

Wade Troxell, Mayor
Gerry Horak, District 6, Mayor Pro Tem
Bob Overbeck, District 1
Ray Martinez, District 2
Ken Summers, 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
June 6, 2017

Proclamations and Presentations
5:30 p.m.

- A. Proclamation Recognizing Gary Thomas.
B. Proclamation Declaring June as LGBTQ Pride Month.
C. Proclamation Declaring Appreciation for Volunteers and Partners for the Safe Place to Rest Program and Emergency Weather Shelter Plan.
D. Proclamation Declaring June as Bike 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](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 May 2 and May 16, 2017 Regular Council Meetings and the May 9, 2017 Adjourned Meeting.

The purpose of this item is to approve the minutes from the May 2 and May 16, 2017 Regular Council meetings and the May 9, 2017 Adjourned Council meeting.

2. Second Reading of Ordinance No. 064, 2017, Appropriating Unanticipated Grant Revenue in the General Fund and Authorizing the Appropriation of Restricted Northern Colorado Drug Task Force General Fund Reserves for Fort Collins Police Services 2017 Task Force Programs and Services.

This Ordinance, unanimously adopted on First Reading on May 16, 2017, appropriates funds between accounts and projects for the multi-jurisdictional Northern Colorado Drug Task Force (NCDTF). Fort Collins Police Services applied to the Office of National Drug Control Policy and the Department of Justice on behalf of the NCDTF for federal grant monies to help fund the investigation of illegal narcotics activities in Larimer County. These grant awards will be used to offset joint task force operations. In addition, because of the significant decrease in federal funds available for drug enforcement, the drug task force is transferring \$288,853 from its forfeiture reserve account to its 2017 operating budget to cover unfunded expenses. The majority of the forfeiture reserve account is made up of assets seized from people engaged in illegal drug activities.

3. Second Reading of Ordinance No. 065, 2017, Appropriating Prior Year Reserves in the Transportation Fund for the Elizabeth and Shields Underpass Improvement Project, and Transferring Appropriations to the Cultural Services and Facilities Fund for the Art in Public Places Program.

This Ordinance, unanimously adopted on First Reading on May 16, 2017, appropriates \$280,000 from the Transportation Fund Reserves for traffic signal and pedestrian signal improvements associated with the Elizabeth and Shields Underpass improvement project. Colorado State University (CSU) is funding and constructing an \$8.7M pedestrian and bicycle underpass, and intersection lane improvements at the Elizabeth and Shields intersection. As part of this project, the City is upgrading the traffic signal system and constructing a new pedestrian/bicycle signal west of the intersection. The City's Traffic Operations Department will perform the construction work associated with this appropriation. The project is expected to be substantially complete in August 2017.

4. Items Relating to the Completion of the 2017 Spring Cycle of the Competitive Process for Allocating City Financial Resources to Affordable Housing and Community Development Activities Utilizing Funds from the Federal Community Development Block Grant (CDBG) Program, Federal HOME Investment Partnerships (HOME) Program the City's Affordable Housing Fund (AHF) and the City's Human Services Program (HSP).

A. Second Reading of Ordinance No. 066, 2017, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund.

B. Second Reading of Ordinance No. 067, 2017, Appropriating Unanticipated Revenue in the HOME Investment Partnerships Fund.

Ordinance No. 066, 2017, appropriates the City's FY2017 Community Development Block Grant (CDBG) Entitlement Grant (estimated at 75% of prior year). Ordinance No. 067, 2017, appropriates the FY2017 HOME Participating Jurisdiction Grant (estimated at 75% of prior year) from the Department of Housing and Urban Development (HUD), and CDBG Reconciled funds and HOME Program Income from FY2016. Both Ordinances were unanimously adopted on First Reading on May 16, 2017.

5. Second Reading of Ordinance No. 069, 2017, Waiving Certain Fees for Housing Catalyst's Village on Redwood Affordable Housing Project and Appropriating Prior Year Reserves in Various City Funds to Refund Specified Fees.

This Ordinance, unanimously adopted on First Reading on May 16, 2017, determines whether development fee waivers in the amount of \$100,708 will be provided to Housing Catalyst for its Village on Redwood affordable housing project pursuant to City Code, the Land Use Code and an Intergovernmental Agreement between the City of Fort Collins and the Fort Collins Housing Authority dated July 3, 2013 and, if granted, to make an appropriation to refund this amount to Housing Catalyst.

6. First Reading of Ordinance No. 070, 2017, Appropriating Prior Year Reserves in the Capital Improvement Expansion Fund and in the Keep Fort Collins Great Tax Fund For Disbursement to the Poudre Fire Authority.

