

AGENDA ITEM SUMMARY

July 7, 2015

City Council

STAFF

Wanda Nelson, City Clerk

SUBJECT

Consideration and Approval of the Minutes of the June 2, 2015 Regular Council Meeting and the June 15, 2015 Special Council Meeting.

EXECUTIVE SUMMARY

The purpose of this item is to approve the minutes from the June 2, 2015 Regular Council meeting and the June 15, 2015 Special Council meeting.

ATTACHMENTS

1. June 2, 2015 (PDF)
2. June 15, 2015 (PDF)

June 2, 2015

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

● **ROLL CALL**

PRESENT: Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

Staff present: Atteberry, Daggett, Nelson

● **Recognition of the Cityworks Graduates**

Mayor Troxell recognized the 2015 CityWorks 101 graduates.

● **AGENDA REVIEW: CITY MANAGER**

City Manager Atteberry withdrew Item No. 15, *First Reading of Ordinance No. 071, 2015, Authorizing the Mayor to Execute an Intergovernmental Agreement with the Board of Governors of Colorado State University establishing a Stormwater Utility Service Agreement*, for additional work. He expressed gratitude for the gift received from the estate of Paul W. Gwyn, which was being appropriated in Item No. 5, *First Reading of Ordinance No. 062, 2015, Appropriating Unanticipated Revenue Received from the Estate of Paul W. Gwyn in the Recreation Fund for the Senior Center and in the General Fund for the Poudre River Public Library District*.

● **CITIZEN PARTICIPATION**

Cheryl Distaso discussed the criminalization of homelessness and stated the lockers at the Murphy Center are not adequate for the needs of the area's homeless population.

Eric Sutherland presented paperwork regarding the City's lack of ownership concerning a right-of-way for a canal currently owned by the Brinks Trust. He opposed the adoption of Item No. 9, *First Reading of Ordinance No. 066, 2015, Authorizing the Conveyance of a Permanent Access Easement on City Property to the City of Greeley*.

Lawrence Budd supported the use of roundabouts within the city.

Thomas Edwards opposed the format of citizen meetings held by City staff members and officials.

● **CITIZEN PARTICIPATION FOLLOW-UP**

Mayor Troxell requested input regarding Item No. 9, *First Reading of Ordinance No. 066, 2015, Authorizing the Conveyance of a Permanent Access Easement on City Property to the City of Greeley*. City Attorney Daggett replied a conveyance to the City was made in an eminent domain proceeding in the late 1800's by way of a court order. She acknowledged there is language in the case and petition, as referenced by Mr. Sutherland, which creates some argument as to the exact nature of the conveyed interest. The City has taken the position that there is a strong argument that the City has an ownership in fee and has a right-of-way. Additionally, City

Attorney Daggett stated the actions taken by the City will not subject the City to any kind of legitimate claim of fraud or other improper action.

Mayor Pro Tem Horak asked if City Attorney Daggett has seen the documents provided by Mr. Sutherland. City Attorney Daggett replied in the affirmative.

Mayor Pro Tem Horak discussed the goals for the recent City meeting mentioned by Mr. Edwards.

Councilmember Cunniff asked if the City has any recent statistics regarding the Drake and Overland intersection as mentioned by Mr. Budd. City Manager Atteberry replied he would research that information.

Mayor Troxell noted roundabouts are considered as viable options when intersections are constructed or reconstructed.

● **CONSENT CALENDAR**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Campana, to adopt and approve all items on the Consent Calendar.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Gino Campana, District 3
AYES:	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

1. **Consideration and Approval of the Minutes of the May 5 and May 19, 2015 Regular Council Meetings. (Adopted)**

The purpose of this item is to approve the minutes from the May 5 and May 19, 2015 Regular Council meetings.

2. **Second Reading of Ordinance No. 059, 2015, Appropriating Unanticipated Revenue for the Senior Center Expansion Project and Transferring Appropriations to the Cultural Services and Facilities Fund for Art in Public Places Program. (Adopted)**

The Ordinance, unanimously adopted on First Reading on May 19, 2015, appropriates an additional \$50,000 to the Senior Center Expansion Project. These additional funds were raised by the Senior Center Expansion Committee to be used towards completing the new community gardens at the west end of the new parking lot for fencing, planter beds, etc. and also pay for additional furnishings inside the building, e.g. a piano, upgrading old light fixtures, benches, portable stage, coffee cart, etc.

