

RESOLUTION 2016-088  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
ADOPTING THE CITY'S 2017 LEGISLATIVE POLICY AGENDA

WHEREAS, state and federal legislation may impact the citizens of Fort Collins, affecting their quality of life; and

WHEREAS, such state and federal legislation may also influence or impact the operations of municipal governments, including the City; and

WHEREAS, the City has an interest in providing input on proposed legislation; and

WHEREAS, Councilmembers and City staff are asked to state the City's policy position on legislation; and

WHEREAS, in addition on occasion the City has an interest in providing input on proposed county, state and federal regulations; and

WHEREAS, establishing the City's policy position assists the members of the Legislative Review Committee in their review of, and response to, these matters, and assists City staff in communicating and advocating the City's policy position on the same.

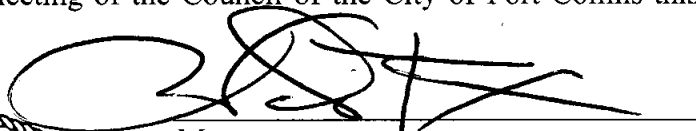
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the policy statements contained in the attached 2017 Legislative Policy Agenda accurately reflect the City's policies on these issues.

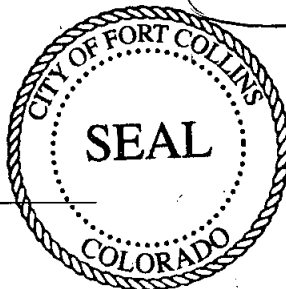
Section 3. That the City Council hereby adopts the 2017 Legislative Policy Agenda attached hereto as Exhibit "A" and incorporated herein by this reference.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 15th day of November, A.D. 2016.

  
Mayor

ATTEST:

  
Chief Deputy City Clerk





2017

# LEGISLATIVE POLICY AGENDA

Adopted: November 15, 2016

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## INTRODUCTION

Fort Collins is a community of 161,000 residents located at the foot of the Rocky Mountains along Colorado's Front Range. Incorporated in 1873, the City has grown to become the commercial, educational and cultural hub of Northern Colorado. The City adopted a home rule charter in 1954 and operates under a Council-Manager form of government.

The City is a data-driven municipal organization that strives to fulfill its mission, "Exceptional service for an exceptional community", through a vision of providing world-class municipal services through operational excellence and a culture of innovation. City leaders seek innovative solutions to issues facing the community and are often willing to leverage emerging technologies.

The Fort Collins City Council annually adopts Legislative Priorities and a Legislative Policy Agenda ahead of the upcoming Colorado general Assembly session for the purpose of guiding legislators and staff in supporting community goals.

- The City's Legislative Priorities are broad issues Fort Collins is focused on during the Colorado General Assembly and United States Congress sessions. The Priorities may carry over year to year since they are larger, more challenging issues that may take multi-year work to influence.
- The Policy Agenda is broad set of policy statements meant to convey positions on issues that affect the quality of life and the governance of our community. It is structured to address areas of local concern and to also reflect the strategic planning that guides City of Fort Collins organizational resource allocation and decision making.

On many federal and state issues, Fort Collins shares the concerns of others within the region and statewide. In these cases, Fort Collins will seek opportunities to work in partnership to leverage additional resources and participate in regional dialogue to achieve shared outcomes.

The City has identified seven outcome areas to ensure appropriate and effective resource allocation supporting the community's priorities. Outcome areas include Culture and Recreation; Economic Health; Environmental Health; High Performing Government; Neighborhood Livability and Social Health; Safe Community; and Transportation. The Policy Agenda identifies specific City Council-adopted goals associated with the policy statements. This alignment is important for City staff to ensure that advocacy supports specific desired outcomes.

## CITY OF FORT COLLINS LEGISLATIVE REVIEW COMMITTEE

The Legislative Review Committee (LRC) is a representative group of Council members that reviews and reacts to proposed legislation on behalf of City Council and the City. In taking a position on particular bills, the LRC interprets and applies the various policies that are included in the Legislative Policy Agenda.

Council Members presently serving on the Legislative Review Committee are:

- Councilmember Gino Campana, Chair
- Councilmember Ross Cunniff
- Councilmember Ray Martinez

### LEGISLATIVE REVIEW PROCESS

Bills introduced in the Colorado General Assembly, United States Congress and federal, state or county regulations or rulemakings are reviewed by City staff. Bills, regulation and rules addressing a stated legislative priority, or adopted policy position, may be brought to the LRC for discussion of an official City position. Once a position is adopted on a bill, staff conveys that information to the appropriate state or federal representative and advocates for the City's adopted position.

Staff liaisons support the LRC by contributing expertise in various areas of municipal service. The input offered by staff experts is invaluable in analyzing impacts of legislative, regulatory and rulemaking proposals to Fort Collins operations and the community. Fort Collins also works with community partners to support local projects and staff collaborates with representatives of other municipalities on mutually-held priorities. Fort Collins actively seeks innovative partnerships to leverage positive outcomes for residents.

The City works closely with the Colorado Municipal League (CML) and the National League of Cities (NLC) on many legislative items facing cities. Fort Collins also works with Colorado Association of Municipal Utilities (CAMU) which represents 29 municipal utilities throughout the state on utility issues. In addition, Fort Collins actively participates in the Colorado Water Congress State Affairs Committee to address water-related issues.

In 2017, Fort Collins will contract a state lobbyist to:

- Be a fulltime presence at the capital
- Advise City staff and leaders on relevant bills
- Assist staff who may be testifying in Denver
- Provide frequent updates to the LRC during the session

## LEGISLATIVE PRIORITIES

### Objective:

**Cooperate with stakeholders on refinement of Urban Renewal Authority laws**

### Issue:

An Urban Renewal Authority (URA) is a tool in place to identify and revitalize areas of the city deemed blighted and provide a funding mechanism to encourage redevelopment. The main funding tool for URA is Tax Increment Financing (TIF) generated through property taxes. In its best intention, urban renewal restores economic vitality and improves the safety of a designated area. Redeveloping urban areas is much harder and more expensive than new development in "greenfield sites", thus the use of urban renewal and tax increment financing responds to larger, more costly infrastructure needs. The state of Colorado has empowered local authorities to use Urban Renewal Authorities to encourage revitalization and the elimination of blight in these areas.

