

June 26, 2012

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Adjourned Meeting - 6:10 p.m.

An adjourned meeting of the Council of the City of Fort Collins was held on Tuesday, June 26, 2012, at 6:10 p.m. in the Council Chambers of the City of Fort Collins City Hall. Roll call was answered by the following Councilmembers: Horak, Kottwitz, Ohlson, Poppaw, Troxell and Weikunat.

Councilmembers Absent: Manvel.

Staff Members Present: Atteberry, Harris, Roy.

Agenda Review

City Manager Atteberry recommended Council adjourn this meeting to July 10, in order to consider Item No. 6, *First Reading of Ordinance No. 061, 2012, Authorizing the Conveyance of a Non-Exclusive Drainage and Landscaping Easement and an Access Easement on City Property to Cornerstone Associates, LLC.*

CONSENT CALENDAR

4. First Reading of Ordinance No. 059, 2012, Appropriating Prior Year Reserves in the General Fund for the Police Radio Replacement Project.

This Ordinance will appropriate \$1,054,889 from the General Fund Reserve to help fund the replacement of Police radio equipment that has reached its useful life. The total cost to replace the equipment is approximately \$1,694,181. The use of reserves combined with funding in Police Services 2012 operating budget will fund the purchase without having to obtain additional financing. The equipment will be procured via City purchasing regulations and procedures to ensure the City realizes all cost savings.

5. Items Relating to the Analysis and Design of Specific West Vine Basin Stormwater Improvements.

- A. Resolution 2012-046 Authorizing the Execution of a Supplemental Intergovernmental Agreement between the City and Larimer County for the Analysis and Design of Certain Stormwater Improvements in the West Vine Basin.
- B. First Reading of Ordinance No. 060, 2012, Appropriating Unanticipated Revenue in the Stormwater Fund from Larimer County for Analysis and Design of Certain Stormwater Improvements in the West Vine Basin.

The City of Fort Collins and Larimer County are proposing to supplement an existing Intergovernmental Agreement (IGA) that addresses stormwater improvements within the West Vine Basin in northwest Fort Collins and portions of Larimer County. In 1997, the City and County entered into an IGA that addressed stormwater basin master plans for both the Dry Creek and West Vine basins. Except to the extent that the 1997 IGA addresses the development of a Dry Creek project to create a local improvement district and other related actions, the 1997 IGA is still in effect. The proposed supplemental IGA is drafted to allow the City and County to collaborate on the funding and construction of certain stormwater improvements in the West Vine basin and in light of circumstances that have changed since 1997. With the supplemental IGA, the City and the County are proposing to equally share engineering costs associated with the analysis and design of the West Vine Basin stormwater outfall channel (Outfall Channel) and the Forney stormwater detention pond (Forney Pond).

6. First Reading of Ordinance No. 061, 2012. Authorizing the Conveyance of a Non-Exclusive Drainage and Landscaping Easement and an Access Easement on City Property to Cornerstone Associates, LLC.

Cornerstone Associates, LLC (the "Developer") is planning a 1.97 acre affordable housing project called the Legacy Senior Residences PDP (the "Development") located at 360 Linden Street. The Development requires off-site drainage and landscaping improvements and access improvements on adjacent City-owned property which is maintained as the Old Fort Collins Heritage Park, adjacent to the Northside Aztlan Community Center. In order to facilitate the installation of the planned improvements, the Developer has requested a 11,198 square foot non-exclusive drainage and landscaping easement and 321 square foot non-exclusive access easement from the City on the City property.

7. Resolution 2012-047 Approving Expenditures from the Art in Public Places Reserve Account in the Cultural Services and Facilities Fund to Commission an Artist to Create Art for the North College Improvement Project.

This Resolution approves expenditures of \$68,025 for materials, fabrication, installation and contingency for a project with artist Andy Dufford of Chevo Studios to create five stone and metal monuments for the North College Improvement Project.

8. Resolution 2012-048 Authorizing the Initiation of Exclusion Proceedings of Annexed Properties Within the Territory of the Poudre Valley Fire Protection District.