3. **Second Reading of Ordinance No. 060, 2015, Appropriating Prior Year Reserves and Unanticipated Revenues in the Natural Areas Fund for the Purpose of Providing Natural Areas Programming Not Included in the 2015 Adopted City Budget. (Adopted)**

This Ordinance, unanimously adopted on First Reading on May 19, 2015, appropriates \$8,300,000 in prior year reserves and unanticipated revenues in the Natural Areas Fund. Of the total, \$6,110,000 will be used for land conservation. With over \$7M of land and water acquisitions under negotiation, there is a reasonable likelihood that most of these funds will be spent in 2015.

4. **Second Reading of Ordinance No. 061, 2015, Authorizing the Replacement of a Notice of Interim Trail Use and the Conveyance or Vacation of the City's Rights in a Portion of Property Known as the Rails-to-Trails Property. (Adopted)**

This Ordinance, adopted unanimously on First Reading on May 19, 2015, obtains authorization from City Council to terminate an existing Notice of Trail Use for a portion of Rails to Trails property located east of Taft Hill Road and north of Lincoln Middle School that the City does not have any current or future use for and vacate or convey the City's remaining interests in the property. The City will request a replacement Notice of Interim Trail Use for the remaining Rails to Trails property.

5. **First Reading of Ordinance No. 062, 2015, Appropriating Unanticipated Revenue Received from the Estate of Paul W. Gwyn in the Recreation Fund for the Senior Center and in the General Fund for the Poudre River Public Library District. (Adopted)**

The purpose of this item is to appropriate a gift from the Estate of Paul N. Gwyn for the Fort Collins Senior Center in the amount of \$398,233 and for the Poudre River Library District (Library) also in the amount of \$398,233.

6. **First Reading of Ordinance No. 063, 2015, Appropriating Unanticipated Grant Revenue into the Transportation Services Fund for the Safe Routes to School Program. (Adopted)**

The purpose of this item is to request appropriation of unbudgeted funds received through a grant for the Safe Routes to School program (part of the City's FC Moves Department). The Colorado Department of Transportation (CDOT) has awarded a \$55,038 grant for implementation of a new school-rotation schedule in Fort Collins schools. This school-rotation plan ensures that students in all public schools in Fort Collins receive bike-pedestrian safety education on a regular basis.

7. **Items Relating to the Vine Drive and Shields Street Intersection Improvement Project. (Adopted)**

- A. Resolution 2015-057 Authorizing the Mayor to Execute an Intergovernmental Agreement with Larimer County to Receive Funding for the Vine Drive and Shields Street Intersection Improvements Project.
- B. First Reading of Ordinance No. 064, 2015, Appropriating Unanticipated Revenue in the Capital Projects Fund for the Vine Drive and Shields Street Intersection Improvements Project and Transferring Appropriations to the Cultural Services and Facilities Fund for the Art in Public Places Program.

The purpose of this item is to authorize the Mayor to sign an Intergovernmental Agreement (IGA) with Larimer County to receive additional funding for the Vine Drive and Shields Street Intersection Improvement Project, as well as appropriate the additional funding into the Capital Project Fund for the project. The City received a federally funded grant through the North Front Range Metropolitan Planning Organization (NFRMPO) for operational and safety improvements at the Vine Drive and Shields Street intersection, previously appropriated through Ordinance No. 076, 2012. Building on Basics (BOB) Intersection Funds and the Regional Road Impact Fee funds were used as matching funds for the grant. A construction cost estimate was developed in 2012. Due to escalating construction costs, the current estimate has increased by approximately 15%. City and County staff have identified the Regional Road Impact Fee as a supplemental funding source for the project.

8. **First Reading of Ordinance No. 065, 2015, Making Various Amendments to the Land Use Code. (Adopted)**

The purpose of this item is to adopt a variety of revisions, clarifications and additions to the Land Use Code that are housekeeping and routine in nature and that have been identified since the last update in December 2014.

9. **First Reading of Ordinance No. 066, 2015, Authorizing the Conveyance of a Permanent Access Easement on City Property to the City of Greeley. (Adopted)**

The purpose of this item is to authorize the conveyance of a permanent access easement to the City of Greeley along a dirt road on City Property known as the City Ditch. The City conveyed easements in 2014 to the City of Greeley ("Greeley") to facilitate its Greeley Bellvue Pipeline Project (the "Project") across a strip of property owned by the City's Utility Department located south of the Poudre River and north of Bingham Hill Road, known as the City Ditch property. At that time, Greeley was also in negotiations with the neighboring property owner for easements across their property, including an access easement in order for Greeley to access the Project site. Greeley has reached an agreement for possession of the easements needed from the neighboring property owner; however, as part of that agreement, Greeley agreed to reroute its planned access route to instead use the dirt road on the City Ditch property. As such, Greeley has requested a permanent access easement for use of the dirt road on the City Ditch property to access its pipeline site.

