



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

October 4, 2011

Proclamations and Presentations

5:30 p.m.

- A. Proclamation Declaring October 2-8, 2011, as Public Power Week.
- B. Proclamation Declaring October 2011 as Conflict Resolution Month.
- C. Proclamation Declaring October 2011 as Traffic Safety Awareness Month.
- D. Proclamation Declaring October 2011 as National Bullying Prevention Month.
- E. Proclamation Declaring October 2011 as National Arts and Humanities Month.

Regular Meeting

6:00 p.m.

PLEDGE OF ALLEGIANCE

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

3. AGENDA REVIEW: CITY MANAGER
4. CITIZEN PARTICIPATION (limited to 30 minutes)

Individuals who wish to make comments regarding items scheduled on the Consent Calendar or wish to address the Council on items not specifically scheduled on the agenda must first be recognized by the Mayor or Mayor Pro Tem. **Before speaking, please sign in at the table in the back of the room.** The timer will buzz once when there are 30 seconds left and the light will turn yellow. The timer will buzz again at the end of the speaker's time. Each speaker is allowed 5 minutes. If there are more than 6 individuals who wish to speak, the Mayor may reduce the time allowed for each individual.

- State your name and address for the record.
- Applause, outbursts or other demonstrations by the audience are not allowed
- Keep comments brief; if available, provide a written copy of statement to City Clerk

5. CITIZEN PARTICIPATION FOLLOW-UP

This is an opportunity for the Mayor or Councilmembers to follow-up on issues raised during Citizen Participation.

CONSENT CALENDAR

The Consent Calendar consists of Items 6 through 12. This 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 be "pulled" off the Consent Calendar and considered separately. Agenda items pulled from the Consent Calendar will be considered separately under Item No. 20, Pulled Consent Items. The Consent Calendar consists of:

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

6. Consideration and Approval of the September 6, 2011 Regular Meeting Minutes.
7. Second Reading of Ordinance No. 122, 2011, Appropriating Prior Year Reserves and Unanticipated Revenue in the General Fund for the Building on Basics Police Computer Aided Dispatch, Records Management and Jail Management System Upgrade.

The current version of the Computer Aided, Dispatch, Records Management and Jail Management System (CAD/RMS/JMS) is outdated and does not operate in the latest Windows or Internet Explorer environments. This Ordinance, unanimously adopted on First Reading on September 20, 2011, authorizes the appropriation of funds needed for Fort Collins Police Services to upgrade the current systems (software, hardware and project manager costs) through Tiburon, Inc. and will allow the CRISP (Combined Regional Information Sharing Project) agencies to bring the current CAD/RMS/JMS system up-to-date.

8. Second Reading of Ordinance No. 123, 2011, Amending Section 2-637 of the City Code to Expand the Financial Disclosure Requirements for Members of the City Council, the City Manager, and the City Attorney.

This Ordinance, unanimously adopted on First Reading on September 20, 2011, expands the financial disclosure requirements for City Council candidates, the elected City Council, City Manager, and City Attorney to include any and all interests in real property by the person making disclosure or the person's spouse, regardless of whether the property is held for the purpose of resale and profit, as currently required.

9. Items Relating to Turfgrass and Updating Related City Code References.

- A. Second Reading of Ordinance No. 124, 2011, Amending Article IV of Chapter 20 of the City Code Regarding Weeds, Grass and Rubbish.
- B. Second Reading of Ordinance No. 125, 2011, Amending Article VII of Chapter 12 of the City Code Regarding Resource Conservation.

City Code currently requires that all weeds and grasses (except "ornamental" grasses which cannot exceed twenty percent of the landscape) be kept to a maximum of six inches in height. These Ordinances, unanimously adopted on First Reading on September 20, 2011, will allow certain grass types to be exempt from the current six inch height limit. The Code amendments will serve to promote water conservation, lower greenhouse gas emissions, and provide options for Fort Collins residents who are interested in using water-wise turfgrass. The grass types that would be exempt are Blue Grama and Buffalograss, and they would have a height limit of twelve inches.

10. Items Relating to Civil Infraction and Abatement Procedures.

- A. Second Reading of Ordinance No. 126, 2011, Amending Article V of Chapter 19 of the City Code Pertaining to Rules for Civil Infractions and Making Editorial Corrections to Article V.
- B. Second Reading of Ordinance No. 127, 2011, Amending Article IV of Chapter 20 of the City Code to Allow for an Appeal Process to Contest the Assessment of Costs of Weeds and Rubbish Abatements and Making Editorial Corrections to Article IV.

Ordinance No. 126, 2011, will allow staff to make payment plan arrangements with defendants for the amount due for civil infractions, and to extend a defendant's timeframe within which to satisfy judgment after a final hearing to a reasonable period of time beyond thirty days. Ordinance No. 127, 2011, provides the option of an appeal process for weed and/or rubbish abatement invoices with the Director of Community Development & Neighborhood Services or with the Municipal Court Referee which is consistent with the appeal process for sidewalk snow removal abatements. Both Ordinances were unanimously adopted on First Reading on September 20, 2011.

