



# **LEGISLATIVE POLICY AGENDA 2015**

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## **INTRODUCTION**

Fort Collins is a community of more than 155,000 residents located at the foot of the Rocky Mountains along Colorado's Front Range. Incorporated in 1873, the City has grown to become the commercial, educational and cultural hub of Northern Colorado. The City adopted a home rule charter in 1954 and operates under a Council-Manager form of government.

The Fort Collins City Council annually adopts a broad set of policy statements meant to convey positions on issues that affect the quality of life and the governance of our community.

The City is a data-driven municipal organization that strives to fulfill its mission, "Exceptional service for an exceptional community," through a vision of providing world-class municipal services through operational excellence and a culture of innovation. City leaders seek innovative solutions to issues facing the community and are often willing to leverage emerging technologies.

The 2015 City of Fort Collins Legislative Policy Agenda identifies a broad range of important issues for the City of Fort Collins. The Agenda expresses policies and positions on issues that affect the quality of life and the governance of our community. Our policy agenda is structured to address areas of local concern and also to reflect the strategic planning that guides City of Fort Collins organizational resource allocation and decision making.

The City's Legislative Priorities are issues Fort Collins is focused on in the 2015 Colorado General Assembly and United States Congress. These priority topics, similar to the City's overall policies, are reviewed and updated annually. Revisions to the policy agenda and priorities are adopted in November ahead of the Colorado General Assembly session.

Partnership and interagency collaboration are important methods for achieving optimal legislative outcomes. On many federal and state issues, Fort Collins shares the concerns of others within the community, within the region and other communities statewide. In these cases, Fort Collins will seek opportunities to leverage additional resources and participate in regional dialogue to achieve shared outcomes.

The City identified seven outcome areas to ensure appropriate and effective resource allocation supporting the community's priorities. Fort Collins' outcome areas include Culture and Recreation; Economic Health; Environmental Health; High Performing Government; Neighborhood Livability; Safe Community; and Transportation. The Policy Agenda identifies specific City Council-adopted goals associated with the policy statements. This alignment is important for City staff to ensure that advocacy supports specific desired outcomes.

## **CITY OF FORT COLLINS LEGISLATIVE REVIEW COMMITTEE**

The Legislative Review Committee (LRC) is a representative group of Council members that reviews and reacts to proposed legislation on behalf of City Council and the City. In taking a position on particular bills, the LRC interprets and applies the various policies that are included in the Legislative Policy Agenda.

Council Members presently serving on the Legislative Review Committee are:

- Councilmember Wade Troxell, Chair
- Councilmember Lisa Poppaw
- Councilmember Ross Cunniff

### **LEGISLATIVE REVIEW PROCESS**

Bills introduced in the Colorado General Assembly, United States Congress and federal, state or county regulations or rulemakings are reviewed by the Legislative Policy Manager. Bills, regulation and rules addressing a stated legislative priority, or adopted policy position, may be brought to the LRC for discussion of an official City position. Once a position is adopted on a bill, the Legislative Policy Manager conveys that information to the appropriate state or federal representative and advocates for the City's adopted position.

Staff liaisons support the LRC by contributing expertise in various areas of municipal service. The input offered by staff experts is invaluable in analyzing impacts of legislative, regulatory and rulemaking proposals to Fort Collins operations and the community. Fort Collins also works with community partners to support local projects and staff collaborates with representatives of other municipalities on mutually-held priorities. Fort Collins actively seeks innovative partnerships to leverage positive outcomes for residents.

The City works closely with the Colorado Municipal League (CML) and the National League of Cities (NLC) on many legislative items facing cities. Fort Collins works with the Colorado Association of Municipal Utilities (CAMU), which represents 29 municipal utilities throughout the state on utility issues. Fort Collins actively participates in the Colorado Water Congress State Affairs Committee to address water-related issues.

