



Karen Weitkunat, Mayor
Gerry Horak, District 6, Mayor Pro Tem
Bob Overbeck, District 1
Lisa Poppaw, District 2
Gino Campana, District 3
Wade Troxell, District 4
Ross Cunniff, District 5

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 Nelson, City Clerk

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REGULAR MEETING

October 1, 2013

Proclamations and Presentations

5:30 p.m.

- A. Proclamation Declaring October 6-12, 2013 as Public Power Week.

Regular Meeting

6:00 p.m.

PLEDGE OF ALLEGIANCE

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

3. AGENDA REVIEW:

- City Manager Review of Agenda.
- 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 opportunity to pull Consent Calendar items.
(will be considered under Item No. 19)
- Citizen opportunity to pull Consent Calendar items.
(will be considered under Item. No. 23)

4. CITIZEN PARTICIPATION

Individuals who wish to make comments regarding items remaining 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.

Speakers are asked to:

- State your name and address for the record.
- Keep comments brief; if available, provide a written copy of statement to City Clerk.
- Address your comments to Council, not the audience.
- Promptly cease your comments when the allotted time expires.
- You may not yield part or all of your time to another and another speaker will not be credited with time requested but not used by you.
- Applause, outbursts or other demonstrations by the audience are not allowed.

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 15. 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. 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.

6. Second Reading of Ordinance No. 126, 2013, Authorizing the Purchasing Agent to Enter into an Agreement for the Financing by Lease-Purchase of Vehicles and Equipment.

This Ordinance, unanimously adopted on First Reading on September 17, 2013, requests approval of an agreement for the lease-purchase of vehicles and equipment for the cost of \$911,887. Payments under the agreement at the 2.28% interest rate will not exceed \$193,489 in 2014. Money for 2014 lease-purchase payments is included in the 2014 budget. The effect of the debt position for the purpose of financial rating of the City will be to raise the total City debt by 0.67%. A competitive process was used to select Pinnacle Public Finance for this lease. A 2013 Finance Department analysis of current and historical equipment lease financing arrangements showed that lease-purchase is in the best interest of the City given the normal spread between lease rate and reinvestment rate.

7. Second Reading of Ordinance No. 127, 2013 Repealing Article II of Chapter 15 of the City Code in its Entirety.

This Ordinance, unanimously adopted on First Reading on September 17, 2013, repeals Article II of Chapter 15 of the City Code in its entirety. Article II of Chapter 15 of the City Code addresses intrusion, robbery, fire and other alarm systems. This Article, last updated in 1972, is outdated due to the great advances in security systems technology over the years and needs to be repealed.

8. Second Reading of Ordinance No. 129, 2013, Amending Section 5-47 of the City Code Pertaining to the International Property Maintenance Code.

The purpose of this item is to propose Code amendments that will address ongoing exterior residential property maintenance issues that create a negative impact on neighboring properties and that are not currently addressed by existing codes. This Ordinance, unanimously adopted on First Reading on September 17, amends the International Property Maintenance Code relating to Deficient Structures and creates a Vacant & Dangerous Buildings Registry. Minor revisions have been made on Second Reading to clarify the definition of "deficient".

9. First Reading of Ordinance No. 131, 2013, Appropriating Prior Year Reserves and Unanticipated Revenue in Various City Funds And Authorizing the Transfer of Appropriated Amounts between Funds or Projects.

The annual Clean-Up Ordinance allows for the appropriation of expenses related to unanticipated revenue, grants and unforeseen costs that had not previously been budgeted.

The purpose of this annual Clean-Up Ordinance is to combine dedicated and unanticipated revenues or reserves that need to be appropriated before the end of the year to cover the related expenses that were not anticipated and, therefore, not included in the 2013 budget appropriation. The unanticipated revenue is primarily from fees, charges, rents, contributions and grants that have been paid to City departments to offset specific expenses. Prior year reserves are primarily being appropriated for unanticipated operational expenses.

10. First Reading of Ordinance No. 132, 2013, Appropriating Unanticipated Grant Revenue from the Institute of Museum and Library Services in the Museum Fund for "Living with Fire: A Community Responds" Grant Project.

The purpose of this item is to appropriate \$138,933 in grant funds awarded to Fort Collins Museum of Discovery by the Institute of Museum and Library Services.

11. First Reading of Ordinance No. 133, 2013, Appropriating Prior Year Reserves in the Light & Power, Water, Wastewater and Stormwater Funds for the 800 MHz Radio Communication System Capital Project.

The purpose of this item is to appropriate funding for the purchase and installation of an 800 MHz radio system for the Utilities Department. Conversion of the former wide-band system to a narrow-band system was completed at the beginning of 2013. The narrow-band system is not meeting the Utilities' safety and communications needs for field personnel and infrastructure protection.

12. First Reading of Ordinance No. 134, 2013, Appropriating Prior Year Reserves in the Water Fund for Two Water Main Replacement Projects.

The purpose of this item is to fund project design for the water main replacement on College Avenue and for design and construction of water main replacement on Meldrum Street.

13. Items Relating to the Fort Collins-Loveland Water District Intergovernmental Agreement.

- A. First Reading of Ordinance No. 135, 2013, Authorizing the Mayor to Execute an Amended and Restated Intergovernmental Agreement with the Fort Collins-Loveland Water District, the Fort Collins-Loveland Water District Enterprise, and the City of Fort Collins Water Utility Enterprise for the Delivery of Potable Water.
- B. First Reading of Ordinance No. 136, 2013, Authorizing the Mayor to Execute an Intergovernmental Agreement for Water Treatment Services with the Fort Collins-Loveland Water District, the Fort Collins-Loveland Water District Enterprise, and the City of Fort Collins Water Utility Enterprise.

