reading on March 19, 2019, appropriates \$100,000 in grant award revenues from Bloomberg Philanthropies, as part of the Bloomberg Mayor's Challenge, into the Fort Collins Utilities Light and Power fund for the purposes of continued capitalization of the Epic Loan Program.

3. Second Reading of Ordinance No. 047, 2019, Amending Chapter 9 of the Code of the City of Fort Collins and Adopting by Reference the 2018 International Fire Code, with Amendments.

This Ordinance, unanimously adopted on First Reading on March 19, 2019, adopts the 2018 International Fire Code (IFC), as amended. The International Code Council (ICC) publishes updated codes every three years. The Poudre Fire Authority Board of Directors has reviewed and approved the IFC and is requesting it be adopted as amended. Poudre Fire Authority (PFA) is responsible for the enforcement and administration of the IFC within the City. PFA routinely reviews new codes, proposes local amendments, and seeks adoption of the IFC changes by the City Council. The proposed amendments, developed in conjunction with the local Fire Code Review Committee, include several changes to the City Code. There were a few significant changes to the IFC, including provisions related to mobile food vendors, higher education laboratories, plant material processing and extraction (cannabis), mobile fueling service, energy systems and the retroactive installation of fire suppression systems in eating and drinking establishments with an occupant load in excess of 299. A proposed City Code amendment mandates at least one means of egress (stairs) be provided in buildings under construction that exceed one story in height.

4. Second Reading of Ordinance No. 050, 2019, Authorizing an Annual Water Allotment Management Program by Amending Section 26-129 of the Code of the City of Fort Collins to Authorize the Utilities Executive Director to Waive All or Part of the Excess Water Use Surcharge for Certain Qualifying Customers in Limited Circumstances.

This Ordinance, unanimously adopted on First Reading on March 19, 2019, gives discretion to the Utilities Executive Director to provide qualified customers a temporary waiver from Excess Water Use (EWU) surcharges for up to three years, provided the customer participates in the proposed Allotment Management Program (AMP) to implement a project that permanently reduces the customer's water use by managing landscape water use to an existing allotment. The Ordinance and supporting

program create a solution for a specific group of customers that were highly impacted by changes to the Water Supply Requirements (formally Raw Water Requirements) adopted in September 2017 and implemented in 2018.

5. Second Reading of Ordinance No. 051, 2019, Amending Section 8-161 of the Code of the City of Fort Collins to Add an Exception to the Competitive Purchasing Process for Purchases of Video Content Licensing.

This Ordinance, unanimously adopted on First Reading on March 19, 2019, amends City Code to create a limited exception to the competitive bid and purchasing process for the purchase of video content licensing and services, as needed for delivery of video services by Fort Collins Connexion. To provide video services, Fort Collins Connexion must secure license agreements with local channels, national networks, and independent content producers. While most video content will be acquired through membership in the National Cable Television Cooperative (NCTC), there are some channels, groups of channels, and networks that will require direct individual license negotiations.

6. Second Reading of Ordinance No. 052, 2019, Amending Article I of Chapter 6 of the Code of the City of Fort Collins Regarding Cable Communications Systems.

This Ordinance, unanimously adopted on First Reading on March 19, 2019, amends the City Code provisions related to cable television franchises, which have not been modified since they were first adopted in 1978, to update them and make them consistent with the current language of the City Charter and applicable federal law.

7. Items Relating to Platte River Power Authority Organic and Power Supply Contracts.

A. Second Reading of Ordinance No. 053, 2019, Authorizing an Amended and Restated Organic Contract with Platte River Power Authority.

B. Second Reading of Ordinance No. 054, 2019, Authorizing an Amended and Restated Contract with Platte River Power Authority for the Supply of Electric Power and Energy.

These Ordinances, unanimously adopted on First Reading on March 19, 2019, extend and amend the Organic Contract between Fort Collins, Loveland, Longmont, and Estes Park (the member cities of Platte River Power Authority); and the Power Supply Agreement between Fort Collins and Platte River Power Authority.

8. Second Reading of Ordinance No. 055, 2019, Authorizing the Conveyance of an Easement to Larimer County for Groundwater Monitoring Wells on Cathy Fromme Prairie Natural Area.