## LEGISLATIVE PRIORITIES

**Objective:** Cooperate with stakeholders on refinement of Urban Renewal Authority laws

**Issue:** An Urban Renewal Authority (URA) is a tool in place to identify and revitalize areas of communities deemed blighted and provide a funding mechanism to encourage redevelopment. The main funding source for URA is Tax Increment Financing (TIF) generated through property taxes. In its best intention, urban renewal restores economic vitality and improves the safety of a designated area. Redeveloping urban areas is much harder and more expensive than new development in “greenfield sites”, thus responds to larger, more costly infrastructure needs. The state of Colorado has empowered local authorities to use Urban Renewal Authorities to encourage revitalization and the elimination of blight in these areas.

URA law has been frequently modified by the General Assembly, including many changes supported by the City. Fort Collins supports dialogue on URA refinement but does not support bills that would eliminate the use of URA or TIF.

Fort Collins attempts to use URA and TIF judiciously but also recognizes the concerns raised by counties, special districts and school districts about the use of TIF. URA is an important and useful tool for Fort Collins in addressing community blight and encouraging redevelopment rather than sprawl.

**Objective:** Support local control of oil and gas operations

**Issue:** Fort Collins, like many other Colorado communities, has taken steps to address oil and gas extraction. Those efforts have been limited by the Colorado Oil and Gas Conservation Commission (COGCC) rules. Fort Collins supports studying and better understanding the health and community impacts of oil and gas extraction.

Fort Collins seeks the following:

- Increased local flexibility to regulate oil and gas activity within its incorporated borders
- Additional information about the chemicals being injected into the ground, especially during hydraulic fracturing
- Greater knowledge and control of air emissions from extraction processes and production equipment
- Enhanced right for communities to regulate oil and gas as an industrial practice and therefore apply local zoning practices to operators
- Better balance between surface land ownership and mineral rights ownership

Fort Collins intends to use existing programs like the Local Government Designee (LGD) to its fullest potential, but will also seek legislative remedies to areas of greatest concern. Fort Collins will also work with other interested communities to address oil and gas

operation concerns. The City is monitoring the work of the Governor’s appointed Oil and Gas Task Force and will provide comments as permitted.

**Objective: Advocate solutions to nuisance and safety issues related to railroad proximity**

**Issue:** Communities throughout the United States are wrestling with issues related to railroad proximity – these include the transport of hazardous materials, rail car safety, train horn noise, transparency related to rail cargo and train switching. These issues affect quality of life for residents and business owners and can result in catastrophic disasters in cases of derailment.

Fort Collins has two active railroad corridors and is working regionally, through the Colorado Municipal League (CML) and National League of Cities (NLC), to raise the profile of rail proximity issues. In addressing rail safety and rail proximity issues, the City has active relationships with Burlington Northern Santa Fe (BNSF) and Union Pacific (UP) railroad companies and has cultivated a relationship with the federal regulatory body – the Federal Railroad Administration (FRA).

In order to clean our air, reduce auto congestion and improve quality of life, several federal agencies including the EPA, HUD and the Federal Transit Administration are encouraging Transit Oriented Development. The idea behind Transit Oriented Development is to bring residents closer to mass transit lines so that they can use mass transportation, and so that downtown revitalization can occur. The Mason Corridor Bus Rapid Transit, which began operation in 2014, is one example. At the same time, the FRA train horn rule in effect is discouraging the development community and residents from locating around transit. Reform is needed.

Trains have regained preference for transporting goods and materials. The increased use of rail has added pressure to the system and identified several safety concerns – track maintenance, tanker car safety, and notification of hazardous materials to public safety leaders. Fort Collins will work to the following goals at a state and national level:

- Engagement with railroad companies
- Development of a “proximity issues” dialogue between railroad and local governments on a broad suite of topics
- Notification about hazardous material shipments passing through communities
- Ensuring track maintenance and train car safety
- Collaborate with railroads to train local emergency personnel

**Objective: Support allowing local governments to provide broadband and enhanced communication services**

**Issue:** In 2005, the Colorado General Assembly passed SB 152, “Competition in Utility and Entertainment Services.” The legislature’s stated intent behind the act was predictability, uniformity, and fairness in the cable television, telecommunications and high-speed Internet access industries, especially where affected by municipal actions.

