



Wade Troxell, Mayor
Gerry Horak, District 6, Mayor Pro Tem
Bob Overbeck, District 1
Ray Martinez, District 2
Gino Campana, District 3
Kristin Stephens, 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
City Attorney

Darin Atteberry
City Manager

Wanda Winkelmann
City Clerk

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**Regular Meeting
November 17, 2015
(Revised November 16, 2015)**

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

A. Proclamation Declaring November 20, 2015 as Bob Coonts Day.

**Regular Meeting
6:00 p.m.**

- PLEDGE OF ALLEGIANCE
- CALL MEETING TO ORDER
- ROLL CALL

A moment of silence will be observed to honor the victims of the Paris terrorist attacks.

- 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 October 20, 2015 Regular Council Meeting.

The purpose of this item is to approve the minutes from the October 20, 2015 Regular Council meeting.

2. Second Reading of Ordinance No. 135, 2015, Adopting the 2016 Budget and Appropriating the Fort Collins Share of the 2016 Fiscal Year Operating and Capital Improvement Funds for the Fort Collins-Loveland Municipal Airport.

This Ordinance, unanimously adopted on First Reading on November 3, 2015, appropriates the City's 50% share (\$549,279) of the annual appropriation for fiscal year 2016 for the Fort Collins-Loveland Municipal Airport budget. The 2016 annual operating budget for the Airport totals \$931,890, and will be funded from Airport operating revenues, contributions from the Cities of Fort Collins and Loveland (\$177,500 from each City), and interest earnings. The budgeted 2016 Airport capital funds, totaling \$166,668, will be used to complete a major Airport improvement, including the second phase of the construction of a snow removal equipment storage facility.

3. Second Reading Ordinance No. 136, 2015, Appropriating Prior Year Reserves in the General Fund to Reimburse Custom Blending, Inc. For Use Taxes and Business Personal Property Taxes as Provided in the Business Investment Agreement.

This Ordinance, unanimously adopted on First Reading on November 3, 2015, appropriates \$13,130 of prior year reserves in the General Fund for a rebate to Custom Blending for use tax and business personal property tax rebates under an agreement approved by City Council on August 20, 2013 (Resolution 2013-073). The Agreement provides business investment assistance for the expansion of Custom Blending's manufacturing facility and investment in additional manufacturing equipment. Custom Blending has retained or created 63 primary jobs in the city.

4. Second Reading of Ordinance No. 137, 2015, Authorizing the City Manager and the Mayor to Enter Into an Agreement Regarding the City Ditch, Including the Quit Claim of a Portion of the City Ditch and the Granting of an Updated Easement Across the Waterworks Property.

This Ordinance, unanimously adopted on First Reading on November 3, 2015, requests approval of a proposed agreement between the City, the Larimer County Canal No. 2 Irrigating Company ("Ditch Company"), and The James S. Brinks Trust formed under the Trust Agreement dated November 30, 2007 ("Trust"), the quit claim of a portion of the City Ditch, the granting of an updated easement across the Waterworks property, and the City's acquisition of carriage rights.

5. Items Relating to the Design of the Police Regional Training Facility.

- A. Second Reading of Ordinance No. 138, 2015, Appropriating Prior Year Reserves in the General Fund of the Design of the Police Regional Training Facility.
- B. Resolution 2015-102 Authorizing the Mayor to Enter into an Intergovernmental Agreement with the City of Loveland for the Purpose of Sharing the Cost Related to the Design Phase of the Police Regional Training Facility.

Ordinance No. 138, 2015, unanimously adopted on First Reading on November 3, 2015, will appropriate funding for the design phase of the Police Regional Training Facility. The request is for \$810,000 and authorization for funding for the Fort Collins portion of the design phase.

Resolution 2015-102 will authorize the Mayor to execute an intergovernmental agreement between the City of Fort Collins and the City of Loveland for the purpose of sharing the cost related to the design phase of the Police Regional Training Facility.

6. Items Relating to Utility Rates, Fees and Charges for 2016.

- A. Second Reading of Ordinance No. 140, 2015, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Electric Rates, Fees and Charges.
- B. Second Reading of Ordinance No. 141, 2015, Amending Chapter 26 of the Code of the City of Fort Collins Regarding Calculation and Collection of Development Fees Imposed for New or Modified Electric Service Connections.

- C. Second Reading of Ordinance No. 142, 2015, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Water Rates, Fees and Charges.
- D. Second Reading of Ordinance No. 143, 2015, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Water Plant Investment Fees.
- E. Second Reading of Ordinance No. 144, 2015, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Wastewater Rates, Fees and Charges. (Option A was adopted on First Reading)
- F. Second Reading of Ordinance No. 145, 2015, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Sewer Plant Investment Fees.
- G. Second Reading of Ordinance No. 146, 2015, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Stormwater Plant Investment Fees.

