

Karen Weitkunat, Mayor
Kelly Ohlson, District 5, Mayor Pro Tem
Ben Manvel, District 1
Lisa Poppaw, District 2
Aislinn Kottwitz, District 3
Wade Troxell, District 4
Gerry Horak, District 6

Council Chambers
City Hall West
300 LaPorte Avenue

Cablecast on City Cable Channel 14
on the Comcast cable system

Darin Atteberry, City Manager
Steve Roy, City Attorney
Wanda Krajicek, City Clerk

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REGULAR MEETING

September 6, 2011

Proclamations and Presentations

5:30 p.m.

- A. Proclamation Declaring September as Poudre Fire Authority Fire Fighters Appreciation Month.
- B. Proclamation Declaring September 17, 2011 as Cemetery Stroll Day with the theme of "Valuing Our Veterans: Service & Sacrifice".
- C. Proclamation Declaring September 10, 2011 as Historic Homes Tour Day.
- D. Proclamation Declaring September as National Emergency Preparedness Month.

Regular Meeting

6:00 p.m.

PLEDGE OF ALLEGIANCE

- 1. CALL MEETING TO ORDER.
- 2. ROLL CALL.

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 (five-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.

31. Items Relating to Amendments to the Definitions in Article I of Chapter 26, the Electric Article of Chapter 26, and to Standards for Interconnection of Electric Generation Facilities. (staff: Steve Catanach, Ginger Purvis; 5 minute staff presentation; 10 minute discussion)
- A. Second Reading of Ordinance No. 079, 2011, Making Certain Amendments to Chapter 26 of the City Code Pertaining to the Provision of Net Metering Service and Certain Definitions Related Thereto.
 - B. Second Reading of Ordinance No. 080, 2011, Amending Various Provisions of the City Code and the Land Use Code Pertaining to the Definition of General Manager.
 - C. Second Reading of Ordinance No. 081, 2011, Making Certain Amendments to Interconnection Standards for Generating Facilities Connected to the Fort Collins Distribution System.

These Ordinances, unanimously adopted on First Reading on July 5, 2011, make minor revisions to the definitions section of Article I and to the Electric Article of Chapter 26 of the City Code and the Land Use Code. These revisions include updating the definition of General Manager, clarification regarding the provision of net metering service and clarification regarding authority to execute interconnection or parallel generation agreements on behalf of the City. Light and Power is also recommending adding clarifying language to the City's indemnification and insurance requirements contained in the City's Interconnection Standards. These standards govern operational and other requirements for interconnection generating facilities to the City's electric distribution system. This item was withdrawn from the August 16th Consent Agenda but was not considered because of the lateness of the hour.

32. Resolution 2011-078 Making Findings of Fact Regarding the Appeal of the June 16, 2011, Planning and Zoning Board Approval of the Amended CSURF Centre for Advanced Technology Overall Development Plan. (staff: Steve Olt; no staff presentation; 15 minute discussion)

On June 30, 2011, an appeal of the June 16, 2011 decision of the Planning and Zoning Board to approve the Amended CSURF Centre for Advanced Technology, Overall Development Plan was filed

by representatives for Windtrail on Spring Creek HOA, Sundering Townhomes HOA, Hill Pond on Spring Creek HOA, Hill Pond Condominium HOA and Windtrail Townhomes HOA.

On August 23, 2011, City Council voted to uphold the decision of the Planning and Zoning Board. In order to complete the record regarding this appeal, the Council should adopt a Resolution making findings of fact and finalizing its decision on the appeal.

33. Resolution 2011-079 Makings Findings of Fact Regarding the Appeal of the June 16, 2011, Planning and Zoning Board Approval of the Grove at Fort Collins Project Development Plan. (staff: Steve Olt; no staff presentation: 15 minute discussion)

On June 30, 2011, an appeal of the June 16, 2011 decision of the Planning and Zoning Board to approve The Grove at Fort Collins, Project Development Plan was filed by representatives for Windtrail on Spring Creek HOA, Sundering Townhomes HOA, Hill Pond on Spring Creek HOA, Hill Pond Condominium HOA and Windtrail Townhomes HOA.

On August 23, 2011, City Council voted to modify the decision of the Planning and Zoning Board to approve the Project Development Plan with two additional conditions. In order to complete the record regarding this appeal, the Council should adopt a Resolution making findings of fact and finalizing its decision on the appeal.

34. Items Relating to the Midtown Urban Renewal Plan. (staff: Christina Vincent, Megan Bolin; 10 minute staff presentation; 30 minute discussion)

A. Resolution 2011-080 Adopting the Midtown Existing Conditions Survey and Making Findings Determining an Area Within the City of Fort Collins to Be a Blighted Area and Appropriate for Inclusion in an Urban Renewal Plan.

B. Resolution 2011-081 Making Findings and Approving the Urban Renewal Plan for the Midtown Area and Establishing a Tax Increment Financing District for Prospect South.

Resolution 2011-080 will adopt the Midtown Existing Conditions Survey and determine the Midtown area is blighted. Resolution 2011-081 will formally adopt the Midtown Urban Renewal Plan (URP) and establish the area referred to as Prospect South as the first tax increment financing (TIF) district. Staff has completed the necessary steps to bring forward the URP. On June 16, 2011, the Planning and Zoning Board made a recommendation that the Midtown URP conforms to the policies and principles of *City Plan*. Larimer County has reviewed the Midtown URP and the Impact Report for the Prospect South TIF District with staff and resolution was reached about the concerns the County expressed about the Midtown Urban Renewal Plan.

35. Resolution 2011-082 Clarifying the Basis for the Setting of Development Review and Building Permit Fees. (staff: Ann Turnquist, Steve Dush; 10 minute staff presentation; 30 minute discussion)

At the June 14, 2011, Work Session, Council discussed a proposed change to the City's cost recovery philosophy for Building Permit and Plan Check Fees and an increase to these fees. Council directed staff to conduct outreach to affected boards and interests, and bring the issue back to Council for formal consideration. This proposal is consistent with the City's practice of ensuring that new development pays for the development related service costs. It represents a change of philosophy to move from a goal of collecting 80% of the cost of the entire Development Review Center through fees, toward recovering 100% of the cost of Fee-Related Services through Building Permit and Plan Check Fees. This approach would result in an increase of 0.5% to 6.5% in Building Permit and Plan Check fees, and yield an additional \$714,098 in fee revenue to support the Development Review Center. Fee increases would be implemented January 1, 2012.