10. **Resolution 2015-058 Making Appointments to the Northern Colorado Regional Airport Commission. (Adopted)**

The purpose of this item is to appoint Mayor Wade Troxell, City Manager Darin Atteberry and Jerry Stooksbury to the Northern Colorado Regional Airport Commission.

● **STAFF REPORTS**

Laurie Kadrich, Director of Community Development and Neighborhood Services, provided a report on grass and weed enforcement and code compliance.

Mayor Pro Tem Horak asked about enforcement regarding thistle. Kadrich replied the height requirements apply to grass and non-noxious weeds. Noxious weeds, such as thistle, cannot be present at all, regardless of height.

Councilmember Cunniff asked about the City's plans to ensure City-owned properties are maintained to the same standards. City Manager Atteberry replied the City is subjected to the same requirements and any community members should inform the City of properties which are not in compliance.

Craig Horton, Police Lieutenant, discussed enforcement initiatives which are part of the 2014 Bicycle Master Plan and results of compliance interactions.

Tessa Greigor, FC Bikes Program Manager, detailed safety goals in the Bicycle Master Plan.

Mayor Pro Tem Horak asked how future bicycle enforcement will take place. Lieutenant Horton replied partnerships with groups influential in bicycle communities will be vital. Additionally, Police officers will need training and educational efforts will increase as part of the Master Plan.

Mayor Pro Tem Horak asked if staff will be present at the Open Streets events. Greigor replied the Bicycle Ambassador Program, Bike Fort Collins, and Safe Routes to School representatives will be present at those events. Greigor went on to detail the Open Streets events.

Councilmember Cunniff asked how hands-on, specific enforcement can be increased. Lieutenant Horton replied hundreds of bicycle lights are passed out each year and officer education will be increased.

City Manager Atteberry welcomed Jackie Kozak-Thiel, the City's new Chief Sustainability Officer.

City Manager Atteberry noted this will be Karen Cumbo's last Council meeting as she is retiring from her role as the Planning, Development and Transportation Director. Additionally, he announced Laurie Kadrich will be taking over the position.

● **COUNCILMEMBER REPORTS**

Councilmember Overbeck reported on the 2nd annual Poudre River Fest.

Councilmember Martinez reported on the Mid-Town Spring Fest at Beattie Elementary and the CSU Blue Ocean Enterprise Challenge. Additionally, he reported on the Chamber of Commerce red carpet event for Elevations Credit Union.

Mayor Troxell also reported on the Mid-Town Spring Fest and the Blue Ocean event.

Mayor Pro Tem Horak reported on the Platte River Power Authority meeting and the PRPA Board retreat scheduled for August. Additionally, he reported on the household waste disposal event.

● **DISCUSSION ITEMS**

11. **Resolution 2015-059 Adopting an Update to the Economic Health Strategic Plan for the City of Fort Collins. (Adopted)**

The purpose of this agenda item is to consider approval of an update to the Economic Health Strategic Plan previously approved by City Council on June 26, 2012 (Resolution 2012-044; Vote: 7-0 in favor). The update responds to a City Council request to evaluate changes to the existing strategic plan and seeks alignment with the objectives of the Sustainability Service Area (formed in 2012). The update introduces five themes around which to organize the City's economic health activities:

- *Community Prosperity*
- *Grow Our Own*
- *Place Matters*
- *The Climate Economy*
- *Think Regionally*

Josh Birks, Economic Health Director, discussed the reasons for revisiting the Economic Health Strategic Plan and stated this plan focuses on shaping the economy for the long-term, not creating an economy in the short-term. He detailed the additions to and sections of the Plan as well as the public outreach process.

Glen Colton stated he would have liked more time for the Economic Advisory Commission to provide input. He opposed the Plan as being a rapid growth and development plan and not sustainable.

Eric Sutherland discussed the City Charter and community values.

Councilmember Overbeck asked about concerns relating to this Plan from the Land Conservation and Stewardship Board. Birks replied the Board did have some concerns, particularly relating to the context of the Plan and the collective vision for the future. He stated this Plan should be taken in context with the Plan Fort Collins approach and should be considered in concert with other City plans.

Councilmember Overbeck asked when this Plan will be revisited. Birks replied the Plan will be revisited in three to five years.

