

# AGENDA ITEM SUMMARY

December 4, 2018

City Council

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## STAFF

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## SUBJECT

Resolution 2018-112 Adopting the City's 2019 Legislative Policy Agenda.

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## EXECUTIVE SUMMARY

The purpose of this item is to consider and adopt the City's 2019 Legislative Policy Agenda. Each year the Legislative Review Committee (LRC) develops a legislative agenda to assist in the analysis of pending legislation and regulation. The Legislative Policy Agenda is used as a guide by Council and staff to determine positions on legislation and regulation pending at the state and federal levels and as a general reference for the City's state legislators and congressional delegation.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

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## BACKGROUND / DISCUSSION

The Legislative Policy Agenda is a guiding document meant to reflect issues that affect the quality of life and governance of our community. It is used as a guide by Council and staff to determine positions on pending legislation, and as a general reference for citizens, community organizations, state legislators and congressional delegation. The 2019 Agenda was developed with input from City staff and reviewed by the Legislative Review Committee.

The Policy Agenda is a topic-based set of policy statements meant to convey supporting and opposing positions on issues of local importance that impact quality of life, governance of our community, and strategic objectives. It is designed to address areas of local concern and to reflect the strategic planning and outcome areas that guide City of Fort Collins resource allocation and decision making.

The Legislative Policy Agenda also makes reference to the City's partnering with Colorado Communities for Climate Action, the Colorado Municipal League, the National League of Cities, and the Colorado Association of Municipal Utilities.

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## ATTACHMENTS

1. Legislative Policy Agenda 2019 (draft) (PDF)



2019 ~~2018~~ Legislative Policy Agenda  
Adopted ~~November 21, 2017~~

DRAFT

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## INTRODUCTION

Fort Collins is a community of ~~161,000~~ 170,100 residents. Incorporated in 1873, the City has grown to become the commercial, educational and cultural hub of Northern Colorado. The City adopted a home rule charter in 1954 and operates under a Council-Manager form of government.

The City is a data-driven municipal organization that strives to fulfill its mission, “Exceptional service for an exceptional community”, through a vision of providing world-class municipal services through operational excellence and a culture of innovation. City leaders seek innovative solutions to issues facing the community and are often willing to leverage emerging technologies.

The Fort Collins City Council annually adopts a Legislative- ~~Priorities and~~ Policy Agenda ahead of the upcoming Colorado general Assembly session for the purpose of guiding legislators and staff in supporting community goals.

- ~~The Legislative Priorities are broad issues Fort Collins is focused on during the Colorado General Assembly and United States Congress sessions. The Priorities may carry over year to year since they are larger, more challenging issues that may take multi-year work to influence.~~

The Policy Agenda is broad set of policy statements meant to convey positions on issues that affect the quality of life and the governance of our community. It is structured to address areas of local concern and to also reflect the strategic planning that guides City of Fort Collins organizational resource allocation and decision making.

Fort Collins welcomes opportunities to work in partnership to leverage additional resources and participate in regional dialogue to achieve shared outcomes.

The City has identified seven outcome areas to ensure appropriate and effective resource allocation supporting the community’s priorities. Outcome areas include Culture and Recreation; Economic Health; Environmental Health; High Performing Government; Neighborhood Livability and Social Health; Safe Community; and Transportation and Mobility. The Policy Agenda identifies this alignment as it is important for City staff to ensure that advocacy supports specific desired outcomes.

## CITY OF FORT COLLINS LEGISLATIVE REVIEW COMMITTEE

The Legislative Review Committee (LRC) is a representative group of Council members that reviews and reacts to proposed legislation on behalf of City Council and the City. In taking a position on bills, the LRC interprets and applies the various policies that are included in the Legislative Policy Agenda.

Council Members presently serving on the Legislative Review Committee are:

- Councilmember Ken Summers, Chair
- Councilmember Ray Martinez
- Councilmember Bob Overbeck

### LEGISLATIVE REVIEW PROCESS

In 2019, the City of Fort Collins will rely heavily on the Legislative Policy Agenda, the Colorado Municipal League, and Colorado Communities for Climate Action for the majority of bill tracking and identification.

The City currently maintains memberships with the Colorado Municipal League and Colorado Communities for Climate Action – both groups maintain a fulltime presence at the capitol and engage in bill identification and advocacy consistent with their own adopted policy agendas.

Bills introduced in the Colorado General Assembly, United States Congress and federal, state or county regulations or rulemakings are reviewed by City staff ~~or the City's contract lobbyist.~~ Bills, regulations and rules that are identified as having a potential impact on the City will be brought to the LRC for discussion. If LRC adopts a position, staff ~~and/or lobbyists~~ will convey that information to the appropriate state or federal representative and advocate for the adopted position. Due to the time-sensitive nature of the General Assembly, if a bill's subject matter is explicitly addressed in this Policy Agenda, staff will proactively work with state and federal representatives to advance the City's position as expressed in this legislative policy agenda and other Council-adopted plans and policies. Staff will provide regular updates to, while updating the LRC and the full City Council regarding bills of consequence to the City, and will consult with the LRC regarding bills for which direction under the adopted policy is unclear. until such time that LRC may take a position.

Staff liaisons support the LRC by contributing expertise in various areas of municipal service. The City Attorney's Office also reviews selected bills and may provide confidential legal analysis. ~~The input offered by staff and the City's attorneys is invaluable in analyzing impacts of legislative, regulatory and rulemaking proposals to Fort Collins operations and the community.~~ Fort Collins also works with community partners to support local projects and staff collaborates with representatives of other municipalities on mutually-held priorities. Fort Collins actively seeks innovative partnerships to leverage positive outcomes for residents.

The City works closely with the Colorado Municipal League (CML) and the National League of Cities (NLC) on many legislative items facing cities. Fort Collins maintains membership with Colorado Association of Municipal Utilities (CAMU) which represents 29 municipal utilities throughout the state on utility issues, Colorado Communities for Climate Action (CC4CA) which represents municipalities on climate issues. In addition, Fort Collins actively participates in various trade organizations which represent specific areas of interest to City operations.

~~In 2018<sup>9</sup>, Fort Collins will partner again with the lobbying firm Bowditch and Cassell to maintain a fulltime presence at the state capitol.~~

# 2018 LEGISLATIVE POLICY STATEMENTS

## HOME RULE AND LOCAL CONTROL

In order to consider and manage local conditions and desires, community issues and needs should be addressed locally. For this reason, home rule authority is of utmost importance to the City of Fort Collins. The City must be free to regulate local activities that primarily impact the area within the City's boundaries, such as the speed of local traffic or the effects of particular land use developments. The City also understands the accumulative effect of these and other activities have statewide ramifications that may call for statewide regulation, to effectively manage such things as overall growth and development in the state, traffic congestion in major transportation corridors and environmental quality.

Therefore, the City:

1. Supports strengthening and preserving home rule authority of municipal governments.
2. Opposes State or Federal intervention in matters of local concern or matters that unnecessarily or adversely affect the City's ability to manage and operate pursuant to its home rule authority.
3. Opposes changes that increase (and support changes that lessen) the burdens on municipalities associated with public or other government records, establishment of ethics standards and procedures, operation of municipal courts, and other matters of municipal operations or authority.
4. Supports enabling cities to choose the provision of services through private enterprise in a manner that fosters cost effective, sustainable, quality services.
5. Supports local control of the awarding of contracts and the accountability of local officials for those actions.
6. Opposes mandates that increase the complexity and cost of services without improving those services.

