

Wade Troxell, Mayor  
Gerry Horak, District 6, Mayor Pro Tem  
Bob Overbeck, District 1  
Ray Martinez, District 2  
Ken Summers, 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

Delynn Coldiron  
City Clerk

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## Regular Meeting October 16, 2018

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*Persons wishing to display presentation materials using the City's display equipment under the Citizen Participation portion of a meeting or during discussion of any Council item must provide any such materials to the City Clerk in a form or format readily usable on the City's display technology no later than two (2) hours prior to the beginning of the meeting at which the materials are to be presented.*

*NOTE: All presentation materials for appeals, addition of permitted use applications or protests related to election matters must be provided to the City Clerk no later than noon on the day of the meeting at which the item will be considered. See [Council Rules of Conduct in Meetings](#) for details.*

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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.

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### Proclamations and Presentations 5:15 p.m.

- A. Proclamation Declaring October 14-20, 2018 as Minority Enterprise Development Week.
- B. Proclamation Declaring October as Down Syndrome Awareness Month.
- C. Proclamation Declaring October as Cyber Security Awareness Month.
- D. Proclamation Declaring October as Archives Month.
- E. Proclamation Declaring October as Community Planning 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.

- **PUBLIC COMMENT**

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](http://fcgov.com/developmentreview), or contact the Development Review Center at 221-6750.]

- **PUBLIC COMMENT 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 September 18, 2018, Regular Council Meeting and the September 25, 2018 Adjourned Council Meeting.

The purpose of this item is to approve the minutes from the September 18, 2018, regular Council meeting and the September 25, 2018, adjourned Council meeting.

2. Second Reading of Ordinance No. 121, 2018, Appropriating Unanticipated Revenue and Prior Year Reserves in Various City Funds.

This Ordinance, unanimously adopted on First Reading on October 2, 2018, combines dedicated and unanticipated revenues or reserves that need to be appropriated before the end of the year to cover the related expenses that were not anticipated and, therefore, not included in the 2018 annual budget appropriation. The unanticipated revenue is primarily from fees, charges, rents, contributions and grants that have been paid to City departments to offset specific expenses.

3. Second Reading of Ordinance No. 122, 2018 Amending Sections 17-141 and 17-161 of the Code of the City of Fort Collins Regarding Alcohol.

This Ordinance, unanimously adopted on First Reading on October 2, 2018, will ensure correct terms are defined for provisions of the Code of the City of Fort Collins regarding carrying or drinking alcohol or fermented malt beverages in certain places, and for offenses involving substance abuse.

4. Second Reading of Ordinance No. 123, 2018, Annexing the Property Known as the Hughes Stadium Annexation to the City of Fort Collins, Colorado.

This Ordinance, unanimously adopted on First Reading on October 2, 2018, annexes 164.55 acres of land generally located at the northwest corner of Dixon Canyon Road and Overland Trail. The annexation area is owned by Colorado State University and is the former location of Hughes Stadium and Rodeo Arena. The Initiating Resolution was adopted on August 21, 2018. A related item to zone the annexed property is presented as the next item on this Agenda.

5. Second Reading of Ordinance No. 124, 2018, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Hughes Stadium Annexation to the City of Fort Collins, Colorado.

*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(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2018-034.*

The purpose of this item is to amend the zoning map and zone the property included in the Hughes Stadium Annexation into the Transition (T) zone district.

6. First Reading of Ordinance No. 125, 2018, Amending Chapter 3 of the Code of the City of Fort Collins to Add a New Article IV Allowing Entertainment Districts and Authorizing the Liquor Licensing Authority to Approve and Regulate Promotional Associations and Common Consumption Areas Within Entertainment Districts.

The purpose of this item is to consider an Ordinance establishing City Code provisions that allow City Council to adopt Entertainment Districts and grant the Liquor Licensing Authority the ability to approve and regulate Promotional Associations and Common Consumption Areas within Entertainment Districts.

7. Items Relating to the Sanctuary on the Green Annexation.

- A. Resolution 2018-096 Setting Forth Findings of Fact and Determinations Regarding the Sanctuary on the Green Annexation.

- B. Public Hearing and First Reading of Ordinance No. 126, 2018, Annexing the Property Known as the Sanctuary on the Green Annexation to the City of Fort Collins, Colorado.

The purpose of this item is to annex 16.98 acres. The site is located generally at the northwest corner of North Taft Hill Road and LaPorte Avenue and addressed as 325 North Taft Hill Road. The New Mercer Canal forms the western boundary. This is a voluntary annexation. The Initiating Resolution was adopted on September 4, 2018.

8. Public Hearing and First Reading of Ordinance No. 127, 2018, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Sanctuary on the Green Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map.

