

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

Regular Meeting January 2, 2019

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.

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.

Proclamations and Presentations 5:30 p.m.

No proclamations scheduled.

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, 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. Items Relating to the Adoption and Amendment of the International Codes Relating to Buildings and Building Regulations.

- A. Second Reading of Ordinance No. 150, 2018, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2015 Energy Conservation Code and Adopting the 2018 International Energy Conservation Code, with Amendments.
- B. Second Reading of Ordinance No. 152, 2018, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Adopting the 2018 International Existing Building Code, with Amendments.
- C. Second Reading of Ordinance No. 153, 2018, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Adopting the 2018 International Pool and Spa Code, with Amendments.
- D. Second Reading of Ordinance No. 154, 2018, Amending Chapter 5, Article II, Division 3, of the Code of the City of Fort Collins for the Purpose of Amending the 2006 International Property Maintenance Code.
- E. Second Reading of Ordinance No. 155, 2018, Amending Chapter 5, Article IV, of the Code of the City of Fort Collins for the Purpose of Repealing the 2015 Mechanical Code and Adopting the 2018 International Mechanical Code, with Amendments.
- F. Second Reading of Ordinance No. 156, 2018, Amending Chapter 5, Article IV, of the Code of the City of Fort Collins for the Purpose of Repealing the 2015 International Fuel Gas and Adopting the 2018 International Fuel Gas Code, with Amendments.

These Ordinances, unanimously adopted on First Reading on December 18, 2018, adopt the most up-to-date, comprehensive, and fully integrated body of codes, the 2018 International Codes (2018 I-Codes), regulating building construction and systems using prescriptive and performance-related provisions. The purpose of these Codes is to establish the minimum construction requirements to safeguard the public health, safety and general welfare by regulating structural strength and stability, sanitation, light and ventilation, energy conservation, and property protection from hazards attributed to the built environment within the City of Fort Collins. With factoring in local amendment costs, it is estimated the overall cost increase to build under the 2018 codes is less than 1%.

Note to Council: *Please note that unlike ordinances normally adopted on Second Reading, the attached Ordinances still contain strikeouts and new language to clearly reflect the modifications made by local amendment to the various uniform Codes being adopted.* Each Ordinance authorizes the City Attorney and the City Clerk to modify the formatting and to make such other amendments to the Ordinances as necessary to facilitate publication in the Fort Collins Municipal Code, so long as such modifications and amendments do not change the substance of the Code provisions.

Also, please note that Ordinance No. 149, 2018, *Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2015 International Building Code and Adopting the 2018 International Building Code, with Amendments*, Ordinance No. 151, 2018, *Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2015 International Residential Code and Adopting the 2018 International Residential Code, with Amendments* and Ordinance No. 174, 2018, *Amending Chapter 5, Article V, Division 1 of the Code of the City of Fort Collins for the Purpose of Amending the Colorado Plumbing Code* will be considered under Discussion items on this Agenda.

2. Second Reading of Ordinance No. 173, 2018 Submitting a Citizen-Initiated Charter Amendment Relating to Council Compensation to a Vote of the Registered Electors of the City at the Regular Municipal Election on April 2, 2019.

This Ordinance, unanimously adopted on First Reading on December 18, 2018, sets the ballot title for a citizen-initiated Charter amendment relating to Council compensation.

3. Second Reading of Ordinance No. 175, 2018, Amending Chapter 23 of the Code of the City of Fort Collins Related to Funding of Art in Public Places Contributions for Connexion and the Expenditure of Utilities Art in Public Places Funds and Rescinding Funds Provisionally Appropriated for Such Contributions.

This Ordinance, unanimously adopted on First Reading on December 18, 2018, authorizes a delayed payment in early 2023 based on the 2022 operating revenue of Connexion, along with an ongoing Art in Public Places (APP) obligation going forward, consistent with the principles of the APP program (treating Connexion as separate from the Light and Power Fund).