~~6-7.~~ Supports collaborative efforts-regional efforts for the benefit of participating communities.

## AFFORDABLE HOUSING

### *NEIGHBORHOOD LIVABILITY AND SOCIAL HEALTH*

The City recognizes that the affordability and availability of decent-quality housing is critical to a vibrant and diverse community.

Therefore, the City:

1. Supports maintaining or enhancing current levels of funding for affordable housing throughout Colorado, including expanding the State Low Income Housing Tax Credit program, but not increases to unrelated fees.
2. Supports increasing local government's ability to regulate, manage or generate alternative sources of funding for affordable housing, including public-private partnerships.
3. Supports stronger amendments to construction defect laws to promote the construction of owner occupied-attached housing.
4. Supports creating an adequate supply of housing for all income levels and continued public and private sector support for these efforts.

## AIR QUALITY

### *ENVIRONMENTAL HEALTH*

The City's Air Quality Plan establishes a strong overall goal to "continually improve Fort Collins air quality."

Therefore, the City:

1. Supports programs and policies that improve public health and air quality, and support rapid attainment of National Ambient Air Quality Standards, including ozone.
2. Supports local government authority to improve air quality beyond minimum State or Federal requirements.
3. Supports adequate authority and resource at all levels of government to enforce air quality regulations.
4. Supports economic incentives, disincentives and other market approaches that promote lower emissions, and fewer carbon-based fuels.
5. Supports strengthening standards for tailpipe emissions, aggregate vehicle emissions and/or fuel economy for all vehicles. Supports programs and policies that promote the use of electric vehicles and the development of infrastructure needed to support the use of those vehicles.



## BEER AND LIQUOR

### *SAFE COMMUNITY*

The City issues and renews liquor licenses, enforces license rules, and holds hearings for liquor license violations.

Therefore, the City:

1. Supports clarifying the qualifications for what types and purposes a business may obtain and use a state liquor license.
2. Supports definition of a “meal” when calculating the percentage of meals served for a liquor license.

## BROADBAND AND CABLE

### *ECONOMIC HEALTH*

Reliable, high-speed, and affordable access to broadband and cable programming throughout the community remains a priority and a long-term goal for the City to ensure our economic vitality and allow for equal access for all residents and businesses.

Therefore, the City:

1. Supports maintaining local franchising authority to preserve local governments' ability to negotiate in the public interest for cable channel space, institutional networks and public education and government programming.
2. Supports allowing communities to offer and/or partner to offer high speed internet, Wi-Fi and other enhanced telecommunication services to residents, schools, academic institutions and businesses.
3. Opposes restrictions on providing telecommunication services within City-owned facilities and on City property, and related restrictions on the manner in which such services may be financed, funded or structured.
4. Opposes infringement on municipalities' ability to compete in the broadband marketplace.
5. Opposes right of way use contrary to existing aesthetic policies and practices, including the addition of any above ground cabling.

## CLIMATE

### *ENVIRONMENTAL HEALTH*

Making communities more resilient to disaster and the effects of a changing climate has become more important to Colorado communities over the last several years as natural disasters have caused significant human and property loss. Fort Collins has adopted aggressive emission reduction goals and supports policies and legislation helping communities and the state to achieve these goals and enhance the environment as detailed in the Climate Action Plan.

Therefore, the City:

1. Supports greenhouse gas (GHG) emission reduction targets, planning, and implementation at all levels of government.
2. Supports market-based mechanisms to reduce emissions, including incentives, enabling legislation, and other mechanisms to achieve emissions reductions and increase resiliency in energy, waste reduction, transportation, and water sectors.
3. Supports protection of the Colorado self-audit law.
4. Supports reducing the emission of criteria pollutants.

## DEVELOPMENT REVIEW AND LAND USE PLANNING

### *ECONOMIC HEALTH, NEIGHBORHOOD LIVABILITY AND SOCIAL HEALTH*

Fort Collins has a well-established development review process, land use and building code; all of which align with local priorities.

Therefore, the City:

1. Supports financial compensation for additional work of inspectors through fees or other means.
2. Supports funding for any state mandated inspection requirements.
3. Supports local governments' authority to determine development review and inspection timelines.
4. Encourages regional cooperation in land use and transportation planning, and foster sustainable development.
5. Supports prohibition to the annexation of land that is located within the boundaries of a Growth Management Area that was legally established by an intergovernmental agreement between a municipality and a county by any municipality not a party to the agreement.

6. Supports municipal discretion concerning the imposition of development fees and requirements.

## ELECTIONS

### *HIGH PERFORMING GOVERNMENT*

The City of Fort Collins conducts municipal elections in April of odd years and special elections upon initiative referrals. The City is committed to conducting a clear, legal, and trustworthy elections process.

Therefore, the City:

1. Supports all efforts ~~that assist the City in conducting to ensure~~ fair and transparent election processes according to the City's adopted procedures.
2. Supports process improvements that encourage voter participation.

## ENERGY

### *ECONOMIC HEALTH, ENVIRONMENTAL HEALTH*

As a municipally-owned electric utility, the City is committed to providing affordable, reliable, and clean energy services to residents and businesses, as detailed in the Energy Policy.

Therefore, the City:

1. Supports ~~all~~ efforts that promote energy affordability, safety, and reductions in fossil-fuel generated consumption for residents, businesses and institutions.
2. Supports reductions in environmental damage caused by energy extraction and production.
3. Supports opportunities for energy efficiency, production, and operation in local economies.
4. Opposes barriers to coordinating integrated planning for energy supply and demands.
5. Supports state and federal funding for resilience efforts to mitigate potential energy and climate related disruptions.
6. Supports federal and state incentives for renewable energy production, including wind power, and provide for "State Implementation Plan" credits for renewable

energy (excluding residential wood burning and corn-based ethanol) and energy efficiency.

7. Opposes attempts to prevent or inhibit provision of municipal electric service in newly annexed areas.

8. Supports smart grid technology adoption and grid modernization.

~~8.~~

9. Supports minimizing the environmental impacts of all forms of energy

## **FINANCE**

### *HIGH PERFORMING GOVERNMENT*

Strong fiscal planning, prudent debt management and investment policies, and preservation of the City's revenue base are vital in maintaining and improving the City's financial health. Considering the known impacts of legislation on the City's business community can help foster a stronger tax base and retain a strong quality of life.

Therefore, the City:

1. Supports expanding municipal authority to establish alternative funding mechanisms, including financing tools such as public improvement fees (PIF) and certificates of participation (COP).
2. Supports increased funding for K-12 and higher education, specifically Colorado State University and Front Range Community College.
3. Encourages the equitable treatment of sales and use taxes to residents and corporations residing or doing business in Colorado by limiting exemptions.
4. Supports the equitable distribution sales tax collections on e-commerce transactions.
5. Opposes efforts that inhibit the City's ability to increase its revenue base (sales, use and property taxes).
6. Supports protections that do not unnecessarily restrict the investments of government entities.

## **HAZARDOUS MATERIALS MANAGEMENT**

*SAFE COMMUNITY; ENVIRONMENTAL HEALTH*

It is an important concern of the City to safeguard Fort Collins' health and environmental safety by reducing risks from the unauthorized release of hazardous materials or hazardous waste.

Therefore, the City:

1. Supports strengthening the enforcement of hazardous materials regulations.
2. Supports increasing diversion of hazardous waste from landfills.
3. Supports greater flexibility and more options for local government in the management of publicly-owned areas thought to have asbestos-containing soils while maintaining responsible site management practices.
4. Support City's ability to review and approve locations of facilities that use or store hazardous materials or hazardous waste.

