



Wade Troxell, Mayor
Gerry Horak, District 6, Mayor Pro Tem
Bob Overbeck, District 1
Ray Martinez, District 2
Gino Campana, District 3
Kristin Stephens, District 4
Ross Cunniff, District 5

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

Cablecast on FCTV Channel 14
and Channel 881 on the Comcast cable system

Carrie Daggett
City Attorney

Darin Atteberry
City Manager

Wanda Winkelmann
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 (V/TDD: Dial 711 for Relay Colorado) for assistance.

**Regular Meeting
July 19, 2016
Revised 07/19/16**

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

- A. Proclamation Declaring August 2, 2016, as Neighborhood Night Out.
- B. Proclamation Declaring July as Smart Irrigation Month.

**Regular Meeting
will begin after the Wastewater Utility Enterprise Meeting, which
begins at 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 beep once and the timer light will turn yellow to indicate that 30 seconds of speaking time remain, and will beep 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 June 21, 2016, Regular Council Meeting.

The purpose of this item is to approve the minutes from the June 21, 2016, Regular Council meeting.

2. Second Reading of Ordinance No. 083, 2016, Approving a Revision to the Airport Operating Budget and Appropriating Reserves in the Airport Fund for the Northern Colorado Regional Airport to Complete the Strategic Plan Goals.

This Ordinance, unanimously adopted on First Reading on July 5, 2016, approves an amendment to the 2016 Airport operating budget and appropriates funds from the Airport Fund to initiate work associated with the Airport Strategic Plan. The 2016 Airport operating budget will be amended to authorize expenditure of the total amount of \$165,000 from the Airport Fund. The City of Fort Collins will appropriate 50% (\$82,500) of the total \$165,000 request, and the City of Loveland will be providing the other half of the appropriation. This appropriation is needed as the funding resources were not included in the adopted 2016 Airport Budget approved by Council and expenditure of additional funds not included in the Budget requires City Council appropriation as outlined in the current Intergovernmental agreement between the Cities.

3. Second Reading of Ordinance No. 084, 2016, Appropriating Prior Year Reserves in the Data and Communications Fund for Implementation of Electronic Plan Review.

This Ordinance, unanimously adopted on First Reading on July 5, 2016, appropriates funds from the reserves of the Data and Communications Fund for implementation of electronic plan review as part of the building permit and development review process.

4. Second Reading of Ordinance No. 087, 2016, Designating the Leo and Hilda Ritter Property, 720 West Oak Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with the procedures described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.

This Ordinance, unanimously adopted on First Reading on July 5, 2016, designates the Leo and Hilda Ritter property located at 720 West Oak Street as a Fort Collins Landmark. The owners of this property, Margaret M. Kool Dunn and Robert Louis Dunn 3rd, are initiating this request.

5. First Reading of Ordinance No. 089, 2016, Appropriating Unanticipated Grant Revenue in the General Fund and Transferring Funds from the Community Development and Neighborhood Services Operating Budget in the General Fund to the Restorative Justice Grant Project.

The purpose of this item is to appropriate grant revenue to fund Restorative Justice Services within Community Development and Neighborhood Services (CDNS). A grant in the amount of \$56,192 has been received from the Colorado Division of Criminal Justice (DCJ) Juvenile Diversion fund for the continued operation of Restorative Justice Services, which includes the RESTORE program for shoplifting offenses, and the Restorative Justice Conferencing Program (RJCP) for all other offenses. Required match is \$18,731, which is 25% of the total grant (total grant = state funds \$56,182 + match \$18,731). The match requirement will be met by transferring \$9,646 in appropriated funds from the CDNS operating budget designated for restorative justice to the grant project, and by a \$9,085 match designated in the form of office space provided by the City for grant funded services. The grant period for is July 1, 2016 to June 30, 2017. This is the third year in a 3-year cycle for the Juvenile Diversion grant.

6. First Reading of Ordinance No. 085, 2016, Amending Sections 26-98 and 26-128 of the Code of the City of Fort Collins Regarding Fire Sprinkler Systems for Single Family Attached Homes.

The purpose of this item is to create a new rate class to accommodate the short-term high flow rate water service demands for single family attached homes with residential fire suppression systems

and to make related changes regarding water meter requirements and installation. Changes to the International Residential Code adopted by the City in 2014 increased the short-term high flow rate water service demands for single family attached homes (such as townhomes and condominiums) due to the inclusion of residential fire suppression systems. Staff is proposing that a new rate class be created in order to accommodate these demands and to make related changes regarding water meter requirements and the installation related to fire sprinkler systems for single family attached homes.