SB 152 prohibits local governments from directly or indirectly providing cable television service, telecommunications service or advanced service. “Advanced service” is defined as “high-speed internet access capability in excess of two hundred fifty six kilobits per second both upstream and downstream.” Wired and wireless broadband services are included in this category.

Fort Collins Information Technology Department can provide wired and wireless broadband services to City offices and City-owned facilities, but is precluded from doing so by state law. The City supports modifying or repealing the provisions of SB05-152 to allow municipalities to provide this “advanced service” in their own buildings and facilities.

**Objective: Support marijuana law clarifications and alignment with Colorado Constitution**

**Issue:** The passage and implementation of Amendment 64 legalized adult use marijuana in Colorado. Fort Collins City Council approved limited adult use marijuana businesses and sales in addition to existing medical marijuana businesses.

Fort Collins seeks clarification on the following items:

- Conflicts exist between state and federal laws regarding marijuana possession
- Enforcement of the new law and its impacts on local staff and public safety resources
- Rules pertaining to packaging and labeling marijuana and products containing marijuana
- Effectively funding prevention of under-21 possession and use
- Community public safety
- Limiting THC content per serving size and restrict packaging to a single serving

In addition to adult use marijuana, communities across the United States that have authorized medical marijuana are struggling with implementation and the need for a single, viable distribution system. At the core of the issues with both medical and adult use marijuana is the classification of the drug. Marijuana is currently classified as a Schedule 1 drug, this designation means it cannot be prescribed by a doctor or handled through the same distribution channels as other prescribed drugs. As a result, different states have adopted approaches in conflict with federal laws. In Colorado, medical marijuana may be recommended by a doctor but not prescribed. Work is needed at the federal level to clarify this issue. The federal classification should be re-evaluated to consider allowing more medical research. If it is determined that marijuana fits one of the other classifications and does have medical benefits, it could be included in the existing drug delivery system.

**Objective: Participate in federal, state and regional efforts to foster resilient communities**



**Issue:** Making communities more resilient to disaster and the effects of a changing climate has become more important to Colorado communities over the last several years as natural disasters have caused significant human and property loss. Resilience has become a term used to describe hardening vulnerable community infrastructure and preparing for predictable hazards in order to soften the blow on citizens and infrastructure.

Making Fort Collins and Northern Colorado more resilient involves providing decision-makers hazard mitigation analysis and scientific data, then using that information to invest in complementary systems. Northern Colorado's experience is that resilience must be a regional effort that pays off through coordinated advanced planning and investment.

Resiliency efforts are important because they impact a broad set of critical services including:

- Land use
- Utility operations
- Transportation infrastructure
- Sustainability services
- Health
- Safety
- Emergency Response
- Disaster recovery

**Objective: Support regional transportation infrastructure connectivity with an emphasis on funding an integrated, multi-modal system**

**Issue:** Funding for vital transportation infrastructure continues to be a high priority for the City of Fort Collins. Transportation infrastructure is a critical element to supporting community and regional economic health, safety and quality of life.

We strongly support preservation of federal funding levels and full allocation of federal motor fuel taxes and other federal transportation trust funds for their intended purposes. In addition, we urge development of a new, more stable, long-range transportation funding mechanism that doesn't rely upon fuel tax revenues. Fuel tax is no longer a sustainable method of funding the nation's transportation infrastructure needs.

Fort Collins seeks a solution to secure critical funding of the nation's highway and bridge projects. Allowing the Highway Trust Fund to become insolvent would be devastating to the City's transportation infrastructure and have impacts throughout the Northern Colorado economy.

The City supports a long-term reauthorization of the nation's surface transportation law with a focus on transit, livable community planning, comprehensive regional investments, revitalization of existing infrastructure, pedestrian and bicycle infrastructure, and approaches that decrease petroleum consumption and reduce carbon pollution.