Fort Collins attempts to use URA and TIF judiciously but also recognizes the concerns raised by counties, special districts and school districts about the use of TIF. URA is an important and useful tool for Fort Collins in addressing community blight and encouraging redevelopment rather than sprawl. The City has engaged regional partners in an attempt to develop an equitable process for utilizing URA in Larimer County. Fort Collins has sought to identify a mechanism to balance Larimer County costs for providing service in URA areas and to shared constituents.

2015 URA reform law (HB15-1348) instituted several changes that the City will be implementing in its URA practices. Key changes to URA law add additional members from county, special districts and school district to a URA Board and a negotiated use of tax increment funds before the City could utilize them. Fort Collins is already working on adopting HB 1348 changes. The General Assembly made clarifications to HB 1348 with SB16-177. The remaining major issue of concern to Fort Collins in the implementation of HB 1348 is the applicability to URA projects and clarifying the impacts on existing versus prospective projects.

The City would like to see clarifications made to HB 1348 as language included in the new law is unclear on when the law applies to existing activities and assistance. The City also seeks to ensure development authorities do not become subject to similar regulations.

### Objective:

**Support local control of oil and gas operations**

### Issue:

Fort Collins, like many other Colorado communities, has taken steps to address oil and gas extraction. Those efforts have been limited by the Colorado Oil and Gas Conservation Commission (COGCC) rules. Fort Collins supports studying and better understanding and mitigating the health and community impacts of oil and gas extraction.

Fort Collins seeks the following:

- Increased local flexibility to regulate oil and gas activity within its incorporated borders
- Limiting the proximity of large-scale oil and gas sites to the City limits in order to minimize community impacts
- Mitigation measures that balance developing oil and gas resources with community environmental and human health
- Additional information about the chemicals being injected into the ground, especially during hydraulic fracturing
- Greater knowledge and control of air emissions from extraction processes and production equipment; including air emissions transported from outside of our community
- Enhanced right for communities to regulate oil and gas as an industrial practice and therefore apply local zoning practices to operators
- Better balance between surface land ownership and mineral right ownership

Fort Collins intends to use existing programs like the Local Government Designee (LGD) to their fullest potential but will also seek legislative remedies to areas of greatest concern. Fort Collins will also work with other interested communities to address oil and gas operation concerns. The City will monitor and engage as appropriate in rulemaking hearings of the Colorado Oil and Gas Conservation Commission.

**Objective:**

**Advocate solutions to nuisance and safety issues related to railroad proximity**

**Issue:**

Communities throughout the United States are wrestling with issues related to railroad proximity. These include extended blockages of community intersections, the transport of hazardous materials, rail car safety, train horn noise, transparency related to rail cargo and train switching. These issues affect quality of life for residents and business owners and can result in catastrophic disasters in cases of derailment.

Fort Collins has two active railroad corridors and three rail companies servicing the community and is working regionally, through the Colorado Municipal League (CML) and National League of Cities (NLC), to raise the profile of rail proximity issues. In addressing rail safety and rail proximity issues, the City has active relationships with Burlington Northern Santa Fe (BNSF), Great Western Railway (GWR) and Union Pacific (UP) railroad companies and has cultivated a relationship with the federal regulatory body - the Federal Railroad Administration (FRA).

In order to foster cleaner air, reduce auto congestion and improve quality of life, several federal agencies including the EPA, HUD and the Federal Transit Administration are encouraging Transit Oriented Development. The idea behind Transit Oriented Development is to bring residents closer to mass transit lines so that they can use mass transportation, and so that downtown revitalization can occur. The Mason Corridor Bus Rapid Transit, which began operation in 2014, is

one example. At the same time, the FRA train horn rule in effect is discouraging the development community and residents from locating around transit. Reform is needed.

Trains have regained preference for transporting goods and materials. The increased use of rail has added pressure to the system and identified several safety concerns - track maintenance, tanker car safety, and notification of hazardous materials to public safety leaders. Fort Collins will work to the following goals at a state and national level:

- Engagement with railroad companies
- Development of a “proximity issues” dialogue between railroad and local governments on a broad suite of topics
- Notification about hazardous material shipments passing through communities
- Ensuring track maintenance and train car safety
- Collaboration with railroads to train local emergency personnel
- Solution-oriented use of technology and innovation to improve conflict areas
- Promote improve existing federal and state regulations to identify reasonable safety protections

**Objective:**

**Support marijuana law clarifications and alignment with Colorado Constitution**

**Issue:**

The passage and implementation of Amendment 64 legalized adult use marijuana in Colorado. The Fort Collins City Council approved limited adult use marijuana businesses and sales in addition to existing medical marijuana businesses.

Fort Collins seeks clarification on the following items:

- Conflicts that exist between state and federal laws regarding marijuana possession
- Enforcement of the new law and its impacts on local staff and public safety resources
- Rules pertaining to packaging and labeling marijuana and products containing marijuana
- Effectively funding prevention of under-21 possession and use
- Community public safety
- Limiting THC content per serving size and restricting packaging to a single serving

In addition to adult use marijuana, communities across the United States that have authorized medical marijuana are struggling with implementation and the need for a single, viable distribution system. At the core of the issues with both medical and adult use marijuana is the classification of the drug. Marijuana is currently classified as a Schedule 1 drug. This designation means it cannot be prescribed by a doctor or handled through the same distribution channels as other prescribed drugs. As a result, different states have adopted different approaches in conflict with federal laws. In Colorado, medical marijuana may be recommended by a doctor but not prescribed. Work is needed at the federal level to clarify this issue.



The federal classification should be re-evaluated to consider allowing more medical research. If it is determined that marijuana fits one of the other classifications and does have medical benefits, it could be included in the existing drug delivery system.

**Objective:**

**Participate in federal, state and regional efforts to foster resilient communities and achieve Climate Action Plan goals**

**Issue:**

Making communities more resilient to disaster and the effects of a changing climate has become more important to Colorado communities over the last several years as natural disasters have caused significant human and property loss. Resilience has become a term used to describe hardening vulnerable community infrastructure and preparing for predictable hazards in order to soften the blow on citizens and infrastructure.

Making Fort Collins and Northern Colorado more resilient involves providing decision-makers hazard mitigation analysis and scientific data, then using that information to invest in complementary systems. Northern Colorado's experience is that resilience must be a regional effort that pays off through coordinated advanced planning and investment.