7. Items Relating to the Majestic Place Annexation.

- A. Resolution 2016-051 Setting Forth Findings of Fact and Determinations Regarding the Majestic Place Annexation.
- B. Public Hearing and First Reading of Ordinance No. 090, 2016, Annexing the Property Known as the Majestic Place Annexation to the City of Fort Collins, Colorado.

The purpose of this item is to annex 19.93 acres located at 2150 Rock Castle Lane (southeast of Timberline Road and Trilby Road) which is presently vacant. The Initiating Resolution was adopted on June 7, 2016. The property is located within the Fossil Creek Reservoir Area Plan. A related item to zone the annexed property is presented as the next item on this Agenda.

8. Public Hearing and First Reading of Ordinance No. 091, 2016, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Majestic Place Annexation to the City of Fort Collins, Colorado.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.

The purpose of this item is to zone the property included in the Majestic Place Annexation, located at 2150 Rock Castle Lane (southeast of Timberline Road and Trilby Road), into the Urban Estate zone district.

9. First Reading of Ordinance No. 092 , 2016, Authorizing the Conveyance of a Permanent Utility Easement and a Temporary Construction Easement on City Property at the Northern Colorado Regional Airport to the City of Loveland.

The purpose of this item is to authorize the conveyance of a permanent utility easement and a temporary construction easement to the City of Loveland at the Northern Colorado Regional Airport. The City of Fort Collins and the City of Loveland each own a 50% interest in the Airport property. The City of Loveland is extending its electrical service to this area. The proposed permanent easement area borders Boyd Lake Avenue and County Road 30 and the temporary construction easement is along the easement on County Road 30.

10. Resolution 2016-052 Making Findings of Fact and Conclusions of Law Regarding the Appeal of the Hearing Officer Decision Denying the Maple Mixed Use Project Development Plan, PDP 150025.

The purpose of this item is to make Findings of Fact and Conclusions regarding the appeal of the Hearing Officer decision to deny the 320 Maple Mixed Use Project Development Plan. The appeal was heard by City Council on July 12, 2016.

11. Resolution 2016-053 Approving Fort Fund Grant Disbursements.

The purpose of this item is to approve Fort Fund grants from the Cultural Development and Programming and Tourism Programming Accounts for the selected community and tourism events based upon the recommendations of the Cultural Resources Board.

12. Resolution 2016-054 Approving the 2016 Certification to the Larimer County Assessor Pursuant to C.R.S. Section 31-25-807(3)(a)(IV)(B) for the Downtown Development Authority Property Tax Increment.

The purpose of this item is to certify to the Larimer County Assessor the percentages of property tax distributions that are to be allocated for the Downtown Development Authority by the Assessor as tax increment from the 2016 property taxes payable in 2017 to the City and to all other affected taxing entities.

13. Resolution 2016-055 Setting for August 16, 2016, a Noticed Public Hearing for the City Council's Consideration of an Ordinance Authorizing the Organization of the Midtown Business Improvement District. **(WITHDRAWN FROM TONIGHT'S AGENDA – WILL BE CONSIDERED ON JULY 26, 2016)**

~~The purpose of this item is to consider the adoption of a resolution setting a public hearing date for August 16, 2016 to consider the formation of a Business Improvement District within Midtown Fort Collins. Adoption of the Resolution only sets the public hearing date for consideration of this matter.~~

14. Resolution 2016-056 Recognizing and Supporting the City's Culture and Health in Order to Join the Healthy Eating and Active Living Cities & Towns Campaign and Fulfill the Requirements for the Kaiser Permanente Walk & Wheel Colorado Grant Awarded to the City in 2014.

The purpose of this item is to consider a resolution in support of the City's culture of health. The City's FCMoves Department was awarded a Kaiser Permanente Walk & Wheel grant to fund bicycle safety education and outreach, Open Streets events, bicycle and pedestrian data collection, an update to and printing of the Fort Collins bicycle map, and the development of the Fort Collins Bike Share Business Plan. Joining the HEAL Cities & Towns Campaign of LiveWell Colorado by adopting this resolution fulfills Kaiser's expectations for grant recipients.

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 (three 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.

