

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 FCTV Channel 14
and Channel 881 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 (V/TDD: Dial 711 for Relay Colorado) for assistance.

Regular Meeting July 5, 2016

Proclamations and Presentations 5:30 p.m.

- A. Proclamation Declaring July 9-15 as Flood Awareness Week.
- B. Proclamation Declaring July 22, 2016, as Women of Vision Day.

**Regular Meeting
will begin after the Waste Water Utility Enterprise Meeting, which
begins at 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 beep once and the timer light will turn yellow to indicate that 30 seconds of speaking time remain, and will beep 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. Second Reading of Ordinance No. 077,2016, Appropriating Unanticipated Grant Revenue in the General Fund for the Architectural Survey of the Loomis Addition in the Westside Neighborhood.

This Ordinance, unanimously adopted on First Reading on June 21, 2016, appropriates unanticipated revenue received through a State Historical Fund grant. The State of Colorado has awarded a \$35,000 grant for an architectural survey of the fifteen-block Loomis Addition in the Westside Neighborhood.

2. Second Reading of Ordinance No. 078, 2016, Authorizing the Conveyance of a Sewer Line Easement and a Temporary Construction Easement on Running Deer Natural Area to Boxelder Sanitation District in Exchange for the Vacation of an Existing Easement.

This Ordinance, unanimously adopted on First Reading on June 21, 2016, authorizes conveyance of a utility easement and a temporary construction easement to Boxelder Sanitation District on Running Deer Natural Area. Boxelder Sanitation District (BES) provides sanitary sewer service to a portion of Fort Collins residents. An aging and undersized sanitary sewer line that passes through Running Deer Natural Area needs to be replaced to provide for existing and projected residents in their service area. BES and the City have agreed to a realignment of portions of the sewer line and terms to a new easement to minimize the impact to the Natural Area's vegetation, wildlife and visitors.

3. First Reading of Ordinance No. 082, 2016, Appropriating Proceeds from the Issuance of City of Fort Collins, Colorado, Wastewater Utility Enterprise, Sewer Revenue Refunding Bonds, Series 2016A, in the Maximum Aggregate Principal Amount of \$21,900,000 in the Wastewater Utility Fund.

The purpose of this item is to appropriate the proceeds from the Revenue Refunding Bond, series 2016A, for the purpose of refinancing the callable portion of the 2009A Revenue Bonds. Proceeds will be used to pay off callable bonds as well as pay for cost of issuance fees. The proceeds from the original 2009A bonds of \$30.7 million were used to make improvements to the Mulberry Water Reclamation Facility. Savings are anticipated to be \$2.4 million.

4. First Reading of Ordinance No. 083 , 2016, Approving a Revision to the Airport Operating Budget and Appropriating Reserves in the Airport Fund for the Northern Colorado Regional Airport to Complete the Strategic Plan Goals.

The purpose of this item is to approve an amendment to the 2016 Airport operating budget and appropriate funds from the Airport Fund to initiate work associated with the City Council approved Airport Strategic Plan. The Northern Colorado Regional Airport Commission has reviewed and approved this request; additionally the City of Fort Collins Council Finance Committee has also been presented with this information. The 2016 Airport operating budget will be amended to authorize expenditure of the total amount of \$165,000 from the Airport Fund. The City of Fort Collins will appropriate 50% (\$82,500) of the total \$165,000 request, and the City of Loveland will be providing the other half of the appropriation. This appropriation is needed as the funding resources were not included in the adopted 2016 Airport Budget approved by Council and expenditure of additional funds not included in the Budget requires City Council appropriation as outlined in the current Intergovernmental agreement between the Cities.

5. First Reading of Ordinance No. 084, 2016, Appropriating Prior Year Reserves in the Data and Communications Fund for Implementation of Electronic Plan Review.

The purpose of this item is to appropriate funds from the reserves of the Data and Communications Fund for implementation of electronic plan review as part of the building permit and development review process.

6. First Reading of Ordinance No. 085, 2016, Amending Sections 26-98 and 26-128 of the Code of the City of Fort Collins Regarding Fire Sprinkler Systems for Single Family Attached Homes.

The purpose of this item is to create a new rate class to accommodate the short-term high flow rate water service demands for single family attached homes with residential fire suppression systems

and to make related changes regarding water meter requirements and installation. Changes to the International Residential Code adopted by the City in 2014 increased the short-term high flow rate water service demands for single family attached homes (such as townhomes and condominiums) due to the inclusion of residential fire suppression systems. Staff is proposing that a new rate class be created in order to accommodate these demands and to make related changes regarding water meter requirements and the installation related to fire sprinkler systems for single family attached homes.

7. First Reading of Ordinance No. 087, 2016, Designating the Leo and Hilda Ritter Property, 720 West Oak Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with the procedures described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.

The purpose of this item is to designate the Leo and Hilda Ritter property located at 720 West Oak Street as a Fort Collins Landmark. The owners of this property, Margaret M. Kool Dunn and Robert Louis Dunn 3rd, are initiating this request. The 1925 Craftsman-style residence and detached garage are eligible for recognition as a Landmark due to their historic integrity and significance to Fort Collins under Designation Standard C, Design/Construction.

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. Riverside/Lemay Intersection Project. (staff: Erika Rasmussen)

- **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.

8. Second Reading of Ordinance No. 073, 2016, Authorizing the Acquisition by Eminent Domain of Additional Lands Necessary to Construct Public Improvements as Part of the Prospect Road and College Avenue Intersection Improvements Project. (staff: Dean Klingner; 5 minute staff presentation; 1 hour discussion)

Note: Additional information has been added as follow-up to discussion and questions since First Reading on May 17, 2016.

