

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

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (V/TDD: Dial 711 for Relay Colorado) for assistance.

Regular Meeting March 20, 2018

Proclamations and Presentations 5:30 p.m.

- A. Proclamation Declaring March 19-25, 2018 as "Fix A Leak Week".
- B. Proclamation Recognizing the Northern Colorado New Horizons Band as the "Mayor's Honorary Band".
- C. Proclamation Declaring March 27 as Education and Sharing Day.

Regular Meeting 6:00 p.m.

- PLEDGE OF ALLEGIANCE
- CALL MEETING TO ORDER
- ROLL CALL
- AGENDA REVIEW: CITY MANAGER
 - City Manager Review of Agenda.

Exhibit
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- Consent Calendar Review

This Review provides an opportunity for Council and citizens to pull items from the Consent Calendar. Anyone may request an item on this calendar be "pulled" off the Consent Calendar and considered separately.

- Council-pulled Consent Calendar items will be considered before Discussion Items.
- Citizen-pulled Consent Calendar items will be considered after Discussion Items.

- **CITIZEN PARTICIPATION**

Individuals may comment regarding items scheduled on the Consent Calendar and items not specifically scheduled on the agenda. Comments regarding land use projects for which a development application has been filed should be submitted in the development review process** and not to the Council.

- Those who wish to speak are asked to sign in at the table in the lobby (for recordkeeping purposes).
- All speakers will be asked by the presiding officer to identify themselves by raising their hand, and then will be asked to move to one of the two lines of speakers (or to a seat nearby, for those who are not able to stand while waiting).
- The presiding officer will determine and announce the length of time allowed for each speaker.
- Each speaker will be asked to state his or her name and general address for the record, and to keep comments brief. Any written comments or materials intended for the Council should be provided to the City Clerk.
- A timer will beep once and the timer light will turn yellow to indicate that 30 seconds of speaking time remain, and will beep again and turn red when a speaker's time to speak has ended.

[**For questions about the development review process or the status of any particular development, citizens should consult the Development Review Center page on the City's website at fcgov.com/developmentreview, or contact the Development Review Center at 221-6750.]

- **CITIZEN PARTICIPATION FOLLOW-UP**

Consent Calendar

The Consent Calendar is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Anyone may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately. Agenda items pulled from the Consent Calendar will be considered separately under Pulled Consent Items. Items remaining on the Consent Calendar will be approved by City Council with one vote. The Consent Calendar consists of:

- Ordinances on First Reading that are routine;
- Ordinances on Second Reading that are routine;
- Those of no perceived controversy;
- Routine administrative actions.

1. Consideration and Approval of the Minutes of the February 20, 2018 Regular Meeting and the February 27, 2018 Adjourned Meeting.

The purpose of this item is to approve the minutes from the February 20, 2018 Regular Council meeting and the February 27, 2018 Adjourned Council meeting.

2. Second Reading of Ordinance No. 038, 2018, Establishing Rental Rates and Delivery Charges for Use of Water Available Under the City's Raw Water Interests for 2018 Through March 2021.

This Ordinance, unanimously adopted on First Reading on March 6, 2018, approves proposed formula-based and fixed rates and charges for rental and delivery of Utilities' raw water supplies for three years: 2018, 2019, and 2020. This would be a change from the historical practice of having rates and charges approved for one year at a time. Staff has utilized the proposed formulas to set rates and charges since 2015. Staff is recommending a reduced rental rate of \$400/acre-foot for fully consumable water (down from \$600/acre-foot) to reflect market conditions and recognize Utilities' increased availability of these supplies. The rates and charges would be effective through March 2021, to address the gap between the end of 2020 and anticipated Council approval of new rates and charges in early 2021.

3. Second Reading of Ordinance No. 039, 2018, Authorizing the Lease of City-Owned Property Located at 211 South Bryan Avenue to the Fort Collins Baseball Club, Inc.

This Ordinance, unanimously adopted on First Reading on March 6, 2018, approves a lease of City-owned property located at 211 South Bryan Avenue to the non-profit corporation Fort Collins Baseball Club (FCBC). FCBC provides recreational programs to citizens and non-profit organizations. FCBC is requesting a less than market lease rate of \$25 per year for a period of up to 25 years (10-year lease with 3 five-year extensions at the City's option).

4. Second Reading of Ordinance No. 040, 2018, Declaring Certain City-Owned Property at Arapaho Bend Natural Area as Road Right-of-Way.

This Ordinance, unanimously adopted on First Reading on March 6, 2018, converts approximately 0.105 acres of Arapaho Bend Natural Area to road right-of-way. The City intends to construct road and intersection improvements, relocate utilities, and fully signalize the intersection of Harmony Road and Strauss Cabin Road. The project will install southbound left and right turn lanes, pork chop islands, and Americans with Disabilities Act (ADA) accessible sidewalk connections.

5. Second Reading of Ordinance No. 041, 2018, Authorizing the Conveyance of an Electric Line Easement on City Property at Soaring Vista Natural Area to the City of Loveland.

