



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

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## Regular Meeting November 15, 2016

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

- A. Proclamation Declaring November 26, 2016 Small Business Saturday.
- B. Proclamation Recognizing and Congratulating the Ronald McDonald House Charities.
- C. Proclamation Declaring November as Native American Heritage Month.
- D. Proclamation Declaring November 17, 2016 as World Pancreatic Cancer Day.
- E. Proclamation Declaring November as a Month of Celebrating Gratitude.

### 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](http://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 18, 2016, Regular Council Meeting.

The purpose of this item is to approve the minutes from the October 18, 2016 Regular Council meeting.

2. Items Relating to Proposed Outdoor Vendor Requirements.

- A. Second Reading of Ordinance No. 079, 2016, Amending Article XIV of Chapter 15 of the Code of the City of Fort Collins Regarding Outdoor Vendors.
- B. Second Reading of Ordinance No. 080, 2016, Amending Articles 3, 4 and 5 of the Land Use Code Regarding Outdoor Vendors.

These Ordinances, unanimously adopted on First Reading on June 21, 2016, amend the City Code and Land Use Code to update property owner and outdoor vendor requirements. The intent of the original 2012 Code provisions for outdoor vendor operations was to manage a mobile operation and address specific mobile vendor impacts and requirements as a temporary, accessory land use. The proposed changes clarify and distinguish between two primary outdoor vending operations, mobile and stationary, including land use locational requirements for vending on privately-owned lots.

On July 5, 2016, on Second Reading, Council postponed this item to November 15, 2016. The postponement was intended to allow more time for staff to coordinate with outdoor vendors and affected property owners related to potential Downtown stationary vending locations and a new food truck park concept.

3. Second 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.

This Ordinance, unanimously adopted on First Reading on November 1, 2016, sets the Downtown Development Authority ("DDA") Budget and sets the 2017 Mill Levy for the Fort Collins DDA at five (5) mills, unchanged since tax year 2002.

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 approved Budget becomes the Downtown Development Authority's financial plan for 2017.

4. Second 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.

This Ordinance, unanimously adopted on First Reading on November 1, 2016, appropriates 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.

5. Items Relating to Various Amendments to Chapter 26 of the Code of the City of Fort Collins Pertaining to Utilities - Fall 2016.
  - A. Second 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. Second Reading of Ordinance No. 121, 2016, Amending the Code of the City of Fort Collins to Clarify Utility Accounts, Billing and Collection Practices.

These Ordinances, unanimously adopted on First Reading on November 1, 2016, 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.

A portion of the language approved on First Reading of Ordinance No. 121, 2016, for inclusion in Sec. 26-721 of the City Code has been removed for Second Reading of the Ordinance. The deleted language was originally included on first reading of the Ordinance as part of new language to be added to the Code. However, staff has determined that this language will create an undue administrative burden and difficulty associated with inquiring into and validating whether the cause of a meter failure was a customer or a third party, and to apply a uniform method to calculate back-billing amounts for all customers with meter failures. The removed language appears as a “strike-out” in Section 7 of the Ordinance on Second Reading.

6. Items Relating to 2017 Utility Rate Ordinances.
  - A. Second 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.
  - B. Second 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.
  - C. Second 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. Second 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.

These Ordinances, unanimously adopted on First Reading on November 1, 2016, adopt rate changes for electric, water, wastewater and stormwater monthly charges, beginning in January 2017. The proposed rate increases for 2017 and 2018, as well as the primary driver behind the requested increases, are outlined in the table below.

<b>Proposed Revenue Adjustments</b>		
Utility Service	2017	2018
Electric	3.45%	1.80%
Water	5.00%	5.00%
Wastewater	3.00%	3.00%
Stormwater	5.00%	0.00%

In Ordinance No. 122, 2016, Electric Rates, the language initially adopted on First Reading has been removed from Sections 2 and 3. The removed language involved proposed additions to City Code Sections 26-464(r) and 26-465(r) expanding the scope of “community solar projects” to include low-income solar program installations. The full program details, including a version of the proposed language removed from Ordinance No. 122, 2016, will return for Council consideration in 2017.

7. First Reading of Ordinance No. 127, 2016, Appropriating Prior Year Reserves in the General Fund for the Purpose of Equipment Upgrades for FCTV.

The purpose of this item is to transfer \$30,000 in restricted PEG funds from FCTV (Cable 14) reserves to 2016 Budget to cover needed equipment upgrades.

8. Items Relating to the Completion of the 2016 Fall Cycle of the Competitive Process for Allocating City Financial Resources to Affordable Housing Activities Utilizing Funds from the Federal Community Development Block Grant (CDBG) Program, Federal HOME Investment Partnership (HOME), and the City's Affordable Housing Fund (AHF).

