

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

Delynn Coldiron
City Clerk

Regular Meeting June 19, 2018 (Amended 6/18/18)

Persons wishing to display presentation materials using the City's display equipment under the Citizen Participation portion of a meeting or during discussion of any Council item must provide any such materials to the City Clerk in a form or format readily usable on the City's display technology no later than two (2) hours prior to the beginning of the meeting at which the materials are to be presented.

NOTE: All presentation materials for appeals, addition of permitted use applications or protests related to election matters must be provided to the City Clerk no later than noon on the day of the meeting at which the item will be considered. See [Council Rules of Conduct in Meetings](#) for details.

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.

**Formal Swearing-in Ceremony for Police Chief
5:15 p.m.**

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

No Proclamations or Presentations

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 May 22, 2018 Adjourned Meeting, May 29, 2018 Special Meeting, June 5, 2018 Regular Meeting and the June 11, 2018 Adjourned Meeting.

The purpose of this item is to approve the minutes from the May 22, 2018 Adjourned Council meeting, May 29, 2018 Special Council meeting, June 5, 2018 Regular Council meeting and the June 11, 2018 Adjourned Council meeting.

2. Second Reading of Ordinance No. 069, 2018, Appropriating Prior Year Reserves in the Light and Power Fund for the Light and Power New Circuits Project.

This Ordinance, unanimously adopted on First Reading on June 5, 2018, appropriates funds from Light & Power Reserves to serve the newly annexed Water Treatment Facility (\$1,300,000) and to meet capacity needs at the East Harmony Industrial Park (\$480,000) and the Southwest Residential Area (\$230,000). The appropriation also includes \$7,100 for Art in Public Places (APP). The previous \$1.3M appropriation from the Water Fund also included the associated \$13,000 for APP. The total amount being requested is \$2,017,100, which will leave \$3.2M available and unappropriated in the Light & Power Reserves.

3. Items Relating to the Completion of the 2018 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. 070, 2018, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund.

B. Second Reading of Ordinance No. 071, 2018, Appropriating Unanticipated Revenue in the HOME Investment Partnerships Fund.

Ordinance No. 070, 2018 appropriates the City's FY2018 Community Block Grant (CDBG), Entitlement Grant from the Department of Housing and Urban Development (HUD), and CDBG Unanticipated Program Revenue Jurisdiction Grant from the Department of Housing and Urban Development (HUD), and HOME Unanticipated Program Revenue from FY2017. Ordinance No. 071, 2018 appropriates the City's FY2018 HOME Participating Jurisdiction Grant from the Department of Housing and Urban Development (HUD), and HOME Unanticipated Program Revenue from FY2017. These ordinances were unanimously adopted on First Reading on June 5, 2018.

4. Second Reading of Ordinance No. 072, 2018, Amending Chapter 19 Regarding Civil Infractions.

This Ordinance, unanimously adopted on First Reading on June 5, 2018, removes the notification requirement for violations of Chapter 19 to allow Code Compliance Inspectors the flexibility to issue immediate citations for all properties, includes some identified and sustained egregious or chronic offenders of the nuisance code.

Civil infractions are heard under the approved Municipal Court Rules. On Second Reading, the Ordinance amends the heading for Chapter 19, Article V, to read "Civil Infractions" instead of "Rules for Civil Infractions" to avoid any confusion with the Municipal Court Rules.

5. Second Reading of Ordinance No. 073, 2018 Annexing Property Known as the Aweida Annexation to the City of Fort Collins, Colorado.

This Ordinance, unanimously adopted on First Reading on June 5, 2018, annexes an area of approximately 0.862 acres in southwest Fort Collins. The property is situated on the southwest corner of the South Taft Hill Road and West County Road 38E intersection. The Initiating Resolution was adopted on the consent agenda on April 17, 2018. A related item to zone the annexed property is presented as the next item on this Agenda.

6. Second Reading of Ordinance No. 074, 2018, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Aweida Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map.

This Ordinance, unanimously adopted on First Reading on June 5, 2018, zones the property included in the Aweida Annexation into the Low Density Mixed-Use Neighborhood zone district.

7. Second Reading of Ordinance No. 077, 2018, Amending Chapter 7 of the Code of the City of Fort Collins to Amend Requirements and Procedures for City Elections.

This Ordinance, unanimously adopted on First Reading on June 5, 2018, amends the Election Code to clarify that expenditures for political advertising includes internet advertising; amend deadlines for write-in candidates, nomination petitions, withdrawals and campaign reports; and adopt Code language to align with the Uniform Overseas Citizens Absentee Voting Act (UOCAVA). The Code amendments will also require candidates and committees to keep samples of public communications and revise the definition for independent expenditures.

Between First and Second Reading, the Ordinance has been amended to change the deadline for political committees or issues committees to file a termination report from sixty days to seventy days after the election. This deadline change will align the requirement for termination reports with the date all final reports are due.

8. Items Relating to Poudre River Whitewater Park Fundraising.

A. Resolution 2018-061 Recognizing Revenues Received from Private Fundraising and Finding Substantial Satisfaction of Conditions on Prior Appropriations for the Poudre River Whitewater Park Project.