Resiliency efforts are important because they impact a broad set of critical services including:

- Land use
- Utility operations
- Transportation infrastructure
- Sustainability services
- Health
- Safety
- Emergency Response
- Disaster recovery

Fort Collins adopted aggressive emission reduction goals. The City supports policies and legislation helping communities to achieve these goals, gather scientific data supporting the goal and investing in needed infrastructure to ensure a clean energy future.

City staff are working to develop actions to implement in order to achieve the Climate Action Plan goals. These goals may be assisted and promoted through legislative and regulatory actions. Success in achieving the City's goals may be enhanced through partnership with communities that have adopted similarly aggressive climate action and adaptation goals.

The City is partnering with 12 other Colorado communities via Colorado Communities for Climate Action (CC4CA) to advocate for these efforts at a state and federal level. Action in the transportation and energy sectors will be important drivers for reducing emissions and achieving both the Climate Action

Plan and resilience goals. The Legislative Review Committee will track actions of this group throughout the legislative session and make recommendations of support as appropriate

The Fort Collins community is just one member of a regional “waste shed” in Northern Colorado. The City acknowledges this interdependence, and the role that state legislation can, and should, play in applying broad measures such as setting a state waste diversion goal and helping to support related strategies, which could also serve to reduce carbon emissions and create opportunities for waste-to-energy applications when ultra-low pollution conversion technology is used.

**Objective:**

**Support transportation infrastructure connectivity with an emphasis on funding an integrated, multi-modal system**

**Issue:**

Funding for vital transportation infrastructure will continue to be a high priority for the City of Fort Collins. Transportation infrastructure is a critical element to supporting community and regional economic health, safety and quality of life.

The City supports Congress’s recent long-term reauthorization of the nation’s surface transportation law with a focus on transit, livable community planning, comprehensive regional investments, revitalization of existing infrastructure, pedestrian and bicycle infrastructure, and approaches that decrease petroleum consumption and reduce carbon pollution.

We strongly support preservation or increase of federal levels of funding and allocation of all federal motor fuel taxes and other federal transportation trust funds for their intended purposes. In addition, we urge development of a new, more stable, long range transportation funding mechanism that doesn’t rely upon fuel tax revenues. Fuel tax is no longer a sustainable method of funding the nation’s transportation infrastructure needs. . If there is no way to raise/index the fuel tax to reflect current economic realities, then new funding mechanisms become critically important.

Fort Collins seeks a solution to secure critical funding of the nation’s highway and bridge projects. Allowing the Highway Trust Fund to become insolvent would be devastating to the City’s transportation infrastructure and have impacts throughout the Northern Colorado economy.

A key transportation funding priority for Fort Collins is Interstate 25 (I-25) in Northern Colorado. The highway has become a pinch point in the regional transportation inventory that limits access to and from Fort Collins for residents, visitors, and the delivery of goods and services. Immediate funding to widen north I-25 is needed to sustain the region’s economic growth. The City is an active part of the I-25 Coalition whose primary goal is to accelerate construction of a third lane in each direction of I-25 as identified in the I-25 North Project (from State Highway 6 to State Highway 14).

Colorado Department of Transportation recently received \$15 million in TIGER grant funding for I-25 improvements. This, in combination with \$25 million in local match commitments and private sector funds, as well as other scheduled funds for improvements, have accelerated improvements in Northern Colorado by fifteen years. Improvements include a third, managed (toll) lane in each direction plus three bridge improvements and regional bicycle trail connections and are scheduled to be completed in 2020. Improvements will be between SH-14 and SH-402. While these are critical improvements for Fort Collins and Northern Colorado, sizeable funding gaps remain in terms of needed I-25 improvements between SH-402 and SH-66.

Actions that may expedite the continued improvement and expansion of northern sections of I-25 include:

- A Transportation Revenue Anticipation Notes (TRANS) bond II ballot initiative (TRANS bonds were previously used to help fund the \$1.67 billion T-REX I-25 improvements in the south Denver Metro area)
- State of Colorado General Fund dollars going to transportation (maintenance & capital construction)
- Tax credit legislation for specific highway projects

**Objective:**

**Support comprehensive water resource management**

**Issue:**

Water resources in Colorado and throughout the West are stressed by many factors - environmental, population growth and aging infrastructure. Local water resource planning efforts ensure adequate supply to residents through managing the City's water rights portfolio, encouraging increased efficiency and expanding storage. Fort Collins will support efforts to address local and regional water needs, preserve its water rights portfolio, and to encourage conservation of water resources based on the 2016 adoption of the Water Efficiency Plan. The conservation of water resources extends to support for Cache la Poudre River restoration projects.

Fort Collins will participate in implementation of the Colorado Water Plan by the Legislature and any State agencies, rulemakings by water-related State agencies (such as, by way of example, the Colorado Department of Public Health and Environment, the Colorado Division of Water Resources, the Colorado Water Conservation Board), and the federal U.S. Army Corps of Engineers' and Environmental Protection Agency's (EPA) rulemakings affecting water storage, use, quality and conservation.

**Objective:**

**Support a comprehensive approach to reduce the impacts of poverty and housing affordability**

**Issue:**

Poverty and lack of affordable housing are persistent issues in Fort Collins and across Colorado. The City is interested in developing local solutions to these

persistent problems through collaboration and innovation. The City plays both a convening and leadership role among the many community service providers - seeking to foster sustainable solutions to complex social issues through a combination of City involvement and leadership.

Fort Collins supports solutions to address poverty within the community such as:

- Fully resource a state affordable housing fund
- Implement funding for the Earned Income Tax Credit
- Develop or expand programs that ensure a smooth transition from foster care to independence
- Increase funding for mental health care/programs
- Increase development of condominiums by addressing construction defect law reform
- Pilot innovative programs to address housing

**Objective:**

**Support Efforts to Address both Homelessness and Resource Resistant Populations**

**Issue:**

Homelessness and transient populations are persistent challenges in Fort Collins and other communities. Fort Collins works to address homelessness through partnering and supporting many community service providers and has a goal of making homelessness rare, short-lived, and non-recurring.

The resource resistant populations are those that occupy public spaces and are not interested in housing or other community services offered. In this arena, the City supports efforts to address public safety concerns, enforce existing local laws, and maintain a welcoming environment for all.

The City opposes efforts to undermine local control or enforcement of activities on public property.

