



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

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 December 1, 2015

Proclamations and Presentations 5:30 p.m.

- A. Proclamation Declaring December 10, 2015 as International Human Rights Day.
- B. Proclamation Declaring December 2015 as Narconon Colorado - a Life Worth Saving Month.

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 November 3, 2015 Regular Council Meeting and the November 10, 2015 Adjourned Council Meeting.

The purpose of this item is to approve the minutes from the November 3, 2015 Regular Council meeting and the November 10, 2015 Adjourned Council meeting.

2. Second 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.

This Ordinance, unanimously adopted on First Reading on November 17, 2015, appropriates \$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.

3. Second 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.

This Ordinance, unanimously adopted on First Reading on November 17, 2015, updates 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.

4. Second 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.

This Ordinance unanimously adopted on First Reading on November 17, 2015, authorizes conveyance of a ten-year renewable 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 proposed that the City grant a permanent easement to the Board of Governors of the Colorado State University System (CSU) on Maxwell Natural Area. On First Reading, Council amended the Ordinance to authorize the City to enter into a ten-year easement agreement with CSU that will automatically renew for successive ten-year terms, unless either party elects to terminate the easement after notice to the other party. 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. Minor edits have been made to the Ordinance language consistent with Council's amendments on First Reading and are shown in the Ordinance.

5. First Reading of Ordinance No. 150, 2015, Appropriating Unanticipated Revenue in the Recreation Fund for Locker Renovation at Edora Pool Ice Center (EPIC).

The purpose of this item is to introduce an ordinance to appropriate \$57,012 for the construction cost of a locker room at EPIC. The funding for the locker room construction was raised by the CSU club hockey team. Staff will bring to Council for approval upon second reading of the appropriation ordinance an intergovernmental agreement (IGA) between the City of Fort Collins and Colorado State University (CSU) Department of Campus Recreation. The IGA is expected to provide for a renewable 10-year agreement to provide a dedicated locker room for the hockey team. Because CSU is funding the improvements, staff has proposed waiving certain maintenance costs for the new EPIC locker room during the initial term of the IGA. However, it is expected that the University will continue to pay all standard rental and user fees associated with reservation and use of ice time at EPIC.

6. First Reading of Ordinance No. 152, 2015, Appropriating Prior Year Reserves in the Street Oversizing Fund for the Reimbursement of the Construction of Roadway Improvements.

The purpose of this item is to appropriate \$1,250,000 from the Street Oversizing Fund Prior Year Reserves to cover anticipated reimbursements for the construction by developers of oversized portions of arterial and collector roadway improvements for 2015.

7. First Reading of Ordinance No. 153, 2015, Adopting the 2016 Classified Employees Pay Plan.

The purpose of this item is to recommend changes to the City's Classified Employee Pay Plan based on results of the annual market analysis. The City of Fort Collins utilizes a common compensation methodology to assess jobs, combine them into occupational groups and establish pay range structures. The result of this work is a Classified Employee Pay Plan which sets the minimum, midpoint and maximum of pay ranges within each occupational group. A detailed analysis of benchmark data is conducted each year to determine if the market is moving sufficiently to recommend structure adjustments. Actual employee pay increases are awarded through a separate administrative process in accordance with the budgeted amount approved by Council.

8. First Reading of Ordinance No. 154, 2015, Adopting the 2015 Larimer County Transportation Capital Expansion Fee Schedule.

The purpose of this item is to adopt the 2015 Larimer County Transportation Capital Expansion Fee Schedule (Regional Road Fee) as determined by the Intergovernmental Agreement with Larimer County.

9. First Reading of Ordinance No. 155, 2015, Making Various Amendments to the Land Use Code.

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 that have been identified since the last update in July 2015.

10. First Reading of Ordinance No. 156, 2015, Conditionally Vacating Certain Rights-of-Way Consisting of Portions of Prospect Court and the Alley as Dedicated on G.F. Wiard's Additional Plat at Reception No. 231427 of the Larimer County Records and Flinn's Resubdivision Plat of Lots 11, 12 and 13 in Block 1 of G.F. Wiard's Addition at Reception No. 665972 of the Larimer County Records.

The purpose of this item is to vacate portions of the alley and Prospect Court in the block south of Lake Street and north of Prospect Road that are no longer needed.

11. Resolution 2015-104 Approving a Collective Bargaining Agreement with Northern Colorado Lodge #3 of the Fraternal Order of Police.

