



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

Carrie Daggett
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
March 17, 2015
(Revised 3/16/17)**

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

- Proclamation Declaring April as Sexual Assault Awareness Month.
- Proclamation Declaring March 16-22, 2015 as Fix a Leak Week.
- Proclamation Declaring April 9, 2015 as the Day for the Interfaith Council Awards.
- Proclamation Declaring March as Developmental Disability Awareness Month.
- Proclamation Declaring April 12-18, 2015, as National Public Safety Telecommunications Week.

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

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

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

● **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. Items remaining on the Consent Calendar will be approved by City Council with one vote. The Consent Calendar consists of:

- Ordinances on First Reading that are routine;
- Ordinances on Second Reading that are routine;
- Those of no perceived controversy;
- Routine administrative actions.

1. Consideration and Approval of the Minutes of the February 17, 2015 Regular Council Meeting and the February 24, 2015 Adjourned Council Meeting.

The purpose of this item is to approve the minutes from the February 17, 2015 Regular Council meeting and the February 24, 2015 Adjourned Council meeting.

2. Items Relating to the Downtown Development Authority.

- A. Second Reading of Ordinance No. 033, 2015 Appropriating Unanticipated Tax Increment Revenues in the Fort Collins, Colorado Downtown Development Authority Fund for Expenditure on Projects and Programs in Accordance with the Downtown Plan of Development.

- B. Second Reading of Ordinance No. 034, 2015, Appropriating Unanticipated Revenue from Interest Earnings and Reappropriating Existing Project Funds for Expenditure on Projects and Programs in Accordance with the Downtown Plan of Development.

These Ordinances, unanimously adopted on First Reading on March 3, 2015, appropriate certain unanticipated revenues and reappropriate certain funds previously committed for projects and programs under the Downtown Plan of Redevelopment. Ordinance No.033, 2015, appropriates \$63,205 in unanticipated revenue for use in the Old Town Square Renovation. This ordinance also includes the repayment of the 2015 Revolving Line of Credit Draw #2, in the amount of \$63,205 from the Downtown Development Authority Debt Service Fund. Ordinance No. 034, 2015, appropriates unanticipated revenue from interest earnings in the amount of \$29,220, and will also reappropriate previously committed project funds in the amount of \$438,611 for use in the Old Town Square Renovation.

3. Second Reading of Ordinance No. 035, 2015, Establishing Rental Rates and Delivery Charges for Use of the City's Raw Water for the 2015 Irrigation Season.

This Ordinance, unanimously adopted on First Reading on March 3, 2015, sets rates and charges for the rental and delivery of the Utilities raw water supplies. These rates are used to invoice agricultural, contractual and other water users.

On First Reading, the agenda item summary (AIS) indicated that the typical rental rate per Water Supply and Storage Company (WSSC) share is \$1,600 over the annual assessment per share. However, this was a typographical error as the typical rental rate per WSSC share is \$600 over the annual assessment per share. This has been corrected in the ordinance. The resultant rental rate per WSSC share is still \$3,500 per share, as indicated in the AIS on First Reading.

4. First Reading of Ordinance No. 041, 2015, Appropriating Reserves in the Wastewater Fund for the Replacement of Two Damaged Trucks.

The purpose of this item is to appropriate \$272,794 in Reserves in the Wastewater Fund to replace two damaged trucks. In 2014, \$222,794 in unanticipated revenue was received from the Risk Management Fund and from insurance proceeds to compensate the Wastewater Utility for two trucks that were totaled in separate accidents. The \$222,794 in unanticipated revenue contributed to increased Wastewater Reserves at year-end 2014 in this same amount. Due to the cost of replacing one of the trucks, an additional \$50,000 is to be appropriated from the Wastewater Utility Capital Outlay Reserve which is reserved for equipment purchases. The Capital Outlay Reserve currently totals \$657,300. The 2015 supplemental appropriation will be used to replace both trucks.