**Objective:**

**Support the innovation economy**

**Issue:**

Innovation is a key attribute of the City organization and is also important to the community. Fort Collins has numerous drivers of innovation, intellectual property and inventions with an educated resident base, Colorado State University, federal research labs, and a long list of innovative companies. As a result, Fort Collins has a culture and support system that nurtures an innovation economy with the City often serving as a living laboratory for ideas and new technologies.

The City will maintain and enhance its innovation economy through:

- Supporting efforts to simplify the commercialization of intellectual property

- Efforts to increase the available capital to support innovation and new business formation
- Efforts that support the spin-off and development of intellectual property from research institutes, private business, and higher education
- Efforts to encourage the retention of new and innovative businesses in the community
- Supporting business incubation, primarily through the commercialization of intellectual property, with strong partnerships
- Application of innovative technologies and approaches to improve City programs and services

# LEGISLATIVE POLICY STATEMENTS

## *NEIGHBORHOOD LIVABILITY AND SOCIAL HEALTH*

### Strategic Outcome

Provide a high quality built environment and support quality, diverse neighborhoods

### AFFORDABLE HOUSING

The City of Fort Collins supports policy and funding mechanisms that help the City develop and maintain affordable housing for our community.

Therefore, the City supports the following policy statements:

1. Maintain or enhance current levels of funding for affordable housing throughout Colorado, including expanding the State Low Income Housing Tax Credit program.
2. Increase local government's ability to regulate, manage or generate alternative sources of funding for affordable housing, including public-private partnerships.
3. Protect the rights of low-income and/or disabled residents in tenant-landlord disputes, especially as it relates to safety issues.
4. Amend construction defect laws to reasonably balance safe and reliable housing with needed condominium construction.
5. Increase the amount of affordable, accessible, sustainable and high-quality housing in communities.
6. Develop strategies that balance the cost of services provided to the chronically homeless with the cost of providing permanent supportive housing.
7. Create a standardized statewide approach to addressing homelessness.
8. Invest in innovative approaches to address the causes of homelessness.

### DEVELOPMENT REVIEW AND INSPECTION

Fort Collins City Council adopts a land use code, zoning and new and existing property inspection protocol. The City supports retention of home-rule control in aligning development review and inspections with local priorities. In recent sessions, state legislators have introduced measures aimed at having local inspectors provide inspection for building types outside existing responsibilities without additional resources provided to conduct this work.

Therefore, the City supports the following policy statements:

1. Financially compensate a jurisdiction or agency for additional work of inspectors through fees or other means.
2. Give local governments choices in accepting additional inspection work.
3. Allow local governments to determine the time needed to conduct development review and inspection timelines.

### **PLANNING AND LAND USE**

Effective local land use planning and land development regulation contributes to the quality of life enjoyed primarily by Fort Collins residents, yet shared regionally within Larimer County. State legislation can influence local governments' ability to develop and implement land use plans for their communities.

Therefore, the City supports the following policy statements:

1. Require regional cooperation in land use and transportation planning, and foster sustainable development, without unduly constraining the City's home rule powers.
2. Prohibit the annexation of land that is located within the boundaries of a Growth Management Area that was legally established by an intergovernmental agreement between a municipality and a county by any municipality not a party to the agreement.
3. Limit the definition of a compensable taking and/or the definition of vested property rights beyond the provisions of existing law.
4. Retain local government authority to impose development impact fees.
5. Increase cities' ability to regulate industrial land uses like oil and gas exploration and extraction.
6. Foster equitable public housing policies that balance protection of tenants and landlords.

### **SOCIAL SUSTAINABILITY**

Fort Collins has implemented a triple-bottom line-oriented Sustainability Service Area in an effort to ensure community resources are allocated by considering equally human, environmental and economic benefits. The Social Sustainability Department's mission is to support a diverse, equitable, and inclusive community that successfully meets the basic needs of all residents. This mission is supported through programs, policies, and partnerships that provide access and opportunities for all.

Therefore the City supports the following policy statements:

1. Maintain or increase the funds available through the state and federal government for community-focused non-profits to provide human services and housing support.
2. Adequately fund K-12 and public post-secondary institutions to ensure opportunity for youth.
3. Provide funding for before and after school programs and school out days aimed at at-risk population and low- to moderate-income families.
4. Enhance neighbor relations by improving the resources available to community mediation and restorative justice programs.
5. Provide communities with resources to address chronic homelessness, mental health, and substance abuse.
6. Provide reasonable accommodation and expand access for special populations, including individuals with disabilities, seniors, at-risk youth, people with mental health needs, and households needing affordable childcare.

### URBAN AGRICULTURE

In 2011, City Plan, our community's comprehensive plan, was updated and contained four goals related to local food production. Staff has worked to align our policies and regulations with the goals outlined in our comprehensive plan. We have updated the Land Use Code to permit urban agriculture in all zone districts, allow farmers markets in more zone districts, allow a greater number and types of animals to be raised and exempted hoop houses from the building permit process in order to facilitate year-round production. The City has also been an active participant in the Northern Colorado Food Cluster which convenes stakeholders to advance local food initiatives. Locally grown food is a critical step towards a more sustainable community.

Therefore the City supports the following policy statements:

1. Provide options for urban farmers to have longer-term access to the land required for food production.
2. Provide all citizens access to healthy foods.
3. Address supply chain needs to support urban farmers.
4. Diversify the production, consumption and distribution of local food products.



5. Adopt food production practices that support innovative and efficient irrigation practices.

## ***CULTURE AND RECREATION***

### **Strategic Outcome**

Fort Collins provides diverse cultural and recreational amenities

### **CULTURAL SERVICES**

The City recognizes that art and culture are vitally important to the quality of life in our community and is committed to providing the citizens of Fort Collins with excellent cultural services.

Therefore, the City supports the following policy statements:

1. Fund cultural services activities promoting the education, entertainment and enrichment of the community.
2. Facilitate the creation, performance and presentation of the arts.
3. Protect and preserve our cultural heritage.
4. Expand access and inclusion for all citizens to cultural events.

### **PARKS AND RECREATION**

The City is committed to providing the community with excellent parks and recreation services and facilities. Our citizens enjoy a better quality of life, improved health, less crime and a greater sense of community because of our quality parks and recreation programs.