11. First Reading of Ordinance No. 128, 2011, Appropriating Unanticipated Revenue in the Capital Projects Fund for the Veterans Plaza Project at Spring Canyon Community Park.

The Veterans Plaza at Spring Canyon Community Park creates a public venue, bringing community members together to recognize and commemorate the sacrifices and dedication of service members who have served our country. The plaza is located on approximately three acres of land near the main entrance of the Park at Horsetooth Road. This Ordinance will appropriate funding in the amount of \$60,000 for the final phase of the Veterans Plaza project.

12. First Reading of Ordinance No. 129, 2011, Authorizing the Acquisition by Eminent Domain Proceedings of Certain Lands Necessary to Construct Public Improvements Related to the Mason Corridor Bus Rapid Transit Project (Phase V).

The final acquisition phase for the Mason Express Bus Rapid Transit Project (MAX) is set to begin with Phase V. City Council has previously authorized the first five phases of acquisition work, which included Phases I through IV, as well as a Phase III-A.

Phase V is comprised of 15 separate properties prepared for the acquisition stage. The City Council authorization specified by this Ordinance begins the first step of the City's acquisition process for the property interests within this phase.

As a federally-funded transportation project, acquisitions will conform to the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended (Public Law 91-646). In accordance with this Act, property owners must be informed about the possible use of eminent domain and their rights pursuant to Colorado State Statute in the official Notice-of-Interest Letter. Authorization from City Council is needed prior to sending this information to property owners. This letter is the first official step in the acquisition process, which must occur prior to the appraisals. Given the recommended construction schedule for the Project and the fact that acquisitions must be conducted under procedures for federally funded projects, timely acquisition of the required property interests is necessary. Therefore, City staff requests authorization to utilize eminent domain for the MAX Project, if necessary, and only if good faith negotiations break down.

END CONSENT

13. Consent Calendar Follow-up.

This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.

14. Staff Reports.

15. Councilmember Reports.

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.

16. First Reading of Ordinance No. 130, 2011, Amending Chapter 7 of the City Code to Expand the Types of Registered Electors Who Automatically Receive Mail Ballots, and to Require the City to Pay the Postage Due for Ballots Returned by Mail. (staff: Rita Harris; 5 minute staff presentation; 20 minute discussion)

This Ordinance would amend the City Code to require that ballots in a City mail ballot election be mailed to inactive registered electors who voted in the last presidential election in addition to all active registered electors. In addition, the Code would be amended to require that the City pay postage on all voted ballots returned by mail. Both amendments are anticipated to increase voter participation.

17. First Reading of Ordinance No. 131, 2011, Amending the Appeals Procedure Contained in Chapter 2, Article II, Division 3 of the City Code Relating to the Procedures for Hearing Appeals to the City Council. (staff: Steve Roy; 5 minute staff presentation; 1 hour discussion)

This Ordinance makes several changes to the way in which appeals to the City Council are handled. The changes are in response to concerns and suggestions of persons who have participated in recent land use appeals, and to direction provided by the City Council at a Council work session. The changes deal with the following topics: the scheduling of the appeal hearing; the ability of Councilmembers who file an appeal to participate in hearing the appeal; the ability of opponents of an appeal to present their views in writing in addition to presenting argument at the hearing; the manner in which site visits are conducted; the submission of written materials to the Council; and expanding the group of persons who can participate in appeal hearings.

18. Resolution 2011-092 Further Amending the Rules of Procedure Governing the Conduct of City Council Meetings. (staff: Steve Roy; 5 minute staff presentation; 20 minute discussion)

This Resolution would further amend the rules of procedure with regard to comments by citizens during the Citizen Participation segment of Council meetings insofar as those comments are related to quasi-judicial matters. The language would be refined to state that comments would not be permitted on matters that are the subject of a pending application with the City when the approval or disapproval of the application is appealable to the City Council.

19. Pulled Consent Items.
20. Other Business.
21. Adjournment.
 - a. Motion to adjourn meeting to October 11, 2011.

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 Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.



urban renewal authority

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**URBAN RENEWAL AUTHORITY
WORK SESSION
October 4, 2011
(after the Regular Council Meeting)**

1. Call Meeting to Order.
2. Revisions to the Urban Renewal Authority Policies and Procedures; Options for the Citizen's Advisory Group. (staff: Bruce Hendee, Christina Vincent; 1 hour discussion)

The Urban Renewal Authority (URA) Board approved a thorough revision to the Policies and Procedures (Policies) in May 2010 from the original Policies created in 2006. On May 17, 2011, the URA Board discussed that the Policies should have more detail regarding green building practices and should come back to the URA Board for more revisions. Staff also received feedback from the June 14, 2011 work session to modify the language as proposed by the URA Board. These Policies are intended to give guidance to the eligible developments and objectives of the URA to applicants, staff, citizens and the URA Board for decision making purposes. Staff is seeking direction on the options of a recommending group to the URA Board.

3. Other Business.
4. Adjournment.