5. First Reading of Ordinance No. 042, 2015, Amending Chapter 26 of the Code of the City of Fort Collins to Clarify the Conditions Under Which a Development May Defer Stormwater and Drainage Facility Requirements to Obtain a Certificate of Occupancy by Providing Certain Escrows as Assurance of Completion.

The purpose of this item is to amend Chapter 26 of City Code, which provides developers an option for obtaining a certificate of occupancy prior to completion of installation, certification, and acceptance of stormwater and drainage facilities. This amendment provides clarification as to when

this is allowable, initiates a non-refundable fee for processing and tracking the escrow, and timelines for completion of the work associated with the escrow.

6. First Reading of Ordinance No. 043, 2015, Authorizing the Acquisition by Eminent Domain of Certain Lands Necessary to Construct Public Improvements in Connection with the Prospect Road and Timberline Road Intersection Improvements Project

The purpose of this item is to obtain authorization from City Council to use eminent domain, if deemed necessary, to acquire property interests needed to construct improvements at the Prospect Road and Timberline Road intersection. The Prospect Road and Timberline Road Intersection Improvements will construct safety and congestion mitigation improvements at the intersection, and on Timberline Road from Prospect Road south to Blackbird Drive. The project is planned to begin construction in the spring of 2016 and be completed by the fall of 2016. To construct these improvements, the City will need to acquire certain property interests adjacent to the project area. The acquisitions include right-of-way, permanent easements, and temporary easements from four property owners. Timely acquisition of the property is necessary to meet the anticipated construction schedule. Staff fully intends to negotiate in good faith with the affected owners and is optimistic that all property negotiations can be completed prior to the start of the Project. Staff is requesting authorization of eminent domain for all property acquisitions for the Project only if such action is deemed necessary.

7. Resolution 2015-033 Determining That a Single Lane, Modern Roundabout is the Preferred Alternative for the Intersection of Lincoln Avenue and the North-South Extension of "International Boulevard."

WITHDRAWN FROM THE AGENDA

~~The purpose of this item is to approve a single-lane, modern roundabout intersection at Lincoln Avenue and the north-south extension of International Boulevard. The adopted Master Street Plan anticipates a new arterial-arterial intersection between Lincoln Avenue east of Lemay Avenue and a north-south extension of 'International Boulevard'. In accordance with Resolution 2001-120, an Alternatives Analysis was completed for this intersection. The conclusions of the Alternatives Analysis show that a single-lane, modern roundabout is the preferred alternative for this intersection. This project is not a part of or within the boundaries of the recently approved Lincoln Corridor Improvement Project.~~

8. Resolution 2015-034 Authorizing the Purchasing Agent to Lease Additional Vehicles and Equipment Under the City's Standard Master Lease Agreement with Pinnacle Public Financing, Inc.

The purpose of this item is to request approval of the lease-purchase of vehicles and equipment for the cost of \$2,239,424 under the City's Master Lease Agreement with Pinnacle Public Finance and the "First Amendment" to that Agreement (jointly, the "Agreement"). Quarterly Payments of \$118,398 at the 2.15% interest rate will not exceed \$236,796 in 2015. Money for 2015 lease-purchase payments is included and appropriated in the 2015 budget. A competitive process was used to select Pinnacle Public Finance for this Agreement. A 2015 Finance Department analysis of current and historical equipment lease financing arrangements showed that lease-purchase is in the best interest of the City given the interest rate offered for the lease. Staff believes acceptance of this lease rate is in the City's best interest.

9. Resolution 2015-035 Making an Appointment to the Northern Colorado Airport Commission.

The purpose of this item is to appoint Thomas Fleming to a four year term to the Northern Colorado Regional Airport Commission (the "Commission"). The Intergovernmental Agreement ("IGA") between the owners of the Municipal Airport, the cities of Fort Collins and Loveland, provides for a selection committee of two Councilmembers from each City to make recommendations for appointment to the Commission.

END CONSENT

- **CONSENT CALENDAR FOLLOW-UP**

This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.

- **STAFF REPORTS**

- A. Friendship City, San Cristobal, and upcoming marimba band concert.
- B. Homelessness Update.