This Ordinance, unanimously adopted on First Reading on March 19, 2019, authorizes conveyance of an easement to Larimer County for groundwater monitoring wells on Cathy Fromme Prairie Natural Area. In August 2018, the Natural Areas Department was approached by Larimer County Solid Waste at the direction of the Colorado Department of Public Health and Environment (CDPHE) regarding a 1,4-dioxane plume. The County requested a revocable permit from the Department to insert temporary groundwater test wells to determine the location and extent of the plume, which the City Manager granted on February 5, 2019. The new permanent monitoring wells are required for continued monitoring of the contaminant plume.

9. Second Reading of Ordinance No. 056, 2019, Designating the Newman Property, 1019 West Mountain Avenue, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

This item is a quasi-judicial matter and if 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 2018-034.

This Ordinance, unanimously adopted on First Reading on March 19, 2019, designates the Newman Property, 1019 West Mountain Avenue, as a Fort Collins landmark, for its early twentieth-century vernacular architecture. This is a voluntary designation at the property owner's request. The Landmark Preservation Commission unanimously recommends approving this landmark designation.

10. Items Relating to Downtown Rezone and Development Standards for the Downtown and Neighborhood Conservation Buffer Transition Areas.

Part A of 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(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2018-034.

- A. Second Reading of Ordinance No. 057, 2019, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the Downtown Rezoning.
- B. Second Reading of Ordinance No. 058, 2019, Amending the Land Use Code Relating to Development Standards for the Downtown and Neighborhood Conservation Buffer Transition Areas.

These Ordinances, unanimously adopted on First Reading on March 19, 2019, rezone 467 acres into an expanded Downtown (D) zone district and amend interrelated Land Use Code sections that together address design standards for Downtown and the Neighborhood Conservation Buffer ("NCB") transition areas that interface between downtown and the predominantly single-family housing within the Old Town Neighborhoods.

A response to a City Council question during the First Reading of Ordinance No. 058, 2019, has been provided in the background section.

11. First Reading of Ordinance No. 059, 2019, Appropriating Prior Year Reserves and Unanticipated Revenue in the General Fund for Cultural Development and Programming Activities, Tourism Programming, and Convention and Visitor Program Services.

The purpose of this item is to appropriate \$667,926, of which \$240,792 is proposed for 2019 Cultural Development and Programming Activities (Fort Fund), \$28,558 is proposed for 2019 Tourism Programming (Fort Fund), and \$398,576 is proposed for 2019 Convention and Visitors Program activities, from a combination of Unanticipated Revenue (Lodging Tax) and Prior Year Reserves (unspent appropriations) in the General Fund Lodging Tax Reserves.

Lodging taxes are annually collected by the City of Fort Collins for Cultural Development and Tourism programming activities. Anticipated revenue is projected through each Budgeting for Outcomes (BFO) cycle and then adjusted annually as needed based on actual collections. Lodging tax revenue collected in 2018 was \$569,394 above projected collections.

12. First Reading of Ordinance No. 060, 2019, Making Appropriations and Authorizing Transfers of Appropriations for the Suniga Road Improvements Project and Related Art in Public Places.

The purpose of this item is to appropriate \$170,550 into the Capital Project Fund for the Suniga Road Improvements Project. The City collected these funds as payment in lieu for a development's local street frontage improvements associated with Suniga Road. In addition, this item will authorize the transfer of \$1,705, one percent of the appropriated funds, from the Capital Project Fund to the Cultural Services and Facilities Fund for Art in Public Places.

This project will construct Suniga Road to the City's four-lane arterial roadway standards between North College Avenue and Blondel Street as identified on the City's Master Street Plan. Improvements include raised, protected bike lanes, pedestrian facilities, transit facilities, utility infrastructure, roadway improvements, and landscaped medians and parkways. The project will complement the existing section of Suniga Road, providing connectivity for surrounding developments from North College

Avenue to Redwood Street. This project was approved during the 2017/2018 Budgeting for Outcomes (BFO) process and will be constructed this year.

13. First Reading of Ordinance No. 061, 2019, Making Appropriations and Authorizing Transfers of Appropriations for the Willow Street Improvements Project and Related Art in Public Places.