The purpose of this item is twofold:

1. To amend the existing Intergovernmental Agreement (IGA) with Fort Collins Loveland Water District (FCLWD) by updating the terms of the Agreement, recognizing additional connection locations, and
2. Allowing for the sale of up to 5 million gallons per day (MGD) of Water Treatment Capacity through a second IGA with FCLWD.

For the past year, Utilities staff has been negotiating with FCLWD to restructure the existing water sharing agreement and enter into a separate agreement for the sale of excess water treatment capacity. The revisions to the existing agreement, as well as entering into the second agreement, will benefit the customers of Fort Collins Utilities through incremental revenues and the customers of FCLWD by increasing the amount of water that can be delivered to them. The Water Board has reviewed the proposed amendments and new agreement and recommends approval.

14. First Reading of Ordinance No. 137, 2013, Designating 1501 Peterson Street as a Fort Collins Landmark Pursuant to Chapter 14 of the City Code.

The owners of the property, Robert and Sally Linton, are initiating this request for Fort Collins Landmark designation of the Crane Property at 1501 Peterson Street.

15. Resolution 2013-082 Making Appointments to the Youth Advisory Board.

This Resolution fills three vacancies on the Youth Advisory Board.

END CONSENT

16. Consent Calendar Follow-up.

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

17. Staff Reports.

18. Councilmember Reports.

19. 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 (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.

20. Resolution 2013-083 Expressing the City Council's Support for the Construction of a New County Office Building in Loveland, Colorado. (staff: Ginny Sawyer; 2 minute staff presentation; 15 minute discussion)

The purpose of this item is to show support for Larimer County's desire to build a new County office building in Loveland, Colorado and for the ballot measure that would authorize the same.

21. Items Relating to a Citizen Initiative on the November 5 Ballot. (staff: Darin Atteberry, Laurie Kadrich, Steve Roy, Dan Weinheimer; 10 minute staff presentation; 90 minute discussion)
- A. Resolution 2013-084 Urging the Registered Electors of the City to Vote in Favor of a Proposed Moratorium on Hydraulic Fracturing and the Storage of its Waste Products Within the City of Fort Collins or under its Jurisdiction at the November 5 Special Election. (Option #1)
- B. Resolution 2013-085 Urging the Registered Electors of the City to Vote Against a Proposed Moratorium on Hydraulic Fracturing and the Storage of its Waste Products Within the City of Fort Collins or under its Jurisdiction at the November 5 Special Election. (Option #2)

The purpose of this item is to encourage voters to vote for or against, depending upon on the option chosen by Council, during the upcoming election.

22. Resolution 2013-086 Adopting the Midtown Plan as an Element of the Comprehensive Plan of the City of Fort Collins. (staff: Megan Bolin, Bruce Hendee; 10 minute staff presentation; 45 minute discussion)

The purpose of the Midtown Plan is to create a long-term vision that will compliment current and forthcoming investment to revitalize the corridor. Midtown has been defined as the College Avenue commercial corridor between Prospect Road to the north, and Fairway Lane to the south. This approximately 3 ½ mile area has been referred to as the "community spine" in *City Plan*, and continues to be a targeted area for public investment. An extensive public process was undertaken to engage and solicit input from stakeholders. The Plan articulates a bold vision for Midtown that includes higher-density, transit-oriented development; recommendations for implementing the vision include concepts for improving the transportation network, buildings, and public spaces.

23. Consideration of Citizen-Pulled Consent Items.
24. Other Business.
 - a. Consideration of a motion to adjourn into Executive Session after the Water Utility Enterprise Board meeting.
25. 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 Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.



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WATER UTILITY ENTERPRISE MEETING

October 1, 2013

(after the Regular Council Meeting)

1. Call Meeting to Order.
2. Roll Call.
3. Consideration and Approval of the Minutes of the September 3, 2013 Water Utility Enterprise Board Meeting.
4. Items Relating to the Fort Collins-Loveland Water District Intergovernmental Agreements. (staff: Lance Smith, Brian Janonis, Jon Haukaas, Kevin Gertig; 10 minute staff presentation; 10 minute discussion)
 - A. Resolution No. 008 Authorizing the President of the Board to Execute an Amended and Restated Intergovernmental Agreement with the Fort Collins-Loveland Water District, the Fort Collins-Loveland Water District Enterprise, and the City of Fort Collins for the Delivery of Potable Water.
 - B. Resolution No. 009 Authorizing the President of the Board to Execute an Intergovernmental Agreement for Water Treatment Services with the Fort Collins-Loveland Water District, the Fort Collins-Loveland Water District Enterprise, and the City of Fort Collins.

The purpose of this item is twofold:

1. To amend the existing Intergovernmental Agreement (IGA) with Fort Collins Loveland Water District (FCLWD) by updating the terms of the Agreement, recognizing additional connection locations, and
2. Allowing for the sale of up to 5 million gallons per day (MGD) of Water Treatment Capacity through a second IGA with FCLWD.

For the past year, Utilities staff has been negotiating with FCLWD to restructure the existing water sharing agreement and enter into a separate agreement for the sale of excess water treatment capacity. The revisions to the existing agreement, as well as entering into the second agreement, will benefit the customers of Fort Collins Utilities through incremental revenues and the customers of FCLWD by increasing the amount of water that can be delivered to them. The Water Board has reviewed the proposed amendments and new agreement and recommends approval.

5. Other Business.
6. Adjournment.