These Ordinances, unanimously adopted on First Reading on November 3, 2015, set the 2016 rate changes for electric and wastewater rates, and electric capacity fees, water plant investment fees (PIFs), wastewater PIFs and stormwater PIFs, along with other Code clarifications and formatting changes.

- 7. First Reading of Ordinance No. 147, 2015, Appropriating Prior Year Reserves in the General Fund to Reimburse Avago Wireless Technologies (U.S.A.) Manufacturing, Inc. For Use and Business Personal Property Taxes as Provided in Business Investment Agreements.

The purpose of this item is to appropriate \$467,663 of prior year reserves from the General Fund for a rebate to Avago Wireless Technologies (USA) Mfg. for use tax and business personal property tax rebates under two business investment agreements. The agreements provide business investment assistance to Avago for the expansion and retrofit of Avago's Building 4 for a wafer fabrication facility in 2012 and for a FBAR clean room facility in 2013. These two projects created an additional 227 primary jobs in the city.

- 8. First Reading of Ordinance No. 148, 2015, Amending the Code of the City of Fort Collins to Increase the Amounts of the Capital Improvement Expansion Fees Contained in Chapter 7.5 of the City Code so as to Reflect Inflation in Associated Costs of Services.

The purpose of this item is to update the City Code, which requires an annual adjustment to certain building permit related fees. Capital Improvement Expansion fees and Neighborhood Parkland fees are to reflect the changes in the Denver-Boulder-Greeley Consumer Price Index (CPI). Street Oversizing fees are adjusted by the changes posted in the Engineering News Record (ENR). The CPI has increased 1.0% since its last adjustment and the ENR has not changed significantly enough to warrant an adjustment. These increases will go into effect on January 1, 2016.

- 9. Postponement of First Reading of Ordinance No. 107, 2015, Amending Section 23-130 of the Code of the City of Fort Collins Regarding the Disposition of Lost, Abandoned or Other Unclaimed Property Indefinitely.

Staff requests an indefinite postponement of First Reading of Ordinance No. 107, 2015. Adoption of a motion to postpone indefinitely will kill this agenda item. Based on direction from the City Manager's office, staff will explore and develop a different approach to modifying City Code pertaining to abandoned personal property. Staff will bring the item back to Council for its consideration in the first quarter of 2016.

- 10. First Reading of Ordinance No. 149, 2015, Authorizing the Conveyance of an Easement on Maxwell Natural Area to the Board of Governors of the Colorado State University System.

The purpose of this item is to authorize conveyance of a permanent easement to Colorado State University on Maxwell Natural Area that will replace a 99-year lease for access to maintain the Aggie

"A" on the Natural Area. The Natural Areas Department proposes that the City enter into a permanent easement agreement with the Board of Governors of the Colorado State University System (CSU) on Maxwell Natural Area. The easement will replace a 99-year lease that provided CSU with access to maintain the Aggie "A" on the Natural Area. The easement will also enable CSU and its students to carry out two other group activities that currently require annual permits from Natural Areas. CSU's current access typically has minimal impact to the Natural Area and no additional impacts are anticipated. No other access rights are to be conveyed.

11. First Reading of Ordinance No. 150, 2015, Vacating Portions of Redwood Street Right-of-Way Consisting of a Portion of Right-of-Way Dedicated on the Replat (No. 1) Evergreen Park plat; the Right-of-Way Dedicated at Book 1607, Page 766 of the Larimer County Records; and a Portion of Right-of-Way Dedicated at Reception No. 20060034597 of the Larimer County Records.

THIS ITEM HAS BEEN WITHDRAWN FROM THE AGENDA

~~The purpose of this item is to vacate portions of Redwood Street right-of-way, located at the northeast corner of Linden/Redwood and Vine Streets, that are no longer needed and that do not contain the existing roadway.~~

12. Resolution 2015-099 Authorizing the Purchasing Agent to Lease Additional Vehicles and Equipment Under the City's Standard Master Lease Agreement with Pinnacle Public Financing, Inc. For Schedule of Equipment No. 10.

The purpose of this item is to request approval of the lease-purchase of vehicles and equipment for the cost of \$1,315,000 under the City's Master Lease Agreement with Pinnacle Public Finance and the "First Amendment" to that Agreement (jointly, the "Agreement"). Quarterly payments of \$69,524 at the 2.15% interest rate will not exceed \$278,095 in 2016. Money for 2016 lease-purchase payments is included and will be appropriated as part of the 2016 budget. A competitive process was used to select Pinnacle Public Finance for this Agreement. A 2015 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 interest rate offered for the lease. Staff believes acceptance of this lease rate is in the City's best interest.