Therefore, the City supports the following policy statements:

1. Maintain or enhance funding for parks, trails, forestry, horticulture and recreation services and facilities.
2. Provide maximum local discretion to use Great Outdoors Colorado and other sources for funding municipal government projects addressing local needs and priorities.
3. Sustain availability of Great Outdoors Colorado grants to municipalities in equal or greater funding levels.
4. Enhance the City's ability to provide quality parks and recreation services and facilities for its citizens.
5. Enhance the protection of community trees and natural assets against invasive species, pests and other threats.
6. Expand access and inclusion for all citizens to community recreational opportunities.

## *ECONOMIC HEALTH*

### **Strategic Outcome**

Promote a healthy, sustainable economy reflecting community values

### **FINANCE**

As a municipality, the City of Fort Collins faces many complex financial issues. Strong fiscal planning, prudent debt management and preservation of the City's revenue base are vital in maintaining and improving the City's financial health. Considering the known impacts of legislation on the City's business community can help foster a stronger tax base and retain a strong quality of life.

Therefore, the City supports the following policy statements:

1. Maintain or expand municipal authority to establish alternative funding mechanisms, including financing tools such as public improvement fees (PIF) and certificates of participation (COP).
2. Increase funding for higher education, specifically Colorado State University and Front Range Community College.
3. Promote the equitable treatment of sales and use taxes to residents and corporations residing or doing business in Colorado by limiting exemptions.
4. Recognize the importance of sales and use tax to local, self-collecting municipalities and equitably distribute sales tax collections on e-commerce transactions.
5. Maintain or increase the City's revenue base (sales, use and property taxes).

### **INVESTMENTS**

The Fort Collins City Council has adopted investment policies to be used by the City. The policies are reviewed and updated periodically to ensure the safety and quality of the portfolio to maintain liquidity and to maximize portfolio earnings.

Therefore, the City supports the following policy statements:

1. Protect, without unnecessarily restricting, the investments of government entities.
2. Provide adequate transparency of the City's investment activity.
3. Provide municipalities freedom to participate in investments that meet their strategic objectives.
4. Do not restrict cities' ability to adopt their own investment policies.

## PRIVATIZATION

The City of Fort Collins utilizes outside contracts for procurement of many goods and services. This practice of privatization provides citizens with a balance of quality and cost efficiency.

Therefore, the City supports the following policy statements:

1. Enable cities to choose the provision of services through private enterprise in a manner that fosters cost effective, sustainable, quality services.
2. Maintain local control of the awarding of contracts and the accountability of local officials for those actions.
3. Oppose mandates that increase the complexity and cost of services without improving those services.

## ECONOMIC DEVELOPMENT

Fort Collins seeks to maintain a healthy and resilient economic base of businesses. The City works closely with businesses to retain and invest in alignment with the Council's Action Plan. A healthy and resilient economy for Fort Collins will include:

- Diverse jobs that enable citizens and businesses to thrive.
- Reflects the values of our unique community in a changing world.
- An innovative, creative, and entrepreneurial atmosphere.
- Strong partnerships and collaboration with the private sector, educational institutions, and other organizations.

Therefore, the City supports the following policy statements:

1. Promote sustainable economic development.
2. Retain local governments' use of tax increment financing as a tool to support Downtown Development Authorities and Urban Renewal Authorities, taking into consideration the land use impacts of such legislation (e.g., sprawl) the unique intent(s) and distinctive differences of both the DDA Act and URA Act, and the compelling interests and concerns of other taxing entities.
3. Adopt clarifying language to HB15-1348 to address ambiguity and confusion created by the drafters. Specifically, clarify intent that the law does not impact projects already underway.

## *ENVIRONMENTAL HEALTH*

### Strategic Outcome

Promote, protect and enhance a healthy and sustainable environment

### AIR QUALITY

The City's Air Quality Plan establishes a strong overall goal to "continually improve Fort Collins air quality."

Therefore, the City supports the following policy statements:

1. Adopt programs and policies that improve public health and air quality, and support rapid attainment of National Ambient Air Quality Standards including ozone. .
2. Ensure air quality standards are protective of public health and welfare.
3. Enhance local government authority to improve air quality beyond minimum State or Federal requirements.
4. Promote strategies to improve regional air quality, recognizing that air pollution does not follow jurisdictional boundaries.
5. Assure that Federal, State and County agencies have adequate authority and resources (funding and personnel) to enforce air quality regulations.
6. Promote voluntary actions to reduce air pollution.
7. Reduce vehicle emissions by:
  - Employing economic incentives, disincentives and other market approaches that support clean air
  - Encouraging behavior changes, such as biking, use of transit, and reducing vehicle idling
  - Encouraging or promoting lower emissions and lower carbon fuels, vehicles and supporting infrastructure
  - Supporting state motor vehicle emissions testing programs consistent with City air quality goals
8. Provide authority for local governments to implement vehicle emissions reductions programs.
9. Strengthen standards for tailpipe emissions, aggregate vehicle emissions and/or fuel economy for all vehicles including reducing the impact of "rolling coal" and nitrous oxide emissions.
10. Reduce or eliminate residential wood smoke emissions.

11. Reduce fossil fuel consumption in the transportation and building sector.

### **CLIMATE AND ENVIRONMENTAL PROTECTION**

The City of Fort Collins encourages local, state and national efforts to protect and enhance our environment. Additionally, the City has a policy goal to reduce greenhouse gas emissions 20 percent below 2005 levels by 2020 and 80 percent below 2005 levels by 2030 and 100 percent below 2005 levels by 2050. The goals call for Fort Collins to be carbon neutral by 2050.

Therefore the City supports the following policy statements:

1. Enhance Fort Collins' resilience to impacts of climate change.
2. Establish greenhouse gas (GHG) emission reduction targets at all levels of government.
3. Establish market-based mechanisms to reduce emissions.
4. Develop strategies to prevent pollution.
5. Maintain and protect the Colorado self-audit law.
6. Evaluate and address impacts of climate change on water demand and supply.

### **NATURAL AREAS AND OPEN LANDS**

The City has a vigorous program to protect natural areas and other important open lands within Fort Collins, within our Community Growth Management Area, and regionally.

The City works in partnership with other communities, Larimer County, private land trusts, Great Outdoors Colorado, community groups, and state and federal agencies to achieve community and regional conservation goals.