This Resolution authorizes the City Attorney to file a petition in Larimer County District Court to exclude properties annexed into the City in 2010 and 2011 from the Poudre Valley Fire Protection District (the "District") in accordance with state law. The properties will continue to receive fire protection services from the Poudre Fire Authority.

9. Resolution 2012-049 Making Appointments to the Golf Board, Parks and Recreation Board, and the Land Conservation and Stewardship Board.

This Resolution makes appointments to fill current vacancies on the Golf Board, Parks and Recreation Board and the Land Conservation and Stewardship Board.

10. Resolution 2012-050 Approving the Appointment of Wanda Nelson as City Clerk and Expressing Appreciation for the Interim Services of Rita Harris as Interim City Clerk.

This Resolution approves the City Manager's appointment of Wanda Nelson as City Clerk, replacing former City Clerk Wanda Krajicek, who retired in March 2012.

END CONSENT

Ordinances on First Reading were read by title by Interim City Clerk Harris.

4. First Reading of Ordinance No. 059, 2012, Appropriating Prior Year Reserves in the General Fund for the Police Radio Replacement Project.
- 5B. First Reading of Ordinance No. 060, 2012, Appropriating Unanticipated Revenue in the Stormwater Fund from Larimer County for Analysis and Design of Certain Stormwater Improvements in the West Vine Basin.

Councilmember Horak made a motion, seconded by Councilmember Troxell, to adopt and approve all items not postponed on the Consent Calendar. Yeas: Horak, Ohlson, Weitkunat, Poppaw and Troxell. Nays: none.

THE MOTION CARRIED.

(Secretary's note: Councilmember Kottwitz was not present in the Chambers at the time of the previous vote.)

Resolution 2012-044 Adopting an Economic Health Strategic Plan for the City of Fort Collins, Adopted

The following is staff's memorandum for this item.

“EXECUTIVE SUMMARY

On February 15, 2011, City Council adopted revisions to City Plan, the City's Comprehensive Plan. City Plan updated the economic health vision for the City to “a healthy and resilient economy.” The Economic Health Strategic Plan began in May 2011 funded through the Keep Fort Collins Great tax increase passed by the citizens in November 2010. The Economic Health Strategic Plan continues the evolution of the City's previous economic health planning efforts from 2005 and 2010.

BACKGROUND/DISCUSSION

Fort Collins enjoys an economic, social, and environmental vitality that is the envy of many communities its size. The high quality of place attributed to Fort Collins comes from the lively historic downtown and the city's impressive parks, trails, and open space networks. These community assets make Fort Collins an attractive community for both a well educated workforce and high tech industry.

Fort Collins includes a wide array of economic engines, including Poudre Valley Health System, Hewlett Packard and Woodward, employing almost 13,000 workers representing a diverse economic base. Combine these economic engines with a major land grant university in Colorado State University and the result is a burgeoning culture of entrepreneurship. This innovation ecosystem has produced a number of home-grown companies whose products now reach markets across the world, including New Belgium Brewery, Otterbox, Enviroid, and Spirae.

The City implements a broad array of programs and services focused on preserving and enhancing economic health and resiliency. A brief history of these efforts includes:

- *Mid-2000s and earlier – Economic activities were not a specific focus; efforts centered on delivery of high-quality community assets such as parks, trails, and open space*
- *2005 – City Council embraced a new direction in response to the economic downturn of 2001-2003; City Council created the Economic Vitality and Sustainability Action Group, which sought to balance the community's values of stewardship and quality of place*
- *2006 – City Council adopted an Economic Action Plan that defined the City's more active role in Economic Health*
- *2011 – City Council adopted revisions to City Plan that articulates a series of Principles and Policies related to Economic Health*

In the past seven years, the Economic Health Office (EHO) has completed many of the items in the 2006 Action Plan, including a target industry study, a sales tax analysis tool, hiring an economic staff lead, improving the development review process, and creating an economic health communication plan. It has also adopted the principles and policies set forth in the City Plan.