**Objective: Pursue federal policies and resources needed to attain City-adopted climate action goals**

**Issue:** Fort Collins has adopted aggressive climate action and greenhouse gas reduction goals. The City supports policies and legislation helping communities to achieve specific greenhouse gas reductions, gather scientific data supporting climate actions and to invest in needed infrastructure to limit or reduce greenhouse gas emissions.

The "Empowering Local Clean Energy Action" federal policy agenda identifies key policies and resources needed for local governments to sustain cleaner energy progress. These include investments in federal programs such as the Department of Energy's Energy Efficiency and Conservation Block Grants, EPA's Climate Showcase Communities, HUD's Sustainable Communities, and other programs that provide direct support for local sustainability initiatives.

Fort Collins supports clarification at the federal and state levels of Property Assessed Clean Energy (PACE) programs. PACE financing, an alternative to a loan, is designed to encourage the installation of renewable-energy systems and improve energy efficiency by helping property owners overcome the barrier of high up-front energy equipment and installation costs. Home energy efficiency can be a significant contributor to community energy efficiency and GHG-reduction goals.

**Objective: Support comprehensive water resource management**

**Issue:** Water resources from the Mountain West to California are stressed by many factors – environmental, population growth and aging infrastructure. Local water resource planning efforts ensure adequate supply to residents through managing the City's water rights portfolio, encouraging increased efficiency and expanding storage. Fort Collins will support efforts to address water needs, preserve its water rights portfolio, and to encourage conservation of water resources. The conservation of water resources extends to support for Cache la Poudre River restoration projects.

Fort Collins will participate in the development of the Colorado Water Plan and the development of the federal Environmental Protection Agency's (EPA) Waters of the United States rulemaking.

**Objective: Support waste stream management, reduction and resource strategies**

**Issue:** The Fort Collins community is just one member of a regional "waste shed" in Northern Colorado. The City acknowledges this interdependence, and the role that state legislation can, and should, play in applying broad measures such as setting a state waste diversion goal and helping to support related strategies, which could also serve to reduce carbon emissions and create opportunities for waste-to-energy applications when ultra-low pollution conversion technology is used.

The City relies on regional and state-wide infrastructure and systems for conventional landfill disposal alternatives such as commercial-scale composting, bio-digesters, recycled-content manufacturers, and specialty landfills. We can be more effective at meeting the community's waste reduction goals through partnerships aimed at reduction, management and resources strategies.

HB07-1288, the Recycling Resources Economic Opportunity Act, will sunset in 2017. The City supports extending the provisions of this bill, which established a grant fund for recycling projects using revenue from a seven-cents/ton surcharge on trash placed in Colorado landfills. The City supports the grant program and further seeks steps to increase funding for this high-performing recycling program.

**Objective: Support a comprehensive approach to reduce the impacts of poverty, housing affordability and homelessness**

**Issue:** Poverty and homelessness are persistent issues in Fort Collins and across Colorado. Fort Collins is committed to making homelessness rare, short-lived and non-recurring. The City is interested in developing local solutions to these persistent problems through collaboration and innovation. The City plays both a convening and leadership role among the many community service providers – seeking to foster sustainable solutions to complex social issues through a combination of City involvement and leadership.

Fort Collins supports solutions to address poverty within the community such as:

- Create an affordable housing fund
- Implement the Earned Income Tax Credit
- Fix the Child Care Tax Credit
- Develop or expand programs that ensure a smooth transition from foster care to independence
- Increase funding for mental health care/programs
- Increase development of condominiums by addressing construction defect law

**Objective: Support the innovation economy**

**Issue:** Innovation is a key attribute of the City organization and is also important to the community. Fort Collins has numerous drivers of innovation, intellectual property and inventions with an educated resident base, Colorado State University, federal research labs, and a long list of innovative companies. As a result, Fort Collins has a culture and support system that nurtures an innovation economy with the City often serving as a living laboratory for ideas and new technologies.