## HUMAN RESOURCES

### *HIGH PERFORMING GOVERNMENT*

The City of Fort Collins is committed to the health, safety and well-being of its employees. The City works diligently to be efficient and responsible stewards of tax dollars ensuring that employee compensation and benefits are fair, market-based, and competitive. The City believes that its citizens, through their elected representatives on City Council, are in the best position to determine appropriate City employee compensation, benefits, appeal rights related to disciplinary action and policies.

Therefore, the City:

1. Supports the City's ability to make decisions on employment issues, including collective bargaining, arbitration, compensation, appeal rights related to disciplinary action and benefits to further an equitable work environment.
2. Supports expansion to the City's ability to determine how best to manage health, welfare and wellness services for employees.
3. Supports current state funding levels for police officer death and disability benefits.
4. Opposes proposals that would allow employees and/or retirees with defined contribution plans to move into defined benefit plans if there is a cost to local government.
5. Opposes proposals that would limit the City's ability to test job applicants or employees at work for impairment due to consumption of alcohol, marijuana, or other controlled substances or to set limits related to such testing.

## MARIJUANA

### *SAFE COMMUNITY*

After the State's legalization of medical and recreational marijuana, the City of Fort Collins created local marijuana business licensing programs and adopted ordinances to balance the needs and desires of the community related to legal marijuana.

~~In 2012, Colorado voters approved legalization of medical and recreational marijuana. During the same election, Fort Collins residents voted to approve a citizen referred ballot measure to approve the use of medical marijuana within the city.~~ The City's of Fort Collins has a licensing -program that supports the state dual-licensing system for medical and recreational marijuana businesses.

Therefore, the City:

1. Supports communities' ability to raise necessary funds to maintain public safety and enforce marijuana possession laws.
2. Supports additional state marijuana enforcement resources, especially for field enforcement.

3. Opposes under-21 access to marijuana.

4. Supports local opt-in provisions regarding new permits and/or licenses.

~~3-5.~~ Supports re-scheduling of marijuana at the federal level to help address safety through research and legal banking, and to reduce conflict between Colorado and federal laws.

~~4. Supports aligning federal marijuana laws with the Colorado constitution.~~

## MUNICIPAL COURT

### *SAFE COMMUNITY; HIGH PERFORMING GOVERNMENT*

The Fort Collins Municipal Court is responsible for administering the operations of the judicial branch of City government according to the City Charter and ordinances adopted by City Council. Cases adjudicated in Municipal Court include traffic violations, misdemeanors, civil infractions, and civil cases. Generally, cases are brought to Municipal Court by Fort Collins Police Services, Colorado State University Police Department, Animal Control, other City departments, and private citizens.

Therefore, the City:

1. Opposes limitations on the authority of municipalities to enforce their own ordinances in municipal courts, and increased procedural requirements or limitations

on municipal court proceedings, such as including limitations on bonding requirements related to municipal court warrants and sentencing options.

2. Opposes the imposition of state surcharges on municipal court fines for the purpose of funding state programs.

2.3. Opposes any unfunded mandates imposed on municipal courts by the state.

~~3.4. Opposes the unfunded mandate imposed by CRS Section 13-10-114.5, currently effective 07/01/2018, of having private defense counsel present for first advisements of in-custody defendants rather than continuing to have the Court appoint counsel after advisement if such a request is made by an indigent defendant.~~

## OIL AND GAS

### *ENVIRONMENTAL HEALTH*

Oil and gas extraction activity and associated health and environmental impacts are a concern for Fort Collins. Fort Collins residents have expressed continuing concern about the human and environmental health impacts from oil and gas operations, particularly from the hydraulic fracturing treatment used on most Colorado wells. In November 2013, voters approved a five-year moratorium on oil and gas extraction in order to study its property value and human health impacts but this was overturned by the State Supreme Court in 2016. Additionally, transported emissions from oil and gas operations outside of City limits have been demonstrated to contribute to ozone formation.

Therefore, the City:

1. Supports greater local authority to regulate oil and gas exploration activities within municipal boundaries, including ability to inspect sites, ensure operator compliance, and regulate location of extraction, storage and transmission activities.
2. Supports state, federal, and academic studies evaluating impacts of oil and gas operations on human health and property values.
3. Supports air pollution monitoring, emission characterization and modeling studies to better understand the contributions of the oil and gas industry to air pollution.
4. Supports the current formula allocation of severance tax to impacted jurisdictions so that they might address impacts from resource extraction.
5. Supports industry information sharing and collaboration with local governments on the planned development of resources within communities' Growth Management Areas.

6. Supports legislation that ~~better~~ balances the rights of surface landowners and mineral rights owners.

## OPEN RECORDS AND DATA MANAGEMENT

### *HIGH PERFORMING GOVERNMENT*

The City is the collector and keeper of hundreds of datasets and recorded information and is legally bound and responsible for responding to Open Record requests. The City supports transparency and open data initiatives.

Therefore, the City:

1. Supports clear requirements that allow for reasonable requests and timeframes to provide~~for providing~~ information that is legally available.
2. Opposes mandates that include unrealistic timeframes and requests that require additional staff time with no means to ~~recuperate~~recover costs.
3. Supports cybersecurity efforts that protect the City, consumers, and infrastructure.

## PARKS AND NATURAL AREAS

### *ENVIRONMENTAL HEALTH; CULTURE AND RECREATION*

The City is committed to providing the community with excellent natural areas, parks and recreation services and facilities. Our citizens enjoy a better quality of life, improved health, less crime and a greater sense of community because of our quality natural areas, parks and recreation programs.

Therefore, the City:

1. Supports maintaining or enhancing funding for parks, trails, forestry, horticulture, natural areas, and recreation services and facilities.
2. Supports local discretion to use Great Outdoors Colorado and other sources for funding municipal government projects addressing local needs and priorities.
3. Supports equal or greater funding levels of Great Outdoors Colorado grants awarded to municipalities
4. Supports maintaining or enhancing tax incentives to private landowners for voluntary land conservation.



~~5. Supports additional funding for conservation programs, including reinstating Colorado Parks and Wildlife license fees to at least 2005 levels.~~

~~6.5.~~ Supports protection of the Cache la Poudre River and local urban streams.

## PUBLIC HEALTH

### *SAFE COMMUNITY; NEIGHBORHOOD LIVABILITY AND SOCIAL HEALTH*

The City of Fort Collins strives to be a welcoming and inclusive community for all, including residents who may be experiencing the challenges of homelessness, mental health issues, addiction, depression, and other challenging life situations.

Therefore, the City:

1. Supports maintaining or increasing the funds available through the state and federal government for community-focused non-profits to provide human services and housing support.
2. Supports providing communities with resources to address chronic homelessness, supportive housing, mental health, and substance abuse, including tobacco prevention programs.
3. Supports a standardized statewide approach to addressing homelessness.
4. Supports statewide efforts to enforce retail tobacco sales compliance.

## PUBLIC SAFETY

### *SAFE COMMUNITY*

The Fort Collins City Council recognizes the critical importance of maintaining public safety, providing a safe environment, and protecting the lives and property of the citizens of Fort Collins on a daily basis as well as through preparedness and resiliency planning efforts.