The purpose of this item is to appropriate \$435,000 of Downtown Development Authority (DDA) funds, \$40,364 of Transportation Capital Expansion Fee (TCEF) funds, and \$4,439 of Transportation Reserves into the Capital Project Fund for the Willow Street Improvements Project. In addition, this item will authorize the transfer of \$4,755, from the Capital Project Fund to the Cultural Services and Facilities Fund for Art in Public Places.

This project will design and construct roadway and urban design improvements along Willow Street between North College Avenue and Linden Street, including a pedestrian plaza at the northern corner of Willow Street and Linden Street. The overall project budget is \$4.3 million, and construction is scheduled to begin in the summer 2019. This project was approved through the Community Capital Improvements Program (CCIP) tax initiative.

14. First Reading of Ordinance No. 062, 2019, Amending Chapter 2 of the Code of the City of Fort Collins to Establish Council Expectations Regarding Action by Boards and Commissions and Member Participation.

The purpose of this item is to provide guidelines on board or commission member participation that require members not to abstain in items they are participating in; an abstain vote will be treated as a yes vote. Conflict of Interest guidelines continue as they currently exist.

15. Resolution 2019-040 Approving an Art Project for the Willow Street Project and Approving Expenditures from the Art in Public Places Water Utility Account to Commission an Artist to Create the Art Project Pursuant to the Art in Public Places Program

The purpose of this item is it to approve expenditures from the Art in Public Places (APP) Reserve Account and APP Water Utility Account to commission an artist to create art for the Willow Street Project. The expenditures of \$343,365 will be for design, materials, signage, fabrication, delivery, and contingency for Andrew Dufford of Chevo Studios to create the art for the Willow Street Project.

16. Resolution 2019-041 Authorizing the Execution of an Intergovernmental Agreement Between the City and Larimer County for the Construction of a Traffic Signal at State Highway 1 and Douglas Road.

The purpose of this item is to approve an intergovernmental agreement (IGA) between the City and Larimer County for the construction of a traffic signal at State Highway 1 and Douglas Road. The Colorado Department of Transportation awarded the County a Federal Highway Safety Improvement Program grant in the amount of a total project cost of up to \$550,000 for the project. The City and County are collaborating on the project as the City has a long history of working with the County on signals within the Growth Management Area, the overall project costs are lowered if the City builds the signal, and the signal construction will meet City standards making it easier to maintain and operate in the future. City costs for the project are reimbursed through the grant.

17. Resolution 2019-042 Authorizing the City Manager to Execute an Intergovernmental Agreement Between the City and Poudre School District for the PSD After 3 Program.

The purpose of this item is to authorize the City to enter into an intergovernmental agreement (IGA) with the Poudre School District. The Agreement sets the terms by which the City of Fort Collins will contract with the Poudre School District to provide after school and summer enrichment programs for students in six Title I schools in its school system.

18. Resolution 2019-043 Approving the Exclusion of Property from Rudolph Farms Metropolitan District Nos. 1-6.

The purpose of this item is to approve the exclusion of a small parcel of real property from the boundaries of the Rudolph Farms Metro District Nos. 1-6 (the Districts). The property to be excluded is to be acquired from the current owners and used by the Colorado Department of Transportation (CDOT) for public right-of-way as part of CDOT's I-25/Prospect Road Interchange construction project.

19. Resolution 2019-044 Approving a Cooperation Agreement Between the City and the Fort Collins Urban Renewal Authority for Sharing the City's Property and sales tax Increment Under the College & Drake Urban Renewal Plan.

The purpose of this item is to present a Cooperation Agreement to City Council describing the City's incremental property and sales tax revenue contribution to be allocated to the proposed Drake and College Urban Renewal Plan. The Agreement provides the terms and conditions associated with the City contributing incremental revenue to achieve the objectives of the Plan. It is proposed for this Plan that the City contribute 100 percent of its incremental property tax revenue and 50 percent of the net new incremental sales tax revenue associated with the current general fund rate of 2.25 percent. However, this sales tax increment will be reduced by \$405,000 to take into account that a nearby grocery store is to be relocated to the Plan area. The amount of this reduction is an average of the annual sales tax the City collects from the grocery stores and super-centers in the City.

