



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

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and Channel 881 on the Comcast cable system

Carrie Daggett
City Attorney

Darin Atteberry
City Manager

Wanda Winkelmann
City Clerk

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Regular Meeting November 1, 2016

Proclamations and Presentations 5:30 p.m.

- A. Proclamation Declaring November as American Music Month.
- B. Proclamation Declaring November as "the Month of November".
- C. Proclamation Declaring November 10, 2016 as "Path to Healing for At-Risk Children" Day.
- D. Proclamation Declaring November as Homelessness Awareness 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 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 October 4, 2016 Regular City Council Meeting.

The purpose of this item is to approve the minutes from the October 4, 2016, Regular Council meeting.

2. Second Reading of Ordinance No. 113, 2016, Authorizing the Conveyance of a Permanent Stormwater Easement on City Property at the Gardens on Spring Creek to Colorado State University.

This Ordinance unanimously adopted on First Reading on October 18, 2016, authorizes the conveyance to Colorado State University of a permanent stormwater easement on City property at the Gardens on Spring Creek. Colorado State University (CSU) needs to construct a water quality pond to handle the flows from its new construction at CSU, including the new stadium. The Center Outfall Water Quality Pond (Pond) will be constructed on land owned by CSU, as well as on a portion of the City's property at the Gardens on Spring Creek previously identified as the location of a City Water Quality Pond in the 2013 Water Quality Master Plan. The Pond will handle flows from both entities.

3. Second Reading of Ordinance No. 116, 2016, Appropriating Unanticipated Revenue in the General Fund to Be Remitted to the Fort Collins Housing Authority to Fund Affordable Housing and Related Activities.

This Ordinance, unanimously adopted on First Reading on October 18, 2016, refunds the Payment in Lieu of Taxes (PILOT) for public services and facilities received from the Fort Collins Housing Authority in 2015 with respect to a HUD financed Public Housing Program that provides low income rental units. The Authority paid the City of Fort Collins PILOT of \$10,906 in 2015 under a previously approved Cooperation Agreement and requests that the City return the PILOT to fund needed affordable housing related activities. The City may spend the PILOT revenues as it deems appropriate in accordance with law, including remitting the funds to the Authority if the Council determines that such remittal serves a valid public purpose. The Council has returned the PILOT payment to the Authority since 1992.

4. First Reading of Ordinance No. 118, 2016, Being the Annual Appropriation Ordinance for the Fort Collins Downtown Development Authority Relating to the Annual Appropriations for the Fiscal Year 2017 and Fixing Mill Levy for the Downtown Development Authority for Fiscal Year 2017.

The purpose of this item is to set the Downtown Development Authority ("DDA") Budget.

The following amounts will be appropriated:

| | |
|---|-------------|
| DDA Public/Private Investments & Programs | \$1,665,408 |
| DDA Operations & Maintenance | \$ 835,283 |
| Revolving Line of Credit Draws | \$2,450,000 |
| DDA Debt Service Fund | \$4,938,036 |

The Ordinance sets the 2017 Mill Levy for the Fort Collins DDA at five (5) mills, unchanged since tax year 2002. The approved Budget becomes the Downtown Development Authority's financial plan for 2017.

5. First Reading of Ordinance No. 119, 2016, Adopting the 2017 Budget and Appropriating the Fort Collins Share of the 2017 Fiscal Year Operating and Capital Funds for the Northern Colorado Regional Airport.

The purpose of this item is to appropriate the City of Fort Collins' 50% share of the Northern Colorado Regional Airport budget. The Airport's total budget is comprised of an operating budget and a capital budget. The 2017 annual operating budget is \$1,099,030, and will be funded using Airport operating revenues and non-operating revenues derived through contributions from the Cities of Fort Collins and Loveland (\$260,000 from each City). The proposed capital budget is \$1,493,302, and is funded through federal grants, state grants, and Airport operating revenue.

This Ordinance appropriates the City of Fort Collins 50% share of the 2017 Airport operating budget, which totals \$549,515 and the City of Fort Collins 50% share of the 2017 capital budget which totals \$746,651. The City of Loveland will be appropriating the other 50%. The Airport operating budget is used to maintain and operate the Airport in compliance with all regulatory standards for safety and

security and to achieve the Council-approved Airport Strategic Plan. The Airport capital budget will be used to complete Airport improvement projects including runway and taxiway rehabilitation and preservation, taxiway sign safety modifications, an Airport Master Plan update, and acquisition of snow removal equipment.

6. Items Relating to Various Amendments to Chapter 26 of the Code of the City of Fort Collins Pertaining to Utilities - Fall 2016.

- A. First Reading of Ordinance No. 120, 2016, Amending Chapter 26 of the Code of the City of Fort Collins Pertaining to Water Meter Requirements and Installation.
- B. First Reading of Ordinance No. 121, 2016, Amending the Code of the City of Fort Collins to Clarify Utility Accounts, Billing and Collection Practices.

