



Karen Weitkunat, Mayor  
Kelly Ohlson, District 5, Mayor Pro Tem  
Ben Manvel, District 1  
Lisa Poppaw, District 2  
Aislinn Kottwitz, District 3  
Wade Troxell, District 4  
Gerry Horak, District 6

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

Cablecast on City Cable Channel 14  
on the Comcast cable system

Darin Atteberry, City Manager  
Steve Roy, City Attorney  
Wanda Nelson, City Clerk

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## **ADJOURNED MEETING**

### **Monday, March 18, 2013**

**6 p.m.**

1. Call Meeting to Order.
2. Roll Call.
3. Items Relating to Woodward, Inc.  
*This item is being postponed at the direction of the City Manager.*
4. First Reading of Ordinance No. 044, 2013, Authorizing the Conveyance to Woodward, Inc. of Two Non-Exclusive Permanent Drainage Easements and a Temporary Construction Easement on City-Owned Property. (staff: Jon Haukaas, Daylan Figgs, Helen Matson; 5 minute staff presentation; 10 minute discussion)

The proposed Woodward Link-N-Greens Campus (“Woodward”) will be a master-planned campus providing the ability to retain and grow primary jobs for the community. The campus will accommodate Woodward’s continued growth of its current operations in Fort Collins. It also includes adjacent commercial services that can be used by Woodward employees and the public with close access to downtown and the Mulberry corridor. The planned campus will help to improve the river corridor through the site including restoration of the natural river corridor landscape, habitat, and appropriate recreation opportunities.

The proposed use is compatible with existing and anticipated development, and supports the City’s vision for this area. Fort Collins’ City Plan (Plan Fort Collins) identifies this site in its Targeted Infill and Redevelopment Areas Map and denotes the Lincoln Avenue Area as one of its “Catalyst Project Areas”. These Areas are identified as locations in the city having potential to showcase opportunities to embrace the Plan Fort Collins vision themes of Innovate, Sustain, and

Connect. They are viewed as potential places for public/private initiatives using a triple bottom line approach addressing economic, environmental, and social factors in a balanced manner.

For this development, Woodward has requested that the City grant Woodward two permanent drainage easements for stormwater flows, one which would include construction of a buried drainage pipe and the other for a graded swale. In addition, a temporary construction easement is needed for grading, landscaping, and associated restoration work on City-owned property adjacent to the Poudre River.

5. First Reading of Ordinance No. 047, 2013, Enacting Water Rates Adjustments for the Water Supply Shortage Response Levels Established in the Water Supply Shortage Response Plan and Amending the Plan. (staff: Donnie Dustin, Lance Smith, Lisa Rosintoski; 10 minute staff presentation; 30 minute discussion)

Based on the uncertainty of how much water supply will be available from the two main sources of supply, the Poudre River and Colorado-Big Thompson Project (CBT), which was presented to City Council as a staff report on February 5, the City Manager will declare Response Level 1 water restrictions for the City of Fort Collins on March 6 for the water restrictions to be effective on April 1, 2013.

The Water Supply Shortage Response Plan, Ordinance No. 048, 2003, recommends water rate adjustments for Response Levels 2, 3 and 4. In preparing for the potential of moving to Response Level 2 or higher, Fort Collins Utilities staff has determined the amount that water rates need to be increased for each Response Level. Revising rates to be revenue neutral is consistent with the intent of the Water Supply Shortage Response Plan and how the rates were developed in 2003. The rates being proposed in this Ordinance attempt to maintain revenues at the 2013 budgeted level for each possible Response Level. The Ordinance also increases the Excess Water Use Surcharge for each Response Level beginning with Response Level 1.

Ordinance No. 048, 2003 does not allow the use of water fountains for public display for any of the Response Levels. In preparation for the implementation of the Water Supply Shortage Response Plan, the City Manager has recommended that certain facilities of the City containing water features be excluded from the water restrictions set forth in the Plan so as to allow City management to evaluate their operation and use on a case-by-case basis in response to water shortage conditions.

6. First Reading of Ordinance No. 048, 2013, Amending Chapter 10 of the City Code Relating to Development in the Poudre River Floodplain. (staff: Jon Haukaas, Ken Sampley, Marsha Hilmes-Robinson, Brian Varrella; 10 minute staff presentation; 1 hour discussion)

The final component of the Stormwater Repurposing program is to review the level of regulation protecting life and property for areas within the Poudre River floodplain. Staff is recommending that Council adopt revisions to the City Code that will establish a "performance-based" criteria and regulation that places more emphasis on life safety through advance warning and evacuation.

The proposed Code language requires the development of a site-specific Emergency Response Preparedness Plan (ERPP) for additions, substantial improvements, change of occupancy, redevelopment and/or new development within the Poudre River 100-Year floodplain. The ERPP requires that procedures be established for evacuation a minimum of two hours in advance of when flood waters will impact the site and/or any portion of the designated evacuation routes. The Code language requires that the ERPP be reviewed and updated annually if there are substantive changes to elements of the plan. In order to facilitate the implementation of this new Code language, staff has developed the following documents:

1. A draft template that uses the requirements outlined in the proposed code language to guide the preparation of site-specific ERPP's
2. A draft ERPP annual checklist form.

March 18, 2013

The Working Committee and North Fort Collins Business Association (NFCBA) support the new approach and recommend that the proposed revisions to the Poudre River floodplain regulations be presented to City Council for adoption. The Water Board recommended approval of the proposed revisions as an enhancement to the existing regulations, but encouraged Council consider prohibiting any new structures (i.e., development, redevelopment, etc.) in the 100-Year Floodplain.

Staff recommends that an effective date of July 1, 2013 be established so that advance notice can be provided to property owners and applicants for development submittals.

7. First Reading of Ordinance No. 046, 2013, Amending Chapter 12 of the City Code to Establish a Disposable Bag Fee. (staff: Susie Gordon; 15 minute staff presentation; 45 minute discussion)

At its November 27, 2012 work session, Council requested staff draft an ordinance that would apply a fee on single-use grocery shopping bags. An ordinance is proposed that establishes a 10-cent fee on both plastic bags and paper sacks that are used in the community's grocery (food) stores.

8. Other Business.

9. 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 Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.



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