Therefore, the City:

1. Supports greater protections to victims of crime.
2. Supports the City's right to use camera enforcement of traffic laws, reduce operational restrictions on the use of camera enforcement, and increases the fines associated with violations.
3. Supports protocols and funding for shared, statewide emergency response communications, including supporting Larimer Emergency Telephone Authority (LETA) and other efforts to resolve ~~the~~ 911 ~~redundancy~~ diversity issues, such as through and the addition of an additional 911 provider.

~~3.4.~~ Opposes increased 911 provider tariffs without clear documentation of cost needs.

~~4.5.~~ Opposes initiatives that have the potential to compromise officer safety.

~~5.6.~~ Supports minimum training criteria and professional mediator certification that formally legitimizes the field of Alternative Dispute Resolution (ADR).

~~6.7.~~ Supports maintenance of a statewide database of concealed weapons permits.

~~7.8.~~ Opposes municipal liability for prisoners' self-inflicted wounds while in police custody or detention facilities.

~~8.9.~~ Opposes efforts to undermine local control or enforcement of activities on public property.

~~9.10.~~ Supports a state fire code, the code of choice being the International Building and Fire Code, and allowing municipalities to adopt their own amendments.

~~10.11.~~ Opposes limits to local enforcement of the International Fire Code as adopted with local amendments, imposing inspection requirements or preventing collection of permit or inspection fees as required by the local jurisdiction.

~~11.12.~~ Opposes restricting any local jurisdiction from requiring the installation of fire sprinklers.

~~12.13.~~ Supports the City's ability to prohibit the use and sale of fireworks and allow counties and fire districts to prohibit and otherwise control fireworks within City boundaries.

~~13.14.~~ Supports efforts to reduce abuse and improper disposal of over-the-counter and prescription drugs.

~~14.15.~~ Supports exclusive digital communication networks for public safety personnel during emergencies.

## **RECYCLING AND SOLID WASTE REDUCTION**

### *ENVIRONMENTAL HEALTH*

The City of Fort Collins endorses a multi-pronged approach to waste minimization that includes recycling, re-use, composting, and source reduction, and which also applies Sustainable Materials Management principles such as redesigning systems to reduce pollution and waste. Additionally, the City has adopted a goal of diverting 75 percent of community waste by 2020; 90 percent by 2025, and 100 percent by 2030.

Therefore, the City:

1. Encourages integrated, sustainable waste management planning and implementation policy, including but not limited to ~~the creation of centralized data collection requirements and formal statewide diversion targets~~ a state waste diversion goal.
2. Supports a regulatory authority role for local government to ensure the efficient management of recyclable material and solid waste, including application of laws that prescribe the use of county-funded disposal facilities for certain types of wastes, and other local bans on landfill disposal for certain types of debris.
3. Encourages “buy recycled” or “environmentally preferable purchasing” policies for government agency procurement.
4. Supports incentives and funding for programs that promote waste reduction, reuse and recycling, and development of related infrastructure.
5. Supports continued or increased funding for programs to collect and monitor data on trash volumes, rates of diversion from landfill disposal and economic impacts of recycling.
6. Supports greater producer responsibility initiatives, such as “take back” regulations that assist consumers to appropriately recycle packaging materials or certain products (e.g., cardboard and expanded polystyrene packaging, single-use plastic shopping bags, electronic equipment or mattresses).
7. Opposes CRS Section 25-17-104, which currently limits local authority to regulate packaging materials (e.g., single-use plastic bags).
8. Supports establishing a refundable deposit fee on beverage containers to increase recovery rates and ~~that would be used to~~ pay for recycling programs.
9. Supports state and regional tax incentives for existing and new businesses that provide end markets for recycled materials in support of a domestic, circular economy.

## **RISK MANAGEMENT AND LIABILITY**

### *HIGH PERFORMING GOVERNMENT*

The City of Fort Collins recognizes the dual purpose of the workers’ compensation system - providing benefits promptly to injured employees in a cost-effective manner and minimizing costly litigation. Council also recognizes that the City’s self-insurance program is a cost-efficient method to insure workers’ compensation and that government intervention or taxation can negatively impact the City.

Therefore, the City:

1. Supports improving administrative efficiency of the Division of Workers' Compensation.
2. Opposes increased insurance premium costs to employers.
3. Opposes administrative burdens or taxes to self-insurance programs.
4. Supports limits to insurance claim litigation.
5. Opposes limiting the City's options and ability to manage workers' compensation claims; including actions like removing existing off-sets to workers' compensation benefits or limiting the City's ability to designate treating physicians.
6. Opposes efforts to presumptively expand workers' compensation coverage to illnesses or injuries that are not work related.
- 6-7. Opposes efforts to reduce or weaken protections against liability through governmental immunity or other statutory provisions.

## TRANSPORTATION

### *TRANSPORTATION AND MOBILITY*

The City actively promotes the safety and ease of traveling to, from and throughout the community using a variety of modes of transportation. Additionally, the City's policy is to encourage the use of bicycling, transit and walking alternative transportation whenever appropriate.

Therefore, the City:

1. Opposes reductions to the present allocation formula of 60 percent state, 22 percent counties, and 18 percent municipalities for Highway User Tax Fund (HUTF) or any appropriations from the state using the same formula.
2. Supports alternative methods of funding transportation infrastructure needs.
3. Support funding the analysis and implementation of inter- and intra-regional transit linkages, including future commuter rail connectivity.
4. Encourages flexibility in federal funding and regulations in order to better meet the needs of small to medium-size communities.
5. Supports guaranteed levels of federal funding for transportation and allocation of all federal motor fuel taxes and other federal transportation trust funds for their intended transportation purposes.
6. Supports broadening the definition of the gasoline tax to a "fuel tax" that encompasses other fuel options as they become more prevalent.

7. Supports enhanced ability to implement railroad quiet zones in municipalities and a reduction in train horn decibel and duration requirements.
8. Opposes divesting highway roads in urban areas from the state and making them the sole responsibility of local jurisdictions.
9. Supports safe operation of railroads through timely track inspections, joint training and communication between railroad and emergency personnel, and the use of safe equipment.
10. Supports funding for the build out of Interstate 25 improvements, which may include a ballot measure.

11. Opposes reductions in federal dollars for bicycling, transit and walking~~alternate travel modes~~.

~~11-12.~~ Supports local control of public roads, pedestrian paths, and bike lanes to address emerging modes of transportation.

## URBAN RENEWAL AND DOWNTOWN DEVELOPMENT

### *ECONOMIC HEALTH*

The state of Colorado has empowered local authorities to use Urban Renewal Authorities (URA) and Downtown Development Authorities (DDA) to encourage downtown revitalization and the elimination of blight. The main funding tool for URAs and DDAs is Tax Increment Financing (TIF) generated through property taxes. In its best intention, urban renewal and downtown revitalization restores economic vitality and improves the safety of a designated area, with limited financial impact to other government jurisdictions.

Therefore, the City:

1. Opposes limitations on municipalities' ability to utilize financing mechanisms such as TIF or Metro Districts.
2. Opposes efforts to allow-increase influence of non-City jurisdictions ~~to have influence~~ over the use of TIF within City limits.
3. Supports maintaining the ability of downtown development authorities to utilize the full offering of ~~urban-renewal~~ tools and powers provided in the DDA Act.

## WATER, WASTEWATER, AND STORMWATER

### ENVIRONMENTAL HEALTH; SAFE COMMUNITY

The City operates a water, wastewater, and stormwater utility in a financially sound, reliable, safe, and environmentally acceptable manner. The availability of water supplies is critical to this mission and is managed by both the Water Demand and Supply Policy, and the Water Efficiency Plan.