A. Public Hearing and Resolution 2016-085 Approving the Programs and Projects that Will Receive Funds from the Community Development Block Grant Program, HOME Investment Partnership Program and the City's Affordable Housing Fund.

B. Public Hearing and First Reading of Ordinance No. 128, 2016, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund.

C. Public Hearing and First Reading of Ordinance No. 129, 2016, Appropriating Unanticipated Revenue in the HOME Investment Partnerships Fund.

The purpose of this item is to approve the funding recommendations of the 2016 Fall Cycle of the Competitive Process and appropriate federal dollars. Resolution 2016-085 will complete the 2016 Fall Cycle of the Competitive Process for allocating \$1,153,289 in City financial resources to affordable housing projects and the administration of the HOME program that began October 1, 2016. Ordinance Nos. 128 and 129, 2016 appropriate an adjustment of to the FY2016 HOME Participating Jurisdiction Grant from the Department of Housing and Urban Development (HUD) and Community Development Block Grant (CDBG) Program Income from FY2015.

9. First Reading of Ordinance No. 130, 2016, Amending Certain Labeling and Testing Provisions of the Code of the City of Fort Collins Related to Retail Marijuana Businesses to Eliminate Duplication of and Conflict with State Law.

The purpose of this item is to repeal marijuana testing provisions in the City Code to be in conformity with state law.

10. First Reading of Ordinance No. 131, 2016, Declaring Certain City-Owned Property as Road Right-of-Way for Timberline Road.

The purpose of this item is to declare Tract B of Community Recycle Center Subdivision, which is owned by the City, as road right-of-way. The Timberline Road project is currently being constructed on the property. The City owns a parcel of property located at the southwest corner of Timberline Road and Prospect Road. In 2015, the City designed ultimate improvements for Timberline Road across a portion of the City's property. This Ordinance officially establishes this portion needed for Timberline Road on the City's property as public road right-of-way.

11. Resolution 2016-086 Authorizing the Mayor to Execute an Intergovernmental Agreement between the City of Fort Collins and the Colorado Department of Transportation for the US 287 (College Avenue) Resurfacing Project Between Harmony Road and Mulberry Street.

The purpose of this item is to authorize the execution of an intergovernmental agreement (IGA) between the City and the Colorado Department of Transportation (CDOT) for the CDOT Milling and Resurfacing Project of US 287 (College Avenue) between Harmony and Mulberry.

12. Resolution 2016-087 Affirming Its Intent to Share Costs for Improvements to the Interstate 25 (I-25) and Prospect Road Interchange Improvements as a Part of the Colorado Department of Transportation's North I-25 Corridor Improvements Project.

The purpose of this item is to affirm Council's support of the City's intent to share in costs for improvements to the Prospect-Interstate 25 (I-25) interchange with the Colorado Department of Transportation (CDOT). This funding partnership would allow for significant cost efficiencies and inclusion into CDOT's overall base case project of Northern Colorado improvements to I-25. City staff is exploring funding partnership tools, including a proportional share of cost from key stakeholders/property owners proximate to the interchange.

13. Resolution 2016-088 Adopting the City's 2017 Legislative Policy Agenda.

The purpose of this item is to consider and adopt the City's 2017 Legislative Policy Agenda as recommended by the Legislative Review Committee (LRC). Each year the LRC develops a legislative agenda to assist in the analysis of pending legislation and regulation. The Legislative Policy Agenda is used as a guide by Council and staff to determine positions on legislation and regulation pending at the state and federal levels and as a general reference for the City's 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**

A. Recognition of Dr. Tom Dodd, Leshar Middle School Principal, National Principal of the Year.

- **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.

14. Second 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. (Option 1 or Option 2) (staff: Darin Atteberry, Mike Beckstead; 10 minute staff presentation; 45 minute discussion)

This Ordinance, unanimously adopted on First Reading on November 1, 2016, sets the City Budget for the two-year period (2017-18) which becomes the City's financial plan for the next two fiscal years. As requested, two options are being brought forth for Second Reading. **Option 1** is the Ordinance as adopted on First Reading, including the amendment to not fund Side Hill Park. That Ordinance sets the amount of \$611,024,736 to be appropriated for fiscal year 2017. **Option 2** is the Ordinance referenced in Option 1 along with: (1) unfunding Offer 5.26 - CAP ENHANCEMENT - Utilities: Light & Power - Electric Distributed Battery Pilot Program, and (2) funding Offer 7.19 - ENHANCEMENT - 1.0 FTE Utilities: Customer Service & Administration - Program Coordinator Supervisor. The Option 2 Ordinance would set the amount of \$611,085,496 to be appropriated for fiscal year 2017.

However, these appropriated amounts do 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, the Urban Renewal Authority 2017 budget of \$8,328,759, and the Downtown Development Authority 2017 budget of \$9,888,727. 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 executive session for legal advice regarding pending litigation.

B. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers

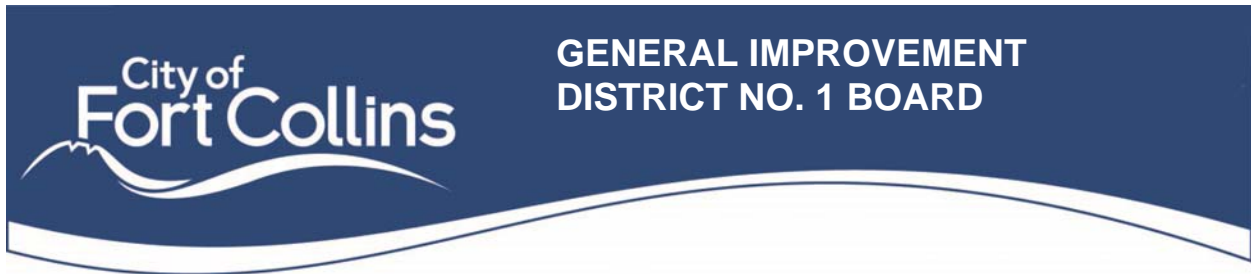
(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)

- **ADJOURNMENT**

A. Council will consider a motion to adjourn to 6:00 p.m., Tuesday, November 29, 2016.

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.





Wade Troxell, President  
Gerry Horak, District 6, Vice President  
Bob Overbeck, District 1  
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## General Improvement District No. 1 Board Regular Meeting November 15, 2016 (after the Regular Council Meeting)

- **CALL MEETING TO ORDER**
- **ROLL CALL**
- 1. Consideration and Approval of the Minutes of the November 1, 2016 General Improvement District No. 1 Board Meeting.

The purpose of this item is to approve the minutes from the November 1, 2016 General Improvement District No. 1 Board meeting.

- 2. Second 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; 3 minute discussion)

This Ordinance, unanimously adopted on First Reading on November 1, 2016, sets the mill levy and authorizes 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**



Wade Troxell, President  
Gerry Horak, District 6, Vice President  
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## Skyview South General Improvement District No. 15 Board Regular Meeting November 15, 2016 (after the General Improvement District No. 1 Meeting)

- **CALL MEETING TO ORDER**
- **ROLL CALL**
- 1. Consideration and Approval of the Minutes of the November 1, 2016, Skyview South GID No. 15 Board Meeting.

The purpose of this item is to approve the minutes from the November 1, 2016, Skyview South GID No. 15 Board meeting.

- 2. Second 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; 3 minute discussion)

This Ordinance, unanimously adopted on First Reading on November 1, 2016, fixes the mill levy for the Skyview South General Improvement District No. 15 (GID No. 15) and authorizes 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**



Wade Troxell, Chairperson  
Gerry Horak, Vice-Chairperson  
Bob Overbeck  
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## URBAN RENEWAL AUTHORITY BOARD REGULAR MEETING November 15, 2016 (after the Skyview South GID No. 15 meeting)

- CALL MEETING TO ORDER
- ROLL CALL
- AGENDA REVIEW
  - Executive Director's Review of Agenda.
- CITIZEN PARTICIPATION

Individuals who wish to make comments regarding items remaining on the Consent Calendar or wish to address the Board on items not specifically scheduled on the agenda must first be recognized by the Chairperson or Vice Chair. **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 Chairperson may reduce the time allowed for each individual.

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

- CITIZEN PARTICIPATION FOLLOW-UP
- STAFF REPORTS
- COMMISSIONER REPORTS

## Discussion Items

The method of debate for discussion items is as follows:

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

**Note:** Time limits for individual agenda items may be revised, at the discretion of the Chairperson, 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.

1. Consideration and Approval of the Minutes of the May 10, 2016, Urban Renewal Authority Board Meeting.

The purpose of this item is to approve the minutes from the May 10, 2016 Urban Renewal Authority Board meeting.

2. Resolution No. 081 Adopting the 2017 Budget for the Fort Collins Urban Renewal Authority. (staff: Josh Birks, Patrick Rowe; 5 minute staff presentation; 10 minute discussion)

The purpose of this item is to adopt the 2017 budget and to appropriate the funds to be spent for the Fort Collins Urban Renewal Authority, comprising of the North College Tax Increment Financing (TIF) District, the Prospect South TIF District, and the Foothills TIF District. The budget revenues include property and sales tax increment, and interest earned on investments, totaling \$8,597,142. Budget expenses include general operations, project obligations and debt service payments, totaling \$ 8,328,759.

The 2017 annual operating appropriation is \$ 8,328,759.

- OTHER BUSINESS
- ADJOURNMENT