13. Resolution 2015-100 Supporting the Larimer County Proposal to Use County Mill Levy Funds for Interstate 25 (I-25) Improvements.

The purpose of this item is to provide a Council Resolution supporting Larimer County's proposal to reassign a portion of its Road and Bridge Levy funds specifically for improvements to I-25 for a period of five years. This proposal does not modify the total mill levy or decrease the amount of Road and Bridge funds shared with Fort Collins. This item supports Council Priority for I-25 funding; Strategic Plan Objective Transportation 6.1, 6.4.

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 the Utilities as recipient of the Association of Metropolitan Water Agencies' 2015 Gold Award (staff: Kevin Gertig)

- B. One Village One Family Program with Homeward 2020. (staff: Beth Sowder, Vanessa Fenley, Homeward 2020 Director)

● **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 (three 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.

14. Second Reading of Ordinance No. 139, 2015, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for the Fiscal Year 2016; Amending the Budget for the Fiscal Year Beginning January 1, 2016, and Ending December 31, 2016; and Fixing the Mill Levy for Fiscal Year 2016. (staff: Lawrence Pollack, Darin Atteberry, Mike Beckstead; no staff presentation; 15 minute discussion)

This Ordinance, unanimously adopted on First Reading on November 3, 2015, amends the adopted 2016 Budget and set the amount of \$563,538,909 to be appropriated for fiscal year 2016. Including the 2016 adopted budgets for the General Improvement District No. 1 ("GID No. 1") of \$193,877, the Skyview General Improvement District No. 15 ("GID No. 15") of \$1,000, and the revised Urban Renewal Authority (URA) budget of \$2,889,600, the total City appropriations amount to \$566,623,386. The Net City Budget, which excludes the GID No.1, GID No. 15, URA, and internal transfers between City funds, is \$448,536,933 for 2016.

15. Resolution 2015-101 Downtown Hotel Parking Structure Partnership. (staff: Josh Birks, Mike Beckstead; 5 minute staff presentation; 25 minute discussion)

The purpose of this item is for City Council to consider a resolution authorizing the City Manager to execute a purchase and sale agreement to acquire over 200 public parking spaces. In addition, the Resolution instructs staff to prepare a financing strategy and plan for presentation to City Council late 2016 or early 2017.

● **CONSIDERATION OF CITIZEN-PULLED CONSENT ITEMS**

● **OTHER BUSINESS**

- A. Council will consider a motion designating two Councilmembers to represent the City Council in discussions regarding regionalization prospects and cooperation among water providers.

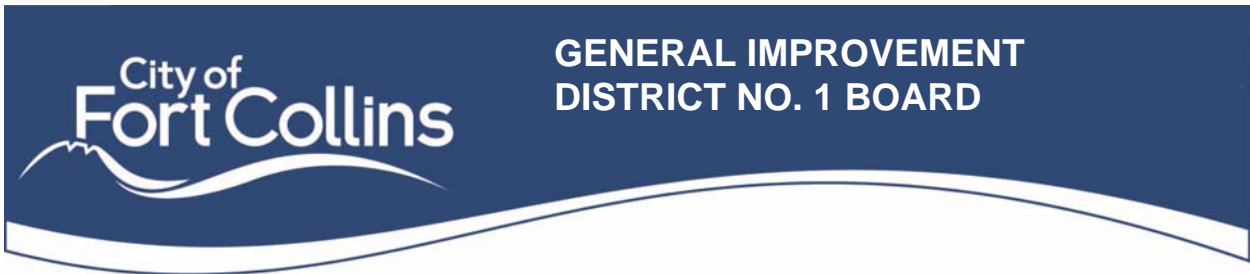
B. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers

(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)

● **ADJOURNMENT**

A. Council will consider a motion to adjourn the meeting until after the General Improvement District No. 1 meeting, Skyview South General Improvement District No. 15 meeting and the Urban Renewal Authority meeting and then may consider a possible executive session to continue the yearly evaluations of the City Manager, City Attorney and Municipal Judge.

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.



Wade Troxell, President
Gerry Horak, District 6, Vice President
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General Improvement District No. 1 Board Regular Meeting November 17, 2015 (amended 11/16/15) (after the Regular Council Meeting, which begins at 6:00 p.m.)

- CALL MEETING TO ORDER
- ROLL CALL
- 1. Consideration and Approval of the Minutes of the November 3, 2015 General Improvement District No. 1 Board Meeting.