Therefore, the City:

1. Supports expanding the authority delegated to the state to administer federally mandated water, stormwater and wastewater environmental regulatory programs.
2. Supports reasonable water quality regulations that are cost effective and can show identifiable benefits.
3. Supports municipal flexibility to manage in-stream flows to preserve or improve the natural environment of the stream while protecting the integrity of Colorado's appropriation doctrine and City water supply.
4. Opposes unfunded mandates.
5. Opposes barriers to financing for water conservation projects.
6. Supports funding for the recovery and treatment of the Cache la Poudre and other waterways impacted by natural disasters.
7. Supports enhanced municipal authority to protect and increase the flexibility and resiliency of its water supply under Colorado's appropriation doctrine without adversely affecting in-stream flows or the natural environment of the stream.
8. Supports streamlining federal and state permitting requirements for water development projects that increase coordination between permitting agencies, reduces administrative and financial burdens on permit applicants, and ensures robust and enforceable environmental protections.
- ~~9.~~ Supports the enlargement of Halligan Reservoir as a common-sense, cost-effective, and environmentally beneficial approach to meet Fort Collins' future water supply needs.

**CITY OF FORT COLLINS LEGISLATIVE CONTACTS**

Legislative Review Committee			
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RESOLUTION 2018-112  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
ADOPTING THE CITY'S 2019 LEGISLATIVE POLICY AGENDA

WHEREAS, state and federal legislation may impact the citizens of Fort Collins, affecting their quality of life; and

WHEREAS, such state and federal legislation may also influence or impact the operations of municipal governments, including the City; and

WHEREAS, the City has an interest in providing input on proposed legislation; and

WHEREAS, Councilmembers and City staff are asked to state the City's policy position on legislation; and

WHEREAS, in addition, on occasion the City has an interest in providing input on proposed county, state and federal regulations; and

WHEREAS, establishing the City's policy position assists the members of the Legislative Review Committee in their review of, and response to, these matters, and assists City staff in communicating and advocating the City's policy position on the same.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the policy statements contained in the attached 2019 Legislative Policy Agenda accurately reflect the City's policies on these issues.

Section 3. That the City Council hereby adopts the 2019 Legislative Policy Agenda attached hereto as Exhibit "A" and incorporated herein by this reference.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 4th day of December, A.D. 2018.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



2019 Legislative Policy Agenda

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## INTRODUCTION

Fort Collins is a community of 170,100 residents. Incorporated in 1873, the City has grown to become the commercial, educational and cultural hub of Northern Colorado. The City adopted a home rule charter in 1954 and operates under a Council-Manager form of government.

The City is a data-driven municipal organization that strives to fulfill its mission, "Exceptional service for an exceptional community", through a vision of providing world-class municipal services through operational excellence and a culture of innovation. City leaders seek innovative solutions to issues facing the community and are often willing to leverage emerging technologies.

The Fort Collins City Council annually adopts a Legislative Policy Agenda ahead of the upcoming Colorado general Assembly session for the purpose of guiding legislators and staff in supporting community goals.

The Policy Agenda is broad set of policy statements meant to convey positions on issues that affect the quality of life and the governance of our community. It is structured to address areas of local concern and to also reflect the strategic planning that guides City of Fort Collins organizational resource allocation and decision making.

Fort Collins welcomes opportunities to work in partnership to leverage additional resources and participate in regional dialogue to achieve shared outcomes.

The City has identified seven outcome areas to ensure appropriate and effective resource allocation supporting the community's priorities. Outcome areas include Culture and Recreation; Economic Health; Environmental Health; High Performing Government; Neighborhood Livability and Social Health; Safe Community; and Transportation and Mobility. The Policy Agenda identifies this alignment as it is important for City staff to ensure that advocacy supports specific desired outcomes.

## CITY OF FORT COLLINS LEGISLATIVE REVIEW COMMITTEE

The Legislative Review Committee (LRC) is a representative group of Council members that reviews and reacts to proposed legislation on behalf of City Council and the City. In taking a position on bills, the LRC interprets and applies the various policies that are included in the Legislative Policy Agenda.

Council Members presently serving on the Legislative Review Committee are:

- Councilmember Ken Summers, Chair
- Councilmember Ray Martinez
- Councilmember Bob Overbeck

### LEGISLATIVE REVIEW PROCESS

In 2019, the City of Fort Collins will rely heavily on the Legislative Policy Agenda, the Colorado Municipal League, and Colorado Communities for Climate Action for the majority of bill tracking and identification.

The City currently maintains memberships with the Colorado Municipal League and Colorado Communities for Climate Action – both groups maintain a fulltime presence at the capitol and engage in bill identification and advocacy consistent with their own adopted policy agendas.

Bills introduced in the Colorado General Assembly, United States Congress and federal, state or county regulations or rulemakings are reviewed by City staff. Bills, regulations and rules that are identified as having a potential impact on the City will be brought to the LRC for discussion. If LRC adopts a position, staff will convey that information to the appropriate state or federal representative and advocate for the adopted position. Due to the time-sensitive nature of the General Assembly, if a bill's subject matter is explicitly addressed in this Policy Agenda, staff will proactively work with state and federal representatives to advance the City's position as expressed in this legislative policy agenda and other Council-adopted plans and policies. Staff will provide regular updates to the LRC and the full City Council regarding bills of consequence to the City, and will consult with the LRC regarding bills for which direction under the adopted policy is unclear.

Staff liaisons support the LRC by contributing expertise in various areas of municipal service. The City Attorney's Office also reviews selected bills and may provide confidential legal analysis. Fort Collins also works with community partners to support local projects and staff collaborates with representatives of other municipalities on mutually-held priorities. Fort Collins actively seeks innovative partnerships to leverage positive outcomes for residents.

The City works closely with the Colorado Municipal League (CML) and the National League of Cities (NLC) on many legislative items facing cities. Fort Collins maintains membership with Colorado Association of Municipal Utilities (CAMU) which represents 29 municipal utilities throughout the state on utility issues,

Colorado Communities for Climate Action (CC4CA) which represents municipalities on climate issues. In addition, Fort Collins actively participates in various trade organizations which represent specific areas of interest to City operations.

# 2018 LEGISLATIVE POLICY STATEMENTS

## HOME RULE AND LOCAL CONTROL

In order to consider and manage local conditions and desires, community issues and needs should be addressed locally. For this reason, home rule authority is of utmost importance to the City of Fort Collins. The City must be free to regulate local activities that primarily impact the area within the City's boundaries, such as the speed of local traffic or the effects of particular land use developments. The City also understands the accumulative effect of these and other activities have statewide ramifications that may call for statewide regulation, to effectively manage such things as overall growth and development in the state, traffic congestion in major transportation corridors and environmental quality.

Therefore, the City:

1. Supports strengthening and preserving home rule authority of municipal governments.
2. Opposes State or Federal intervention in matters of local concern or matters that unnecessarily or adversely affect the City's ability to manage and operate pursuant to its home rule authority.
3. Opposes changes that increase (and support changes that lessen) the burdens on municipalities associated with public or other government records, establishment of ethics standards and procedures, operation of municipal courts, and other matters of municipal operations or authority.
4. Supports enabling cities to choose the provision of services through private enterprise in a manner that fosters cost effective, sustainable, quality services.
5. Supports local control of the awarding of contracts and the accountability of local officials for those actions.
6. Opposes mandates that increase the complexity and cost of services without improving those services.
7. Supports collaborative regional efforts for the benefit of participating communities.