15. Second Reading of Ordinance No. 082, 2016, Appropriating Proceeds from the Issuance of City of Fort Collins, Colorado, Wastewater Utility Enterprise, Sewer Revenue Refunding Bonds, Series 2016A, in the Maximum Aggregate Principal Amount of \$21,900,000 in the Wastewater Utility Fund. (staff: Mike Beckstead; no staff presentation; 3 minute discussion)

This Ordinance, adopted on First Reading on July 5, 2016 by a vote of 6-0 (Horak recused) appropriates the proceeds from the Revenue Refunding Bond, series 2016A, for the purpose of refinancing the callable portion of the 2009A Revenue Bonds. Proceeds will be used to pay off callable bonds as well as pay for cost of issuance fees. The proceeds from the original 2009A bonds of \$30.7 million were used to make improvements to the Mulberry Water Reclamation Facility. Savings are anticipated to be \$2.4 million.

16. Second Reading of Ordinance No. 081, 2016, Appropriating Prior Year Reserves in the General Fund for 2016 Projects Associated with the 2020 Climate Action Plan (CAP) Strategic Plan. (staff: Jeff Mihelich, Mike Beckstead, Kevin Gertig; 15 minute staff presentation; 1 hour discussion)

This Ordinance, unanimously adopted on First Reading on June 21, 2016, appropriates funding from the prior year reserves in the General Fund to implement two initiatives outlined in the Draft 2020 Climate Action Plan (CAP) Strategic Plan. First, the Ordinance appropriates \$85,000 accumulated during 2015 and 2016 in the Waste Innovation Fund account into the City's General Fund account to initiate the Municipal Green Waste (Composting) Site Initiative. Second, based on direction at First Reading, the Ordinance also appropriates \$1,460,000 from the General Fund to provide energy efficiency rebates for the business community (\$1.37M) and the Efficiency Works Neighborhoods Pilot (\$0.09M) through 2016.

17. Second Reading of Ordinance No. 088, 2016, Designating the Coy Farmstead Barn and Milk House Located on the Woodward Technology Center Subdivision as Individual Fort Collins Landmarks pursuant to Chapter 14 of the Code of the City of Fort Collins. (staff: Karen McWilliams, Laurie Kadrich; no staff presentation; 45 minute discussion)

This item has been treated as a quasi-judicial matter and will be considered in accordance with the procedures established by the Mayor, with the consent of the Council, as described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.

This Ordinance, adopted on First Reading by a vote of 6-1 (Nays: Cunniff), designates the Coy Farmstead, located on the Woodward Technology Center property, as a Fort Collins Landmark. The Coy Farmstead currently consists of an 1866 stone and timber barn and a c.1900 brick milk house. Two historic silos associated with the property were recently removed.

Non-substantive changes to Section 6 of the Ordinance adopted on First Reading were made to clarify the meaning of the language.

18. First Reading of Ordinance No. 093, 2016, Amending the City Code Pertaining to the Disposition of Tangible Personal Property. (staff: Wendy Williams; 5 minute staff presentation; 20 minute discussion)

The purpose of this item is to amend the City Code to eliminate the current provisions pertaining to disposition of tangible personal property and replace with a reference to administrative procedures. The disposition of lost, abandoned, unclaimed or unattended tangible personal property found within a natural area, park, trail, other outdoor City property, and within a City facility will be governed by administrative policies adopted by the City Manager and on file in the City Clerk's Office. The disposition of firearms, illegal property, identification documents, financial transaction devices, computers or electronic items that store personal identification information will be governed by Fort Collins Police Services Standard Operating Procedures.

19. First Reading of Ordinance No. 094, 2016, Appropriating Prior Year Reserves in the Capital Expansion Fund for Transfer to the Capital Projects Fund and the Cultural Services and Facilities Fund for the Art in Public Places Program for the Southeast Community Park. (staff: Craig Kisling, Kurt Friesen; 10 minute staff presentation; 15 minute discussion)

The purpose of this item is to request appropriations for the Southeast Community Park Project in the amount of \$1.6M from the Community Parkland Capital Expansion Reserves. The park is currently under construction and scheduled to open in 2017. An additional appropriation is needed to fully fund the park as designed.

20. Resolution 2016-057 Appointing Two City Representatives to the Larimer County Housing Affordability Working Group. (staff: Sue Beck-Ferkiss, Jackie Kozak-Thiel; no staff presentation; 5 minute discussion)

The purpose of this item is to appoint two City representatives to serve on a working group convened by the Larimer Board of County Commissioners to pursue local, regional, and state-level solutions to make housing more affordable in Larimer County.

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

- **OTHER BUSINESS (Motions were reordered)**

- A. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers
(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)
- B. Consideration of a motion to cancel the August 2, 2016 Regular Council Meeting for Neighborhood Night Out.
- C. Consideration of a motion to adjourn to 6:00 p.m., Tuesday, July 26, 2016.

- **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.