

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

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

Cablecast on City Cable Channel 14
on the Comcast cable system

Steve Roy
City Attorney

Darin Atteberry
City Manager

Wanda Nelson
City Clerk

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 (TDD 224-6001) for assistance.

**Regular Meeting
November 19, 2013**

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

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

- **CITIZEN PARTICIPATION**

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

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

- **CITIZEN PARTICIPATION FOLLOW-UP**

Consent Calendar

The Consent Calendar is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Anyone may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately. Agenda items pulled from the Consent Calendar will be considered separately under Pulled Consent Items. 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 October 15, 2013, Regular Council Meeting.
2. Postponing Indefinitely the Second Reading of Ordinance No. 094, 2013, Authorizing the Lease of City-Owned Property at 212 W. Laporte Avenue to Feeding Our Community Ourselves, Inc. For Up to Five Years.

Staff is requesting this item be postponed indefinitely. Feeding Our Community Ourselves, Inc. ("FoCo Cafe") was seeking approval to lease 212 West Laporte Avenue to house a non-profit cafe. Due to the proposed design and development of the Block 32-42 Master Plan, 212 West Laporte will no longer be available to lease. FoCo Cafe is currently seeking other sites to lease.

3. Second Reading of Ordinance No. 155, 2013, Appropriating Prior Year Reserves in the General Fund for the Purchase of a Police Scene Response Vehicle.

This Ordinance, unanimously adopted on First Reading on November 5, 2013, appropriates funding for a Police Scene Response Vehicle from the Camera Radar Reserve Account. Police Services has identified a suitable replacement vehicle, manufactured by Lynch Diversified Vehicles. The new scene response vehicle will cost \$171,476, to be funded from the Camera Radar Reserve account.

4. Second Reading of Ordinance No. 157, 2013, Designating the Mark and Effie Miller Property, 315 Whedbee Street, as a Fort Collins Landmark Pursuant to Chapter 14 of the City Code.

This Ordinance, unanimously adopted on First Reading on November 5, 2013, designates the Miller Property, 315 Whedbee Street as a Fort Collins Landmark. The owners of the property, Maggie and Bryan Dennis, are initiating this request.

5. First Reading of Ordinance No. 163, 2013, Appropriating Unanticipated Grant Revenue in the General Fund for the Natural Resources Radon Program and Authorizing the Transfer of Matching Funds Previously Appropriated in the Environmental Services Operating Budget.

The purpose of this item is to appropriate \$4,973 awarded to the City by the Colorado Department of Public Health and Environment, to transfer a matching amount of \$4,973 from the 2013 General Fund, and to combine these in the Natural Resources Radon Program account. The Radon Program carries out radon risk-reduction activities as identified in the current City Budget.

6. First Reading of Ordinance No. 164, 2013, Appropriating Prior Year Reserves in the General Fund for Waste Reduction and Diversion Projects Approved by the Waste Innovation Program.

The purpose of this item is to shift \$53,100 accumulated during 2013 in the Waste Innovation Program Fund (WIP) account into the City's General Fund account for an approved Streets Department project to buy a new piece of equipment called a Power Screen, for use at the Hoffman Mill Road Crushing Facility.

The Power Screen will significantly increase the Streets Department's ability to screen ground-up asphalt, concrete aggregates, and fill dirt, from the current maximum of 300 tons/day to 400 tons an hour. On an annual basis, the Mill Road Crushing Facility averages 100,000 tons of recycling. Products generated by the Facility are used on City streets paving projects or sold to the public.

7. Items Relating to the Drake-Shields Intersection Improvement Project.

A. Resolution 2013-092 Authorizing the Mayor to Execute an Intergovernmental Agreement with the Colorado Department of Transportation in Support of the Drake/Shields Intersection Improvements Project.

B. First Reading of Ordinance No. 165, 2013, Appropriating Unanticipated Grant Revenue in the Capital Projects Fund for the Drake Road and Shields Street Intersection Improvement Project.

The purpose of this item is to appropriate unanticipated federal grant revenue for intersection improvements partially funded through Building on Basics funding.

8. Resolution 2013-093 Amending the City Council's Financial Management Policies by Updating the Revenue and Debt Policies Sections Contained Therein.