Councilmember Stephens requested details as to the changes made to certain goals in the Plan. Birks replied the changes were made in response to some of the dialogue with the Economic Advisory Commission.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Martinez, to adopt Resolution 2015-059.

Councilmember Cunniff expressed concern regarding the environmental aspects of the Plan, suggesting “Grow our Own” should be the primary goal of the Plan. He suggested an environmental strategic plan should be created. City Manager Atteberry replied that plan is on the work calendar.

Councilmember Campana commended staff work on the Plan.

Councilmember Martinez asked about Councilmember Cunniff’s suggestion that zero growth should be the City’s goal. Councilmember Cunniff replied that goal is necessary for sustainability.

Councilmember Martinez questioned how zero growth is a realistic goal.

Councilmember Campana commended the “community prosperity” section of the Plan.

Councilmember Stephens commended the “community prosperity” section, as well as the youth component. Additional focus on the environment would be desirable in the future.

Mayor Pro Tem Horak noted this is an economic plan, not a population plan and commended it as being realistic.

Mayor Troxell supported the Plan and the public engagement process.

RESULT:	RESOLUTION 2015-059 ADOPTED [6 TO 1]
MOVER:	Gerry Horak, District 6
SECONDER:	Ray Martinez, District 2
AYES:	Martinez, Stephens, Overbeck, Campana, Troxell, Horak
NAYS:	Cunniff

12. **Items Relating to the Renewal of the Cable Franchise Agreement with Comcast of California/Colorado LLC. (Adopted on First Reading)**

- A. *First Reading of Ordinance No. 067, 2015, Granting a Non-Exclusive Franchise to Comcast of California/Colorado, LLC and its Successors and Assigns for the Right to Make Reasonable Use of, and Erect, Construct, Operate and Maintain Through, the Public Rights-Of-Way, Easements and Other Public Property, Any Equipment Necessary and Appurtenant to the Operation and Maintenance of a Cable System and the Provision of Cable Services to Citizens Within the City.*
- B. *First Reading of Ordinance No. 068, 2015, Establishing New City of Fort Collins Customer Service Standards for Cable Television.*

The purpose of this item is to renew the Cable Franchise Agreement from the City of Fort Collins to Comcast of California/Colorado LLC and establish new Customer Service Standards - Cable Television. The current agreement will expire on July 31, 2015. Following extensive community outreach, staff and Council identified a number of priorities for the negotiation process. With the assistance of outside legal counsel, staff has negotiated a proposed 10-year agreement with Comcast that addresses the majority of these priorities.

Dan Coldiron, Chief Information Officer, stated the scope of this agreement is limited to cable television subscription services. He discussed the fees generated by cable subscribers and detailed the public outreach process, the negotiation process and highlights of the agreement.

Councilmember Cunniff asked if additional outreach will occur prior to Second Reading on July 7th. Coldiron replied no additional outreach has been considered at this time.

Councilmember Martinez asked about annual reports. DiMartino replied Carson Hamlin is the cable franchise administrator and he will be responsible for ensuring annual reports are solicited consistently.

Councilmember Cunniff asked what methods of complaint will be summarized in Comcast's reports. Carson Hamlin, Franchise Administrator, replied current quarterly reports list complaints and resolutions and any complaints coming directly to the City are dealt with and resolved as necessary.

Councilmember Overbeck asked about the pricing of the most basic plan and requested that information be visible and easily located. He asked about enforcement of these requests. Coldiron replied the Government Affairs representative from Comcast is present. John Leahman, Director of Government Affairs for Comcast, replied the limited basic package is available on the Comcast website for Fort Collins. Posters are being designed and will be up in the Fort Collins store on June 12th.

Councilmember Overbeck asked if these provisions are enforceable. Coldiron replied there is recourse by the City in the case of a violation of the customer service standards; however, those provisions are not specifically listed.

Councilmember Martinez asked if the information regarding the basic plan is required to be located on the front web page. Coldiron replied that specific language is not part of the agreement.

Councilmember Martinez asked about the possibility of creating a blog for issues relating to Comcast and cable service. Coldiron replied that would be technically possible through the City's website.

Councilmember Campana made a motion, seconded by Councilmember Overbeck, to adopt Ordinance No. 067, 2015, on First Reading.

Councilmember Cunniff stated he would support the motion despite the fact it may not offer as much change as citizens would like, particularly given the new customer service language. He discussed the importance of continuous public outreach.

Councilmember Campana noted FCC guidelines restrict what the City is able to request.