## AFFORDABLE HOUSING

### *NEIGHBORHOOD LIVABILITY AND SOCIAL HEALTH*

The City recognizes that the affordability and availability of quality housing is critical to a vibrant and diverse community.

Therefore, the City:

1. Supports maintaining or enhancing current levels of funding for affordable housing throughout Colorado, including expanding the State Low Income Housing Tax Credit program, but not increases to unrelated fees.
2. Supports increasing local government's ability to regulate, manage or generate alternative sources of funding for affordable housing, including public-private partnerships.
3. Supports stronger amendments to construction defect laws to promote the construction of owner occupied-attached housing.
4. Supports creating an adequate supply of housing for all income levels and continued public and private sector support for these efforts.

## **AIR QUALITY**

### *ENVIRONMENTAL HEALTH*

The City's Air Quality Plan establishes a strong overall goal to "continually improve Fort Collins air quality."

Therefore, the City:

1. Supports programs and policies that improve public health and air quality, and support rapid attainment of National Ambient Air Quality Standards, including ozone.
2. Supports local government authority to improve air quality beyond minimum State or Federal requirements.
3. Supports adequate authority and resource at all levels of government to enforce air quality regulations.
4. Supports economic incentives, disincentives and other market approaches that promote lower emissions, and fewer carbon-based fuels.
5. Supports strengthening standards for tailpipe emissions, aggregate vehicle emissions and/or fuel economy for all vehicles. Supports programs and policies that promote the use of electric vehicles and the development of infrastructure needed to support the use of those vehicles.

## **BEER AND LIQUOR**

### *SAFE COMMUNITY*



The City issues and renews liquor licenses, enforces license rules, and holds hearings for liquor license violations.

Therefore, the City:

1. Supports clarifying the qualifications for what types and purposes a business may obtain and use a state liquor license.
2. Supports definition of a "meal" when calculating the percentage of meals served for a liquor license.

## **BROADBAND AND CABLE**

### *ECONOMIC HEALTH*

Reliable, high-speed, and affordable access to broadband and cable programming throughout the community remains a priority and a long-term goal for the City to ensure our economic vitality and allow for equal access for all residents and businesses.

Therefore, the City:

1. Supports maintaining local franchising authority to preserve local governments' ability to negotiate in the public interest for cable channel space, institutional networks and public education and government programming.
2. Supports allowing communities to offer and/or partner to offer high speed internet, Wi-Fi and other enhanced telecommunication services to residents, schools, academic institutions and businesses.
3. Opposes restrictions on providing telecommunication services within City-owned facilities and on City property, and related restrictions on the manner in which such services may be financed, funded or structured.
4. Opposes infringement on municipalities' ability to compete in the broadband marketplace.
5. Opposes right of way use contrary to existing aesthetic policies and practices, including the addition of any above ground cabling.

## **CLIMATE**

### *ENVIRONMENTAL HEALTH*

Making communities more resilient to disaster and the effects of a changing climate has become more important to Colorado communities over the last several years as natural disasters have caused significant human and property loss. Fort Collins has adopted aggressive emission reduction goals and supports policies and legislation helping communities and the state to achieve these goals and enhance the environment as detailed in the Climate Action Plan.

Therefore, the City:

1. Supports greenhouse gas (GHG) emission reduction targets, planning, and implementation at all levels of government.
2. Supports market-based mechanisms to reduce emissions, including incentives, enabling legislation, and other mechanisms to achieve emissions reductions and increase resiliency in energy, waste reduction, transportation, and water sectors.
3. Supports protection of the Colorado self-audit law.
4. Supports reducing the emission of criteria pollutants.

### **DEVELOPMENT REVIEW AND LAND USE PLANNING**

#### *ECONOMIC HEALTH, NEIGHBORHOOD LIVABILITY AND SOCIAL HEALTH*

Fort Collins has a well-established development review process, land use and building code; all of which align with local priorities.

Therefore, the City:

1. Supports financial compensation for additional work of inspectors through fees or other means.
2. Supports funding for any state mandated inspection requirements.
3. Supports local governments' authority to determine development review and inspection timelines.
4. Encourages regional cooperation in land use and transportation planning, and foster sustainable development.
5. Supports prohibition to the annexation of land that is located within the boundaries of a Growth Management Area that was legally established by an intergovernmental agreement between a municipality and a county by any municipality not a party to the agreement.
6. Supports municipal discretion concerning the imposition of development fees and requirements.

## ELECTIONS

### *HIGH PERFORMING GOVERNMENT*

The City of Fort Collins conducts municipal elections in April of odd years and special elections upon initiative referrals. The City is committed to conducting a clear, legal, and trustworthy elections process.

Therefore, the City:

1. Supports all efforts that assist the City in conducting fair and transparent election processes according to the City's adopted procedures.
2. Supports process improvements that encourage voter participation.

## ENERGY

### *ECONOMIC HEALTH, ENVIRONMENTAL HEALTH*

As a municipally-owned electric utility, the City is committed to providing affordable, reliable, and clean energy services to residents and businesses, as detailed in the Energy Policy.

Therefore, the City:

1. Supports efforts that promote energy affordability, safety, and reductions in fossil-fuel generated consumption for residents, businesses and institutions.
2. Supports reductions in environmental damage caused by energy extraction and production.
3. Supports opportunities for energy efficiency, production, and operation in local economies.
4. Opposes barriers to coordinating integrated planning for energy supply and demands.
5. Supports state and federal funding for resilience efforts to mitigate potential energy and climate related disruptions.
6. Supports federal and state incentives for renewable energy production, including wind power, and provide for "State Implementation Plan" credits for renewable energy (excluding residential wood burning and corn-based ethanol) and energy efficiency.

7. Opposes attempts to prevent or inhibit provision of municipal electric service in newly annexed areas.
8. Supports smart grid technology adoption and grid modernization.
9. Supports minimizing the environmental impacts of all forms of energy

## **FINANCE**

### *HIGH PERFORMING GOVERNMENT*

Strong fiscal planning, prudent debt management and investment policies, and preservation of the City's revenue base are vital in maintaining and improving the City's financial health. Considering the known impacts of legislation on the City's business community can help foster a stronger tax base and retain a strong quality of life.

Therefore, the City:

1. Supports expanding municipal authority to establish alternative funding mechanisms, including financing tools such as public improvement fees (PIF) and certificates of participation (COP).
2. Supports increased funding for K-12 and higher education, specifically Colorado State University and Front Range Community College.
3. Encourages the equitable treatment of sales and use taxes to residents and corporations residing or doing business in Colorado by limiting exemptions.
4. Supports the equitable distribution sales tax collections on e-commerce transactions.
5. Opposes efforts that inhibit the City's ability to increase its revenue base (sales, use and property taxes).
6. Supports protections that do not unnecessarily restrict the investments of government entities.

## **HAZARDOUS MATERIALS MANAGEMENT**

*SAFE COMMUNITY; ENVIRONMENTAL HEALTH*

It is an important concern of the City to safeguard Fort Collins' health and environmental safety by reducing risks from the unauthorized release of hazardous materials or hazardous waste.

Therefore, the City:

1. Supports strengthening the enforcement of hazardous materials regulations.
2. Supports increasing diversion of hazardous waste from landfills.
3. Supports greater flexibility and more options for local government in the management of publicly-owned areas thought to have asbestos-containing soils while maintaining responsible site management practices.
4. Support City's ability to review and approve locations of facilities that use or store hazardous materials or hazardous waste.

