

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 September 18, 2018

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.

Proclamations and Presentations 5:30 p.m.

- A. Proclamation Declaring September 2018 as Childhood Cancer Awareness Month.
- B. Proclaiming the Week of September 24 through September 30, 2018 as Diaper Need Awareness Week.
- C. Proclamation Declaring September 17-23 as Constitution Week.

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.

- **PUBLIC COMMENT**

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.]

- **PUBLIC COMMENT 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 from the August 21, 2018 Regular Council Meeting and the August 28, 2018 Adjourned Council Meeting.

The purpose of this item is to approve the minutes from the August 21, 2018 Regular Council meeting and the August 28, 2018 Adjourned Council meeting.

2. Second Reading of Ordinance No. 115, 2018, Amending Section 2-636 of the Code of the City of Fort Collins to Conform to Recently Amended Section 7-133.

This Ordinance, unanimously adopted on First Reading on September 4, 2018, amends Section 2-636 of the City Code relating to financial disclosure statements to conform the language to Section 7-133 of the City Code relating to the timely filing of financial disclosure statements by candidates for a mayoral or Council seat.

3. Second Reading of Ordinance No. 116, 2018, Amending Chapter 26 of the Code of the City of Fort Collins to Extend Tiered Electric Rates Into 2019 for Customers Enrolled in Manually-Read Metering Services.

This Ordinance, unanimously adopted on First Reading on September 4, 2018, requests an extension of the tiered Residential Energy Rate for a subset of customers who have manually-read electric meters. City Electric Utility personnel have just learned that the expected order of electric meters necessary to implement the time-of-day (TOD) rate for customers who have manually-read meters will not arrive in time to appropriately implement the TOD rate for those customers on schedule. Implementation of the TOD rate for all other applicable customer classes starts on October 1, 2018. This request applies to fewer than 200 customers who have requested manually-read meters at this point.

4. Second Reading of Ordinance No. 117, 2018, Authorizing the Sale of City-Owned Property at 4030 South Taft Hill Road, and the Dedication of Right-of-Way and Easements on Such Property to Larimer County.

This Ordinance, unanimously adopted on First Reading on September 4, 2018, obtains authorization from City Council to sell 1.15 acres of City-owned property located at 4030 South Taft Hill Road, at a sales price of no less than \$165,000, and convey right-of-way and easements to Larimer County through deeds of dedication.

5. First Reading of Ordinance No. 118, 2018, Appropriating Unanticipated Revenue in the Transportation Fund Work for Others Program for the Fossil Creek Meadows Asphalt Paving Project.

The purpose of this item is to appropriate funds from the Fossil Creek Meadows Homeowner's Association (the "HOA") into the "Work for Others" program so that City Streets crews can perform asphalt paving services for Fossil Creek Meadow streets that were annexed into the City in 2010.

6. First Reading of Ordinance No. 119, 2018, Designating the Trimble/Taylor/Dixon Property, 817 West Mountain 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 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 2018-034.

The purpose of this item is to consider the request for landmark designation of the Trimble/Taylor/Dixon Property, 817 West Mountain Avenue, for its Classic Cottage architecture. This is a voluntary designation at the property owner's request.

7. First Reading of Ordinance No. 120, 2018, Designating the Evans/Reidhead Property, 707 West Mountain 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 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 2018-034.

The purpose of this item is to consider the request for landmark designation of the Evans/Reidhead Property, 707 West Mountain Avenue, for its important associations with James (Jim) Reidhead, and as an excellent example of a Dutch Colonial Revival style home in Fort Collins. This is a voluntary designation at the property owner's request.

8. Resolution 2018-086 Authorizing the Procurement of Services for an Annual Independent Audit of the City's Financial Records.

The purpose of this item is to authorize City staff to enter into a professional services agreement with BKD LLP ("BKD"), the independent audit firm recommended by the Council Finance Committee. The Committee interviewed two finalists at the September 5, 2018, special meeting and adopted a motion to recommend BKD for the Council's selection.

9. Items Relating to the Cache la Poudre Instream Flow Plan.

- A. Resolution 2018-087 Authorizing the City Manager to Execute an Agreement Regarding Phase II of the Plan for Augmentation for Instream Flow Purposes on the Cache la Poudre River.
- B. Resolution 2018-088 Authorizing the City Manager to Execute an Agreement Regarding the Use of Certain Water Rights of the City of Fort Collins in the Plan for Augmentation for Instream Flow Purposes on the Cache la Poudre River.

The purpose of this item is to seek Council review and approval of two proposed agreements to facilitate the potential approval and implementation of a plan to enhance Poudre River flows and to protect those enhanced flows. Resolution 2018-087 authorizes the City Manager to execute an agreement regarding Phase II of a three-phase project to develop an instream flow augmentation plan on the Poudre River through and near Fort Collins. Resolution 2018-088 authorizes the City Manager to execute an agreement regarding the use of certain City water rights to support implementation of the instream flow augmentation plan.