The purpose of this item is to appropriate funds from the Fire Capital Expansion Account to Poudre Fire Authority (PFA) for payment of debt on Fire Station 4. Station 4, located at 1945 West Drake Road, was built through a Lease/Purchase funding source at a rate of 4%, with 20 installments. The Fire Capital Improvement Expansion Fund has been used to make the annual Lease/Purchase payments. The Lease/Purchase agreement allows for prepayment after December 18, 2017. Paying off the Station 4 Lease/Purchase will save Poudre Fire Authority \$451,000 in interest payments over the next ten years, and will allow Capital Expansion Fees to build for the future construction of PFA's next fire station. During the 2017 PFA Budget process, the Board of Directors directed staff to pay off the outstanding debt on Station 4, utilizing Capital Expansion Fees that have been collected for the benefit of PFA and held in an earmarked account.

7. Items Relating to the Mulberry Street/State Highway 14 Bridge over the Poudre River.

- A. Resolution 2017-050 Authorizing the Mayor to Execute a Contract Amendment to the Intergovernmental Agreement Between the City and the Colorado Department of Transportation for Construction of the Mulberry Street Bridge Across the Poudre River.
- B. First Reading of Ordinance No. 071, 2017, Appropriating Unanticipated Revenue in the Wastewater Fund for the State Highway 14 Bridge over the Poudre River Project.

The purpose of this item is to reconcile the City's financial contribution to the Colorado Department of Transportation's (CDOT) State Highway (SH) 14 Bridge over the Poudre River Project. The original Intergovernmental Agreement (IGA) estimated a base project cost of \$1,210,000, excluding a \$100,000 credit for work to be performed by the City. This Contract Amendment will amend the existing IGA between the City and CDOT to reflect a final reimbursement amount of \$1,155,885, the actual cost of the improvements excluding project credits. This item will also appropriate \$83,044 into the Wastewater Fund for work performed by the City.

8. Items Relating to the Adoption of the 2015 International Codes.

- A. Public Hearing and First Reading of Ordinance No. 072, 2017, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2012 International Building Code (IBC) and Adopting the 2015 International Building Code, with Amendments.
- B. Public Hearing and First Reading of Ordinance No. 073, 2017, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2012 International Energy Conservation Code (IECC) and Adopting the 2015 International Energy Conservation Code, with Amendments.
- C. Public Hearing and First Reading of Ordinance No. 074, 2017, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2012 International Residential Code (IRC) and Adopting the 2015 International Residential Code, with Amendments.

- D. Public Hearing and First Reading of Ordinance No. 075, 2017, Amending Chapter 5, Article IV, of the Code of the City of Fort Collins for the Purpose of Repealing the 2012 International Mechanical Code (IMC) and Adopting the 2015 International Mechanical Code, with Amendments.
- E. Public Hearing and First Reading of Ordinance No. 076, 2017, Amending Chapter 5, Article IV, of the Code of the City of Fort Collins for the Purpose of Repealing the 2012 International Fuel Gas Code (IFGC) and Adopting the 2015 International Fuel Gas Code, with Amendments.

The purpose of this item is to recommend adoption of the 2015 International Codes (I-Codes). The 2015 I-Codes represent the most up-to-date construction standards establishing minimum requirements to safeguard the public health, safety, and general welfare from hazards attributed to the built environment within the City of Fort Collins.

9. First Reading of Ordinance No. 077, 2017, Amending the Fort Collins Traffic Code Regarding Stadium Events.

The purpose of this item is to formally adopt a new violation of the Residential Parking Permit Program (RP3) for Colorado State University's (CSU) major stadium events. Consistent with the intergovernmental agreement (IGA) between the City and CSU, staff has worked with neighborhoods adjacent to the university campus to develop parking restrictions during major events at the new CSU stadium. Non-residents will not be permitted to park in participating neighborhoods during football games or any events with an expected attendance of 12,000 or greater. City Parking Services staff will be enforcing these restrictions four hours prior to the start of an event until the end of the event.

10. First Reading of Ordinance No. 078, 2017, Designating the Dairy Gold Creamery Laboratory located at 212 Laporte Avenue, 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 2017-017.*

The purpose of this item is to designate the Dairy Gold Creamery Laboratory located at 212 Laporte Avenue, currently the Butterfly Café, as a Fort Collins Landmark. The Operation Services Department of the City of Fort Collins is initiating this request on behalf of the City as the owner. This structure is eligible for recognition as a Landmark due to its historic integrity and significance to Fort Collins under Designation Standard A, for its association with the twentieth-century dairy industry in Fort Collins; and Standard C, for the building's Modernist design with Google influences, which well represents the trend as expressed in this community in the late 1950s and early 1960s.