This Ordinance also adds back into the APP provisions of the City Code language that was inadvertently omitted in 2012, when the APP Code provisions were rewritten.

At the Council's request, the Ordinance is being amended on Second Reading to make clear that any future changes to the APP Code provisions will also apply to Connexion.

4. First Reading of Ordinance No. 001, 2019, Appropriating Unanticipated Revenue in the Capital Project Fund and Appropriating Prior Year Reserves in the General Fund and Authorizing the Transfer of Appropriations from the General Fund to the Capital Project Fund Gardens on Spring Creek Visitors Center Project and Transferring Appropriations from the Capital Project Fund Gardens on Spring Creek Visitors Center Project to the Cultural Services and Facilities Fund for the Art in Public Places Program.

The purpose of this item is to appropriate revenues raised by the Gardens on Spring Creek and Friends of the Gardens and Gardens Reserves for completion of the Visitor's Center.

5. Resolution 2019-001 Authorizing the Execution of an Intergovernmental Agreement Between the City and the Colorado Department of Transportation for the Maintenance of Traffic Signals, Signs and Roadway Markings in the Fort Collins Growth Management Area.

The purpose of this item is to approve an intergovernmental agreement (IGA) between the City and the Colorado Department of Transportation (CDOT) for the City to maintain traffic control devices (signals, signs, and markings) on state highways within the City's Growth Management Area with reimbursement from CDOT. This is the continuation of a long-standing agreement that benefits both parties as City control allows the City to best serve residents and CDOT has fewer maintenance responsibilities. The IGA is for a five-year period and covers fiscal years 2019-2023. This IGA reflects updated costs from the previous long-term agreement.

6. Resolution 2019-002 Authorizing the Mayor to Execute a Renewal of an Intergovernmental Agreement with Larimer County to Continue Support for the Larimer County Conservation Corps Water and Energy Program.

The purpose of this item is to seek City Council approval of a renewed intergovernmental agreement (IGA) between the City of Fort Collins and Larimer County for funding of the Larimer County Conservation Corp (LCCC) Water and Energy Program. The IGA allows for four further annual renewals for a total of five years, based on budget appropriations. The City of Fort Collins Utilities has partnered with the LCCC since 2010 with tremendous success. LCCC crews have supported local resource conservation by providing home efficiency assessments to customers of Fort Collins Utilities and Loveland Water and Power. Home efficiency assessments include an on-site assessment, energy and water saving retrofits and customer education. By the end of the 2018 spring season, LCCC crews have assessed over 3,200 homes in Fort Collins and enabled these customers to save on their utility bills. Due to its success, the Program is now part of the City's Utilities Affordability Portfolio, which provides a mechanism for low to moderate income customers to control their energy use and costs for the benefit of all City electric and water utility customers.

7. Resolution 2019-003 Approving a Waiver of the 2017 PILOT for Housing Catalyst.

The purpose of this item is to approve a waiver of the 2017 PILOT of \$9,638 for Housing Catalyst per the 1971 Cooperative Agreement.

8. Resolution 2019-004 Supporting the Grant Application for a School Yard Initiative Grant from the State Board of Great Outdoors Colorado on Behalf of Colorado Early Colleges-Fort Collins for the Innovation Urban Farms Project.

The purpose of this item is to obtain Council approval to apply for a School Yard Initiative Grant from Great Outdoors Colorado (GOCO) on behalf of Colorado Early Colleges-Fort Collins (CEC) for the Innovation Urban Farms project. Per GOCO requirements, the application must be submitted by local governments in partnership with schools.

9. Resolution 2019-005 Appointing Councilmember Ross Cunniff to Serve as the City's Representative on the Poudre Heritage Alliance Board.

The purpose of this item is to appoint Councilmember Ross Cunniff to the Poudre Heritage Alliance (PHA).

