

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 November 6, 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 the Week of November 10-18, 2018 as National Hunger and Homeless Week.
- B. Proclamation Declaring the Month of November as Native American Awareness Month.
- C. Proclamation Declaring the Month of the November 2018 as Movember.

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 of the October 2 and October 16, 2018 Regular Council Meetings and the October 9, 2018 Adjourned Council Meeting.

The purpose of this item is to approve the minutes from the October 2 and October 16, 2018 Regular Council meetings and the October 9, 2018 Adjourned Council meeting.

2. Second Reading of Ordinance No. 125, 2018, Amending Chapter 3 of the Code of the City of Fort Collins to Add a New Article IV Regarding Entertainment District.

This Ordinance, unanimously adopted on First Reading on October 16, 2018 establishes City Code provisions that allow City Council to adopt Entertainment Districts and granting the Liquor Licensing Authority the authority to approve and regulate Promotional Associations and Common Consumption Areas within Entertainment Districts.

There are some minor changes between First and Second Reading, the most significant of which is the inclusion of an abandonment provision that automatically deems an entertainment district abandoned if there is no certified promotional association for a twelve-month period.

3. Second Reading of Ordinance No. 126, 2018, Annexing the Property Known as the Sanctuary on the Green Annexation to the City of Fort Collins, Colorado.

This Ordinance, unanimously adopted on First Reading on October 16, 2018 annexes 16.98 acres. The site is located generally at the northwest corner of North Taft Hill Road and LaPorte Avenue and addressed as 325 North Taft Hill Road. The New Mercer Canal forms the western boundary. This is a voluntary annexation. The Initiating Resolution was adopted on September 4, 2018.

4. Second Reading of Ordinance No. 127, 2018, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Sanctuary on the Green Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map.

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(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2018-034.

This Ordinance, unanimously adopted on First Reading on October 16, 2018, zones 16.98 acres. The site is located generally at the northwest corner of North Taft Hill Road and LaPorte Avenue and addressed as 325 North Taft Hill Road. The New Mercer Canal forms the western boundary. In accordance with the City Plan's Structure Plan Map and the Northwest Subarea Plan, the requested zoning for this annexation is L-M-N, Low Density Mixed-Use Neighborhood.

5. First Reading of Ordinance No. 127, 2018, Being the Annual Appropriation Ordinance for the Fort Collins Downtown Development Authority Relating to the Annual Appropriations for the Fiscal Year 2019 and Fixing Mill Levy for the Downtown Development Authority for Fiscal Year 2019.

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

The following amounts will be appropriated:

DDA Public/Private Investments & Programs	\$3,470,849
DDA Operations & Maintenance	\$ 809,787
Revolving Line of Credit Draws	\$4,000,000
DDA Debt Service Fund	\$6,225,522

The Ordinance sets the 2019 Mill Levy for the Fort Collins DDA at five (5) mills, unchanged since tax year 2002. The approved Budget becomes the Downtown Development Authority's financial plan for 2019.

6. First Reading of Ordinance No. 136, 2018, Adopting the 2019 Budget and Appropriating the Fort Collins Share of the 2019 Fiscal Year Operating and Capital Funds for the Northern Colorado Regional Airport.

The purpose of this item is to adopt the 2019 budget for the Northern Colorado Regional Airport and appropriate Fort Collins' share of the 2019 fiscal year operating and capital funds for the Airport.

7. First Reading of Ordinance No. 128, 2018, Appropriating Unanticipated Grant Revenue in the General Fund for Climate Action Efforts.

The purpose of this item is to appropriate \$5,000 in grant revenues from the Urban Sustainability Directors Network ("USDN") Innovation Fund Technical Assistance Mini-Grant Program into the General Fund for the purpose of working with three other U.S. cities to develop a full grant application to the USDN Innovation Fund. The full grant application will develop a framework for cities to develop climate action plans and other planning efforts by systematically addressing mitigation, resilience, and equity within a single planning process. The technical assistance mini-grant, covered by this Ordinance, will convene the four total cities in November 2018 to develop the full proposal. This project will leverage and align with the City's effort to update the Climate Action Plan and Energy Policy in 2019 and 2020 (Budget Offer 43.12).