The purpose of this item is to update Chapter 26 of the City Code to address the following:

- Identify requirements for location and installation of water service meters
- Clarify accounts and billing practices involving billing and collection dates and practices, and services provided to leased premises.

Starting in 2015, Fort Collins Utilities instituted a semi-annual cycle for City Code amendments in order to manage regular housekeeping and routine updates. This is the second set of ordinances presented under the 2016 City Code review cycle, which is designed to present changes as needed to City Council in the spring and fall of each year. These updates are separate from annual service rate adjustments, which will be brought forward under a separate City Council agenda item.

7. Resolution 2016-083 Approving an Art Project for the Mulberry Gateway Project and Authorizing Expenditures from the Art in Public Places Wastewater Utility Account to Commission an Artist to Create the Art Project.

The purpose of this item is to approve expenditures from the Art in Public Places Wastewater Utility Account to commission an artist to create art for the Mulberry Gateway Project. The expenditures of \$274,000 will be for design, materials, fabrication, installation, plantings, lighting, and contingency for Robert Tully to create gateway sculptures for this site. The site is near the northeast corner of Mulberry Street and Riverside Avenue. The art will wrap around the corner and extend north along Riverside.

8. Resolution 2016-084 Making an Appointment to the Citizen Review Board.

The purpose of this item is to appoint Mark Partridge to the Citizen Review Board to fulfill the remaining term of resigning board member Claudia McGee, whose term was set to expire on December 31, 2018.

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.

9. Second Reading of Ordinance No. 115, 2016, Appropriating Prior Year Reserves and Unanticipated Revenue in Various City Funds and Authorizing the Transfer of Appropriated Amounts between Funds or Projects. (staff: Lawrence Pollack, Darin Atteberry, Mike Beckstead; no staff presentation; 2 minute discussion)

This Ordinance, adopted on First Reading on October 18, 2016, by a vote of 6-0 (Campana recused) combines dedicated and unanticipated revenues or reserves that need to be appropriated before the end of the year to cover the related expenses that were not anticipated and, therefore, not included in the 2016 annual budget appropriation. The unanticipated revenue is primarily from fees, charges, rents, contributions and grants that have been paid to City departments to offset specific expenses. This item was reviewed by the Council Finance Committee on September 30, 2016 and the Committee recommended moving forward for Council consideration.

10. Second Reading of Ordinance No. 117, 2016, Authorizing the Acquisition by Eminent Domain of Additional Real Property Interests Necessary to Construct Public Improvements as Part of the Prospect Road and College Avenue Intersection Improvements Project. (staff: Dean Klingner, Laurie Kadrich; no staff presentation; 20 minute discussion)

This Ordinance, adopted on First Reading on October 18, 2016, by a vote of 4-3 (nays: Campana, Cunniff, Overbeck) authorizes the use of eminent domain, if necessary, to acquire property interests needed to construct improvements to the intersection of Prospect Road and College Avenue. This authorization is for a partial acquisition affecting 1535 Remington Street at the east end of the project. On First Reading, Council adopted Option 2 - Modified Dual Left Alternative.

11. Items Relating to 2017 Utility Rate Ordinances. (staff: Lance Smith; 10 minute staff presentation; 45 minute discussion)

- A. First Reading of Ordinance No. 122, 2016, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Electric Rates, Fees and Charges. **(Option 1 or Option 2)**
- B. First Reading of Ordinance No. 123, 2016, Amending chapter 26 of the Code of the City of Fort Collins to Revise Water Rates, Fees and Charges. **(Option 1 or Option 2)**
- C. First Reading of Ordinance No. 124, 2016, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Wastewater Rates, Fees and Charges.
- D. First Reading of Ordinance No. 125, 2016, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Stormwater Rates, Fees and Charges. **(Option 1 or Option 2)**

The purpose of this item is for Council to consider adopting rate changes for electric, water, wastewater and stormwater monthly charges beginning in January 2017. It is unusual to have all four utilities request a rate increase in a single year. It may also seem counterintuitive that the utility budgets are decreasing in 2017 yet rate increases are being proposed. However, the extensive capital improvement planning and long term financial planning processes ahead of this Budgeting For Outcomes cycle have identified the need for rate increases in each utility in 2017 despite the budget reductions.