B. First Reading of Ordinance No. 078, 2018, Appropriating Unanticipated Revenue in the Capital Project Fund for the Poudre River Whitewater Park Project and Transferring Appropriations from the Capital Project Fund to the Cultural Services and Facilities Fund for the Art in Public Places Program for the Poudre River Whitewater Park Project.

The purpose of this item is to acknowledge receipt of the full amount of fundraising dollars required to release expenditure of the Community Capital Improvement Program (CCIP) funds appropriated for the project under Ordinance No. 058, 2018, and to appropriate additional fundraising dollars secured for the Whitewater Park Project.

9. First Reading of Ordinance No. 079, 2018, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund and the Transportation Fund and Authorizing the Transfer of Appropriations from the Transportation Capital Expansion Fee Fund and the Transportation Fund into the Capital Project Fund for the Suniga Road Improvements Project and Transferring Appropriations from the Capital Project Fund to the Cultural Services and Facilities Fund for the Art in Public Places Program.

The purpose of this item is to appropriate \$1,477,370 of Transportation Capital Expansion Fee (TCEF) Funds into the Capital Project Fund for the Suniga Road Improvements Project. In addition, this item will authorize the transfer of \$14,774, one percent of the appropriated funds, from the Capital Project Fund to the Cultural Services and Facilities Fund for Art in Public Places. This project will construct Suniga Road to the City's four-lane arterial roadway standards between North College Avenue and Blondel Street as identified on the City's Master Street Plan. Improvements include raised, protected bike lanes, pedestrian facilities, transit facilities, utility infrastructure, roadway improvements, and landscaped medians and parkways. The project will complement the existing section of Suniga Road, providing connectivity for surrounding developments from North College Avenue to Redwood Street. This project was approved during the 2017/2018 Budgeting for Outcomes (BFO) process.

10. First Reading of Ordinance No. 080, 2018, Appropriating Prior Year Reserves in the Parking Fund for the Downtown Parking Sensor and Technology Project and Authorizing the Transfer of Appropriations from the Parking Fund to the Cultural Services and Facilities for the Art in Public Places Program.

The purpose of this item is to appropriate \$359,917 of additional funds from Parking Reserves into the capital project fund to complete the Downtown Parking Sensor and Technology project and to appropriate 1% of the project to Art in Public Places. The Project includes installing sensors and new payment technology in the three downtown parking structures and in approximately 3000 on-street parking spaces and 3 parking lots (the "Project"). This Project will allow Parking Services to collect occupancy and turnover rate data to improve management of downtown parking. The sensors will link to the FC Parking application (app) and show where available parking spaces are located. Phase I of the Project was completed in 2017 and installed the sensor and payment technology in the Firehouse Alley Parking Structure.

Funds for the remainder of the Project include: \$750k in General Fund (appropriated in 2017 for this purpose as a part of Ordinance No. 154, 2017); 2017-18 Budget Offer 73.3 (\$84,692, and \$90,083); and Parking Fund Reserves.

The total estimated cost for the Project is \$1.2M. Installation of parking sensors in the Old Town Parking Structure and the Civic Center Parking Structure has been initiated with the previously appropriated funds. The additional funds are necessary to complete the on-street and parking lot portion of the Project. The anticipated completion date for the Project is by the end of 2018.

11. Items Relating to Combined Regional Information Systems Project (CRISP).

- A. First Reading of Ordinance No. 081, 2018, Reappropriating Funds Previously Appropriated in 2017 but not Expended and not Encumbered in 2017, Appropriating Prior Year Reserves in the General Fund and Appropriating Unanticipated Revenue in the General Fund for the Fort Collins Police Services Combined Regional Information Systems Project.
- B. Resolution 2018-062 Authorizing the Mayor to Enter into an Intergovernmental Agreement with Larimer County and the City of Loveland for the Purpose of Sharing in the Purchase of a Public Safety Software Solution for the Combined Regional Information Systems Project.
- C. Resolution 2018-063 Approving an Exception to the Use of a Competitive Process for the Purchase of a Public Safety Software Solution from TriTech Software Systems.

The purpose of this item is to purchase a public safety software solution for the Combined Regional Information Systems Project (CRISP). CRISP is a regional partnership with other Larimer County public safety agencies and provides a reliable public safety software solution that allows regional

agencies to share police and fire data, manage incidents and provide for redundancy and continuity of operations. The current system is scheduled for replacement. The City of Loveland is joining CRISP and with the addition of Loveland and other project changes, staff is also requesting an additional appropriation of \$1.98 million with the understanding that all but \$288K will be reimbursed from both CRISP partner and member agencies.

12. First Reading of Ordinance No. 082, 2018, Appropriating Unanticipated Grant Revenue From Bloomberg Philanthropies in the Light and Power Fund for the Home Efficiency Loan Program/On-Bill Financing Program.