11. First Reading of Ordinance No. 079, 2017, Designating the Continental Oil Company Property Located at 225 Maple 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 2017-017.*

The purpose of this item is to designate the Continental Oil Company Property located at 225 Maple Street as a Fort Collins Landmark. This building currently houses FoCo Café. The Operation Services Department of the City of Fort Collins is initiating this request on behalf of the City as the owner. The Continental Oil Company Property consists of a warehouse/office building, shop/garage, and a pump house. Each of these buildings is eligible for recognition as a Landmark due to its historic integrity and significance to Fort Collins under Designation Standard A, for its association with the early industrial growth of the early twentieth-century occurring near the railroads and river; and Standard C for its early twentieth-century design characteristics.

12. First Reading of Ordinance No. 080, 2017, Designating the James Ross Proving-Up House Located at The Farm at Lee Martinez Park, 600 North Sherwood 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 2017-017.*

The purpose of this item is to designate the James Ross Proving-Up House currently located at The Farm at Lee Martinez Park, 600 North Sherwood Street, as a Fort Collins Landmark. The Recreation Department of the City of Fort Collins is initiating this request on behalf of the City as the owner. The 1890 vernacular, proving-up structure is eligible for recognition as a Landmark due to its historic integrity and significance to Fort Collins under Designation Standard A, for its association with homesteading, Standard B, for its association with the Ross family, and Standard C, for its identifiable design and construction.

13. Resolution 2017-051 Stating the Intent of the City of Fort Collins to Annex Certain Property and Initiating Enclave Annexation Proceedings for Such Property to be Known as the Blehm-Homestead Annexation.

This is a City-initiated request to annex a 109-acre enclave consisting of 28 parcels into the City of Fort Collins. The parcels became an enclave with the annexation of the Kechter Farm Annexation on May 16, 2014. As of May 16, 2017, the City is authorized to annex the enclave by ordinance in accordance with Colorado Revised Statutes §31-12-106. The Blehm-Homestead Enclave Annexation is located in southeast Fort Collins, abuts Kechter Road to the north and south and is situated between Ziegler and South Timberline Roads. The requested zoning for this annexation is the Urban Estate (UE) zone district, which complies with the City of Fort Collins Structure Plan. The surrounding properties are existing residential and education land uses. Through current outreach efforts, staff is not aware of any objections to the annexation and zoning of the Blehm-Homestead Enclave.

The proposed Resolution makes a finding that the land area has been completely contained within the boundaries of the City for not less than three years, initiates annexation proceedings, sets a hearing date for the annexation ordinance and directs the City Clerk to publish notice. The hearing will be held at the time of first reading of the annexation and zoning ordinances; not less than thirty days of prior notice is required by state law. Through current outreach efforts, staff is not aware of any objections to the annexation and zoning of the Blehm-Homestead Enclave.

14. Resolution 2017-052 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.

15. Items Relating to an Intergovernmental Agreement with Larimer County for Jail Services.

- A. Resolution 2017-053 Authorizing an Intergovernmental Agreement with Larimer County for Jail Services.

- B. First Reading of Ordinance No. 084, 2017, Appropriating Prior Year Reserves in the General Fund for Larimer County Jail Services.

The purpose of this item is to authorize the City Manager to enter into a new intergovernmental agreement (IGA) with Larimer County relating to the City's use of the Larimer County Jail for municipal defendants and appropriate funding to pay for services for 2017. The proposed IGA would be effective through the end of 2018 and reserves 3 beds at the jail for use by Fort Collins Municipal Court defendants at a significantly increased cost to the City.

16. Resolution 2017-054 Confirming a Process and Timeline to Seek Possible Resolution of Long Term Issues Regarding the Boxelder Basin Regional Stormwater Authority.

The purpose of this item is to confirm a process and timeline for a working group of member entities (City, County, Town) to formulate and develop possible modifications to the Boxelder Basin Regional Stormwater Authority (the Authority) Intergovernmental Agreement (Boxelder IGA).

17. Resolution 2017-055 Making Appointments to the Air Quality Advisory Board, Citizen Review Board, Senior Advisory Board and Transportation Board of the City of Fort Collins.

The purpose of this item is to appoint individuals to fill vacancies that currently exist on the Air Quality Advisory Board, the Citizen Review Board, the Senior Advisory Board and the Transportation Board due to resignations of board members. During the fall recruitment period applicants were selected to step into a future vacancy on the Transportation Board. Applications continued to be solicited for the Air Quality Advisory Board and the Senior Advisory Board. Council teams interviewed applicants for the Air Quality Board and the Senior Advisory Board during May.

## 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**

Safe Place to Rest. (staff: Jackson Brockway and Holly LeMasurier)

- **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.

18. Resolution 2017-056 Adopting Council Retreat Priorities for 2017-2019. (staff: Darin Atteberry, Kelly DiMartino; no staff presentation; 10 minute discussion)

The purpose of this item is to adopt the City Council Priorities as identified during the May 2017 retreat.