The purpose of this item is to approve a collective bargaining agreement between the City and the Northern Colorado Lodge #3, Colorado Fraternal Order of Police (FOP) and authorize execution of such agreement. The City and the FOP, using an Interest Based Bargaining (IBB) approach, engaged in negotiations regarding the terms and conditions of a possible bargaining agreement for 2016 and 2017. City staff and the FOP have tentatively reached an agreement. On November 23, 2015, bargaining unit members voted to ratify the proposed agreement.

12. Resolution 2015-105, Establishing a Process for the City Council to Appoint an Additional Commissioner to the Fort Collins Urban Renewal Authority Board when Required by Law.

The purpose of this item is to provide a resolution for City Council consideration that describes and adopts the approach to be used by the Mayor and City Council to appoint an additional commissioner to the Urban Renewal Authority Board (the "URA Board"), if needed, as a result of the passage of House Bill 2015-1348. In addition, the Resolution instructs staff to send certified letters to all eligible taxing entities informing them of their future ability to participate in a process for their appointment of commissioners to the URA Board.

13. Resolution 2015-106 Making Legislative Findings and Approving a Non-Substantial Modification of the North College Avenue Urban Renewal Plan.

The purpose of this item is modify wording in the North College Avenue Urban Renewal Plan (the "Plan") to clarify that the Plan authorizes and describes only one "urban renewal project," as this term is defined and used in the urban renewal laws.

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 (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. Items Pertaining to the Wood Street Second Annexation and Zoning. (staff: Clay Frickey; no staff presentation; 5 minute discussion)

A. Public Hearing and First Reading of Ordinance No. 157, 2015, Annexing Property Known as the Wood Street Second Annexation to the City of Fort Collins, Colorado.

B. Public Hearing and First Reading of Ordinance No. 158, 2015, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Wood Street Second Annexation to the City of Fort Collins, Colorado.

The purpose of this item is to annex and zone a parcel in an enclave at 832 Wood Street. This is a City-initiated request to annex the 16.267 acre parcel #97023-00-034 at 832 Wood Street into the City of Fort Collins. The parcel became an enclave with the annexation of the Pateros Creek subdivision on September 18, 2012. As of September 18, 2015, the City is authorized to initiate and annex the enclave in accordance with Colorado Revised Statute 31-12-106.

The Wood Street Second Annexation abuts the City of Fort Collins Utilities building to the north. The requested zoning for this annexation is the Urban Estate (U-E) zone district. The surrounding properties are existing residential, office, park, and light industrial land uses in the City of Fort Collins.

15. Public Hearing and Resolution 2015-107 Making Legislative Findings and Approving a Second Substantial Modification of the Midtown Urban Renewal Plan. (staff: Patrick Rowe, Josh Birks; 5 minute staff presentation; 25 minute discussion)

The purpose of this item is for City Council to consider two modifications of the Midtown Urban Renewal Plan (the "Midtown Plan"). One modification amends wording in the Midtown Plan to clarify that the Plan identifies and describes only one urban renewal project. The other modification will reduce the Midtown Plan area by removing territory not currently in either of the two approved tax increment financing (TIF) districts within the Midtown Plan (Prospect South and Foothills Mall). Adoption of this Resolution is the final step to enact these two modifications.

16. First Reading of Ordinance No. 160, 2015, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Compensation of the Municipal Judge. (staff: Janet Miller; 2 minute staff presentation; 10 minute discussion)

The purpose of this item is to set the 2016 salary for the Municipal Judge. Market data and performance are considered when determining City employee compensation. City Council met in executive session on November 10, 2015 to conduct the annual performance review of Municipal Judge, Kathleen Lane. Market data has been provided to Council and the employee. This Ordinance establishes the 2016 salary of the Municipal Judge.

17. First Reading of Ordinance No. 161, 2015, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Compensation of the City Attorney. (staff: Janet Miller; 2 minute staff presentation; 10 minute discussion)

The purpose of this item is to set the 2016 salary for the City Attorney. Market data and performance are considered when determining City employee compensation. City Council met in executive session on November 10, 2015 to conduct the annual performance review of City Attorney, Carrie Daggett. Market data has been provided to Council and the employee. This Ordinance establishes the 2016 salary of the City Attorney.

18. First Reading of Ordinance No. 162, 2015, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Compensation of the City Manager. (staff: Janet Miller; 2 minute staff presentation; 10 minute discussion)

The purpose of this item is to establish the 2016 salary of the City Manager. Market data and performance are considered when determining City employee compensation. City Council met in executive session on November 10, 2015 to conduct the annual performance review of City Manager, Darin Atteberry. Market data has been provided to Council and the City Manager. This Ordinance establishes the 2016 salary of the City Manager.

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

- **OTHER BUSINESS**

- A. 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**

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.