The purpose of this item is to approve the minutes of the November 3, 2015 General Improvement District No. 1 Board Regular meeting.
- 2. Second Reading of Ordinance No. 067, Determining and Fixing the Mill Levy for the General Improvement District No. 1 for the Fiscal Year 2016; Directing the Secretary of the District to Certify such Levy to the Board of Commissioners of Larimer County; and Making the Fiscal Year 2016 Annual Appropriation. (staff: Mike Beckstead; no staff presentation; 3 minute discussion)

This item to be postponed to December 1

This Ordinance, unanimously adopted on First Reading on November 3, 2015, includes the GID's annual appropriation for 2016 at \$193,877. This item also sets the GID mill levy for 2016 at 4.924 mills, which will generate approximately \$280,000 for fiscal year 2016. The mill levy remains unchanged from previous years. Additional revenue for the GID from automobile specific ownership taxes, ad valorem taxes, and interest earnings are anticipated in 2016 to total \$33,000 resulting in an expected revenue total of \$313,000 for 2016.

- OTHER BUSINESS
- ADJOURNMENT



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Skyview South General Improvement District No. 15 Board Meeting November 17, 2015 (after the General Improvement District No. 1 Meeting)

- **CALL MEETING TO ORDER**
- **ROLL CALL**
- 1. Consideration and Approval of the Minutes of the November 3, 2015 Skyview South General Improvement District No. 15 Meeting.

The purpose of this item is to approve the minutes of the November 3, 2015 Skyview South General Improvement District No. 15 regular meeting.

- 2. Second Reading of Ordinance No. 007, Determining and Fixing the Mill Levy for the Skyview South General Improvement District No. 15 for the Fiscal Year 2016; Directing the Secretary of the District to Certify Such Levy to the Board of Commissioners of Larimer County; and Making the Fiscal Year 2016 Annual Appropriation. (staff: Mike Beckstead; no staff presentation; 3 minute discussion)

This Ordinance, unanimously adopted on First Reading on November 3, 2015, includes the annual appropriation for 2016 of \$1,000 for the expenses of the Skyview South General Improvement District No. 15 (GID No. 15). The sum of \$25,200 is anticipated to be collected from the mill levy of 10.0 mills for fiscal year 2016. Additional revenue for GID No. 15 from interest earnings is anticipated to generate \$432. The total 2016 revenue for GID No. 15 is expected to be \$25,632. The total amount will be used in the future to maintain and repair roads in the Skyview subdivision.

- **OTHER BUSINESS**
- **ADJOURNMENT**



Wade Troxell, Chairperson
Gerry Horak, Vice-Chairperson
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URBAN RENEWAL AUTHORITY BOARD REGULAR MEETING November 17, 2015 (after the Skyview South GID No. 15 meeting)

- CALL MEETING TO ORDER
- ROLL CALL
- AGENDA REVIEW
 - Executive Director's Review of Agenda.
- CITIZEN PARTICIPATION

Individuals who wish to make comments regarding items remaining on the Consent Calendar or wish to address the Board on items not specifically scheduled on the agenda must first be recognized by the Chairperson or Vice Chair. **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 Chairperson 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 Secretary
- Address your comments to Council, not the audience

- **CITIZEN PARTICIPATION FOLLOW-UP**
- **STAFF REPORTS**
- **COMMISSIONER REPORTS**

Discussion Items

The method of debate for discussion items is as follows:

- Chairperson introduces the item number and subject; asks if formal presentation will be made by staff
- Staff and/or Applicant presentation (optional)
- Chairperson requests citizen comment on the item (five-minute limit for each citizen)
- Board questions of staff on the item
- Board motion on the item
- Board discussion
- Final Board comments
- Board vote on the item

Note: Time limits for individual agenda items may be revised, at the discretion of the Chairperson, 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.

1. Resolution No. 078 Adopting the 2016 Budget for the Fort Collins Urban Renewal Authority. (staff: Patrick Rowe, Josh Birks; 5 minute staff presentation; 5 minute discussion)

The purpose of this item is to adopt the 2016 budget and to appropriate the funds to be spent under it for the Fort Collins Urban Renewal Authority, comprising of the North College Tax Increment Financing (TIF) District, the Prospect South TIF District, and the Foothills TIF District. The budget revenues include property and sales tax increment, and interest earned on investments, totaling \$3,126,850. Budget expenses include general operations and debt service payments, totaling \$2,889,600.

The 2016 annual operating appropriation for 2016 is \$2,889,600.

- **OTHER BUSINESS**
- **ADJOURNMENT**