19. Resolution 2017-057 Directing the City Manager to Begin 365 Days Per Year Public Transportation Service. (staff: Kurt Ravenschlag, Laurie Kadrich; 10 minute staff presentation; 45 minute discussion)

The purpose of this item is to provide direction to staff on an option for public transportation service on Sundays and holidays (365 Service) and to authorize the initiation of such transit service in August 2017.

20. Items Relating to Capital Expansion Fees and the Electric Capacity Fee. (staff: Tiana Smith; 10 minute staff presentation; 30 minute discussion)

A. Second Reading of Ordinance No. 049, 2017, Amending Chapters 7.5, 8 and 24 of the Code of the City of Fort Collins Concerning Revisions to Terminology and Decreases and Phased Increases of the Capital Expansion Fees and Amending Section 3.3.2(G) of the Land Use Code to Revise Related Terminology.

B. Second Reading of Ordinance No. 068, 2017, Amending Chapter 26 of the Code of the City of Fort Collins Regarding Calculation and Collection of Development Fees Imposed for the Construction of New or Modified Electric Service Connections.

These Ordinances, unanimously adopted on first reading on May 16, 2017, adopt fee recommendations for capital expansion and transportation expansion fees and electric capacity fees effective beginning October 1, 2017. On first reading, Alternative 2 of Ordinance No. 049, 2017 was adopted, which provides for fee increases without any phasing in amounts less than what is recommended in the studies for the Capital Expansion Fees and the Transportation Expansion Fee for the lesser amount recommended in those studies.

Alternative 3 will be presented to Council as requested. It provides funding for transportation improvements.

A new Section 30 has been added to the Ordinance to direct the City Manager to appoint a working group of citizens and City staff to further study the issue of capital expansion and transportation expansion fees. This includes the appointment of a member of Council to act as a communications liaison between the Council and the City Manager and his working group.

Discussion arose during First Reading of the Ordinance about how the new fees would apply to projects that are currently in the entitlement pipeline. Two suggested alternatives have been provided for Council consideration.

21. Items Relating to the Lease Financing of the Firehouse Alley Parking Garage. (staff: John Voss, Josh Birks; 10 minute staff presentation; 10 minute discussion)

A. First Reading of Ordinance No. 081, 2017, Authorizing the Leasing of Certain City Property and the Execution and Delivery by the City of a Site Lease, a Lease Purchase Agreement, and Other Documents and Matters in Connection with the Financing of the City's Acquisition of Certain Parking Facilities; Setting Forth Certain Parameters and Restrictions with Respect to the Financing; and Providing for Other Matters Related Thereto.

B. First Reading of Ordinance No. 082, 2017, Appropriating the Lease Financing Proceeds in the Capital Projects Fund to be Used for the Purchase of a Portion of the Firehouse Alley Parking Structure and to Pay for Related Lease Financing Costs.



The purpose of this item is to authorize the financing and acquisition of the Firehouse Alley Parking Structure. Total costs are projected to be \$8,430,000. The City will acquire approximately 216 spaces located on the second and third floors.

22. First Reading of Ordinance No. 083, 2017, Appropriating and Transferring Prior Year Reserves in the General Fund and Appropriating Prior Year Reserves in the Light and Power Fund for Broadband Strategic Support Services. (staff: Mike Beckstead, SeonAh Kendall; 5 minute staff presentation; 10 minute discussion)

At the May 9, 2017, Council Work Session discussion concerning the City's Broadband efforts, staff highlighted the need to dedicate resources to support further development and details associated with a Municipal Retail model. Staff is requesting \$160k of one-time funding to be appropriated for consulting support per the current work scope. The effort to develop a more detailed Municipal Retail fiber internet service model will run in parallel with staff efforts to issue a Request for Proposal (RFP) to explore a third party alternative. As the work scope describes, consultants will work with City staff to develop details around how to launch a Municipal Retail fiber internet service. Those plans will enable the City, upon approval by Fort Collins voters authorizing the City to move forward, to immediately begin the effort, issue RFPs to support the design and construction, and begin internal processes for call centers, billing, marketing, sales, etc.

23. Resolution 2017-058 Making Certain Appointments to the Regional Water Collaboration Steering Committee. (staff: Adam Jokerst, Kevin Gertig; no staff presentation; 5 minute discussion)

The purpose of this item is to appoint Councilmembers to represent the City Council on the Regional Water Collaboration Steering Committee.

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

- **OTHER BUSINESS**

- A. Possible discussion of an Occupancy Study (U+2) and related direction to staff.
- 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.)
- C. Consideration of a motion to cancel the June 20, 2017 Regular Council meeting.
- D. Consideration of a motion to call a special meeting for 6:00 p.m., Tuesday June 27, 2017.
- E. Consideration of a motion to move the Tuesday, July 4 Regular Council meeting to 6:00 p.m., Wednesday, July 5, 2017.
- F. Consideration of a motion to call a special meeting for 6:00 p.m., Tuesday, August 8, 2017.

- **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.