20. Resolution 2019-045 Approving an Intergovernmental Agreement with the Fort Collins Urban Renewal Authority for the Authority's Contribution of Funds to the City's North College Drainage Improvement District Project.

The purpose of this item is to present an intergovernmental agreement (IGA) between the City of Fort Collins and the Fort Collins Urban Renewal Authority. The IGA memorializes the terms of acceptance of \$300,000 in Authority support for the City's continued design of the North College Drainage Improvement District (NCDID), including transportation designs for North Mason Street (Alpine Street to Hickory Street), along with Alpine Street, Pinon Street and Hemlock Street (Mason Street to North College Avenue). The 2019 Authority Budget accounted for and appropriated funds for this obligation. In addition, the 2019 City Budget includes additional funding for the Project from two sources in the City: Engineering and Stormwater. On February 27, 2019, the Authority's Board of Commissioners approved the IGA.

21. Resolution 2019-046 Authorizing an Intergovernmental Agreement Between the Cities of Fort Collins and Loveland, With the Option to Add Greeley, for the Exchange of Judicial Services, and Appointing Temporary Judges.

The purpose of this item is to authorize an intergovernmental agreement (IGA) with the City of Loveland for judicial services to be used in the event that a conflict of interest or other circumstance prevents the Municipal Judge and temporary judge from hearing a particular Municipal Court case. This agreement is intended to replace an existing 2017 IGA between Fort Collins, Loveland and Greeley. The City of Greeley is not included in this IGA due to residency requirements that Greeley currently has in place; however, the Resolution would approve adding Greeley to the IGA if its residency requirements change in the near future.

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. Youth Advisory Board Report on National League of Cities Conference (Boardmembers Suhaas Narayanan and Kaustubh Kaushik presenting)
- B. Broadband Status Report (staff: Colman Keane)

- **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 (three 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.

- 22. Items Relating to Electrical Assisted Bicycles. (staff: Paul Sizemore; no staff presentation; 10 minute discussion)
 - A. Second Reading of Ordinance No. 045, 2019, Enacting a Temporary Exemption from Certain Restrictions in Chapter 23 of the Code of the City of Fort Collins to Allow Electrical Assisted Bicycles on Paved Trails in City Natural Area and Recreation Areas.
 - B. Second Reading of Ordinance No. 041, 2019, Amending Section 2106(2)(d) of the Fort Collins Traffic Code Relating to Electrical Assisted Bicycles.

Ordinance No. 045, 2019, adopted on First Reading on March 19, 2019 by a vote of 6-1 (Nays: Cunniff) implements a one-year pilot period to allow Class 1 and Class 2 electrical assisted bicycles (e-bikes) on City paved trails. Ordinance No. 041, 2019, unanimously adopted on First Reading, updates the City Traffic Code to remove the outdated term "motorized bicycle".

In response to the growing popularity of e-bikes across the country, and the benefits e-bikes can provide to individuals and communities in terms of health, mobility, and environmental sustainability, staff recommends adoption of Ordinances allowing the use of Class 1 and Class 2 e-bikes on paved trails through a one-year pilot program. E-bikes are allowed on paved trails in most Colorado communities, including neighboring jurisdictions of Larimer County, Boulder County, Loveland, Longmont and Boulder. Eight Fort Collins City boards and commissions have voted in favor of a pilot program to allow e-bikes on paved trails in Fort Collins.

23. Items Relating to Solid Waste Programming and Infrastructure Improvements. (staff: Honore Depew, Jacki Kozak-Thiel; 10 minute staff presentation; 1 hour discussion)
- A. Resolution 2019-047 Authorizing the Execution of an Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements.
 - B. First Reading of Ordinance No. 063, 2019 Amending the Code of the City of Fort Collins to Direct Mixed Construction and Demolition Materials to the Future Larimer County Construction and Demolition Waste Processing Facility, Upon Its Completion.

The purpose of this item is to consider joining an intergovernmental agreement (IGA) with Larimer County and other Regional Wasteshed Coalition partners for solid waste infrastructure proposed in a 2018 Larimer County Master Plan (Resolution 2019-047), and consider an ordinance directing all mixed loads of construction and demolition waste to a future County-owned sorting facility, once that facility is built (Ordinance No. 063, 2019).