About the Plan

In May 2011, the City, with the assistance of the TIP Strategies team, began work on the 2012 Economic Health Strategic Plan (EHSP). The EHSP is an extension of the City's previous economic health planning efforts and represents the evolution of the City's approach to Economic Health.

The EHSP process started with a review of the public input collected as part of the Plan Fort Collins Initiative. This input was augmented with a targeted input strategy aimed at the City's primary economic development partners and stakeholders. Through a series of interviews and focus groups that included 60 people, 2 stakeholder workshops, and a public open house, TIP and City staff gathered the input to inform this Plan's understanding of Fort Collins, its culture, its values, and its priorities.

From the first meeting, it was clear that this was not to be an ordinary plan. The Plan would need to reflect the unique community character of Fort Collins. Innovation and entrepreneurship, along with an emphasis on the local economy, would form the foundation of the Plan. Furthermore, the existing focus of the Economic Health Office was reinforced as business retention, expansion, and incubation. The City's role in business attraction would focus on the proactive recruitment of companies that fill specific gaps in the target industry clusters.

At the same time, the consulting team was tasked with providing a data-driven analysis to understand the economy, the regional workforce, and the city's economic drivers. To create the

Plan, the team drew upon these sources of input, along with experience and knowledge of how other communities have tackled the issues that Fort Collins faces. The end result is the Economic Health Strategic Plan.

The Plan presents a citywide - and community-driven - response to economic health. The intent of the Plan is to maximize the efficiency and effectiveness through leveraging community stakeholders and business relationships. It will require the support of stakeholders and a collaborative approach. This outcome creates a stronger EHSP because it recognizes the ability of the City to leverage community organizations and stakeholders invested in economic health. These include Colorado State University, the Small Business Development Center, Larimer County Workforce Center, Northern Colorado Economic Development Corporation, Rocky Mountain Innosphere, UniverCity Connections, the Chamber, and many others. The final section of this Plan addresses implementation and outlines a series of tasks and community partners that might assist in implementation.

Finally, the Plan also recognizes that numerous private sector stakeholders share an interest in the health and resiliency of the local economy. In many cases, these same stakeholders have a vested interest in the economic health of Fort Collins. A collaborative approach allows for the City to engage these stakeholders and ensure that the community's values and character are conveyed in the Fort Collins story that is shared with an external audience. This engagement permits the City to influence economic outcomes and development patterns to a greater degree.

SUMMARY OF ECONOMIC HEALTH FRAMEWORK

Guiding Principles

"A Healthy, Resilient Economy"

The collaboration of government, academia, companies, and non-profits is the foundation of this approach.

- 1. Create more and better economic opportunity for residents.*
- 2. Diversify the tax base to help insulate Fort Collins from economic shocks.*
- 3. Preserve Fort Collins' unique quality of place and culture.*

Vision

"Fort Collins will be a model city for economic health by cultivating quality of place, innovation, and stewardship."

The vision should be the unifying thread / theme across the principle projects, collaboration, research, and City policies geared toward promoting economic health in Fort Collins.

Goals

- 1. Facilitate a stronger support network for existing employers, new businesses, and small business.*

2. *Enhance the innovation ecosystem and economy that supports companies at all stages and aligns with City goals.*
3. *Create a system for talent development, retention and recruitment that responds to and anticipates employers' needs.*
4. *Develop community assets and infrastructure necessary to support the region's employers and talent.*

IMPLEMENTATION

The 2012 Economic Health Strategic Plan builds upon both the 2005 Economic Action Plan and the Plan Fort Collins comprehensive plan. The objectives and strategies laid out in this Plan are framed in realistic and manageable expectations. In keeping with the broader goals of the community, they also have the ability to be transformative by fostering local business and innovation. For this to occur, the City must embrace an organizational structure that will allow for the application of appropriate economic opportunities, track progress towards implementation, and monitor strategies.