The purpose of this item is to approve an updated City Debt Policy and Revenue Policy. Neither policy has been updated in many years. Since the last update, staff has developed a new framework for updating, controlling, formatting and publishing financial policies. The most significant change to the Revenue Policy is the inclusion of six revenue principles that provide staff and City Council a foundation for making sound financial decisions that provide citizens of

Fort Collins a diverse, stable and fair revenue stream equipped to provide the services necessary to keep Fort Collins great. Under the new Debt Policy, the City's discrete governmental funds are limited to \$70M in additional debt, compared to \$150M under the existing policy.

9. Resolution 2013-094 Adopting the City's 2014 Legislative Policy Agenda.

The purpose of this item is to adopt the City Council's 2014 Legislative Policy Agenda. Each year the Legislative Review Committee (LRC) develops a legislative agenda to assist in the analysis of pending legislation. The Legislative Policy Agenda is used as a guide by Council and staff to determine positions on legislation pending at the state and federal levels and as a general reference for state legislators and congressional delegation.

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**

- **COUNCILMEMBER REPORTS**

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

Discussion Items

The method of debate for discussion items is as follows:

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

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

10. Public Hearing and Resolution 2013-195 Approving the Programs and Projects that will Receive Funds from the Federal Community Development Block Grant and HOME Investment Partnership Programs and the City's Affordable Housing Fund. (staff: Sharon Thomas; 10 minute staff presentation; 10 minute discussion)

The purpose of this item is to approve the programs and projects recommended for funding to complete the 2013 Fall Competitive Process allocating City financial resources to affordable housing and community development activities utilizing funds from the federal Community

Development Block Grant (CDBG) program, the HOME Investment Partnership (HOME) program and the City's Affordable Housing Fund (AHF).

11. Second Reading of Ordinance No. 158, 2013, Amending Article III of Chapter 12 of the City Code Pertaining to Smoking in Public Areas. (staff: Beth Sowder; 5 minute staff presentation; 30 minute discussion)

This Ordinance, unanimously adopted on First Reading on November 5, 2013, expands the City's Smoking Ordinance to include smoke-free outdoor dining areas, bar patios, and Transfort's public transit facilities, shelters, benches, and platforms. Staff has gathered additional feedback and information since the November 5 City Council meeting.

12. Second Reading of Ordinance No. 156, 2013, Appropriating Unanticipated Revenue in the Stormwater Fund from Larimer County for Construction of Certain Stormwater Improvements in the West Vine Basin. (staff: Mark Kempton; no staff presentation; 5 minute discussion)

This Ordinance, adopted on First Reading on November 5, 2013 by a vote of 5-0 (Campana recused; Weitkunat absent) appropriates funds for the construction of the West Vine Basin Stormwater Outfall Channel from Vine Drive north to the Cache la Poudre River.

13. Items Relating to the Adoption of the Colorado Water Conservation Board Floodplain Regulations. (staff: Marsha Hilmes-Robinson, Jon Haukaas, Ken Sampley, Brian Varrella; no staff presentation; 5 minute discussion)

A. Second Reading of Ordinance No. 160, 2013, Amending Chapter 10 of the City Code Regarding Flood Hazard Areas to Conform to Colorado Water Conservation Board Floodplain Regulations.

B. Second Reading of Ordinance No. 161, 2013, Amending Chapter 10 of the City Code Regarding Flood Hazard Areas to Clarify Certain Provisions.

C. Second Reading of Ordinance No. 162, 2013, Amending Chapter 10 of the City Code Regarding Flood Hazard Areas to Revise Certain Requirements.

These Ordinances, adopted on First Reading on November 5, 2013 by a vote of 5-0 (Campana recused; Weitkunat absent) adopt new minimum statewide floodplain regulations promulgated by the Colorado Water Conservation Board (CWCB) in January 2011 and additional proposed Code language clarifications and City policy revisions. All communities must adopt the CWCB regulations by January 2014. The City of Fort Collins already has adopted many of these standards. Therefore, there are relatively few changes needed to meet the CWCB statewide regulations.

