



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 February 18, 2014**

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

None.

**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 Minutes of the January 21, 2014 Regular Council Meeting.

The purpose of this item is to approve the minutes from the January 21, 2014 Regular Council Meeting.

2. Postponement of Items Relating to the Kechter Farm Annexation and Zoning to March 4, 2014.

Staff requests that Second Reading of the Kechter Farm Annexation and Zoning Ordinances (Ordinance Nos. 005 and 006, 2014) be postponed until March 4, 2014. The final plat approval should be considered by the Board of County Commissioners by the end of February. Under the Intergovernmental Agreement (IGA) with Larimer County, the City has agreed to not annex lands within the Fossil Creek Reservoir Area Plan until after final plan approval by the County. Postponing this item until the March 4 meeting will honor the City’s commitment in the IGA.

3. Second Reading of Ordinance No. 023, 2014 Vacating a Portion of the Fossil Boulevard Right-of-Way as Dedicated on the Plat of Redtail.

This Ordinance, unanimously adopted on First Reading on February 4, 2014 vacates a portion of the Fossil Boulevard right-of-way that is no longer necessary or desirable to retain for public street purposes. The property owner adjacent to this portion of right-of-way is requesting the vacation. This location will be the future site of the Redtail Ponds Permanent Supportive Housing project (Redtail Second Filing).

4. First Reading of Ordinance No. 024, 2014, Appropriating Prior Year Reserves in the Keep Fort Collins Great Fund to Fund Further Development of the West Central Neighborhoods Plan.

The purpose of this item is to appropriate \$170,000 of KFCG Other Transportation Reserve funds for consulting services associated with the Transportation Element of the West Central Neighborhoods Plan. An update of the plan is scheduled for 2014. The requested funding enhances the overall planning effort by including an analysis of the neighborhood transportation network, consideration of growth on and around the Colorado State University campus, recommendations and strategies, and detailed corridor vision and design for Prospect Road between College Avenue and Shields Street.

5. First Reading of Ordinance No. 025, 2014, Appropriating Prior Year Reserves in the Water Fund to Fund the Replacement of the College Avenue Waterline From Mulberry Street to Buckeye Street.

The purpose of this item is to fund the replacement of the College Avenue waterline from Mulberry to Buckeye Streets, just south of Pitkin. Ordinance No. 134, 2013 appropriated funds for the design of this project. Design and cost estimating have been completed. This Ordinance appropriates \$2.1 million from reserves for the construction of this project.

6. First Reading of Ordinance No. 026, 2014, Amending Subsection 2-31(a)(2) of the City Code, Pertaining to Executive Sessions Held for the Purpose of Meeting with Attorneys for the City.

The purpose of this item is to amend subsection 2-31(a) of the City Code, which pertains to executive sessions held for the purpose of meeting with attorneys for the City. The purpose of the amendment is to more closely conform to the language in Article II, Section 11 of the City Charter.

7. First Reading of Ordinance No. 027, 2014, Approving Revisions to the Fort Collins Utilities' Electric Construction Policies, Practices, and Procedures.

The purpose of this item is to adopt the revised Electric Construction Policies, Practices, and Procedures (ECPPP). The ECPMP provides definition to developers and contractors related to the construction of electrical facilities.

8. First Reading of Ordinance No. 028, 2014, Amending Chapter 26 of the City Code to Clarify the Application of Wastewater Rates to Certain Residential Services.

The purpose of this item is to revise the City Code concerning the classification of wastewater users and to revise rates for wastewater service charges during the period of construction.

9. Resolution 2014-011 Supporting the Grant Application for a Paths to Parks Trail Grant from the State Board of Great Outdoors Colorado for the Fossil Creek Trail from College Avenue to Shields Street.

The City is applying for a Great Outdoors Colorado Path to Parks Trail Grant. Staff is preparing an application for the Fossil Creek Trail from College Avenue to Shields Street project for this grant cycle. Great Outdoors Colorado requires a City Resolution acknowledging the application intent to be submitted as part of the grant package.

10. Resolution 2014-012 Approving Revised Costs and Fees for Fort Collins Municipal Court.

The purpose of this item is to revise certain costs and fees assessed by the Fort Collins Municipal Court. Costs and fees are assessed in addition to fines or other penalties. According to the City Charter, these costs and fees are enacted by Council, upon recommendation of the Judge. Various costs and fees have been approved by resolution over the years. At this time, Judge Lane recommends making some changes: increasing the Court Cost from \$25 to \$35 to help cover increased Court security costs, revising the Appeal Fee amount to include a lesser amount for appeals from a Municipal Court Referee to the Municipal Judge on a parking or civil infraction case, and deleting the Continuance Fee.

11. Resolution 2014-013 Adopting the Recommendations of the Cultural Resources Board Regarding Fort Fund Grant Disbursements.

The purpose of this item is to adopt the recommendations of the Cultural Resources Board to disburse Fort Fund grants to community events from the Cultural Development and Programming and Tourism Programming Accounts.

12. Resolution 2014-014 Authorizing a License to Enter to the U.S. Department of Justice for Use of City-Owned Property at 215 North Mason for Nine Months.

The purpose of this item is to authorize the U.S. Department of Justice to use the Municipal Courtroom and Waiting Area at 215 North Mason Street for Bankruptcy Creditor Meetings. There are 10 scheduled meetings during the remainder of 2014.

## 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.

13. Resolution 2014-015 Making Findings of Fact and Conclusions Regarding the Appeal of the December 17, 2013, Administrative Hearing Officer's Decision Regarding the Stoner Subdivision. (staff: Jason Holland; 2 minute staff presentation; 15 minute discussion)

On December 31, 2013 an appeal was filed concerning the Administrative Hearing Officer's decision regarding a proposed Major Amendment for Lot 2 of the Stoner Subdivision at 1017 West Magnolia Street.

On February 4, 2014, City Council voted 5 - 1 on the motion to overturn the decision of the Hearing Officer concluding that the Hearing Officer failed to properly interpret and apply Land Use Code Sections 3.5.1 and 4.7(A) in approving the Major Amendment because the proposed amendment was not compatible with the established architectural character of the adjacent neighborhood, particularly with regard to building bulk, mass, scale and rooflines.

14. Resolution 2014-017 Appointing a City Councilmember to the Colorado State University Stadium Community Design Development Advisory Committee. (Staff: Darin Atteberry; no staff presentation; 20 minute discussion)

The purpose of this item is to appoint a member from Council to serve as the City's representative on the Community Design Development Advisory Committee.

- **CONSIDERATION OF CITIZEN-PULLED CONSENT ITEMS**
- **OTHER BUSINESS**
- **ADJOURNMENT**

A. Motion to adjourn to 6:00 p.m., Tuesday, February 25, 2014

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