



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 20, 2015

### Proclamations and Presentations 5:30 p.m.

- None.

### 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](http://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 2, 2014 Regular Council Meeting and the December 9, 2014 Adjourned Council Meeting.

The purpose of this item is to approve the minutes from the December 2, 2014 Regular Council meeting and the December 9, 2014 Adjourned Council meeting.

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

This Ordinance, unanimously adopted on First Reading on January 6, 2015, appropriates 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.

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

This Ordinance, unanimously adopted on First Reading on January 6, 2015 appropriates grant funds in the amount of \$37,000 received from the Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Board. This grant will 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. 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 funds 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.

4. Items Relating to Petitions and Recall Charter Amendments.

A. Second 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.

B. Second 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.

C. Second 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.

These Ordinances, unanimously adopted on First Reading on January 6, 2015, place Charter Amendments relating to petitions and recall for placement on the April 7, 2015 ballot.

5. First Reading of Ordinance No. 008, 2015, Appropriating Unanticipated Grant Revenue in the Recreation Fund for the Adaptive Recreation Opportunities Program Paralympic Sports Club.

The purpose of this item is to appropriate \$15,000 of unanticipated grant revenue in the Recreation Fund to be used for general operating support for the Adaptive Recreation Opportunities (ARO) program Paralympic Sport Club. ARO has been selected to receive a grant of \$15,000 from U.S. Department of Veterans Affairs (VA) for Veterans Adaptive Sports Programs serving Disabled Veterans and disabled Members of the Armed Forces, funding cycle of October 2014- September 2015.

6. Items Relating to the North College Pedestrian Multi-Use Path Project.

A. Resolution 2015-007 Authorizing the Mayor to Execute an Intergovernmental Agreement with the Colorado Department of Transportation for a Construction Grant in Support of the North College Pedestrian Multi-Use Path Project.

B. First Reading of Ordinance No. 009, 2015, Appropriating Unanticipated Revenue in the Capital Projects Fund for the North College Pedestrian Multi-Use Path Project, Authorizing the Transfer of Appropriations from the Building on Basics Pedestrian Plan and American with Disabilities Improvements Project Into the North College Pedestrian Multi-Use Path Project.

The purpose of this item is to authorize the Mayor to execute an Intergovernmental Agreement (IGA) with the Colorado Department of Transportation (CDOT) and to appropriate federal grant and local funds into the North College Pedestrian Multi-Use Path Project. This project will design and construct pedestrian amenities along North College Avenue between the northern city limits and State Highway 1. The proposed actions will enable initiation of the project.

Total project funds will be appropriated as follows:

- Federal Grant Funds - \$752,000
- Local Matching Funds Previously Appropriated by Urban Renewal Authority (URA) - \$125,000
- Local Matching Funds to be Appropriated from Pedestrian Improvement Funds - \$31,323

7. First Reading of Ordinance No. 010, 2015, Amending Chapter 10 of the Code of the City of Fort Collins Relating to Creating a Critical Facilities Floodplain Regulation Exception for Parallel-Connected Solar and Wind Power Generation.

The purpose of this item is to provide an exception to the critical facilities floodplain regulation for “parallel-connected solar and wind power generation.” This would allow solar and wind power generating stations that are also connected to the grid to be located in the floodplain and not prohibited under the critical facilities regulation of Chapter 10 of City Code.

8. Resolution 2015-008 Acknowledging the City's Intent to Acquire the Real Property Located at 1300 Hoffman Mill Road.

The purpose of this item is to acknowledge the City's intent to acquire the property at 1300 Hoffman Mill Road for multiple City department operations. Staff has negotiated the acquisition of approximately 24 acres near Prospect Road and Lemay Avenue to meet the needs of multiple City departments. Streets, Forestry, Utilities and Natural Areas Departments have agreed to partner and contribute funding for the acquisition. The Departments propose to jointly purchase the property in order to co-locate compatible City operations. These operations include the continued processing and recycling of concrete and asphalt, which is the primary use of the site currently (via lease agreement), processing of project spoils for the Utilities Department, wood chipping and other materials processing for the Forestry Department, and materials storage for the Natural Areas Department. Additionally, the Natural Areas Department will control and manage approximately 6 acres of the site that is immediately adjacent to the Poudre River.

City Council approved the funding for the purchase as part of the 2015-2016 Recommended Budget (Ordinance No. 153, 2014) on November 18, 2014 and no additional authorization is required per City Code. However, due to the fact that Streets Superintendent, Larry Schneider is related to one of the ten owners (Larry's father, Elmer Schneider is a 1/10 owner), City Management felt it prudent to provide more explicit and public notice of the City's intention to acquire the property and to disclose the process and efforts that have taken place to ensure Larry Schneider is not involved in any of the decision making related to this potential acquisition. To that end, Mr. Schneider was consciously and deliberately removed from participating in any form related to the City's interest in the property. All decision making was directed by Planning, Development and Transportation (PDT) Deputy Director, Mark Jackson and operational information was provided by (then) Streets Department Crew Chief, Neal Jaspers.

9. Resolution 2015-009 Adopting a Revised Competitive Process for the Allocation of City Financial Resources to Affordable Housing Programs/Projects and Other Community Development Activities.