The purpose of this item is to obtain authorization from City Council to use eminent domain, if necessary, to acquire property interests needed to construct improvements to the intersection of Prospect Road and College Avenue. This authorization is for the two residential properties at the east end of the project.

Ordinance No. 043, 2016 was adopted on Second Reading on April 19, 2016, allowing City staff to begin the property acquisition process for the preferred alternative on the six commercial properties at this intersection.

Staff delayed the residential properties approximately six weeks to allow additional design work and discussions with the property owners.

The following work has been done recently in regards to the residential properties:

- Council Work Session presentation and discussion on April 12, 2016, resulting in:
 - Majority support for dual westbound left turn lanes
 - Request to provide follow-up on additional design questions
- Meeting with Mayor Pro Tem Horak, City Manager, City staff and affected property owners to discuss property owners requested design (April 25, 2016).
- Memo to Council providing detailed analysis of the impacts and benefits of moving the roadway south to avoid wall impacts.
- Support from Transportation Board and Bicycle Advisory Committee on staff's preferred alternative.

Timely acquisition of the property is necessary to meet the anticipated construction schedule. Staff will negotiate in good faith with the affected owners and is optimistic that all property negotiations can be completed prior to the start of the Project. Staff is requesting authorization of eminent

domain for all property acquisitions for the Project only if such action is necessary in order to keep the project on schedule. Ordinance No. 073, 2016 was adopted on First Reading on May 17, 2016 by a vote of 5-2 (Nays: Cunniff, Overbeck).

9. Items Relating to Proposed Outdoor Vendor Requirements. (staff: Ted Shepard, Tom Leeson; 5 minute staff presentation; 30 minute discussion)
 - A. Second Reading of Ordinance No. 079, 2016, Amending Article XIV of Chapter 15 of the Code of the City of Fort Collins Regarding Outdoor Vendors.
 - B. Second Reading of Ordinance No. 080, 2016, Amending Articles 3, 4 and 5 of the Land Use Code Regarding Outdoor Vendors.

These Ordinances, unanimously adopted on First Reading on June 21, 2016, amend the City Code and Land Use Code to update property owner and outdoor vendor requirements. The intent of the original 2012 Code provisions for outdoor vendor operations was to manage a mobile operation and address specific mobile vendor impacts and requirements as a temporary, accessory land use. The proposed changes clarify and distinguish between two primary outdoor vending operations, mobile and stationary, including land use locational requirements for vending on privately-owned lots. Both Ordinances have been amended since First Reading to provide that these amendments to the City Code and Land Use Code will not go into effect until January 15, 2017. This will give vendors and property owners six months to adjust their operations to these new regulations.

10. Items Relating to the Designation of the Coy Farmstead Woodward Technology Center, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins. (Option A or Option B) (staff: Karen McWilliams, Laurie Kadrich; 10 minute staff presentation; 2 hour discussion)
 - A. First Reading of Ordinance No. 088, 2016, Non-Consensually Designating the Coy Farmstead Barn and Milk House Located on the Woodward Technology Center Subdivision as Individual Fort Collins Landmarks pursuant to Chapter 14 of the Code of the City of Fort Collins. **(Option A)**
 - Or**
 - B. First Reading of Ordinance No. 088, 2016, Designating the Coy Farmstead Barn and Milk House Located on the Woodward Technology Center Subdivision as Individual Fort Collins Landmarks pursuant to Chapter 14 of the Code of the City of Fort Collins. **(Option B)**

This item is a quasi-judicial matter and will be considered in accordance with the procedures described in Section 1(e) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.

The purpose of this item is to consider a landmark designation application for the Coy Farmstead, located on the Woodward Technology Center property, brought forward by seventy-six Fort Collins residents. The Coy Farmstead currently consists of an 1866 stone and timber barn and a c.1900 brick milk house. Two historic silos associated with the property were recently removed. The owner of the property, Woodward, Inc., has not consented to landmark designation, except if certain conditions are attached to the designation. City Code Chapter 14, Landmark Preservation, provides a process for the Landmark Preservation Commission review of an application absent an owner's consent, which may culminate with a recommendation to Council on the application.

In order to facilitate Council's consideration and action on this item, two versions of a designation ordinance are presented.

11. Second Reading of Ordinance No. 081, 2016, Appropriating Prior Year Reserves in the General Fund for 2016 Projects Associated with the 2020 Climate Action Plan (CAP) Strategic Plan. (staff: Jackie Kozak-Thiel; John Phelan; Mike Beckstead; no staff presentation; 1 hour discussion)

This Ordinance, unanimously adopted on First Reading on June 21, 2016, appropriates funding from the General Fund to implement two initiatives outlined in the Draft 2020 Climate Action Plan (CAP) Strategic Plan. First, the Ordinance appropriates \$85,000 accumulated during 2015 and 2016 in the Waste Innovation Fund account into the City's General Fund account to initiate the Municipal Green Waste (Composting) Site Initiative. Second, based on direction at First Reading, the Ordinance also appropriates \$1,460,000 from the General Fund to provide energy efficiency rebates for the business community (\$1.37M) and the Efficiency Works Neighborhoods Pilot (\$0.09M) through 2016.

- **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.)

- B. Council will consider a motion to adjourn to 6:00 p.m., Tuesday, July 12, 2016.

- **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.