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. Larimer County Community Report-Commissioner Steve Johnson to present
- B. 2018 Bike to Work Day (staff: Paul Sizemore)

● **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.

10. Resolution 2018-089 Expressing the City Council's Support for the Passage of a Larimer County Ballot Issue Imposing a 0.25% Countywide Sales and Use Tax for the Purpose of Providing Mental Health Care Services for Residents of Larimer County and Urging the Citizens of Fort Collins to Vote "Yes" on this Ballot Issue. (45 minute discussion)

Council leadership has requested that staff prepare this item for City Council consideration to enable the Council, if it so chooses, to express its support of the Larimer County November 6, 2018, ballot issue for a tax to fund mental health care services for residents of Larimer County.

11. Public Hearing on the 2019-2020 Recommended Biennial Budget for the City of Fort Collins. (staff: Darin Atteberry, Mike Beckstead; 1 hour discussion)

This is the first official public hearing on the City Manager's 2019-2020 Recommended Biennial Budget for the City of Fort Collins. The purpose of this public hearing is to gather public input on the 2019-2020 budget.

In an effort to receive further public input, a second public hearing is scheduled for the Tuesday, October 2, 2018 Council meeting at 6:00 p.m. in the Council Chambers.

Both of these hearings were set by the City Council by its adoption of Resolution 2018-081 at its September 4, 2018, meeting.

The City Manager's 2019-2020 Recommended Budget can be reviewed at the Main Library, the Harmony Branch Library, or the City Clerk's Office. The recommended budget can also be viewed online at fcgov.com/budget.

12. Public Hearing and Resolution 2018-082 Approving the Consolidated Service Plan for Waterfield Metropolitan District Nos. 1-3. (staff: Jeff Mihelich, Josh Birks; 15 minute staff presentation; 1 hour discussion)

The purpose of this item is to consider a Service Plan for the Waterfield Metro District Nos. 1 through 3 (the "Metro Districts"). Thrive Home Builders has submitted a service plan for the Metro Districts to support a proposed development of approximately 500 homes on property generally located at the northwest corner of Vine Drive and Timberline Road. The project will include 50 lots dedicated for affordable housing construction. In addition, the project will deliver all units as US Department of Energy Certified Zero Energy Ready and 10 percent of homes with rooftop solar. Each of the Metro Districts is proposed to have a Mill Levy Cap of 50.00 mills to support the project.

City Council conducted a public hearing on this Service Plan at its September 4, 2018 meeting and after receiving testimony and other evidence, continued the public hearing to this September 18, 2018 meeting.

13. Public Hearing and Resolution 2018-084 Approving the Consolidated Service Plan for Waters' Edge Metropolitan District Nos. 1-5. (staff: Jeff Mihelich, Tom Leeson; 15 minute staff presentation; 1 hour discussion)

The purpose of this item is for Council to consider for adoption the Consolidated Service Plan for the Waters' Edge Metropolitan District Nos. 1-5 (the "Metro Districts"). Generally, located between Douglas Road and Richards Lake Road on either side of Turnberry Road.

The Council conducted a public hearing on this Service Plan at its September 4, 2018 meeting and after receiving testimony and other evidence, continued the public hearing to this September 18, 2018 meeting.

14. Continuance to September 25, 2018, of Public Hearing and Resolution 2018-083 Approving the Montava Metropolitan District Nos. 1 through 7 Consolidated Service Plan and Proposed Continuance. (staff: Josh Birks; 5 minute discussion)

The purpose of this item is to consider a proposed continuance of the Council's hearing on a metro district service plan for the Montava Development or, in the alternative, to consider the item. Staff and the developer agree that continuing the hearing to September 25, 2018, will provide much needed time to further refine the proposed Service Plan. In addition, this postponement defers consideration of the Service Plan until after a pre-application hearing scheduled for September 25, 2018, on the proposed Planned Unit Development ("PUD") application related to the same project.

The developer of Montava has submitted a service plan to support a proposed development of approximately 988.5 acres located in the northeast portion of the community near the existing AB/InBev Brewery. The development is anticipated to include 2,000 single family homes, 2,400 multi-family units, 200,000 to 400,000 square feet of office, 88,900 square feet of retail. The project intends to provide 10 percent of housing units in a mix of for rent and for sale affordable housing. In addition, the project will deliver all units as US Department of Energy Certified Zero Energy Ready. Seven metro districts, each with a mill levy cap of 60.00 mills, have been proposed to be organized to support the project.

- **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**

A. Consideration of a motion to adjourn to 6:00 p.m., Tuesday, September 25, 2018.

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.