14. First Reading of Ordinance No. 166, 2013, Amending Chapter 10 of the City Code to Revise Fees for Floodplain Use Permits, Reviews and Variances. (staff: Ken Sampley, Jon Haukaas, Lance Smith; 10 minute staff presentation; 30 minute discussion)

The purpose of this item is to adopt new and updated floodplain review fees in Chapter 10 (Flood Prevention and Protection) of the City Code. Chapter 10 outlines floodplain regulations that promote the public health, safety and general welfare and minimize public and private losses due to flood conditions in flood hazard areas. The floodplain regulations require that proposed activities, uses, improvements, or alternations within designated flood hazard areas be submitted to the City of Fort Collins for review to ensure compliance. These items are reviewed by staff from the City's Stormwater Master Planning and Floodplain Administration Division. City Code specifies that applicants must pay floodplain review fees for these services. The current fees do not provide a mechanism to properly account for the significant review times associated with certain types of floodplain reviews including Conditional Letters of Map Revision (CLOMRs), Letters of Map Revision (LOMRs) and variance requests. Staff recommends that a new fee structure be established to better assign costs to floodplain review applicants. This Ordinance establishes specific floodplain review fees for:

- fences, accessory structures (sheds/garages), decks and fill or grading operations;
- Building additions, improvements/remodels, redevelopment or new buildings;
- Mobile homes, floodproofing of structures;
- Variance applications;
- City basin no-rise analyses and floodplain map revisions; and,
- Federal Emergency Management Agency CLOMRs, LOMRs and LOMR-Fills.

15. Resolution 2013-096 Adopting the 2013 Paved Recreational Trail Master Plan. (staff: Craig Foreman, Marty Heffernan; 5 minute staff presentation; 30 minute discussion)

The purpose of this item is to consider adoption of the Paved Recreational Trail Master Plan. Pursuant to Council direction and City planning efforts, an interdepartmental Trail Team collected a great deal of information on the City's paved trail system and trail use and presented the results to Council at the December 11, 2012 Work Session. This information, along with detailed information on the history and condition of the trail system, trail design standards, funding issues and recommended trail projects and action items comprise the 2013 Paved Recreational Trail Master Plan. The Plan has been reviewed by several City boards and commissions, and all of them recommend adoption of the Plan.

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

● **OTHER BUSINESS**

- a. Adjourn Meeting to 5:30 p.m., Tuesday, November 26, 2013.

● **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.



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City Council Work Session November 19, 2013 After the Regular Council Meeting

- **CALL TO ORDER.**

1. Master Plan for Blocks 32 & 42, Downtown Fort Collins and Utility Building Expansion Update.
(staff: Ken Mannon, Mike Beckstead, Lance Smith, Wayne Sterler; 1 hour discussion)

The purpose of this work session is twofold:

1. Part A is intended to provide City Council with an update on the Master Plan for Blocks 32 and 42 and how the proposed new Utility Customer Service and Administration building fits into this plan.
2. Part B is intended to provide City Council with an update on the proposed new Utility Customer Service and Administration Building and renovation of the existing Utility Service Center at 700 Wood Street.

Part A - Master Plan for Blocks 32 and 42

The City of Fort Collins is looking towards development of its downtown property to meet future building capacity and improve efficiencies between departments. Most City buildings are at or near capacity, and the City is looking at ways to use Blocks 32 and 42 and plan how the City of Fort Collins should function as the area is developed over the next 15 -20 years and prepare for future growth for the next 50 plus years. RNL Design leads the team which is looking at these properties, determining how the various departments interact, and helping us develop a conceptual master plan.

The design and building project teams have developed two final design options presented here, along with staff recommendation.

Part B - Utilities Building Update

A new Utilities Customer Service and Administration building is being proposed for construction beginning in May 2014. This building would be located in Block 32 on Mason Street and would house the customer service and senior management of the Fort Collins Utilities Service Area. Space initially unused by Utility staff would be leased in this building to the City's Sustainability Services Area in the near term until it is needed by Fort Collins Utilities.

In addition to the new building on Mason Street there are operational needs to renovate existing space at 700 Wood Street. Such a renovation would also improve the building's security and energy efficiency. Together, the construction of the new building and the renovation of the existing building are expected to cost \$20M. Currently, the Light & Power Fund has \$4.5M in Reserves for this effort leaving a need for \$15.5M to be financed.

A revenue bond is recommended to finance this project. It is recommended that a single bond issuance be made through the Light & Power Enterprise Fund.

- **OTHER BUSINESS.**

- **ADJOURNMENT.**