## HUMAN RESOURCES

### *HIGH PERFORMING GOVERNMENT*

The City of Fort Collins is committed to the health, safety and well-being of its employees. The City works diligently to be efficient and responsible stewards of tax dollars ensuring that employee compensation and benefits are fair, market-based, and competitive. The City believes that its citizens, through their elected representatives on City Council, are in the best position to determine appropriate City employee compensation, benefits, appeal rights related to disciplinary action and policies.

Therefore, the City:

1. Supports the City's ability to make decisions on employment issues, including collective bargaining, arbitration, compensation, appeal rights related to disciplinary action and benefits to further an equitable work environment.
2. Supports expansion to the City's ability to determine how best to manage health, welfare and wellness services for employees.
3. Supports current state funding levels for police officer death and disability benefits.
4. Opposes proposals that would allow employees and/or retirees with defined contribution plans to move into defined benefit plans if there is a cost to local government.
5. Opposes proposals that would limit the City's ability to test job applicants or employees at work for impairment due to consumption of alcohol, marijuana, or other controlled substances or to set limits related to such testing.

## MARIJUANA

### *SAFE COMMUNITY*

After the State's legalization of medical and recreational marijuana, the City of Fort Collins created local marijuana business licensing programs and adopted ordinances to balance the needs and desires of the community related to legal marijuana.

The City's licensing program supports the state dual-licensing system for medical and recreational marijuana businesses.

Therefore, the City:

1. Supports communities' ability to raise necessary funds to maintain public safety and enforce marijuana possession laws.
2. Supports additional state marijuana enforcement resources, especially for field enforcement.
3. Opposes under-21 access to marijuana.
4. Supports local opt-in provisions regarding new permits and/or licenses.
5. Supports re-scheduling of marijuana at the federal level to help address safety through research and legal banking, and to reduce conflict between Colorado and federal laws.

## MUNICIPAL COURT

### *SAFE COMMUNITY; HIGH PERFORMING GOVERNMENT*

The Fort Collins Municipal Court is responsible for administering the operations of the judicial branch of City government according to the City Charter and ordinances adopted by City Council. Cases adjudicated in Municipal Court include traffic violations, misdemeanors, civil infractions, and civil cases. Generally, cases are brought to Municipal Court by Fort Collins Police Services, Colorado State University Police Department, Animal Control, other City departments, and private citizens.

Therefore, the City:

1. Opposes limitations on the authority of municipalities to enforce their own ordinances in municipal courts, and increased procedural requirements or limitations on municipal court proceedings, such as limitations on bonding requirements related to municipal court warrants and sentencing options.
2. Opposes the imposition of state surcharges on municipal court fines for the purpose of funding state programs.

3. Opposes any unfunded mandates imposed on municipal courts by the state.

## **OIL AND GAS**

### *ENVIRONMENTAL HEALTH*

Oil and gas extraction activity and associated health and environmental impacts are a concern for Fort Collins. Fort Collins residents have expressed continuing concern about the human and environmental health impacts from oil and gas operations, particularly from the hydraulic fracturing treatment used on most Colorado wells. In November 2013, voters approved a five-year moratorium on oil and gas extraction in order to study its property value and human health impacts but this was overturned by the State Supreme Court in 2016. Additionally, transported emissions from oil and gas operations outside of City limits have been demonstrated to contribute to ozone formation.

Therefore, the City:

1. Supports greater local authority to regulate oil and gas exploration activities within municipal boundaries, including ability to inspect sites, ensure operator compliance, and regulate location of extraction, storage and transmission activities.
2. Supports state, federal, and academic studies evaluating impacts of oil and gas operations on human health and property values.
3. Supports air pollution monitoring, emission characterization and modeling studies to better understand the contributions of the oil and gas industry to air pollution.
4. Supports the current formula allocation of severance tax to impacted jurisdictions so that they might address impacts from resource extraction.
5. Supports industry information sharing and collaboration with local governments on the planned development of resources within communities' Growth Management Areas.
6. Supports legislation that balances the rights of surface landowners and mineral rights owners.

## **OPEN RECORDS AND DATA MANAGEMENT**

### *HIGH PERFORMING GOVERNMENT*

The City is the collector and keeper of hundreds of datasets and recorded information and is legally bound and responsible for responding to Open Record requests. The City supports transparency and open data initiatives.

Therefore, the City:

1. Supports clear requirements that allow for reasonable requests and timeframes to provide information that is legally available.
2. Opposes mandates that include unrealistic timeframes and requests that require additional staff time with no means to recover costs.
3. Supports cybersecurity efforts that protect the City, consumers, and infrastructure.

## **PARKS AND NATURAL AREAS**

### *ENVIRONMENTAL HEALTH; CULTURE AND RECREATION*

The City is committed to providing the community with excellent natural areas, parks and recreation services and facilities. Our citizens enjoy a better quality of life, improved health, less crime and a greater sense of community because of our quality natural areas, parks and recreation programs.

Therefore, the City:

1. Supports maintaining or enhancing funding for parks, trails, forestry, horticulture, natural areas, and recreation services and facilities.
2. Supports local discretion to use Great Outdoors Colorado and other sources for funding municipal government projects addressing local needs and priorities.
3. Supports equal or greater funding levels of Great Outdoors Colorado grants awarded to municipalities
4. Supports maintaining or enhancing tax incentives to private landowners for voluntary land conservation.
5. Supports protection of the Cache la Poudre River and local urban streams.

## **PUBLIC HEALTH**

### *SAFE COMMUNITY; NEIGHBORHOOD LIVABILITY AND SOCIAL HEALTH*

The City of Fort Collins strives to be a welcoming and inclusive community for all, including residents who may be experiencing the challenges of homelessness, mental health issues, addiction, depression, and other challenging life situations.

Therefore, the City:



1. Supports maintaining or increasing the funds available through the state and federal government for community-focused non-profits to provide human services and housing support.
2. Supports providing communities with resources to address chronic homelessness, supportive housing, mental health, and substance abuse, including tobacco prevention programs.
3. Supports a standardized statewide approach to addressing homelessness.
4. Supports statewide efforts to enforce retail tobacco sales compliance.

## **PUBLIC SAFETY**

### *SAFE COMMUNITY*

The Fort Collins City Council recognizes the critical importance of maintaining public safety, providing a safe environment, and protecting the lives and property of the citizens of Fort Collins on a daily basis as well as through preparedness and resiliency planning efforts.

Therefore, the City:

1. Supports greater protections to victims of crime.
2. Supports the City's right to use camera enforcement of traffic laws, reduce operational restrictions on the use of camera enforcement, and increases the fines associated with violations.
3. Supports protocols and funding for shared, statewide emergency response communications, including supporting Larimer Emergency Telephone Authority (LETA) and other efforts to resolve 911 diversity issues, such as through the addition of an additional 911 provider.
4. Opposes increased 911 provider tariffs without clear documentation of cost needs.
5. Opposes initiatives that have the potential to compromise officer safety.
6. Supports minimum training criteria and professional mediator certification that formally legitimizes the field of Alternative Dispute Resolution (ADR).
7. Supports maintenance of a statewide database of concealed weapons permits.
8. Opposes municipal liability for prisoners' self-inflicted wounds while in police custody or detention facilities.
9. Opposes efforts to undermine local control or enforcement of activities on public property.