8. First Reading of Ordinance No. 129, 2018, Amending Land Use Code Section 3.25 Pertaining to Trash and Recycling Enclosures for New Development.

The purpose of this item is to adopt an updated section of the Land Use Code that pertains to trash and recycling to implement current techniques and practices. This section was part of the annual update package that was approved by City Council on June 5, 2018, but was removed for further refinement and outreach.

9. First Reading of Ordinance No. 130, 2018, Amending Chapter 23 of the Code of the City of Fort Collins Regarding Parks, Trails, Recreation, and Natural Areas.

The purpose of this item is to update a number of provisions within Chapter 23, Articles IX (Natural Areas) and X (Parks) of the City Code. The Code changes are intended to more accurately reflect the current practices and procedures of the Natural Areas and Parks Departments. Various provisions are covered in these changes including permit processes, slacklining, structures, and updating definitions to reflect the City's current organizational chart.

10. First Reading of Ordinance No. 131, 2018, Amending Chapter 20 of the Code of the City of Fort Collins Regarding Abatement of Nuisances.

The purpose of this item is to clarify a possible ambiguity under the current Code. Section 20-44 will be amended to clarify that the notification requirements of that section apply only to the *abatement* of nuisance properties. Without the change, the current Code could be interpreted to mean Code Enforcement Officers must provide a violation notice before issuing a citation *and* before abating a property. This change will clarify that providing notice to property owners applies only to abatement, and not to the issuing of citations.

11. Public Hearing and First Reading of Ordinance No. 132, 2018, Deciding Whether to Approve the Addition of a Permitted Use for 200 East Swallow to Allow Professional Office as a Use, APU 180001.

The purpose of this item is to consider the recommendation of the Planning and Zoning Board to approve, with conditions, the request for an Addition of Permitted Use (APU) for a Professional Office at 200 East Swallow Road, located in the Low Density Residential (R-L) zone district, and being made in conjunction with Minor Amendment MA180050. The APU would allow 100% of the house to be used for a professional office versus 50% which is allowed under the Home Occupation License. Approval of this item as part of the consent agenda represents approval of the requested APU pursuant by ordinance. If this item is pulled from the consent agenda and Council votes to deny the APU, staff will present an ordinance to deny the APU at the next regular Council meeting.

12. Resolution 2018-105 Authorizing the City Manager to Execute an Agreement with the City of Greeley and the Water Supply and Storage Company Regarding a Dam Breach Flood Inundation Mapping Study.

The purpose of this item is to receive authorization for the City Manager to execute an agreement with the City of Greeley ("Greeley") and the Water Supply and Storage Company ("WSSC") to perform a dam breach inundation mapping study for several reservoirs in the upper Cache la Poudre River basin, including two owned by the City of Fort Collins. Fort Collins is collaborating with Greeley and WSSC to perform this State-required mapping on a total of ten reservoirs in the upper Cache la Poudre River basin. A consultant has been selected who will contract directly with Greeley, while Fort Collins and WSSC will be invoiced by Greeley for the portions of the work that affect their respective reservoirs. Fort Collins is saving considerable funds by collaborating with Greeley and WSSC to perform modelling and mapping on ten reservoirs versus modelling each reservoir individually. Each entity is also saving costs by applying for a grant from the State of Colorado that covers 50% of the costs of the project.

13. Resolution 2018-106 Submitting the College and Drake Existing Conditions Study and Urban Renewal Plan to the City's Planning and Zoning Board, the Larimer County Board of Commissioners and the Poudre School District, and Further Directing that the Urban Renewal Impact Study be Submitted to the Larimer County Board of Commissioners When Completed.