Organizational Structure

Economic Health Office staff will enhance relationships with community partners to leverage the City's resources for Plan implementation. Fort Collins is fortunate to have multiple service providers that can take the lead on many of the initiatives with the City playing a support role. There are approximately 15 full-time employees working in organizations related to economic development, including the Northern Colorado Economic Development Corporation, the Fort Collins Area Chamber of Commerce, Rocky Mountain Innosphere, the Workforce Investment Board, the Convention and Visitors Bureau, the Poudre River Public Library, and the Larimer County Small Business Development Center. By forging stronger, formal partnerships with these organizations, the City of Fort Collins can leverage its resources and free City staff to focus on strategic initiatives.

The City of Fort Collins should formalize partnerships with memoranda of understanding and in some cases through contracts with organizations to provide economic health services. Many of the existing service providers have additional funding sources to supplement City funding. They also already have or are in a position to build the expertise needed to create more robust basic programs. Under this new model, the City will need to define its role and the role of its service providers in administering the economic health program. Staff's recommendations for the role of the City are on the following pages.

Next Steps

Upon the adoption of the 2012 EHSP by the City Council, the City will initiate the implementation process. The steps for initiating the process are as follows:

1. *Form an EHSP implementation team.*
2. *Designate a team leader for each strategy*
 - a. *Evaluate resources needed to implement each strategy*
 - b. *Create a work plan that prioritizes strategies, sets performance targets, and outlines what, if any, additional resources will be needed*

3. *Establish regular dates for the implementation team to meet*
4. *Adopt mechanisms and tools for tracking implementation progress, sharing information, and communicating.*

FINANCIAL/ECONOMIC IMPACTS

As the City's guiding document related to Economic Health activities, the Plan will have a significant impact on the community's economy. Specifics are hard to quantify given the policy nature of the Plan.

The Plan does not have an explicit impact on the finances of the City. However, it does call for the City to engage in several new aspects of Economic Health. These new efforts may impact the budget of the City. Any impacts will occur through the City's Budgeting For Outcomes process.

ENVIRONMENTAL IMPACTS

It is hard to quantify the explicit impacts of the Plan on the environment. However, the vision of the Economic Health Strategic Plan explicitly recognizes the need to balance the health and resiliency of the economy with quality of place and environmental stewardship. The Plan achieves this balance by focusing on innovation in target industry clusters such as Clean Energy and Water Innovation.

BOARD/COMMISSION RECOMMENDATION

The Economic Advisory Commission recommends adoption of the Resolution (Attachments 6 and 7).

PUBLIC OUTREACH

Through a series of interviews and focus groups that included 60 people, 2 stakeholder workshops, and a public open house, TIP and City staff gathered the input to inform this Plan's understanding of Fort Collins, its culture, its values, and its priorities.

A public open house was conducted on February 2, 2012. Approximately 30 citizens attended. A complete summary of public input is included in the appendix of the attached Plan."

Josh Birks, Economic Advisor, stated funding for the update to the Economic Action Plan was requested in the 2011-2012 budget cycle and work on the update started in May 2011. The Economic Advisory Commission and Council have been part of the update discussion throughout the process. The four key goals of the Plan are (1) to facilitate a stronger support network for existing employers, new businesses, and small business; (2) enhance the innovation ecosystem and economy that supports companies at all stages and aligns with City goals; (3) create a system for talent development, retention and recruitment that responds to and anticipates employers' needs; and (4) develop community assets and infrastructure necessary to support the region's employers and talent.

Eric Sutherland, 3520 Golden Curreant, expressed concern that this Plan does not address the correct issues which should be of concern to the City, such as community safety and street paving.

Mayor Weitkunat discussed the specific action items which were a part of the 2006 Economic Action Plan development. She requested a staff response to Mr. Sutherland's comments.

Birks stated the Plan does not specifically address community safety and street paving but the value of quality of place is a large part of the Plan.

City Manager Atteberry stated quality of life and quality of services are the primary economic goals for the City.