Therefore, the City supports the following policy statements:

1. Maintain or enhance tax incentives to private landowners for voluntary land conservation.
2. Expand the effectiveness of existing protection for wetlands, wildlife habitats, and other sensitive natural areas.
3. Support additional funding for conservation programs, including reinstating Colorado Parks and Wildlife license fees to at least 2005 levels.
4. Protect the Cache la Poudre River and local urban streams.

5. Increase the availability of Great Outdoors Colorado grants to municipalities in amounts equal to or greater than are currently offered.

### OIL AND GAS

Oil and gas extraction activity and associated health and environmental impacts are a concern for Fort Collins and many communities along the Front Range. There is a portion of a small oil field within Fort Collins 'incorporated boundaries, and the City has entered into an Operator Agreement or Memorandum of Understanding (MOU), that stipulates the operations, maintenance and inspection process for that operator's local holdings. Fort Collins residents have expressed continuing concern about the human and environmental health impacts from oil and gas operations, particularly from the hydraulic fracturing treatment used on most Colorado wells. In November 2013, voters approved a five-year moratorium on oil and gas extraction in order to study its property value and human health impacts.

Therefore, the City supports the following policy statements:

1. Encourage state, federal and academic studies evaluating impacts of oil and gas operations on human health and property values.
2. Establish baseline air pollutant levels and understand the ongoing contributions of the oil and gas industry to air pollution.
3. Provide local government the authority to inspect oil and gas sites and ensure operator compliance through enforcement of federal, state and local regulations.
4. Allow communities to understand impacts of oil and gas on water quality.
5. Allow greater local regulation of oil and gas exploration activities within municipal boundaries.
6. Better balance surface ownership with mineral right ownership.
7. Allow local governments the ability to apply municipal zoning on oil and gas extraction and storage activities.
8. Maintain the current formula allocation of severance tax to impacted jurisdictions so that they might address impacts from resource extraction.
9. Incentivize industry information sharing and collaboration with local governments on the planned development of resources within communities' Growth Management Areas.

## RECYCLING AND SOLID WASTE

The City of Fort Collins endorses a multi-pronged approach to waste minimization that includes recycling, re-use, composting, and source reduction. Additionally, the City adopted goals of diverting 75% of community waste by 2020; 90% by 2025 and 100% by 2030.

Therefore, the City supports the following policy statements:

1. Clarify and broaden the regulatory authority of local government to ensure the efficient management of recyclable material and solid waste.
2. Encourage integrated waste and materials management planning and implementation, including but not limited to creation of a state waste diversion goal.
3. Provide incentives and funding for programs that promote waste reduction, reuse and recycling, and development of related infrastructure.
4. Enable and encourage the development of endmarkets through “buy recycled” or “environmentally preferable purchasing” policies for government agency procurement.
5. Support programs to collect and monitor data on trash volumes, rates of diversion from landfill disposal and economic impacts of recycling.
6. Support producer responsibility initiatives, such as “take back” regulations that assist consumers to appropriately recycle packaging materials or certain products (e.g., electronic equipment or mattresses) and seek to eliminate state statute CRS Section 25-17-104, which currently limits local authority to regulate packaging materials (e.g., single-use plastic bags).
7. Establish a deposit fee on beverage containers and that would be used to pay for recycling programs.
8. Partner with neighboring and regional agencies and stakeholders to create facilities and infrastructure for regionally managing waste to its “highest and best” use.

## UTILITY SERVICES

It is critical that the City operate its water, light and power, stormwater and wastewater services in a financially sound, reliable, safe and environmentally acceptable manner. Like other municipal utilities across the country, Fort Collins is faced with many new and evolving challenges associated with changes in the industry, the replacement and security of its infrastructure and development and retention of a knowledgeable workforce.

Therefore, the City supports the following policy statements:



## ENERGY

1. Maintain or improve the reliability of energy delivery
2. Promote energy affordability and safety for residents, businesses and institutions
3. Support reductions of the community's GHG emissions from energy use in accordance with the *Climate Action Plan (CAP) Framework* (March 2015) – the current community GHG goals are a reduction of 20 percent from 2005 levels by 2020, 80 percent by 2030 and carbon neutral by 2050.
4. Reduce the emission of criteria pollutants
5. Reduce the environmental damage caused by energy extraction and production.
6. Leverage the role of Fort Collins Utilities Light & Power as the community's municipally owned utility.
7. Retain more of our community's energy expenditures in the local economy.
8. Foster local economic opportunity in energy efficiency, production and operation.
9. Leverage opportunities to coordinate integrated planning for energy and water supply and demands.
10. Increase our community's resilience to potential energy and climate related disruptions.
11. Maintain compliance with and leverage the potential benefits of local, regional, state and national regulatory frameworks, which impact energy production and use (e.g., carbon, fuel standards, ozone).
12. Make Fort Collins an energy leader that can serve as a model for other communities.
13. Incent renewable energy production, including wind power, and provide for "State Implementation Plan" credits for renewable energy (excluding residential wood burning and corn-based ethanol) and energy efficiency.

14. Oppose attempts to prevent or inhibit provision of municipal electric service in newly annexed areas.
15. Foster smart grid technology adoption and grid modernization.

#### WATER SUPPLY AND QUALITY

1. Maintain or expand the authority delegated to the state to administer federally mandated water, stormwater and wastewater environmental regulatory programs (primacy).
2. Enact reasonable water quality regulations that are cost effective and can show identifiable benefits.
3. Enable local watershed protection planning.
4. Provide cities the flexibility to enhance in-stream flows to preserve or improve the natural environment of the stream while protecting the integrity of Colorado's appropriation doctrine and City water supply.
5. Recognize the importance of infrastructure security while minimizing restriction to the Utility's ability to manage security as an integral part of the system.
6. Stipulate adequate funding for local governments to implement mandated programs.
7. Encourage regional collaboration for water planning, and efficiency and conservation implementation.
8. Encourage greater integration of water efficiency into land use planning and building codes.
9. Remove barriers to financing for water conservation projects.
10. Fund recovery and treatment of Cache la Poudre and other waterways impacted by natural disasters.
11. Enable the City to develop, protect and increase the flexibility and resiliency of its water supply under Colorado's appropriation doctrine without adversely affecting in-stream flows or the natural environment of the stream.

