

Wade Troxell, Mayor
Kristin Stephens, District 4, Mayor Pro Tem
Susan Gutowsky, District 1
Julie Pignataro, District 2
Ken Summers, District 3
Ross Cunniff, District 5
Emily Gorgol, District 6

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
October 15, 2019
(Amended 10/14/19)

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
5:15 p.m.

- A. Proclamation Declaring October 2019 as Indoor Air Quality Month.
B. Proclamation Declaring October 15, 2019 as Empowerment through Creative Technology Day.
C. Proclamation Recognizing October 15, 2019 as the 70th Anniversary of the Fort Collins Symphony.
D. Proclamation Declaring October 2019 as National Disability Employment Awareness Month.
E. Proclamation Declaring October 2019 as Local Literary Arts 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.

If the presiding officer determines that the number of items pulled from the Consent Calendar by citizens is substantial and may impair the Council's ability to complete the planned agenda, the presiding officer may declare that the following process will be used to simplify consideration of the Citizen-Pulled Consent Items:

(1) All citizen-pulled items (to be listed by number) will be considered as a group under the heading "Consideration of Citizen-Pulled Consent Items."

(2) At that time, each citizen wishing to speak will be given a single chance to speak about any and all of the items that have been moved to that part of the agenda.

(3) After the citizen comments, any Councilmember may specify items from the list of Citizen-Pulled Consent Items for Council to discuss and vote on individually. Excluding those specified items, Council will then adopt all "Citizen-Pulled Consent Items" as a block, by a single motion, second and vote.

(4) Any Citizen-Pulled Consent Items that a Councilmember has asked to be considered individually will then be considered using the regular process for considering discussion items.

1. Consideration and Approval of the Minutes of the September 3 and September 17, 2019 Regular Council Meetings and the September 24, 2019 Adjourned Council Meeting.

The purpose of this item is to approve the minutes from the September 3 and September 17, 2019 Regular Council meetings and the September 24, 2019 Adjourned Council meeting.

2. Second Reading of Ordinance No. 115, 2019, Appropriating Prior Year Reserves and Unanticipated Revenue in Various City Funds and Authorizing the Transfer of Appropriated Amounts of Funds or Projects.

This Ordinance, unanimously adopted on First Reading on October 1, 2019, 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 2019 annual budget appropriation. The unanticipated revenue is primarily from fees, charges, rents, contributions

3. Items Relating to Objects Obscuring Traffic Control Devices.

A. Second Reading of Ordinance No. 117, 2019, Amending the Code of the City of Fort Collins as it Relates to Objects Obscuring Traffic Control Devices.

B. Second Reading of Ordinance No. 118, 2019, Amending the Fort Collins Traffic Code as it Relates to Objects Obscuring Traffic Control Devices.

These Ordinances, unanimously adopted on First Reading on October 1, 2019, amend the City Code and the City Traffic Code as they relate to the responsibilities for pruning private trees, shrubs or other plants that overhang or otherwise encroach on the public right-of-way. The changes will make the requirements in the two Codes consistent and provide a level of flexibility for City staff to immediately address issues of safety in the public right-of-way at its own expense, if needed.

4. Second Reading of Ordinance No. 120, 2019, Appropriating Prior Year Reserves, Unanticipated Revenue and Authorizing Transfer of Funds for the Small Business Revolving Loan Fund Program.

This Ordinance, unanimously adopted on First Reading on October 1, 2019, authorizes the transfer of funds from the Keep Fort Collins Great Fund to the General Fund and appropriate therein and to appropriate reserves and current year revenue from Platte River Power Authority (PRPA) Economic Development Program funds in the General Fund to create the City of Fort Collins Revolving Loan Fund for small businesses and startup companies operating in Fort Collins. The City will use the funds to support access to capital for small businesses in Fort Collins, which have historically not had access to traditional financial capital markets (“under banked” or “non-bankable”) The demographic focus of this program will be low-income, minority, veteran, and women-owned small businesses.

5. First Reading of Ordinance No. 121, 2019, Adopting the 2020 Budget and Appropriating the Fort Collins Share of the 2020 Fiscal Year Operating and Capital Improvements Funds for the Northern Colorado Regional Airport.

The purpose of this item is to adopt the 2020 budget for the Northern Colorado Regional Airport and appropriate Fort Collins' share of the 2020 fiscal year operating and capital funds for the Airport. The City's 50% share of the 2020 Airport operating budget is \$646,445 and 50% share of the 2020 capital budget is \$740,500, for a total City appropriation of \$1,386,945.

6. First Reading of Ordinance No. 122, 2019, Being the Annual Appropriation Ordinance for the Fort Collins Downtown Development Authority Relating to the Annual Appropriations for the Fiscal Year 2020 and Fixing Mill Levy for the Downtown Development Authority for Fiscal Year 2020.