The purpose of this item is to revise the competitive process for allocating affordable housing and human service funds. The changes combine all available housing funds into one spring cycle to allow for compliance with HUD requirements, stronger competition among projects and better alignment of funds to their intended uses. An optional fall process will be retained. Minor administrative changes would also be made.

10. Resolution 2015-010 Making Appointments to Various Boards and Commissions of the City of Fort Collins.

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

## 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**

A. Recognition of 2014 Sustainability All-Starr Winner, Tracy Ochsner.

- **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.

11. Second 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. (staff: Pete Wray; no staff presentation; 10 minute discussion)

This Ordinance, adopted on First Reading on January 6, 2015, by a vote of 4-3 (Nays: Cunniff, Overbeck, Poppaw) rezones approximately 12.7 acres of land northeast of the Lincoln Avenue/Lemay Avenue intersection from the Industrial district (I) to the Medium Density Mixed Use Neighborhood district (M-M-N) and rezones 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.

12. Resolution 2015-011 Naming an Arterial Street in the Northeast Fort Collins Area and Revising the List of Names for Arterial and Collector Streets. (staff: Ryan Mounce, Ted Shepard; 5 minute staff presentation; 20 minute discussion)

The purpose of this item is to select a name for a new arterial street in northeast Fort Collins and to update the existing List of Names for Arterial and Collector Streets by removing one recently selected name (Cherryhurst) and adding two additional names (Joe Armijo and Stephen J. Roy).

13. Resolution 2015-012 Submitting to the Registered Electors of the City an Ordinance Extending the Expiring Twenty-Five Hundredths Percent (0.25%) "Building on Basics" Capital Projects Sales and Use Tax for a Period of Ten Years for the Purpose of Obtaining Revenue for Certain "Community Capital Improvement Program" Capital Projects and Related Operation and Maintenance. (staff: Ginny Sawyer, Darin Atteberry; 15 minute staff presentation; 1 hour discussion)

The purpose of the item is to set the ballot language and refer the Community Capital Improvement Program tax extension to the April 7, 2015 election. The renewal of the ¼-cent sales and use tax will result in \$7.4 million in revenue available per year for designated capital improvement projects. The program is currently set to expire December 31, 2015. The term of the renewal is January 1, 2016-December 31, 2025.

The recommended project list is below:

- Pedestrian Sidewalk/ADA Compliance - Safe Routes to Everywhere
- Bicycle Infrastructure Improvements - Safe Routes to Everywhere
- Bus Stop Improvements - Safe Routes to Everywhere
- Downtown Poudre River Enhancements and Kayak Park
- Bike/Ped Grade Separated Crossings Fund
- Transfort Bus Fleet Replacement
- Arterial Intersection Improvements Fund
- Implementing Nature in the City
- Gardens on Spring Creek Visitor's Center Expansion
- Southeast Community Center with Outdoor Pool
- Affordable Housing Fund
- Lincoln Avenue Improvements Design & Construction (from 1st Street to Lemay)
- City Park Train
- Renovation of the Historic Carnegie Building
- Linden Street Renovations Design & Construction
- Club Tico Renovation
- Willow Street Improvements Design & Construction

The Resolution includes \$75 million in project costs, \$2.6 million for five years of operation and maintenance (O & M), and \$5.3 million for inflation. Staff has recommend five years of O&M to give projects at least two budget cycles to determine how to best fund the ongoing O&M costs while trying to maximize project dollars.

14. Resolution 2015-013 Submitting to the Registered Electors of the City at the April 7, 2015, Regular City Election the Question of the Extension of the Expiring Quarter-Cent Sales and Use Tax Used to Fund the City's Street Maintenance Program. (staff: Ginny Sawyer, Darin Atteberry, Mark Jackson; 10 minute staff presentation; 20 minute discussion)

The purpose of the item is to set the ballot language and refer the Street Maintenance Program tax renewal to the April 7, 2015 election.

15. First Reading of Ordinance No. 011, 2015, Submitting to a Vote of the Registered Electors of the City of Fort Collins a Proposed Amendment to Article XIII of the City Charter Pertaining to the Definition of "Service Area". (staff: Janet Miller; 2 minute staff presentation; 10 minute discussion)

The purpose of this item is to propose an amendment to the City Charter definition of "Service Area" that, if approved by voters, would correct the Charter definition of "Service Area" to conform to other Charter references providing that City Council shall designate Service Areas via ordinance.

16. First Reading of Ordinance No. 012, 2015, Amending the Code of the City of Fort Collins to Modify On-Bill Utility Financing Terms and Allow for On-Bill Utility Financing of Business Customers. (staff: John Phelan; 5 minute staff presentation; 20 minute discussion)

The purpose of this item is to amend City Code to update and expand the on-bill financing pilot program per the recommendations reviewed by Council at the October 28, 2014 work session and subsequent November 17, 2014 Finance Committee meeting. The objective of the On-Bill Financing pilot program (also known as the Home Efficiency Loan Program) is to provide residential utility customers with low-cost financing for energy efficiency, solar photovoltaic, and water conservation improvements to support the outcomes adopted in City of Fort Collins policies and plans, such as the Climate Action Plan, Energy Policy and Water Conservation Plan. The City Code revisions adjust interest rate and fee language and add on-bill financing sections for small business customers. An update on the administrative elements of the program is provided.

- **CONSIDERATION OF CITIZEN-PULLED CONSENT ITEMS**
  
- **OTHER BUSINESS**
  
- **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 the Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.