Councilmember Martinez thanked staff for work on the agreement and thanked Comcast for their work to improve public relations.

Mayor Troxell stated he would support the motion and specifically supported the customer service language.

RESULT:	ORDINANCE NO. 067, 2015, ADOPTED ON FIRST READING [UNANIMOUS]
MOVER:	Gino Campana, District 3
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 068, 2015, on First Reading.

RESULT:	ORDINANCE NO. 068, 2015, ADOPTED ON FIRST READING [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

13. **First Reading of Ordinance No. 069, 2015, Amending Section 1.3.4 of the Land Use Code to Exclude Certain Residential Zone Districts from the "Addition of Permitted Use" Process. (Postponed Indefinitely)**

The purpose of this item is to amend the Land Use Code so that the ability to apply the Addition of Permitted Use process in nine zone districts would not be allowed.

Cameron Gloss, Planning Manager, discussed the prescriptive aspect of the City's Land Use Code. An APU (addition of a permitted use) is defined as adding a use which is permitted within the Land Use Code but not within the specific zoning district of a certain parcel. Gloss discussed the requirements for the APU process, which include the addition of a second neighborhood meeting and additional approval criteria which requires a new APU process to be undertaken when a change in conditions or operating characteristics occurs. Additionally, Gloss noted the request before Council would eliminate APU from being possible in nine zoning districts. The Planning and Zoning Board voted to postpone consideration of this request pending the City's examination of City Plan, scheduled for 2017.

Mike Knowles supported the request to exclude the APU process from the nine zoning districts with single-family residential as a primary use.

Paul Patterson supported the request to exclude the APU process from the nine zoning districts with single-family residential as a primary use, citing the importance of predictability.

Michelle Haefele supported the request to exclude the APU process from the nine zoning districts with single-family residential as a primary use.

Sally Lee supported the request to exclude the APU process from the nine zoning districts with single-family residential as a primary use.

Gina Jannett supported the request to exclude the APU process from the nine zoning districts with single-family residential as a primary use, citing the importance of predictability.

Eric Smith supported the request to exclude the APU process from the nine zoning districts with single-family residential as a primary use.

Councilmember Cunniff requested additional information regarding the public engagement process in 2008 when the APU process was changed. Gloss replied he was not on staff at that point.

Councilmember Cunniff stated it did not appear there was much of a public outreach process. Ted Shepard, Chief Planner, replied staff worked with the Planning and Zoning Board for over a year and noted the Board initiated the concept in order to increase flexibility.

Mayor Troxell noted 75% of the requested APUs have been approved by the Planning and Zoning Board. Shepard replied the process has been used judiciously and was designed to be accompanied specifically by a project development plan submittal and cannot be speculative.

Mayor Troxell noted the staff recommendation is to postpone the item in order to consider the issue in a broader context with City Plan. Gloss replied in the affirmative and noted extensive public outreach occurs with long-range plans. There are many available techniques which would aid in integrating mixed use within a neighborhood.

Councilmember Martinez asked how many times the APU process has been used since its inception. Shepard replied two or three APUs were approved between 1997 and 2008, during which time the process was only used for brand new unidentified uses. Since 2008, there have been approximately twenty applications for APU.

Councilmember Campana stated there was opportunity for citizen comment during the 2008 time period when the Planning and Zoning Board was considering this issue.

Councilmember Cunniff made a motion, seconded by Councilmember Overbeck, to adopt Ordinance No. 069, 2015, on First Reading.

Councilmember Cunniff cited the increase in the rate of APU applications in his support of the Ordinance.

Mayor Pro Tem Horak suggested the possibility of a moratorium to allow for a deliberative process to occur during the review of City Plan.

Councilmember Martinez stated he would support a moratorium.

Councilmember Cunniff asked how long a moratorium is being suggested. Mayor Pro Tem Horak replied the moratorium would last until the review of City Plan is complete and Council has taken action to remove the moratorium.

Councilmember Campana supported a moratorium as being a compromising solution. Additionally, he stated a moratorium will allow policy to be set based on an educated position.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Martinez, to postpone Ordinance No. 069, 2015 indefinitely, and request that the City Attorney prepare a moratorium Ordinance for the APU process for the July 7th meeting.

Councilmember Cunniff stated he would not support the motion.

Mayor Troxell supported the moratorium stating it would focus discussion during the City Plan process.