10. Resolution 2019-006 Making Appointments to Various Boards, Commissions, and Authorities of the City of Fort Collins.

The purpose of this item is to appoint individuals to fill vacancies that currently exist on various City boards, commissions, and authorities due to resignations of board members and vacancies to be created upon the expiration of terms of current members. Applications were solicited during September, October, and November. Council teams interviewed applicants during November and December. This Resolution appoints individuals to fill current vacancies and expiring terms.

This Resolution does not fill all vacancies. Interviews are continuing, and any remaining vacancies will be advertised as needed.

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.

11. Items Relating to the Adoption and Amendment of the International Building Code, International Residential Code and Amendment to the Colorado Plumbing Code. (staff: Russ Hovland; no staff presentation; 30 minute discussion)
 - A. Second Reading of Ordinance No. 149, 2018, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2015 International Building Code and Adopting the 2018 International Building Code, with Amendments. (*Impact resistance of asphalt shingles found in amendment 64, page 29.*)
 - B. Second Reading of Ordinance No. 151, 2018, Amending Chapter 5, Article II, Division 2, of the Code of the City of Fort Collins for the Purpose of Repealing the 2015 International Residential Code and Adopting the 2018 International Residential Code, with Amendments. (*Impact resistance of asphalt shingles found in amendment 54, page 34.*)
 - C. Second Reading of Ordinance No. 174, 2018, Amending Chapter 5, Article V, Division 1 of the Code of the City of Fort Collins for the Purpose of Amending the Colorado Plumbing Code.

Ordinance No. 149, 2018 was unanimously adopted on First Reading on December 18, 2018. Ordinance Nos. 151 and 174, 2018, were adopted on First Reading on December 18, 2018 by a vote of 5-2 (Nays: Martinez, Summers).

The 2018 International Codes (2018 I-Codes) represent the most up-to-date body of codes regulating building construction using prescriptive and performance-related provisions. The purpose of these codes is to establish the minimum construction requirements to safeguard the public health, safety and general welfare by regulating structural strength and stability, sanitation, light and ventilation, energy conservation, and property protection from hazards attributed to the built environment within the City of Fort Collins. With factoring in local amendment costs, it is estimated the overall cost increase to build under the 2018 codes is less than 1%.

Note to Council: *Please note that unlike ordinances normally adopted on Second Reading, the attached Ordinances still contain strikeouts and new language to clearly reflect the modifications made by local amendment to the various uniform Codes being adopted.* Each Ordinance authorizes the City Attorney and the City Clerk to modify the formatting and to make such other amendments to the Ordinances as necessary to facilitate publication in the Fort Collins Municipal Code, so long as such modifications and amendments do not change the substance of the Code provisions.

- **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**

- A. Consideration of a motion to adjourn to 6:00 p.m., Tuesday, January 8, 2019 to conduct the annual evaluations of the City Manager, City Attorney and Chief 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.



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City Council Work Session January 2, 2019

(After the Regular Council Meeting, which begins at 6:00 p.m.)

● **CALL TO ORDER.**

1. District 1 Councilmember Interviews. (staff: Delynn Coldiron, Carrie Daggett; 2 1/2 hour discussion)

The purpose of this item is to provide Council with the information needed to conduct interviews for the District 1 Council vacancy. The applicants will be interviewed in the following order:

1. E. John Clarke
2. Jerry Gavaldon
3. Danielle Buttke
4. Susan Gutowsky
5. Jessica Hazlett
6. Nathaniel Budd
7. Joseph Somodi III
8. Christopher Staten
9. Richard Cress

2. Keep Fort Collins Great Sunset. (staff: Ginny Sawyer; 10 minute staff presentation; 30 minute discussion)

The purpose of this work session is to present Council with options for renewing/maintaining Keep Fort Collins Great revenue once the 0.85 tax sunsets on December 31, 2020.

April 2019 is the anticipated election for a potential ballot related question to address funding needs.

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