The proposed rate increases for 2017 and 2018, as well as the primary driver behind the requested increases, are outlined in the table below.

| Proposed Revenue Adjustments | | | |
|-------------------------------------|-------|-------|--|
| Utility Service | 2017 | 2018 | Primary Driver |
| Electric | 3.45% | 1.80% | Insufficient Operating Income |
| Water | 5.00% | 5.00% | Inadequate Available Reserves to support 10 year Capital Improvement Plan |
| Wastewater | 3.00% | 3.00% | Revenue shortfalls in 2015 and 2016 |
| Stormwater | 5.00% | 0.00% | Inadequate Available Reserves to support 15 year build-out of infrastructure |

12. First Reading of Ordinance No. 126, 2016, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for the Fiscal Year 2017; Adopting the Budget for the Fiscal Years Beginning January 1, 2017, and Ending December 31, 2018; and Fixing the Mill Levy for the Fiscal Year 2017. (staff: Darin Atteberry, Mike Beckstead; 10 minute staff presentation; 90 minute discussion)

The purpose of this item is to present the Annual Appropriation Ordinance for First Reading. This Ordinance sets the City Budget for the two-year period (2017-18) which becomes the City's financial plan for the next two fiscal years. This Ordinance sets the amount of \$612,825,136 to be appropriated for fiscal year 2017. However, this appropriated amount does not include what is being appropriated by separate Council actions to adopt the 2017 budget for the General Improvement District (GID) No. 1 of \$68,107, the 2017 budget for General Improvement District (GID) No. 15 (Skyview) of \$1,000, and the Urban Renewal Authority (URA) 2017 budget of \$8,328,759. This results in the City having a total operating appropriation of \$621,223,002 in 2017.

This Ordinance also sets the 2017 City mill levy at 9.797 mills, unchanged since 1991.

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

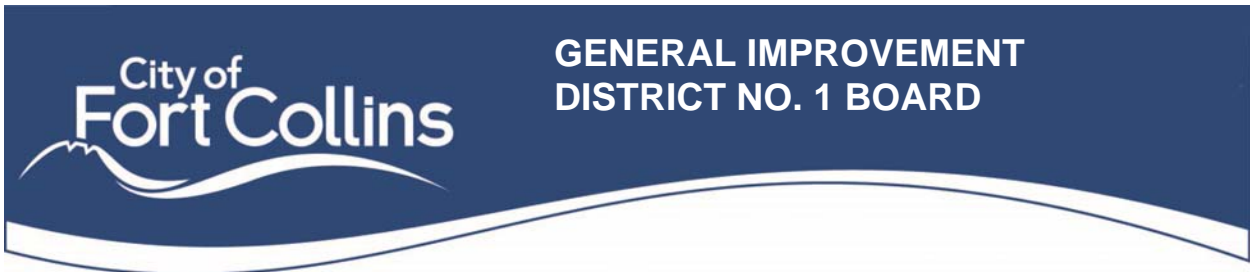
- **OTHER BUSINESS**

- 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.)

- **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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General Improvement District No. 1 Board Regular Meeting November 1, 2016 (after the Regular Council Meeting)

- **CALL MEETING TO ORDER**
- **ROLL CALL**
- 1. First Reading of Ordinance No. 068, Determining and Fixing the Mill Levy for the General Improvement District No. 1 for the Fiscal Year 2017; Directing the Secretary of the District to Certify such Levy to the Board of Commissioners of Larimer County; and Making the Fiscal Year 2017 Annual Appropriation. (staff: Mike Beckstead; no staff presentation; 5 minute discussion)

The purpose of this item is to set the mill levy and authorize the fiscal year 2017 appropriation for the General Improvement District No. 1. The sum of \$302,000 is anticipated to be collected from the mill levy of 4.924 mills for fiscal year 2017 imposed within the General Improvement District No. 1 (GID) boundaries. Additional revenue for the GID from automobile specific ownership taxes, ad valorem taxes, and interest earnings are anticipated in 2017 to total \$40,693 resulting in an expected revenue total of \$342,693 for 2017. The Ordinance appropriates funds in the amount of \$68,107 for the operation of the GID in 2017.

- **OTHER BUSINESS**
- **ADJOURNMENT**



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Skyview South General Improvement District No. 15 Board Meeting November 1, 2016 (after the General Improvement District No. 1 Meeting)

- **CALL MEETING TO ORDER**
- **ROLL CALL**
- 1. First Reading of Ordinance No. 008, Determining and Fixing the Mill Levy for the Skyview South General Improvement District No. 15 for the Fiscal Year 2017; Directing the Secretary of the District to Certify Such Levy to the Board of Commissioners of Larimer County; and Making the Fiscal Year 2017 Annual Appropriation. (staff: Mike Beckstead; no staff presentation; 5 minute discussion)

The purpose of this item is to fix the mill levy for the Skyview South General Improvement District No. 15 (GID No. 15) and to authorize the annual appropriation for 2017 of \$1,000 for the expenses of GID No. 15. The sum of \$29,700 is anticipated to be collected from the mill levy of 10.0 mills for fiscal year 2017 fixed in this Ordinance. Additional miscellaneous revenue for GID No. 15 of \$3,615 is anticipated to be generated. The total 2017 revenue for GID No. 15 is expected to be \$33,315. The total amount will be used in the future to maintain and repair roads in the Skyview subdivision.

- **OTHER BUSINESS**
- **ADJOURNMENT**