- **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. Items Relating to the Appointment, Salary and Employment Contract of the City Attorney. (Janet Miller; 5 minute staff presentation; 15 minute discussion)

- A. Resolution 2015-036 Appointing Carrie Daggett as City Attorney and Approving the City Attorney's Employment Agreement.
- B. Second Reading of Ordinance No. 039, 2015, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Salary of the City Attorney.
- C. Administration of Oath of Office for the City Attorney.

The purpose of the resolution is to appoint Carrie Daggett as the new City Attorney and to approve the employment agreement of the City Attorney. Ordinance No. 039, 2015, unanimously adopted on First Reading on March 3, 2015, establishes the 2015 salary of the City Attorney at \$177,000.

11. Resolution 2015-037 Authorizing the Mayor to Execute an Intergovernmental Agreement with Colorado State University Regarding Infrastructure Improvements and Event Day Operations Related to an On-Campus Stadium. (staff: Karen Cumbo, Jeff Mihelich; 15 minute staff presentation; 60 minute discussion)

The purpose of this item is to approve an intergovernmental agreement between the City of Fort Collins and Colorado State University regarding infrastructure improvements and event day operations related to an on-campus stadium. CSU is moving forward with plans to build a new on-campus stadium for football and other events. Construction and operation of the stadium will have significant impacts on nearby residents and the community in general, and representatives of the City and CSU have been negotiating an intergovernmental agreement to outline measures to mitigate that impact and establish the commitment of CSU to take specific steps to mitigate those impacts.

12. Resolution 2015-038 Adopting the West Central Area Plan as an Element of the Comprehensive Plan of the City and Repealing the West Central Neighborhoods Plan as an Element of the City's Comprehensive Plan. (staff: Ted Shepard, Rebecca Everette, Cameron Gloss, Amy Lewin, Paul Sizemore; 10 minute staff presentation; 45 minute discussion)

The purpose of this item is to adopt the West Central Area Plan (the "Plan") comprised of the neighborhoods south and west of the CSU Main Campus. Subarea plans are a key component in implementing the City Plan vision to create an overall community that is innovative, sustainable and connected. The West Central Area Plan will help citizens address a wide variety of challenges and opportunities to ensure that these neighborhoods continue to be great places to live, work, shop, learn and play. The Plan strives to provide policy, guidance and direction on three primary topics: Land Use and Neighborhood Character, Transportation and Mobility, and Open Space Networks. In addition, other subject areas include urban design, housing, community facilities, and a strategic approach to delivering effective public services.

The Plan also includes new conceptual designs for Prospect Road and Lake Street (from Shields Street to College Avenue), which are intended to improve the safety and comfort of pedestrians, bicycles, buses and cars on both roadways. The Plan also considers various alternatives for making a range of improvements along Shields Street between Prospect Road and Laurel Street, including a potential grade-separated crossing. Extensive public outreach was conducted over the course of the planning process using a range of strategies. Beginning in January 2014 and concluding with an open house in March 2015, a broad range of citizens, a stakeholder committee, and various organizations have participated and contributed to the formation of the Plan.

13. Resolution 2015-039 Adopting the Nature in the City Strategic Plan as an Element of the Comprehensive Plan of the City. (staff: Lindsay Ex, Justin Scharton; 10 minute staff presentation; 30 minute discussion)

The purpose of this item is to seek City Council approval of the *Nature in the City Strategic Plan* as an element of the City's Comprehensive Plan. Nature is a defining characteristic of Fort Collins; the community has a 40-year history of protecting nature in the city and region. Nature in the City is a long-term planning effort that capitalizes on these efforts to protect and integrate nature into the community's fabric through a variety of regulatory, policy, outreach and collaborative solutions on public and private lands.

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

- **OTHER BUSINESS**

- A. Motion to cancel the April 7, 2015 Regular Council meeting. (Municipal Election)

- B. Call of Special Meeting for 6:00 p.m., Tuesday, April 14, 2015. (Organizational Meeting)

- **ADJOURNMENT**

A. Council will consider a motion to adjourn to Tuesday, March 24, 2015.

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.