The City will maintain and enhance its innovation economy through:

- Supporting efforts to simplify the commercialization of intellectual property
- Efforts to increase the available capital to support innovation and new business formation
- Efforts that support the spin-off and development of intellectual property from research institutes, private business, and higher education
- Efforts to encourage the retention of new and innovative businesses in the community
- Supporting business incubation, primarily through the commercialization of intellectual property, with strong partnerships
- Application of innovative technologies and approaches to improve city programs and services

# LEGISLATIVE POLICY STATEMENTS

## *Cultural and Recreation*

### **Strategic Outcome**

Fort Collins provides diverse cultural and recreational amenities

### **Strategic Objectives**

1. Improve low and moderate income citizen access to, and participation in, City programs and facilities
2. Develop effective marketing strategies that drive optimal attendance and revenue
3. Develop effective Operation and Maintenance (O&M) funding alternatives for City subsidized facilities and programs
4. Maintain and enhance the current culture, recreation and parks systems
5. Plan, design and implement citywide park, recreation and trail improvements
6. Develop a clear strategic definition and description of the City's role in the culture and arts while leveraging partnerships with other community organizations
7. Promote a healthy community and responsible access to nature

### **CULTURAL SERVICES**

The City recognizes that art and culture are important to the quality of life in our community and is committed to providing the citizens of Fort Collins with excellent cultural services.

Therefore, the City supports the following policy statements:

1. Fund cultural services activities promoting the education, entertainment and enrichment of the community.
2. Facilitate the creation, performance and presentation of the arts.
3. Protect and preserve our cultural heritage.
4. Expand access and inclusion for all citizens to cultural events.

### **PARKS AND RECREATION**

The City is committed to providing the community with excellent parks and recreation services and facilities. Our citizens enjoy a better quality of life, improved health, less crime and a greater sense of community because of our quality parks and recreation programs.

Therefore, the City supports the following policy statements:

1. Maintain or enhance funding for parks, trails, forestry, horticulture and recreation services and facilities.
2. Provide maximum local discretion to use Great Outdoors Colorado and other sources to fund municipal government projects addressing local needs and priorities.
3. Sustain availability of Great Outdoors Colorado grants to municipalities in equal or greater funding levels.
4. Enhance the City's ability to provide quality parks and recreation services and facilities for its citizens.
5. Enhance the protection of community trees and natural assets against invasive species, pests and other threats.
6. Expand access and inclusion for all citizens to community recreational opportunities.

## *ECONOMIC HEALTH*

### **Strategic Outcome**

Promote a healthy, sustainable economy reflecting community values

### **Strategic Objectives**

1. Align economic health goals and strategy across all levels of the organization and refine and agree upon the economic tools the City uses
2. Improve policies and programs to retain, expand, incubate and attract primary employers where consistent with City goals
3. Support workforce development and community amenities initiatives that meet the needs of employers within the City
4. Improve effectiveness through collaboration with economic-health oriented regional partners
5. Sustain high water quality to support the community and water-dependent businesses
6. Maintain utility systems and services; infrastructure integrity; and stable, competitive rates
7. Support sustainable infill and redevelopment to meet climate action strategies
8. Preserve the City's sense of place

9. Provide transparent, predictable and efficient processes for citizens and businesses interacting with the City
10. Address Downtown parking issues identified in the adopted Parking Plan, including funding, convenient access, and integrated transit and alternative mode solutions
11. Encourage the development of reliable, ultra-high speed internet services throughout the community

## **FINANCE**

As a municipality, the City of Fort Collins faces many complex financial issues. Strong fiscal planning, prudent debt management and preservation of the City's revenue base are vital in maintaining and improving the City's financial health. Considering the known impacts of legislation on the City's business community can help foster a stronger tax base and retain a strong quality of life.