The purpose of this item is to appropriate \$100,000 in grant revenues from Bloomberg Philanthropies, as part of the Bloomberg Mayor's Challenge, into the Fort Collins Utilities Light and Power Enterprise fund for the purposes of developing and capitalizing the Utilities On-Bill Financing program (OBF). The OBF provides utility bill serviced loans for energy efficiency capital improvements, and the Bloomberg project within this program will focus on funding improvements to advance efficiency in rental properties.

13. Items Relating to Amending City Code, Chapter 17 - Miscellaneous Offenses.

A. First Reading of Ordinance No. 083, 2018, Amending Articles III, IV, VI, and VII of Chapter 17 of the Code of the City of Fort Collins Pertaining to Trespass, Theft, Littering, Criminal Mischief, Resisting Arrest, Throwing of Missiles, and Disorderly Conduct.

B. First Reading of Ordinance No. 084, 2018, Amending Article VII of Chapter 17 of the Code of the City of Fort Collins Pertaining to Staying on Medians.

C. First Reading of Ordinance No. 085, 2018, Amending Article VII of Chapter 17 of the Code of the City of Fort Collins Pertaining to Panhandling.

The purpose of this item is to amend certain Sections of Chapter 17 regarding trespass, theft, littering, criminal mischief, resisting arrest, throwing of missiles, and disorderly conduct to be consistent with state statutes; to amend Section 17-122 to make that section more specific to prohibit staying on medians in locations where safety issues arise given median width, traffic volumes, and/or traffic speed; and to eliminate Section 17-127 in its entirety pertaining to panhandling.

14. Resolution 2018-064 Approving an Art Project for the Riverside Bridge Project and Approving Expenditures from the Art in Public Places Reserve Account in the Cultural Services and Facilities Fund and the Art in Public Places Stormwater Utility Account to Commission an Artist to Create the Art Project Pursuant to the Art in Public Places Program.

The purpose of this item is it to approve expenditures from the Art in Public Places Reserve Account and the Art in Public Places Stormwater Utility Account to commission an artist to create art for the Riverside Bridge Project. The expenditures of \$35,000 will be for design, materials, signage, fabrication, delivery, and contingency for Carolyn Braaksma to create the art for the bridge wall along the trail.

15. Resolution 2018-065 Discontinuing the City Council Mall Redevelopment Committee.

The purpose of this item is to discontinue the City Council Mall Redevelopment Committee (the "Committee") established by Resolution 2014-056 in July 2014. The Committee was created by Council to provide oversight and to be available to the City Manager to provide feedback concerning his administration of the Redevelopment and Reimbursement Agreement. Section 3 of the 2014 Resolution provides that it was City Council's "intent that upon completion of the redevelopment of the commercial portion of the Mall Project," the Committee would be discontinued. The commercial development portion of the Mall is now complete. The Committee is, therefore, no longer needed.

16. Resolution 2018-066 Making Appointments to the Cultural Resources Board, Parks and Recreation Board, Landmark Preservation Commission, and The Women's Commission of the City of Fort Collins.

The purpose of this item is to appoint Liliane Francuz to fill a vacancy on the Cultural Resources Board due to the resignation of Amy Cerevan, Sam Houghteling to the Parks and Recreation Board due to the resignation of Scott Sinn, Anne Nelsen to the Landmark Preservation Commission due to the resignation of Bud Frick, and Melanie Potyondy to the Women's Commission due to the resignation of Jennifer Harvey.

17. Resolution 2018-067 Reappointing Teresa Ablao as an Assistant Municipal Judge of the Fort Collins Municipal Court and Authorizing the Execution of an Employment Agreement.

NEW ITEM ADDED JUNE 18, 2018

The purpose of this item is to reappoint Teresa Ablao as the Assistant Municipal Judge for the Fort Collins Municipal Court. The City Charter provides for the appointment of an Assistant Municipal Judge to serve in the absence of the Municipal Judge. Teresa Ablao has served in this capacity since mid-2012. Municipal Judge Kathleen M. Lane recommends that Ms. Ablao be reappointed as the Assistant Municipal Judge.

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.

● **NO DISCUSSION ITEMS**

- **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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City Council Work Session June 19, 2018

After the Regular Council Meeting which begins at 6:00 PM

- **CALL TO ORDER.**

1. Oil and Gas Buffers - Land Use Code Changes. (staff: Rebecca Everette, Laurie Kadrich, Cassie Archuleta; 15 minute staff presentation; 30 minute discussion)

The purpose of this item is to provide information to City Council on Land Use Code changes related to oil and gas well buffers, including the current staff recommendation and recommendations from various boards and commissions. The current staff recommendation includes the following Code changes:

1. Increase buffer for residential development near existing oil and gas operations from 350 feet to 500 feet
 2. Add a new 1000-foot buffer requirement for high occupancy buildings near oil and gas operations
 3. Allow a reduced setback (150 feet minimum) near plugged and abandoned wells if specific requirements are met
 4. Create an additional means of disclosure to future property owners via a property covenant.
2. Planned Unit Development (PUD) Overlay. (Staff: Cameron Gloss; 10 minute staff presentation; 30 minute discussion)

The purpose of this item is to create an optional Planned Unit Development (PUD) process and regulations within the Land Use Code applicable to larger parcels being developed in multiple phases.

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