# ***HIGH PERFORMING GOVERNMENT***

## **Strategic Outcome**

Deliver an efficient, innovative, transparent, effective and collaborative city government

### **HOME RULE AND LOCAL CONTROL**

The City of Fort Collins is a home rule municipality. Home rule authority is of utmost importance to the City of Fort Collins, and affords the citizens of Fort Collins greater access to government and increased opportunity for participation and contribution to the decision-making process. In addition, many policy matters are best left to local determination and control, and the benefits of allowing for local control are sometimes overlooked in discussions at the state and federal level.

The City recognizes, however, that there are particular areas in which insistence on local control may be untimely or unwise. Therefore, proposed legislation must be reviewed on a case-by-case basis to determine when it is in the City's best interest to assert home rule authority or argue in support of local control, and when the City should support statewide intervention. The City must be free to regulate local activities that primarily impact the area within the City's boundaries, such as the speed of local traffic or the effects of particular land use developments. The City also understands the cumulative effect of these and other activities have statewide ramifications that may call for statewide regulation, to effectively manage such things as overall growth and development in the state, traffic congestion in major transportation corridors and environmental quality.

Therefore, the City supports the following policy statements:

1. Strengthen and preserve home rule authority of municipal governments.
2. Oppose State or Federal intervention in matters of local concern or matters that unnecessarily or adversely affect the City's ability to manage and operate pursuant to its home rule authority.
3. Oppose changes that increase (and support changes that lessen) the burdens on municipalities associated with public or other government records, establishment of ethics standards and procedures, operation of municipal courts, and other matters of municipal operations or authority.

### **HUMAN RESOURCES**

The City of Fort Collins is committed to the health, safety and well-being of its employees. The City works diligently to be efficient and responsible stewards of tax dollars ensuring that employee compensation and benefits are fair, market-based, and competitive. The City believes that its citizens, through their elected representatives on City Council, are in the best position to determine appropriate City

employee compensation, benefits, appeal rights related to disciplinary action and policies.

Therefore, the City supports the following policy statements:

1. Enhance the City's ability to make decisions on employment issues, including collective bargaining, arbitration, compensation, appeal rights related to disciplinary action and benefits to further an equitable work environment.
2. Expand the City's ability to determine how best to manage health, welfare and wellness services for employees.
3. Maintain current state funding for police officer death and disability benefits.
4. Oppose proposals that would allow employees and/or retirees with defined contribution plans to move into defined benefit plans if there is a cost to local government.
5. Oppose proposals that would limit the City's ability to test job applicants or employees at work for impairment due to consumption of alcohol or controlled substances or to set limits related to such testing.

### RISK MANAGEMENT

The City of Fort Collins recognizes the dual purpose of the workers' compensation system - providing benefits promptly to injured employees in a cost-effective manner and minimizing costly litigation. Council also recognizes that the City's self-insurance program is a cost-efficient method to insure workers' compensation and that government intervention or taxation can negatively impact the City.

Therefore, the City supports the following policy statements:

1. Improve administrative efficiency of the Division of Workers' Compensation.
2. Resist increased insurance premium costs to employers.
3. Limit or reduce administrative burdens or taxes to self-insurance programs.
4. Limit insurance claim litigation.
5. Increase the City's options and ability to manage workers' compensation claims; oppose actions like removing existing off-sets to workers' compensation benefits or limiting the City's ability to designate treating physicians.
6. Oppose efforts to presumptively expand workers' compensation coverage to illnesses or injuries that are not work related.

## SOVEREIGN AND GOVERNMENTAL IMMUNITY

The Fort Collins City Council recognizes that the complexity and diversity of City operations and services may expose the City and its officers and employees to liability for damage and injury. The Council further recognizes that City officers and employees must be confident that they have the City's support in the lawful and proper performance of their assigned duties and responsibilities.

Therefore, the City supports the following policy statements:

1. Protect the interests of municipalities and their officers and employees in the lawful and proper performance of their duties and responsibilities.
2. Discourage baseless and frivolous claims and demands made against municipalities, their officers and employees.
3. Maintain or enhance municipal liability protections and municipal immunity.

## TELECOMMUNICATIONS

The City of Fort Collins encourages a competitive, open market for cable and telecommunications services in order to ensure the public has access to a variety of programming and services at the lowest cost possible.

Therefore, the City supports the following policy statement:

1. Maintain and enhance local franchising authority to preserve local governments' ability to negotiate in the public interest for cable channel space, institutional networks and public education and government programming.
2. Permit communities to offer high speed internet, Wi-Fi and other enhanced telecommunication services to residents, schools, academic institutions and businesses.
3. Allow municipalities to provide telecommunication services within City-owned facilities and on City property.
4. Enhance exclusive digital communication networks for public safety personnel during emergencies.

## ***SAFE COMMUNITY***

### **Strategic Outcome**

Provide a safe place to live, work, learn and play

### **FIRE PROTECTION**

The Fort Collins City Council recognizes the critical importance of maintaining a safe environment and protecting the lives and property of the citizens of Fort Collins.

Therefore the City supports the following policy statements:

1. Institute a state fire code, the code of choice being the International Building and Fire Code, and allow municipalities to adopt their own amendments.
2. Oppose limits to local enforcement of the International Fire Code as adopted with local amendments, imposing inspection requirements or preventing collection of permit or inspection fees as required by the local jurisdiction.
3. Enhance life safety and property protection through the installation of fire protection systems in structures when appropriate and do not restrict any local jurisdiction from requiring the installation of fire sprinklers.
4. Strengthen the City's ability to prohibit the use and sale of fireworks and allow counties and fire districts to prohibit and otherwise control fireworks without approval of the County Commissioners.
5. Promote fire safety, education and prevention with the goal of reducing injury, loss of life and property damage.
6. Allow local jurisdictions (municipalities and special districts) to implement open burning restrictions.

### **HAZARDOUS MATERIALS MANAGEMENT**

It is an important concern of the City to safeguard Fort Collins' health and environmental safety by reducing risks from the unauthorized release of hazardous materials or hazardous waste.

Therefore, the City supports the following policy statements:

1. Allow the City to continue controlling risks from hazardous materials use, storage and transportation through the International Building and Fire Code and related local amendments.

2. Allow Fort Collins to adopt local regulations for hazardous materials, including review and approval of the location of facilities that use or store hazardous materials or hazardous waste.
3. Strengthen the enforcement of hazardous materials regulations.
4. Strengthen the diversion of hazardous waste from landfills.
5. Establish greater flexibility and more options for local government in the management of publicly-owned areas thought to have asbestos-containing soils while maintaining responsible site management practices.
6. Prevent and penalize improper storage and disposal of hazardous or exploration and production (E&P) wastes from oil and gas operations within municipal boundaries.
7. Preserve community safety by ensuring emergency responders have all available information needed to effectively address disasters and maintain public well-being.
8. Ensure hazardous materials are not stored or used within the 100-year floodplain.