Therefore, the City supports the following policy statements:

1. Maintain or expand municipal authority to establish alternative funding mechanisms, including financing tools such as public improvement fees (PIF) and certificates of participation (COP).
2. Increase funding for higher education, specifically Colorado State University and Front Range Community College.
3. Promote the equitable treatment of sales and use taxes to residents and corporations residing or doing business in Colorado by limiting exemptions.
4. Recognize the importance of sales and use tax to local, self-collecting municipalities and equitably distribute sales tax collections on e-commerce transactions.
5. Maintain or increase the City's revenue base (sales, use and property tax).

## **INVESTMENTS**

The Fort Collins City Council has adopted investment policies to be used by the City. The policies are reviewed and updated periodically to ensure the safety and quality of the portfolio to maintain liquidity and to maximize portfolio earnings.

Therefore, the City supports the following policy statements:

1. Protect, without unnecessarily restricting, the government entities' investment portfolios.

2. Provide adequate transparency of the City's investment activity.
3. Provide municipalities freedom to participate in investments that meet their adopted strategic objectives.
4. Does not restrict cities' ability to adopt their own investment policies.

## **PRIVATIZATION**

The City of Fort Collins utilizes outside contracts for procurement of many goods and services. This practice of privatization provides citizens with a balance of quality and cost efficiency.

Therefore, the City supports the following policy statements:

1. Enable cities to choose the provision of services through private enterprise in a manner that fosters cost effective, sustainable, quality services.
2. Maintain local control concerning the awarding of contracts and the accountability of local officials for those actions.
3. Reject mandates that increase the complexity and cost of services without improving those services.

## **ECONOMIC DEVELOPMENT**

Fort Collins seeks to maintain a healthy and resilient economic base of businesses. The City works closely with businesses to retain and invest in alignment with the Council's Action Plan. A healthy and resilient economy for Fort Collins will include:

- Diverse jobs that enable citizens and businesses to thrive
- Reflects the values of our unique community in a changing world
- An innovative, creative, and entrepreneurial atmosphere
- Strong partnerships and collaboration with the private sector, educational institutions, and other organizations

Therefore, the City supports the following policy statements:

1. Promote sustainable economic development.
2. Retain local governments' use of tax increment financing as a tool to support Downtown Development Authorities and Urban Renewal Authorities, taking into consideration the land use impacts of such legislation (e.g., sprawl) and the compelling interests and concerns of other taxing entities.



3. Encourage adopting innovative solutions to governmental and community problems.

## *ENVIRONMENTAL HEALTH*

### **Strategic Outcome**

Promote, protect and enhance a healthy and sustainable environment

### **Strategic Objectives**

1. Improve and protect wildlife habitat and the ecosystems of the Poudre River and other urban streams
2. Achieve environmental goals using the Sustainability Assessment framework
3. Implement indoor and outdoor air quality improvement initiatives
4. Reduce greenhouse gas (GHG) emissions by creating a built environment focused on green building and mobile emission reductions
5. Demonstrate progress toward achieving net zero energy within the community and the City organization using a systems approach
6. Engage citizens in a way to educate and change behavior toward more sustainable living practices
7. Increase the community's resiliency and preparedness for changes in climate, weather and resource availability
8. Protect and monitor water quality, and implement appropriate conservation efforts and long-term water storage capability
9. Meet or exceed all environmental regulations
10. Conserve and restore biodiversity and habitat
11. Demonstrate progress toward achieving zero waste within the community and the City organization

## **AIR QUALITY**

The City's Air Quality Plan establishes a strong overall goal to "continually improve Fort Collins air quality."

Therefore, the City supports the following policy statements:

1. Adopt programs and policies that improve public health and air quality.
2. Ensure air quality standards are protective of public health and welfare.