*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(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2018-034.*

The purpose of this item is to zone 16.98 acres. The site is located generally at the northwest corner of North Taft Hill Road and LaPorte Avenue and addressed as 325 North Taft Hill Road. The New Mercer Canal forms the western boundary.

In accordance with the City Plan's Structure Plan Map and the Northwest Subarea Plan, the requested zoning for this annexation is L-M-N, Low Density Mixed-Use Neighborhood.

9. Resolution 2018-097 Approving an Art Project for the Fossil Creek Trail Project and Approving Expenditures from the Art in Public Places Reserve Account in the Cultural Services and Facilities Fund to Commission an Artist to Create the Art Project Pursuant to the Art in Public Places Program.

The purpose of this item is to approve expenditures from the Art in Public Places Reserve Account to commission an artist to create art for the Fossil Creek Trail Project. The expenditures of \$50,000 will be for design, materials, signage, fabrication, installation, and contingency for Stephen Shachtman to create a sculpture at the site on the Fossil Creek Trail.

10. Items Relating to an Updated Process for City Council Evaluation of the Performance of the City Manager, City Attorney and Chief Judge and a Fifteenth Addendum to the Chief Judge's Employment Agreement.

- A. Resolution 2018-098 Adopting an Updated Process for City Council Evaluation of the Performance of the City Manager, City Attorney and Chief Judge.

- B. Resolution 2018-099 Authorizing the Fifteenth Addendum to Chief Judge Lane's Employment Agreement.

The purpose of this item is to modify the performance evaluation process for the City Manager, City Attorney and Chief Judge to allow flexibility in the timing of the evaluations and to allow the Chief Judge to use a designated facilitator. Resolution 2018-099 authorizes execution of an addendum to the Chief Judge's employment agreement for a new two-year term.

11. Resolution 2018-104 Fact and Conclusions Regarding the Appeal of the Planning and Zoning Board Decision to Approve with Conditions the External Storage Lockers Minor Amendment.

The purpose of this item is to make Findings of Fact and Conclusions regarding the appeal of the Planning and Zoning Board decision to approve with conditions the External Storage Lockers Minor Amendment. City Council heard the appeal on October 9, 2018.

## 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.

12. Items Relating to the City Council's Position on Amendment 74 and Propositions 109, 110, and 112.

- A. Resolution 2018-100 Expressing the City Council's Opposition to Amendment 74, an Attempt to Amend the Colorado Constitution to Drastically Limit State and Local Government at a High Cost to Taxpayers and Urging the Citizens of Fort Collins to Vote "No" on this Ballot Issue.
- B. Resolution 2018-101 Expressing the City Council's Opposition for the Passage of Proposition 109 Relating to Transportation Bonds and Urging the Citizens of Fort Collins to Vote "No" on this Ballot Issue.

- C. Resolution 2018-102 Expressing the City Council's Support of Proposition 110, Authorizing a 0.62 Percent State Sales Tax to Fund Transportation Infrastructure, and Authorizing Related Bonds, and Urging the Citizens of Fort Collins to Vote "Yes" on this Ballot Issue.
- D. Resolution 2018-103 Expressing the City Council's Opposition to the Passage of Proposition 112 Relating to Oil and Gas Setbacks and Urging the Citizens of Fort Collins to Vote "No" on this Ballot Issue.

The purpose of this item is to consider City Council positions for statewide ballot measures up for election on November 6, 2018. These measures are Amendment 74, which would dramatically change state "takings" law; Proposition 109, which would bond \$3.5 billion in transportation money to be repaid with existing revenue; Proposition 110, which would increase the state sales tax by 0.62% with those monies going to transportation; and Proposition 112, which would impose a mandatory 2,500 foot setback for all oil and gas production in the state. The Legislative Review Committee (LRC) took the following positions on the initiatives, which mirrored those of the Colorado Municipal League:

<b>Proposition/Amendment</b>	<b>LRC position</b>
Amendment 74	Oppose
Proposition 109	Oppose
Proposition 110	Support
Proposition 112	Oppose

- **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.



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## City Council Work Session October 16, 2018

**After the Regular Council meeting, which begins at 6:00 PM**

- **CALL TO ORDER.**

1. Review of the 2019-20 Biennial Budget-Work Session #4.

The purpose of this work session is to finalize guidance from City Council on the modifications to be made to the 2019-20 Biennial Budget prior to First Reading on November 6.

This discussion is a continuation of the overall budget review and dialogue at the September 11, October 1 and October 9 Work Sessions. Two Public Hearings to gather input from the community about the 2019-20 Budget have also been completed.

The Biennial Budget is aligned with the City's 2018 Strategic Plan, the Council Priority Dashboard and community priorities. It was put together based on input from citizens, staff and the City's executive leadership team. Through continued expanded community outreach, residents have had opportunities to provide input on the specific Offers (budget requests) under consideration.

- **OTHER BUSINESS.**

- **ADJOURNMENT.**