This Ordinance, unanimously adopted on First Reading on March 6, 2018, authorizes conveyance of an electric line easement to the City of Loveland on Soaring Vista Natural Area. The line is an extension of a project approved by City Council in August 2016 on the Northern Colorado Regional Airport property. The electric utility line currently extends from Loveland's Crossroads Substation at Boyd Lake Road north to County Road 30. The underground utility line is intended to extend east along County Road 30 to Interstate 25. The expanded utility service is needed to serve growing development in the area. The 25-foot wide easement will run under the Natural Area for approximately 688 linear feet - totaling 17,204 square feet or 0.40 acres.

6. First Reading of Ordinance No. 042, 2018, Appropriating Unanticipated Revenue Received From the Estate of Marjorie J. McTaggart in the Recreation Fund to be Paid to the Fort Collins Senior Center Endowment Fund For Use to Benefit the Senior Center.

The purpose of this item is to recognize receipt of and appropriate a gift from the Estate of Marjorie J. McTaggart for the Fort Collins Senior Center in the amount of \$38,581.00.

7. First Reading of Ordinance No. 043, 2018, Appropriating Unanticipated Revenue into the Capital Project Fund for the North College Improvements Project – Canal to State Highway 1 and for Transfer from the Capital Project Fund to the Cultural Services and Facilities Fund for the Art in Public Places Program.

The purpose of this item is to appropriate unanticipated revenue in the amount of \$156,144 into the Capital Project Fund for the North College Improvements Project-Canal to State Highway 1. Funds to be appropriated were collected as a payment-in-lieu of frontage improvement obligations from a recent

development near the Project location. After this appropriation, the total appropriated funding for the Project will be approximately \$2.35 million.

8. First Reading of Ordinance No. 044, 2018, Appropriating Prior Year Reserves in the General Fund for Waste Reduction and Diversion Projects Approved as Part of the Waste Innovation Program.

The purpose of this item is to move \$111,000 accumulated during 2017 in the Waste Innovation Fund account into the City's General Fund account for approved projects to develop new organizational processes that enable departments to divert more waste material from landfill disposal.

9. Resolution 2018- 029 Approving an Exception to the Use of a Competitive Process for an Enterprise License Agreement with ESRI for GIS Software.

The purpose of this item is to request an exception to the use of a competitive bid or proposal process for the purchase of a three-year Enterprise License Agreement (ELA) from ESRI, as the alternative is contrary to the City's best interests. ESRI's suite of Geographic Information System (GIS) software products are used throughout the City by many departments. The software and its data are integral to several other software solutions. The ELA is a cost-effective approach that allows for an unlimited number of users to make use of this software and also provides for access to future upgrades, updates and patches. ESRI's software is proprietary and is only available through them; they do not work with resellers.

Exception to Competitive Bid or Proposal Rationale:

Section 8-161(d)(1)b. Although there exists more than one (1) responsible source a competitive process cannot reasonably be used or, if used, will result in a substantially higher cost to the City, will otherwise injure the City's financial interest, or will substantially impede the City's administrative functions or the delivery of services to the public.

10. Resolution 2018-030 Approving an Intergovernmental Agreement with the Fort Collins Urban Renewal Authority for the Authority's Contribution of Funds to the City's Whitewater Park Project for Public Improvements.

The purpose of this item is the approval of an intergovernmental agreement between the City of Fort Collins (City) and the Fort Collins Urban Renewal Authority (URA), which memorializes the terms of acceptance of \$300,000 in URA support for the City's Whitewater Park Project. The URA investment is provided in recognition of project benefits that will accrue to the North College URA plan area as a result of the project.

Note: The URA Board will consider the Whitewater Park Project request the same evening this item is considered. Should the URA Board not support the Whitewater Park Project request, the intergovernmental agreement will not be entered into by the City and URA.

11. Resolution 2018-031 Consenting to the Dissolution of Harmony Technology Park Metropolitan District No. 1 and Harmony Technology Park Metropolitan District No. 3.

The purpose of this item is to authorize the dissolution of Harmony Technology Park Metropolitan District No. 1 and No. 3 (collectively the "Districts"). City Council authorized the formation of Harmony Technology Park Metropolitan Districts No. 1, 2, and 3 by Resolution 2009-092 on September 15, 2009. The consolidated service plan (the "Service Plan") for these districts contemplated a multi-district approach to follow phasing of the project. The two districts are not providing any services to the Harmony Technology Park development, all services are provided by the City, District No. 2 or other jurisdictions. Therefore, dissolving the two districts will have no adverse impact on services.

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.

12. First Reading of Ordinance No. 045, 2018, Amending Chapter 7 of the City Code to Amend Requirements and Procedures for Elections. (staff: Delynn Coldiron, Rita Knoll; 10 minute staff presentation; 45 minute discussion)

The purpose of this item is to clarify and improve various provisions in the City Code relating to municipal elections. Recommended changes include naming the City Clerk as the Designated Election Official, defining the terms "public announcement" and "registered agent", and amending the time for candidates to file a financial disclosure statement when accepting nomination for office. Amendments are proposed for the registration and termination of committees and to allow for implementation of signature verification for the 2019 election.

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

- **OTHER BUSINESS**

- A. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers
(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)

- **ADJOURNMENT**

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