The purpose of this item is for City Council to consider a resolution submitting the College and Drake Urban Renewal Plan (URP) to the Planning and Zoning Board (P&Z), the Larimer County Board of Commissioners, and the Poudre School District, for their review as required by Colorado's Urban Renewal Law. By statute, P&Z must evaluate all proposed urban renewal plans for conformance with the City's Comprehensive Plan. P&Z is scheduled to review the proposed College and Drake URP on November 15, 2018.

14. Resolution 2018-107 Supporting the Grant Application for the Planning Grant from the State Board of Great Outdoors Colorado for the Parks and Recreation Master Plan.

The purpose of this item is to request City Council support to pursue the 2018 Great Outdoors Colorado ("GOCO") Planning Grant. If awarded, the funding will be used for community outreach efforts for the Parks and Recreation Master Plan update. GOCO requires a resolution of City Council support be submitted as part of the grant application package.

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.

15. Items Relating to 2019 Utility Rates for Electric and Stormwater Rates, Fees and Charges. (staff: Randy Reuscher, Lance Smith; 10 minute presentation; 60 minute discussion)
 - A. First Reading of Ordinance No. 134, 2018, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Electric Rate, Fees and Charges.
 - B. First Reading of Ordinance No. 135, 2018 Amending Chapter 26 of the Code of the City of Fort Collins to Revise Stormwater Rates, Fees and Charges.

The purpose of this item is for Council to consider adjusting monthly charges for electric and storm water services in 2019. The revenue requirements to support the 2019 budget will require increasing monthly charges for electric service by 5.0% and stormwater service by 2.0%. Staff recommends no changes to water and wastewater utility rates.

16. First Reading of Ordinance No. 133, 2018, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for the Fiscal Year 2019; Adopting the Budget for the Fiscal Years beginning January 1, 2019, and Ending December 31, 2020; and Fixing the Mill Levy for the Fiscal Year 2019. (staff: Darin Atteberry, Mike Beckstead, Lawrence Pollack; 15 minute presentation; 60 minute discussion)

The purpose of this item is to present the Annual Appropriation Ordinance for First Reading. This Ordinance sets the City Budget for the two-year period (2019-20) which becomes the City's financial plan for the next two fiscal years. This Ordinance sets the amount of \$634,271,160 to be appropriated for fiscal year 2019. However, this appropriated amount does not include what is being appropriated by separate Council/Board of Director actions to adopt the 2019 budget for the General Improvement District (GID) No. 1 of \$167,000, the 2019 budget for GID No. 15 (Skyview) of \$1,000, the Urban Renewal Authority (URA) 2019 budget of \$5,867,677 and the Downtown Development Authority 2019 budget of \$14,506,158. This results in City-related total operating appropriations of \$654,812,995 in 2019. This Ordinance also sets the 2019 City mill levy at 9.797 mills, unchanged since 1991.

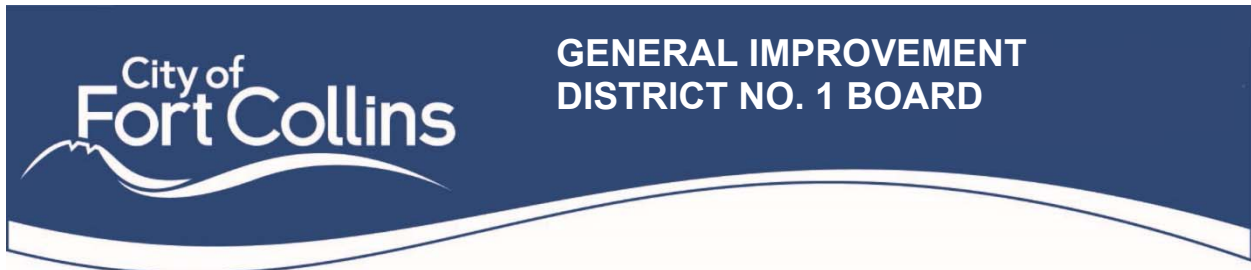
- **CONSIDERATION OF CITIZEN-PULLED CONSENT ITEMS**

- **OTHER BUSINESS**

- A. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers
(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)
- B. Council will consider a motion to designate a temporary presiding officer for the November 13 Work Session.