The proposed intergovernmental agreement with Larimer County provides a framework for collaboration between the parties that can lead to future infrastructure development. The agreement does not obligate the City to enact any specific policies and consideration of local diversion measures will be based on established principles of stakeholder engagement for innovation. Larimer County is obligated under the IGA to fund and construct new facilities if enough recyclable/compostable material is expected to reach them. Adopting the recommended building code changes would cause Larimer County to begin development of a sorting/recycling facility for construction and demolition waste.

24. Items relating to the Adoption of City Plan and the Transit Master Plan. (staff: Cameron Gloss; 10 minute staff presentation; 30 minute discussion)

- A. Resolution 2019-048 Adopting an Updated City Plan, the City's Comprehensive Plan.
- B. Resolution 2019-049 Adopting the Transit Master Plan.

The purpose of this item is to request adoption for two important community vision and policy documents: City Plan and the Transit Master Plan. City Plan is Fort Collins' comprehensive and transportation master plan, illustrating the community's vision for the future and providing policy and implementation recommendations to guide development and transportation over the next twenty years. The Transit Master Plan was developed alongside City Plan and provides more specific information on the long-range vision and strategy for transit service in Fort Collins.

Staff will provide highlights from both plans including what is new, revised, or reemphasized as compared to the existing version of City Plan adopted in 2011. Staff will also outline key implementation actions and strategies recommended to support the proposed policy direction in both plans.

25. Public Hearing and Resolution 2019-050 Approving the Consolidated Service Plan for the Mulberry Metropolitan District Nos. 1-6. (staff: Josh Birks; 10 minute staff presentation; 15 minute applicant presentation; 30 minute discussion)

The purpose of this item is for City Council to consider approval of the Mulberry Metropolitan District Nos. 1 through 6 Consolidated Service Plan (the "Service Plan"). The developer of the proposed Mulberry Development has submitted the Service Plan to support the proposed development of approximately 226 acres located in the northeast portion of the Fort Collins community near I-25 on the Mulberry Corridor. The development is anticipated to include 1,600 residential units, up to 80,000 square feet of office, and up to 160,000 square feet of retail. The project has committed to provide 15 percent of housing units in a mix of for rent and for sale affordable housing. A mill levy capped at 50.00 mills has been proposed to support the funding of certain public improvements for the project.

As per the Council's Metro District Policy, proceedings for a public hearing for a Metro District public hearing are as follows:

1. Announcement of item;
 2. Consideration of procedural issues (if any);
 3. Explanation of the application by City staff;
 4. Presentation by the applicant (15 minutes);
 5. Public testimony regarding the application;
 6. Rebuttal testimony by the applicant;
 7. Councilmember questions of City staff and the applicant; and
 8. Motion, discussion and vote by City Council.
26. Resolution 2019-051 Approving a Development Agreement to Secure Public Benefits for Development of the Waterfield Fourth Filing. (staff: Josh Birks; 10 minute staff presentation; 20 minute discussion)

The purpose of this item is to approve the Waterfield Development Agreement to Secure Public Benefits (the "Development Agreement"), in accordance with the Consolidated Service Plan for Waterfield Metropolitan Districts Nos. 1-3, approved by City Council on September 18, 2018 (the "Service Plan"). Staff has completed its review of the Development Agreement to ensure it conforms to the Service Plan.

27. Consideration of a Motion to Elect a Mayor Pro Tem.

The purpose of this item is for Council to consider a motion to elect a Mayor Pro Tem.

The proposed process for electing the Mayor Pro Tem is as follows:

1. Mayor describes the responsibilities of the Mayor Pro Tem:
 - a. Under the Charter, serves in absence of Mayor.
 - b. Under the Code, Mayor and Mayor Pro Tem confer with City Manager on preparation of the agenda for each Council meeting.
 - c. Mayor and Mayor Pro Tem give direction to the City Manager and the City Attorney with regard to initiating and developing ordinances and resolutions.
2. Mayor recommends process for electing Mayor Pro Tem:
 - a. Citizen input.
 - b. Individual Councilmembers announce interest in the position.
 - c. Mayor requests a motion to elect a candidate.
 - d. If motion is seconded, discussion and vote.
 - e. Process continues until a candidate gets four votes.
3. If there is an objection to the proposed process, other Councilmembers can suggest an alternative. If objection is seconded, a motion and vote on the alternative occurs. If alternative passes, that becomes the process that will be used to select the Mayor Pro Tem. If no alternative is approved by majority vote, the Mayor's proposed process is used.