Mayor Weitkunat requested staff input regarding Mr. Sutherland's comments about public resources to be used for outcomes in the Plan. Birks stated the Plan outlines the toolbox of available resources, but does not place specific dollar amounts on items as that is dependent on values created by particular projects in terms of tax increment financing.

Councilmember Horak made a motion, seconded by Councilmember Troxell, to adopt Resolution 2012-044.

Councilmember Troxell commended staff for work on the Plan and expressed appreciation for the public-private collaboration aspects. He stated this is a strong Economic Plan for the City's future.

Mayor Weitkunat stated the Plan pulls on the strengths of the community.

The vote on the motion was as follows: Yeas: Weitkunat, Kottwitz, Ohlson, Poppaw, Horak and Troxell. Nays: none.

THE MOTION CARRIED.

Other Business

Emergency Ordinance No. 065, 2012, Banning Open Burning in the City, Adopted

The following is staff's memorandum for this item.

“EXECUTIVE SUMMARY

Fire danger is at an all-time high, which is evident with the High Park fire and others in the State. Governor Hickenlooper and the Larimer County Board of Commissioners have implemented bans on open fire and the sales and use of fireworks. Poudre Fire Authority (PFA) staff has worked with the Governor and the Commissioners to impose these bans. By the adoption of the International Fire Code, the City of Fort Collins already bans the sales, use and possession of fireworks. The county-wide ban covers the areas within the Poudre Valley Fire Protection District; however, there is no ban imposed within the City that can be enforced by City personnel or the PFA. Staff feels that a citywide fire ban is necessary to ensure that provisions of the state-wide ban are applicable within the City and can be enforced by Police Services and the PFA, to protect the safety and welfare of its citizens and property.

BACKGROUND/DISCUSSION

On June 14, 2012 Governor Hickenlooper issued an executive order banning open burning in the State of Colorado as a result of high temperatures, dry conditions, the High Park fire and numerous other reported wildfires burning in the state. This ban prohibits campfires, warming fires, charcoal grill fires at locations other than private residences and other activities that pose a significant risk of starting a fire.

The Larimer County Board of Commissioners imposed a total ban of open fire and the sales and use of fireworks on June 19, 2012.

The sales, use, and possession of fireworks in the City of Fort Collins have been banned since the ban was prescribed in the Fire Code over 20 years ago.

Within the City and consistent with the county-wide and state-wide bans, the proposed fire ban would prohibit all open burning except for liquid-fueled or gas-fueled stoves, grills or fireplaces; wood-burning fireplaces contained within buildings; charcoal grills at private residences; and commercial, professional and municipal fireworks displays where specific written approval has been granted by the Fire Chief. This proposed City ban is more restrictive than the Governor's Order in that it does not contain the exception for permanent fire pits or fire grates within developed campgrounds, picnic grounds, or recreation sites. Any fires (including charcoal grills) in those areas, including parks or natural areas, pose a significant risk as many of those areas abut open spaces where we do not have well irrigated grasses, but rather very dry native grass, that can be easily ignited with a single spark. There is also an increased risk within those areas of the charcoal or coals being left unattended and a subsequent wind may well spread the embers to combustible vegetation. Charcoal grills do pose a risk at private residences as well, but the risk is typically less. Most homes have well irrigated lawns and are surrounded by homes with well irrigated lawns. Further, experience shows that the use of charcoal grills at a home is usually attended and monitored by the homeowner and the coals properly disposed of.

Commercial, professional and/or municipal fireworks displays would be allowed with specific written approval from the Fire Chief. The City Park fireworks display provides a safe environment for citizens to enjoy fireworks. The fallout zone of the fireworks as mandated in the national standards (we actually exceed the standards) includes irrigated lands, non-combustible surfaces and City Park Lake. Other commercial and professional displays will be inspected and approved or denied on a case-by-case basis by the Fire Chief.

FINANCIAL/ECONOMIC IMPACTS

No additional costs are anticipated."

City Manager Atteberry introduced Poudre Fire Authority Chief Tom DeMint and Fire Marshal Bob Poncelew.