The purpose of this item is to set the Downtown Development Authority (DDA) Budget.

The following amounts will be appropriated:

DDA Public/Private Investments and Programs	\$3,918,409
DDA Operations & Maintenance	\$ 959,165
Revolving Line of Credit Draws	\$6,400,000
DDA Debt Service Fund	\$8,256,548

The Ordinance sets the 2020 mill levy for the Fort Collins DDA at five (5) mills, unchanged since tax year 2002. The approved Budget becomes the Downtown Development Authority's financial plan for 2020.

7. First Reading of Ordinance No. 123, 2019, Making Appropriations and Authorizing Transfers of Appropriations for the Spring Creek Sanitary Trunk Sewer Project and Related Art in Public Places.

The purpose of this appropriation request of \$656,500 from the Wastewater Fund cash reserves is to allow for the replacement of a section of sewer main that is at risk of imminent failure. On July 14, 2019, a section of the Spring Creek Trunk Sewer, located between Stover and Ukiah Lane, collapsed and needed an emergency repair on a 20-foot section of the pipeline. Subsequent televising of the rest of the 500-foot section of pipeline has found that it is structurally compromised and should be replaced. In addition, significant longitudinal cracks were found in the 100-foot section of pipe just downstream. This section of pipe is the original 24-inch clay. Staff is recommending lining this section of pipe at the same time. This appropriation will allow for these sections of pipe to be replaced this winter rather than through the next budget cycle in 2021.

8. First Reading of Ordinance No. 124, 2019, Amending Chapter 26 of the Code of the City of Fort Collins Related to Water, Wastewater and Electric Rates, Fees, and Charges Applied Under an Income-Qualified Assistance Program.

The purpose of this item is to adopt a routine revision to Section 26-724 of City Code Chapter 26 pertaining to Utility Services.

9. Resolution 2019-103 Supporting the Grant Application for a Local Park and Outdoor Recreation Grant from the State Board of Great Outdoors Colorado to Develop a Link from the Colorado State University Main Campus to the Spring Creek Trail.

The purpose of this item is to request City Council support for an application toward and municipal sponsorship for the 2019 Great Outdoors Colorado (GOCO) Local Park and Outdoor Recreation (LPOR) Grant. If awarded the grant will partially fund construction of the Plemister Trail, consisting of a paved trail and bridge connecting the bicycle and pedestrian underpass of Prospect Road at Center Avenue to the City of Fort Collins Spring Creek Trail and Center Bikeway. Colorado State University (CSU) will manage and fund the project and has requested the City of Fort Collins act as the required municipal sponsor and fiscal agent for the project. GOCO requires a resolution of support from City Council as part of the grant application package.

10. Resolution 2019-104 Making Appointments to the Youth Advisory Board of the City of Fort Collins.

The purpose of this item is to fill vacancies on the Youth Advisory Board due to resignations that occurred on May 31, 2019, as a result of graduations.

## 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. Staff Report: Teaching Tree (staff: Adam Molzer)

- **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 2020 Utility Rates. (staff: Randy Reuscher, Lance Smith; 10 minute staff presentation; 20 minute discussion)
- A. First Reading of Ordinance No. 125, 2019, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Electric Rates, Fees and Charges.
- B. First Reading of Ordinance No. 126, 2019 Amending Chapter 26 of the Code of the City of Fort Collins to Revise Water Rates, Fees and Charges.
- C. First Reading of Ordinance No. 127, 2019 Amending Chapter 26 of the Code of the City of Fort Collins to Revise Wastewater Rates, Fees and Charges.
- D. First Reading of Ordinance No. 128, 2019 Amending Chapter 26 of the Code of the City of Fort Collins to Revise Stormwater Rates, Fees and Charges.

The purpose of this item is for Council to consider adjusting monthly charges for electric, water, wastewater, and storm water services in 2020. The revenue requirements to support the 2020 budget will require increasing monthly charges for electric service by 5.0% and stormwater service by 2.0%. While there is no overall percentage increase planned for the Water or Wastewater Funds, there are minor rate class adjustments proposed based on recent cost-of-service model updates. Upon adoption, these rates would be effective January 1, 2020.