RESULT:	ORDINANCE NO. 069, 2015, POSTPONED INDEFINITELY [6 TO 1]
MOVER:	Gerry Horak, District 6
SECONDER:	Ray Martinez, District 2
AYES:	Martinez, Stephens, Overbeck, Campana, Troxell, Horak
NAYS:	Cunniff

14. **First Reading of Ordinance 070, 2015, Appropriating Prior Year Reserves in the General Fund for Transfer to the Capital Projects Fund for the Lincoln Corridor Improvements Project and Transferring Appropriations to the Cultural Services and Facilities Fund for the Art in Public Places Program. (Adopted on First Reading)**

The purpose of this item is to appropriate the remaining funding for design, right of way acquisition and construction of the Lincoln Avenue Improvements from 1st Street to Lemay Avenue. The scope of the proposed improvements is based on the concepts approved in the Lincoln Corridor Plan with a reduced level of enhancement consistent with the proposed budget.

Based on the Lincoln Corridor Plan estimated cost of \$19.3 million for the entire project from Jefferson to Lemay, the cost to improve the section from 1st Street to Lemay Avenue is \$8 million. With the reduced level of enhancements currently approved, the project is estimated to cost \$6.5 million. This Council action would appropriate \$1,968,119 from General Fund Reserves.

Rick Richter, Director of Infrastructure Services, discussed the Lincoln Corridor Plan and noted this project would fund the improvements for the section of Lincoln between Lemay and 1st. He discussed the proposed street cross section and proposed implementation plan. This Ordinance appropriates \$1.97 million and would implement the Lincoln Corridor Plan with the reduced enhancement level.

Councilmember Cunniff asked what portion of reserves this amount represents. John Voss, Financial Services, replied the current prior year balance in general fund reserves is \$2.5 million.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Campana, to adopt Ordinance No. 070, 2015, on First Reading.

Mayor Pro Tem Horak requested additional fund balance details prior to Second Reading, but stated he would support the Ordinance.

Councilmember Cunniff stated he would not support the motion as he would like to see additional funding alternatives sought.

Councilmember Overbeck stated he would support the motion.

RESULT:	ORDINANCE NO. 070, 2015, ADOPTED ON FIRST READING [6 TO 1]
MOVER:	Gerry Horak, District 6
SECONDER:	Gino Campana, District 3
AYES:	Martinez, Stephens, Overbeck, Campana, Troxell, Horak
NAYS:	Cunniff

15. **First Reading of Ordinance No. 071, 2015, Authorizing the Mayor to Execute an Intergovernmental Agreement with the Board of Governors of Colorado State University establishing a Stormwater Utility Service Agreement. (Withdrawn)**

The purpose of this item is to approve an intergovernmental agreement to establish a Stormwater Utility Service Agreement between the City of Fort Collins Utilities and Colorado State University (CSU). Under this IGA, CSU will agree to follow the standards, requirements, and conditions related to stormwater management set forth in Chapter 26 of the City Code. The IGA establishes a baseline of impervious area above which an additional Plant Investment Fee would be required for an increase of impervious surface. Finally, CSU will be required to pay monthly Stormwater Utility Fees adjusted by a rate formula that reflects the benefits to the City system by the additional detention provided on the CSU campus and the costs associated with the operation of CSU's own Municipal Separate Storm Sewer System (MS4).

RESULT:	WITHDRAWN
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● **ADJOURNMENT**

○ **Cancellation of June 16, 2015 Regular Council Meeting**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to cancel the June 16, 2015 Council meeting as permitted under Section 2-28 of the City Code due to the schedule conflict with the Colorado Municipal League conference.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

○ **Call of Special Meeting**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, pursuant to Section 2-29(a) of the City Code, that the City Council call a special meeting of the City Council for 6:00 PM on Monday, June 15, 2015, to be held at City Hall, 300 Laporte Avenue, for the purpose of conducting the mid-year evaluations of the City Manager, City Attorney and Municipal Judge.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

The meeting adjourned at 9:10 PM.

Mayor

ATTEST:

City Clerk

June 15, 2015

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Special Meeting – 6:00 PM

● **ROLL CALL**

PRESENT: Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

Staff Present: Atteberry, Daggett, Nelson

1. **Executive Session Authorized. (Adopted)**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to go into executive session as permitted under Section 2-31(a)(1) of the City Code and Colorado Revised Statutes Section 24-6-402(4)(f)(I), for the purpose of conducting mid-year performance reviews of the City Manager, City Attorney and Municipal Judge.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Overbeck, Campana, Troxell, Cunniff, Horak

● **ADJOURNMENT**

The meeting adjourned at 9:27 PM.

Mayor

ATTEST:

City Clerk