



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

City Council Chambers
City Hall West
300 LaPorte Avenue
Fort Collins, Colorado

Cablecast on City Cable Channel 14
on the Comcast cable system

Carrie Daggett
Interim City Attorney

Darin Atteberry
City Manager

Wanda Nelson
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 (TDD 224-6001) for assistance.

Regular Meeting January 6, 2015 Revised 1/5/15

Proclamations and Presentations 5:30 p.m.

- Proclamation Declaring January 19, 2015 as the Martin Luther King, Jr. Observation and Commemorative March 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.

- 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 buzz once and the timer light will turn yellow to indicate that 30 seconds of speaking time remain, and will buzz 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 December 16, 2014 Regular Council Meeting.

The purpose of this item is to approve the minutes from the December 16, 2014 Regular Council meeting.

2. Second Reading of Ordinance No. 178, 2014, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Salary of the Municipal Judge.

City Council met in executive session on November 12, 2014, to conduct the performance review of Municipal Judge Kathleen Lane. This Ordinance, unanimously adopted on First Reading on December 16, 2014, establishes the 2015 salary of the Municipal Judge at 109,365.

3. Second Reading of Ordinance No. 179, 2014, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Salary of the Interim City Attorney.

City Council met in Executive Session with Interim City Attorney Carrie Daggett on November 12, 2014. This Ordinance, unanimously adopted on First Reading on December 16, 2014, establishes the 2015 salary of the Interim City Attorney at \$151,909.

4. Second Reading of Ordinance No. 181, 2014, Authorizing the Acquisition by Eminent Domain of Certain Lands Necessary to Construct Public Improvements in Connection with the Drake and Shields Intersection Improvements Project.

This Ordinance, unanimously adopted on First Reading on December 16, 2014, authorizes the use of eminent domain, if deemed necessary, to acquire property interests needed to construct improvements at the Drake Road and Shields Street intersection. The Drake Road and Shields Street Intersection Improvements Project will construct right turn lanes on northbound and southbound Shields Street, bicycle lanes, and medians for safety and air quality improvements at the intersection. The project is planned to begin construction in the summer of 2015. The project budget consists of both federal and local funds. To construct these improvements, the City will need to acquire certain property interests adjacent to the project area. The acquisitions include right-of-way and temporary easements from three property owners. Timely acquisition of the property is necessary to meet the anticipated construction schedule. Staff fully intends to negotiate in good faith with all affected owners and is optimistic that all property negotiations can be completed prior to the start of the project. Staff is requesting authorization of eminent domain for all property acquisitions for the project to comply with federal acquisition requirements. Eminent domain action will be used only if such action is deemed necessary.

5. Second Reading of Ordinance No. 182, 2014, Authorizing the Acquisition by Eminent Domain of Certain Lands Necessary to Construct Public Improvements Related to the Mason Corridor Bus Rapid Transit Project.

This Ordinance, unanimously adopted on First Reading on December 16, 2014, authorizes the use of eminent domain, if necessary, to acquire property interests which are necessary to provide intersection improvements at McClelland Drive and Drake Road in order to enhance safety and service for the MAX Bus Rapid Transit System (MAX). 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 the act through an official Notice of Interest Letter. Authorization from City Council is needed prior to sending this information to property owners. Staff requests authorization to utilize eminent domain for the MAX Project, if necessary, and only if good faith negotiations break down.

6. First Reading of Ordinance No. 001, 2015, Appropriating Unanticipated Grant Revenue into the Transportation Services Fund for the Safe Routes to School Program.

The purpose of this item is to request appropriation of unbudgeted funds received through a grant for the Safe Routes to School program. The City of Fort Collins FC Moves Department has received a \$15,000 grant through the Sensible Transportation and Bicycle Advocacy initiative at New Belgium Brewery for the 2015 Safe Routes to School (SRTS) program. This funding will allow the City's SRTS program (administered and staffed by FC Moves) to purchase strategic SRTS equipment for Fort Collins youth.

7. First Reading of Ordinance No. 002, 2015, Appropriating Unanticipated Grant Revenue in the General Fund for the Fort Collins Police Services Victim Services Team.

The purpose of this item is to fund the Victim Services Team of Fort Collins Police Services for victim advocacy services under the Colorado Victim Rights Amendment for victims of crime and their family members. The Fort Collins Police Services Victim Services Team has been awarded a 12-month grant in the amount of \$37,000 for the period from January 1, 2015 to December 31, 2015 by the Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Board to help fund services provided by this team. These funds will be used for part of the salary for the victim advocate who provides crisis intervention services during weekday hours and is housed in the Victim Services office. These fund will also pay for a portion of the operational expenses needed to provide 24-hour a day, 7-day a week services to victims of crime in the community.