12. First Reading of Ordinance No. 129, 2019, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for the Fiscal Year 2020; Amending the Budget for the Fiscal Year Beginning January 1, 2020 and Ending December 31, 2020; and Fixing the Mill Levy for Property Taxes Payable in 2020. (staff: Darin Atteberry, Mike Beckstead, Lawrence Pollack; 10 minute staff presentation; 30 minute discussion)

The purpose of this item is to amend the adopted 2020 Budget. This Ordinance sets the amount of \$632,403,387 to be appropriated for fiscal year 2020. This appropriated amount does not include what is also being appropriated by separate Council/Board of Director actions to adopt the 2020 budgets for the General Improvement District (GID) No. 1 of \$352,000, the 2020 budget for GID No. 15 (Skyview) of \$1,000, the Urban Renewal Authority (URA) 2020 budget of \$5,952,249 and the Downtown Development Authority 2020 budget of \$19,534,122. The sum of these ordinances results in City-related total appropriations of \$658,242,758 in 2020. This Ordinance also sets the 2020 City mill levy at 9.797 mills, unchanged since 1991.

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

- **OTHER BUSINESS**

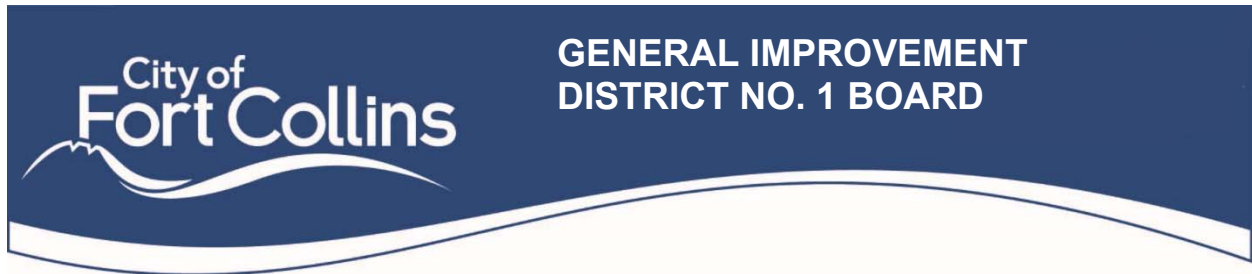
- A. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers

- (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. Linden Street Project.**

- **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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## General Improvement District No. 1 Regular Meeting October 15, 2019 (after the Regular Council Meeting)

- **CALL MEETING TO ORDER**
- **ROLL CALL**

1. First Reading of Ordinance No. 072 Determining and Fixing the Mill Levy for the General Improvement District No. 1 for the Fiscal Year 2020; Directing the Secretary of the District to Certify Such Levy to the Board of Commissioners of Larimer County; and Making the Fiscal Year 2020 Annual Appropriation (staff: Josh Birks; 5 minute staff presentation; 5 minute discussion)

The purpose of this item is to set the mill levy of 4.924 and authorize the fiscal year 2020 appropriation for General Improvement District No. 1 (GID). The sum of \$314,160 is anticipated to be collected from the mill levy of 4.924 mills for fiscal year 2020 imposed within the General Improvement District No. 1 (GID) boundaries. Additional revenue for the GID from automobile specific ownership taxes and interest earnings are anticipated in 2020 to total \$59,965 resulting in an expected revenue total of \$374,125 for 2020. The Ordinance appropriates funds in the amount of \$352,000 from ongoing revenue for the operation of the GID in 2020.

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





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## Skyview South General Improvement District No. 15 Meeting October 15, 2019 (after the General Improvement District No. 1 Meeting)

- **CALL MEETING TO ORDER**
- **ROLL CALL**

1. First Reading of Ordinance No. 012 Determining and Fixing the Mill Levy for the Skyview South General Improvement District No. 15 for the Fiscal Year 2020; Directing the Secretary of the District to Certify Such Levy to the Board of Commissioners of Larimer County; and Making the Fiscal Year 2020 Annual Appropriation. (staff: Lawrence Pollack, Darren Moritz; 2 minute staff presentation; 5 minute discussion)

This Ordinance includes the annual appropriation for 2020 of \$1,000 for the expenses of the Skyview South General Improvement District No. 15 (GID No. 15). The sum of \$33,439 is anticipated to be collected from the mill levy of 10.0 mills for fiscal year 2020. Additional miscellaneous revenue for GID No. 15 of \$6,136 is anticipated to be generated from auto specific ownership fees and interest income. The total 2020 revenue for GID No. 15 is expected to be \$39,575. The total amount will be used in the future to maintain and repair roads in the Skyview subdivision.

2. First Reading of Ordinance No. 013, Appropriating Prior Year Reserves in the Skyview South General Improvement District No. 15 Fund for Transfer to the Transportation Fund for the Skyview South Asphalt Overlay Project. (staff: Darren Moritz; 2 minute staff presentation; 5 minute discussion)

The purpose of this item is to appropriate reserves to cover an expense that was not anticipated and, therefore, not included in the 2019 annual budget appropriation for the Skyview South General Improvement District No. 15. This new expense is the Skyview South Asphalt Overlay Project.

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