- **ADJOURNMENT**

Every Council meeting will end no later than 10:30 p.m., except that: (1) any item of business commenced before 10:30 p.m. may be concluded before the meeting is adjourned and (2) the City Council may, by majority vote, extend a meeting until no later than 12:00 a.m. for the purpose of considering additional items of business. Any matter which has been commenced and is still pending at the conclusion of the Council meeting, and all matters scheduled for consideration at the meeting which have not yet been considered by the Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.



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General Improvement District No. 1 Board Regular Meeting November 6, 2018 (after the Regular Council Meeting)

- CALL MEETING TO ORDER
- ROLL CALL

1. First Reading of Ordinance No. 070 Determining and Fixing the Mill Levy for the General Improvement District No. 1 for the Fiscal Year 2019; Directing the Secretary of the District to Certify Such Levy to the Board of Commissioners of Larimer County; and Making the Fiscal Year 2019 Annual Appropriation. (staff: Mike Beckstead, Lawrence Pollack; 2 minute presentation; 5 minute discussion)

The purpose of this item is to set the mill levy and authorize the fiscal year 2019 appropriation for General Improvement District No. 1 (GID). The sum of \$308,000 is anticipated to be collected from the mill levy of 4.924 mills for fiscal year 2019 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 2019 to total \$59,342 resulting in an expected revenue total of \$367,342 for 2019. The Ordinance appropriates funds in the amount of \$167,000 for the operation of the GID in 2019.

2. First Reading of Ordinance No. 071 Appropriating Prior Year Reserves in the General Improvement District No. 1 Fund in 2018 for the Opera Galleria Sidewalk Improvement Project. (staff: Clark Mapes; 2 minute presentation; 5 minute discussion)

The purpose of this item is to appropriate reserves to cover the related expenses that were not anticipated and, therefore, not included in GID No. 1's 2018 annual budget appropriation.

- OTHER BUSINESS
- ADJOURNMENT



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Skyview South General Improvement District No. 15 Board Meeting November 6, 2018 (after the Regular Council Meeting)

- **CALL MEETING TO ORDER**
- **ROLL CALL**

1. First Reading of Ordinance No. 010 Determining and Fixing the Mill Levy for the Skyview South General Improvement District No. 15 for the Fiscal Year 2019; Directing the Secretary of the District to Certify Such Levy to the Board of Commissioners of Larimer County; and Making the Fiscal Year 2019 Annual Appropriation. (staff: Mike Beckstead, Lawrence Pollack; 2 minute presentation; 5 minute discussion)

The purpose of this item is to fix the mill levy for the Skyview South General Improvement District No. 15 (GID No. 15) and to authorize the annual appropriation for 2019 of \$1,000 for the expenses of the Skyview South General Improvement District No. 15 (GID No. 15). The sum of \$32,784 is anticipated to be collected from the mill levy of 10.0 mills for fiscal year 2019. Additional miscellaneous revenue to GID No. 15 of \$5,997 is anticipated to generated from auto specific ownership fees and interest income. The total 2019 revenue for GID No. 15 is expected to be \$38,781. The total amount will be used in the future to maintain and repair roads in the Skyview subdivision.

2. First Reading of Ordinance No. 011 Appropriating Prior Year Reserves in the Skyview South General Improvement District No. 15 Fund to Reimburse the Transportation Fund for the Skyview South Sidewalks Project. (staff: Darren Morritz; 2 minute presentation; 5 minute discussion)

The purpose of this item is to appropriate reserves to cover an expense that was not anticipated and, therefore, not included in the 2018 annual budget appropriation for the Skyview South General Improvement District No. 15. This new expense is the Skyview South Sidewalks Project.

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