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

● **OTHER BUSINESS**

- A. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers
(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)
- B. Consideration of a motion to call a special Council meeting for 6:00 p.m., Tuesday, April 23, 2019 for the Council Organizational Meeting.

"I move, pursuant to Section 2-29(a) of the City Code, that the Council call a special meeting of the Council to take place on Tuesday, April 23, 2019, at 6:00 p.m. for the following purposes:

1. *Swearing in of Mayor and New Councilmembers;*
2. *Consideration of Resolutions regarding outgoing Councilmembers; and*
3. *Election of Mayor Pro Tem.”*
4. *Consideration of Appointments to Platte River Power Authority Board and the Boxelder Basin Regional Stormwater Authority.*

● **ADJOURNMENT**

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.



Wade Troxell, President
Gerry Horak, District 6, Vice President
Susan Gutowsky, District 1
Ray Martinez, District 2
Ken Summers, District 3
Kristin Stephens, District 4
Ross Cunniff, District 5

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

Cablecast on FCTV, Channel 14
and Channel 881 on the Comcast cable system

Carrie Daggett
City Attorney

Darin Atteberry
Executive Director

Delynn Coldiron
Secretary

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 (V/TDD: Dial 711 for Relay Colorado) for assistance.

Water Utility Enterprise Board Meeting April 16, 2019

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

- **CALL MEETING TO ORDER**

1. Consideration and Approval of the Minutes of the March 19, 2019 Water Utility Enterprise Board Meeting.

The purpose of this item is to approve the minutes from the March 19, 2019 Water Utility Enterprise Board meeting.

2. Second Reading of Ordinance No. 008, of the Board of the City of Fort Collins Water Utility Enterprise Authorizing the President of the Board to Execute the First Amendment to the Intergovernmental Agreement for Water Treatment Service Capacity Between the City of Fort Collins, Colorado and the Fort Collins-Loveland Water District.

This Ordinance, unanimously adopted on First Reading on March 19, 2019, amends the existing agreement signed in 2013 between the City and the Fort Collins–Loveland Water District (FCLWD) concerning FCLWD’s acquisition of 5 million gallons per day (MGD) of water treatment capacity at the City’s Water Treatment Facility. The proposed amendment to the 2013 Agreement will allow for FCLWD to make an early payment of the entire outstanding principal associated with the financing of the Plant Investment Fee (PIF).

The City, FCLWD, and their respective enterprises were all parties to the 2013 Agreement. The amendment thus likewise must be approved by City Council and the City of Fort Collins Water Utility Enterprise Board. The FCLWD Board and the FCLWD Enterprise Board approved the proposed amendment on Tuesday, February 19, 2019.

- **OTHER BUSINESS**

- **ADJOURNMENT**



Wade Troxell, President
Gerry Horak, District 6, Vice President
Susan Gutowsky, District 1
Ray Martinez, District 2
Ken Summers, District 3
Kristin Stephens, District 4
Ross Cunniff, District 5

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Electric Utility Enterprise Board Meeting April 16, 2019 (after the Water Utility Enterprise Board Meeting)

- **CALL MEETING TO ORDER**

1. Consideration and Approval of the Minutes of the March 19, 2019 Electric Utility Enterprise Board Meeting.

The purpose of this item is to approve the minutes from the March 19, 2019 Electric Utility Enterprise Board meeting.

2. Second Reading of Ordinance No. 005, Authorizing an Amended and Restated Contract with Platte River Power Authority for the Supply of Electric Power and Energy. (staff: Tim McCollough; no staff presentation; 5 minute discussion)

This Ordinance, unanimously adopted on First Reading on March 19, 2019, extends and amends the Power Supply Agreement between Fort Collins and Platte River Power Authority.

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