Chief DeMint stated this Emergency Ordinance would implement the statewide fire ban within the City of Fort Collins. He discussed the extreme fire danger throughout the local area and state.

Marshal Poncelow noted Larimer County has restricted all open burning. The City's Ordinance would allow the use of gas or liquid fueled appliances, fires in fireplaces and structures, fires in charcoal grills at private residences, and commercial and professional fireworks displays. It would ban the use of charcoal grills in parks.

Councilmember Poppaw asked if the City's professional fireworks display is still supported, particularly given that fire resources are currently stretched and given that condoning the display could inadvertently cause citizens to believe private fireworks are acceptable. Marshal Poncelow replied commercial displays are allowed based on the national standards. It is likely off-duty crews would be on duty for the display at City Park. The Country Club is also planning a professional fireworks display and will hire its own off-duty firefighters for its display.

Chief DeMint assured Council the City Park display meets and exceeds the national standards for safety.

City Manager Atteberry noted the Poudre Fire Authority Board is also in support of allowing the display.

Councilmember Troxell noted the Emergency Ordinance has only one reading and asked why it was being used rather than an Administrative Order. City Attorney Roy replied both options were discussed; however, the Chief was more comfortable having Council's endorsement of the ban. Additionally, this Ordinance gives the Council the opportunity to authorize Police Services to enforce the ban, which would not have been available to the Chief administratively.

Councilmember Horak made a motion, seconded by Councilmember Poppaw, to adopt Emergency Ordinance No. 065, 2012.

Councilmember Troxell asked about the ending time of the ban. City Attorney Roy replied the revised version of the Ordinance states that it can be rescinded in one of two ways: at the time the Fire Chief finds it is no longer necessary by filing a written notice to that effect in the Office of the City Clerk, or when Council amends or rescinds the Ordinance, whichever occurs first.

City Attorney Roy read the Ordinance into the record.

Councilmember Horak suggested that signage be placed at parks and natural areas regarding the fire ban and that fire staff or other officials be available to answer questions and provide information to citizens. City Manager Atteberry stated he would report back to Council tomorrow regarding the action plan.

Mayor Weitkunat noted the Emergency Ordinance allows enforcement to take place.

Councilmember Kottwitz requested additional assurance that the fireworks display would be cancelled should conditions warrant such a decision. Chief DeMint replied all national standards are exceeded for the City show; however, there are always risks involved. He assured Council the display could be cancelled at any time given changes in circumstances.

Councilmember Poppaw asked how many PFA staff members typically attend the fireworks display. Marshal Poncelow replied overtime, off-duty crews will be utilized for the fireworks display. There

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are currently no PFA employees working the High Park fire, though staff members could be called for other fires at any time.

The vote on the motion was as follows: Yeas: Weitkunat, Kottwitz, Ohlson, Poppaw, Horak and Troxell. Nays: none.

THE MOTION CARRIED.

Chief DeMint provided a brief update regarding the High Park fire, which is currently at 87,250 acres in size with 55% containment. At this point, 257 homes have been lost. He thanked the firefighting crews from all over the country who have aided with the fire and thanked the community for its support.

Councilmember Horak noted the decision to create Poudre Fire Authority has served the citizens well.

Mayor Pro Tem Ohlson made a motion, seconded by Councilmember Horak, to cancel the July 3, 2012 City Council meeting as permitted under Section 2-28(a) of the City Code. Yeas: Weitkunat, Kottwitz, Ohlson, Poppaw, Horak and Troxell. Nays: none.

THE MOTION CARRIED.

Adjournment

Mayor Pro Tem Ohlson made a motion, seconded by Councilmember Horak, to adjourn to 6:00 p.m. on Tuesday, July 10, 2012, for the purpose of considering any additional business that may come before the Council at that time. Yeas: Weitkunat, Kottwitz, Ohlson, Poppaw, Horak and Troxell. Nays: none.

THE MOTION CARRIED.

The meeting adjourned at 7:26 p.m.



Mayor

ATTEST:



Interim City Clerk