10. Supports a state fire code, the code of choice being the International Building and Fire Code, and allowing municipalities to adopt their own amendments.
11. Opposes limits to local enforcement of the International Fire Code as adopted with local amendments, imposing inspection requirements or preventing collection of permit or inspection fees as required by the local jurisdiction.
12. Opposes restricting any local jurisdiction from requiring the installation of fire sprinklers.
13. Supports the City's ability to prohibit the use and sale of fireworks and allow counties and fire districts to prohibit and otherwise control fireworks within City boundaries.
14. Supports efforts to reduce abuse and improper disposal of over-the-counter and prescription drugs.
15. Supports exclusive digital communication networks for public safety personnel during emergencies.

## **RECYCLING AND SOLID WASTE REDUCTION**

### *ENVIRONMENTAL HEALTH*

The City of Fort Collins endorses a multi-pronged approach to waste minimization that includes recycling, re-use, composting, and source reduction, and which also applies Sustainable Materials Management principles such as redesigning systems to reduce pollution and waste. Additionally, the City has adopted a goal of diverting 75 percent of community waste by 2020; 90 percent by 2025, and 100 percent by 2030.

Therefore, the City:

1. Encourages integrated, sustainable waste management planning and implementation policy, including but not limited to centralized data collection requirements and formal statewide diversion targets.
2. Supports a regulatory authority role for local government to ensure the efficient management of recyclable material and solid waste, including application of laws that prescribe the use of county-funded disposal facilities for certain types of wastes, and other local bans on landfill disposal for certain types of debris.
3. Encourages "buy recycled" or "environmentally preferable purchasing" policies for government agency procurement.
4. Supports incentives and funding for programs that promote waste reduction, reuse and recycling, and development of related infrastructure.

5. Supports continued or increased funding for programs to collect and monitor data on trash volumes, rates of diversion from landfill disposal and economic impacts of recycling.
6. Supports greater producer responsibility initiatives, such as “take back” regulations that assist consumers to appropriately recycle packaging materials or certain products (e.g., cardboard and expanded polystyrene packaging, single-use plastic shopping bags, or mattresses).
7. Opposes CRS Section 25-17-104, which currently limits local authority to regulate packaging materials (e.g., single-use plastic bags).
8. Supports establishing a refundable deposit fee on beverage containers to increase recovery rates and pay for recycling programs.
9. Supports state and regional tax incentives for existing and new businesses that provide end markets for recycled materials in support of a domestic, circular economy.

## **RISK MANAGEMENT AND LIABILITY**

### *HIGH PERFORMING GOVERNMENT*

The City of Fort Collins recognizes the dual purpose of the workers’ compensation system - providing benefits promptly to injured employees in a cost-effective manner and minimizing costly litigation. Council also recognizes that the City’s self-insurance program is a cost-efficient method to insure workers’ compensation and that government intervention or taxation can negatively impact the City.

Therefore, the City:

1. Supports improving administrative efficiency of the Division of Workers’ Compensation.
2. Opposes increased insurance premium costs to employers.
3. Opposes administrative burdens or taxes to self-insurance programs.
4. Supports limits to insurance claim litigation.
5. Opposes limiting the City’s options and ability to manage workers’ compensation claims; including actions like removing existing off-sets to workers’ compensation benefits or limiting the City’s ability to designate treating physicians.
6. Opposes efforts to presumptively expand workers’ compensation coverage to illnesses or injuries that are not work related.

7. Opposes efforts to reduce or weaken protections against liability through governmental immunity or other statutory provisions.

## TRANSPORTATION

### *TRANSPORTATION AND MOBILITY*

The City actively promotes the safety and ease of traveling to, from and throughout the community using a variety of modes of transportation. Additionally, the City's policy is to encourage the use of bicycling, transit and walking whenever appropriate.

Therefore, the City:

1. Opposes reductions to the present allocation formula of 60 percent state, 22 percent counties, and 18 percent municipalities for Highway User Tax Fund (HUTF) or any appropriations from the state using the same formula.
2. Supports alternative methods of funding transportation infrastructure needs.
3. Support funding the analysis and implementation of inter- and intra-regional transit linkages, including future commuter rail connectivity.
4. Encourages flexibility in federal funding and regulations in order to better meet the needs of small to medium-size communities.
5. Supports guaranteed levels of federal funding for transportation and allocation of all federal motor fuel taxes and other federal transportation trust funds for their intended transportation purposes.
6. Supports broadening the definition of the gasoline tax to a "fuel tax" that encompasses other fuel options as they become more prevalent.
7. Supports enhanced ability to implement railroad quiet zones in municipalities and a reduction in train horn decibel and duration requirements.
8. Opposes divesting highway roads in urban areas from the state and making them the sole responsibility of local jurisdictions.
9. Supports safe operation of railroads through timely track inspections, joint training and communication between railroad and emergency personnel, and the use of safe equipment.
10. Supports funding for the build out of Interstate 25 improvements, which may include a ballot measure.
11. Opposes reductions in federal dollars for bicycling, transit and walking.
12. Supports local control of public roads, pedestrian paths, and bike lanes to address emerging modes of transportation.

## **URBAN RENEWAL AND DOWNTOWN DEVELOPMENT**

### *ECONOMIC HEALTH*

The state of Colorado has empowered local authorities to use Urban Renewal Authorities (URA) and Downtown Development Authorities (DDA) to encourage downtown revitalization and the elimination of blight. The main funding tool for URAs and DDAs is Tax Increment Financing (TIF) generated through property taxes. In its best intention, urban renewal and downtown revitalization restores economic vitality and improves the safety of a designated area, with limited financial impact to other government jurisdictions.

Therefore, the City:

1. Opposes limitations on municipalities' ability to utilize financing mechanisms such as TIF or Metro Districts.
2. Opposes efforts to increase influence of non-City jurisdictions over the use of TIF within City limits.
3. Supports maintaining the ability of downtown development authorities to utilize the full offering of tools and powers provided in the DDA Act.

## **WATER, WASTEWATER, AND STORMWATER**

### *ENVIRONMENTAL HEALTH; SAFE COMMUNITY*

The City operates a water, wastewater, and stormwater utility in a financially sound, reliable, safe, and environmentally acceptable manner. The availability of water supplies is critical to this mission and is managed by both the Water Demand and Supply Policy, and the Water Efficiency Plan.

Therefore, the City:

1. Supports expanding the authority delegated to the state to administer federally mandated water, stormwater and wastewater environmental regulatory programs.
2. Supports reasonable water quality regulations that are cost effective and can show identifiable benefits.
3. Supports municipal flexibility to manage in-stream flows to preserve or improve the natural environment of the stream while protecting the integrity of Colorado's appropriation doctrine and City water supply.
4. Opposes unfunded mandates.
5. Opposes barriers to financing for water conservation projects.

6. Supports funding for the recovery and treatment of the Cache la Poudre and other waterways impacted by natural disasters.
7. Supports enhanced municipal authority to protect and increase the flexibility and resiliency of its water supply under Colorado’s appropriation doctrine without adversely affecting in-stream flows or the natural environment of the stream.
8. Supports streamlining federal and state permitting requirements for water development projects that increase coordination between permitting agencies, reduces administrative and financial burdens on permit applicants, and ensures robust and enforceable environmental protections.
9. Supports the enlargement of Halligan Reservoir as a common-sense, cost-effective, and environmentally beneficial approach to meet Fort Collins’ future water supply needs.

**CITY OF FORT COLLINS LEGISLATIVE CONTACTS**

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