8. Resolution 2015-001 Making Appointments to Various Boards, Commissions, and Authorities of the City of Fort Collins.

The purpose of this item is to appoint individuals to fill vacancies that currently exist on various boards commissions, and authorities due to resignations and the expiration of terms of current members. Applications were solicited during September and October. Council teams interviewed applicants during November and December. This Resolution appoints individuals to fill current vacancies and expiring terms.

This Resolution does not fill all vacancies. Interviews are continuing, and any remaining vacancies will be advertised as needed.

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 (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.

9. Items Related to Term Limits, Petitions, and Recall Charter Amendments. (staff: Wanda Nelson, Rita Knoll; 5 minute staff presentation; 30 minute discussion)

- A. First Reading of Ordinance No. 003, 2015, Submitting to a Vote of the Registered Electors of the City of Fort Collins a Proposed Amendment to Article II, Section 1(d) of the City Charter Pertaining to the Terms of Office of the Mayor and City Councilmembers.
- B. First Reading of Ordinance No. 004, 2015, Submitting to a Vote of the Registered Electors of the City of Fort Collins Proposed Amendments to Article X of the City Charter Pertaining to Initiative and Referendum.
- C. First Reading of Ordinance No. 005, 2015, Submitting to a Vote of the Registered Electors of the City of Fort Collins Proposed Amendments to Article VIII, Section 4(b) of the City Charter Pertaining to the Sufficiency of a Nominating Petition.
- D. First Reading of Ordinance No. 006, 2015, Submitting to a Vote of the Registered Electors of the City of Fort Collins a Proposed Amendment to Article IX, Section 3(c) of the City Charter Pertaining to Recall Elections.

The purpose of this item is to consider Charter Amendments related to term limits, petitions and recall for placement on the April 7, 2015 ballot.

10. Items Relating to the Fort Collins-Loveland Municipal Airport. (staff: Jason Licon, Mike Beckstead; 5 minute staff presentation; 30 minute discussion)

- A. Resolution 2015-002 Approving the Fort Collins-Loveland Airport Strategic Plan.
- B. Resolution 2015-003 Authorizing the Mayor to Execute an Amended and Restated Intergovernmental Agreement Between the City and the City of Loveland Regarding the Operation of the Fort Collins-Loveland Airport.

The purpose of this item is to adopt the Airport Strategic Plan and approve the Amended and Restated Intergovernmental Agreement between the City of Fort Collins and the City of Loveland.

11. Items Relating to the Capstone Cottages Plan Amendment to the City Structure Plan and East Mulberry Corridor Plan Maps, and Rezoning. (staff: Pete Wray; 5 minute staff presentation; 20 minute discussion)
- A. Resolution 2015-004 Amending the City's Structure Plan Map.
 - B. Resolution 2015-005 Amending the East Mulberry Corridor Plan Map.
 - C. First Reading of Ordinance No. 007, 2015, Amending the Zoning Map of the City by Changing the Zoning Classification for that Certain Property Known as the Capstone Cottages Rezoning.

The purpose of this item is to amend the *City Structure Plan Map* and the *East Mulberry Corridor Plan Map*, to change the land use designation of approximately 12.7 acres of land northeast of the Lincoln Avenue/Lemay Avenue intersection from Industrial to Medium Density Mixed-Use Neighborhood, rezone the property from the Industrial district (I) to the Medium Density Mixed Use Neighborhood district (M-M-N) and rezone the abutting 0.070 acres of land from the M-M-N to the Industrial District.

The requests are based on the Applicant's proposal to develop a student oriented single-family residential project; the Project Development Plan for the proposed project is in the process of being reviewed by staff as part of a separate application.

On December 11, 2014, the Planning and Zoning Board voted (4-0) to support a recommendation to City Council to approve the proposed Capstone Cottages plan amendment and rezoning.

12. Second Reading of Ordinance No. 180, 2014, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Salary of the City Manager. (staff: Janet Miller; no staff presentation; 5 minute discussion)

City Council met in executive session on November 12, 2014 to conduct the performance review of City Manager Darin Atteberry. This Ordinance, adopted on First Reading on December 16, 2014, by a vote of 5-2 (nays: Cunniff, Overbeck) establishes the 2015 salary of the City Manager at \$244,839.

- **CONSIDERATION OF CITIZEN-PULLED CONSENT ITEMS**
- **OTHER BUSINESS**
- **ADJOURNMENT**

A. Council will consider a motion to adjourn to 6:00 p.m., Tuesday, January 13, 2015.

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.