## MARIJUANA

In 2012, Colorado voters approved Amendment 64 which legalizes the possession of adult-use or recreational marijuana in the state. During the same election Fort Collins residents voted to approve the use of medical marijuana within the city. Federal law maintains that marijuana is a schedule 1 drug and, as such, can neither be possessed and used nor researched.

Therefore, the City supports the following policy statements:

1. Regulate medical and retail marijuana manufacturing, distribution and dispensaries.
2. Clarify the implementation and local rights and responsibilities related to Amendment 64.
3. Clarify and align federal marijuana law with the Colorado Constitution.
4. Protect communities' ability to raise necessary funds to maintain public safety and enforce marijuana possession laws.
5. Prevent under-21 access to marijuana.
6. Clarify the rights of individuals, landlords and homeowner associations in limiting or preventing growing or consuming marijuana in multi-family dwellings.

7. Provide additional state marijuana enforcement resources, especially for field enforcement.
8. Limit THC content per serving size and restrict packaging to a single serving.

### MUNICIPAL COURT

The Fort Collins Municipal Court is responsible for administering the operations of the judicial branch of City government according to the ordinances adopted by City Council. Cases adjudicated in Municipal Court include traffic violations, misdemeanors, and civil infractions. Generally, cases are brought to Municipal Court by the Fort Collins Police Services, Colorado State University Police Department, Animal Control, other City departments, and private residents.

Therefore, the City supports the following policy statements:

1. Support the current jurisdiction of municipal courts, particularly for home rule municipalities.
2. Oppose limitations on the authority of municipalities to enforce their own ordinances in municipal courts.
3. Oppose imposition of state surcharges on municipal court fines for the purpose of funding state programs.

### PUBLIC SAFETY

The Fort Collins City Council recognizes the critical importance of maintaining public order, providing a safe environment, and protecting the lives and property of the citizens of Fort Collins.

Therefore, the City supports the following policy statements:

1. Develop treatment and intervention programs, especially for youth, which have the potential to reduce incidents of violence in the community.
2. Provide greater protection to victims of crime.
3. Maintain or enhance the City's right to use camera enforcement of traffic laws, reduce operational restrictions on the use of camera enforcement, and increases the fines associated with violations.
4. Establish protocols and funding for shared, statewide emergency response communications, including supporting Larimer Emergency Telephone Authority (LETA) and other efforts to resolve the 911 redundancy issue.
5. Oppose initiatives that have the potential to compromise officer safety.



6. Establish minimum training criteria and professional mediator certification that formally legitimizes the field of Alternative Dispute Resolution (ADR).
7. Regulate the use of cell phones by motorists while operating a vehicle.
8. Preserve or increase funding for treatment of mental illness and substance abuse disorders.
9. Maintain or enhance a statewide database of concealed weapons permits.
10. Seek to reduce community flood risks.
11. Reduce cities' liability for prisoners' self-inflicted wounds while in police custody or detention facilities.
12. Restrict access to illegal substances.
13. Require greater producer responsibility, such as "take back" for prescription drugs to avoid these substances being abused or being disposed of into the water supply.
14. Clarify the qualifications for what types and purposes a business may obtain and use a state liquor license.
15. Define what qualifies as a "meal" when calculating the percentage of meals served for a liquor license.
16. Increasing state, regional and local disaster resilience.
17. Promote efforts to reduce conflict between community members and law enforcement.
18. Encourage the voluntary use of body-worn camera technology on officers and development of community-specific standards for the use of cameras and their data.
19. Develop grant programs for police department use to fund the purchase, training and deployment of body-worn cameras and the retention of footage.

# *TRANSPORTATION*

## Strategic Outcome

Provide for safe and reliable multi-modal travel to, from, and throughout the city

### TRANSPORTATION

The City actively promotes the safety and ease of traveling to, from and throughout the community using a variety of modes of transportation. Additionally, the City's policy is to encourage the use of alternative transportation whenever appropriate.

Therefore, the City supports the following policies:

1. Facilitate cooperative programs among government agencies in order to help the City meet its basic transportation needs, including transit, street, highway, road and bridge construction and maintenance, and safe corridors for bicyclists, pedestrians and those using mobility aid devices.
2. Oppose reductions to the present allocation formula of 60 percent state, 22 percent counties, and 18 percent municipalities for Highway User Tax Fund (HUTF) or any appropriations from the state using the same formula.
3. Explore and analyze alternative methods of funding transportation infrastructure needs.
4. Fund analysis and implementation of inter- and intra-regional transit linkages, including future commuter rail connectivity.
5. Facilitate regional planning for various modes of transportation with the goal of providing practical solutions to reduce reliance on single-occupant vehicles.
6. Encourage flexibility in federal funding and regulations in order to better meet the needs of small to medium-size communities.
7. Encourage or incent locating affordable housing near transit for greatest accessibility.
8. Preserve the guaranteed levels of federal funding for transportation and allocation of all federal motor fuel taxes and other federal transportation trust funds for their intended transportation purposes.
9. Broaden the definition of the gasoline tax to a "fuel tax" that encompasses other fuel options as they become more prevalent.
10. Increase local governments' ability to prevent railroad trains from blocking street and highway grade crossings for unreasonable time periods.

11. Foster dialogue between railroad operators and communities aimed at solutions to rail proximity issues.
12. Facilitate the implementation of railroad quiet zones in municipalities and reduce train horn decibel and duration requirements in existing federal rule.
13. Oppose divesting key highway roads in urban areas from the state and make them the sole responsibility of local jurisdictions.
14. Maintain safe operation of railroads through timely track inspections, joint training and communication between railroad and emergency personnel, and the use of safe equipment.
15. Develop financing programs for Interstate 25 improvements.
16. Explore solutions to improve bicycle safety and fund implementation projects in communities. Oppose reductions in federal dollars for alternate travel modes.
17. Clarify federal and state regulations in order to preserve local governments' ability to utilize unmanned aerial vehicles (UAVs) for service-related purposes.
18. Ensure local government has access to test the use of UAVs in service delivery.

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