3. Enhance local government authority to improve air quality beyond minimum State or Federal requirements.
4. Promote strategies to improve regional air quality, recognizing that air pollution does not follow jurisdictional boundaries.
5. Assure that Federal, State and County agencies have adequate authority and resources (funding and personnel) to enforce air quality regulations.
6. Promote voluntary actions to reduce air pollution.
7. Reduce vehicle emissions by:
  - Using the price mechanisms of the free market to shift citizen and business travel behavior toward actions that reduce vehicle emissions and vehicle miles of travel, including removing hidden cost subsidies to motor vehicle users
  - Employing economic incentives and disincentives and other market approaches that support clean air
  - Encouraging behavior changes, such as reducing idling of vehicles
  - Implementing State motor vehicle emissions testing programs consistent with City air quality goals
8. Provide authority for local governments to implement vehicle emissions reductions programs.
9. Strengthen tailpipe emission and fuel economy standards for all vehicles.
10. Promote advanced low emission vehicle technology.
11. Encourage or promote lower carbon alternative fuels.
12. Reduce or eliminate residential wood smoke emissions in order to achieve compliance with air quality standards.
13. Reduce fossil fuel consumption in the transportation and building sector.

### **CLIMATE AND ENVIRONMENTAL PROTECTION**

The City of Fort Collins encourages local, state and national efforts to protect and enhance our environment. Additionally, the City has a policy goal to reduce greenhouse gas emissions 20% below 2005 levels by 2020 and 80% below 2005 levels by 2030 and 100% below 2005 levels by 2050. The goals call for Fort Collins to be carbon neutral by 2050.

Therefore the City supports the following policy statements:

1. Enhance Fort Collins' resilience to impacts of climate change.
2. Establish greenhouse gas (GHG) emission reduction targets.
3. Establish market-based incentives to reduce greenhouse gas emissions.
4. Develop strategies to prevent pollution.
5. Maintain and protect the Colorado self-audit law.
6. Evaluate and address impacts of climate change on water demand and supply.

### **NATURAL AREAS AND OPEN LANDS**

The City has a vigorous program to protect natural areas and other important open lands within Fort Collins, within our Community Growth Management Area, and regionally. The City works in partnership with other communities, Larimer County, private land trusts, Great Outdoors Colorado, community groups, and state and federal agencies to achieve community and regional conservation goals.

Therefore, the City supports the following policy statements:

1. Maintain or enhance tax incentives available to private landowners for voluntary land conservation.
2. Expand the effectiveness of existing protection for wetlands, wildlife habitats, and other sensitive natural areas.
3. Provide additional funding for land conservation programs.
4. Protect the Cache la Poudre River.
5. Increase the availability of Great Outdoors Colorado grants to municipalities in amounts equal to or greater than are currently offered.

### **OIL AND GAS**

Oil and gas extraction activity and associated health and environmental impacts are a concern for Fort Collins and many communities in the Front Range of Colorado. Fort Collins has a portion of a small oil field within its incorporated boundaries and has entered into an Operator Agreement or Memoranda of Understanding (MOU) that stipulates the operations, maintenance and inspection process for that operator's local holdings. Citizens in Fort Collins have expressed continuing concern about the human and environmental health impacts from oil and gas operations and particularly from the hydraulic fracturing treatment used on most Colorado wells. In November 2013, voters

approved a five-year moratorium on oil and gas extraction in order to study its property value and human health impacts.

Therefore, the City supports the following policy statements:

1. Encourage state, federal or academic studies evaluating the impacts of oil and gas operations on human health and property values.
2. Establish baseline air pollutant levels and understand the ongoing contributions of the oil and gas industry to air pollution.
3. Provide local government the authority to inspect oil and gas sites and ensure operator compliance through enforcement of federal, state and local regulations.
4. Allow communities to understand and evaluate impacts of oil and gas on water quality.
5. Allow greater local regulation of oil and gas exploration activities within municipal boundaries.
6. Better balance surface ownership with mineral right ownership.
7. Allow local governments the ability to apply municipal zoning on oil and gas extraction and storage activities.
8. Maintain the current formula allocation of severance tax to impacted jurisdictions so that they might address impacts from resource extraction.

## **RECYCLING AND SOLID WASTE**

The City of Fort Collins endorses a multi-pronged approach to waste minimization that includes recycling, re-use, composting and source reduction. Additionally, the City has adopted a goal of diverting 75% of community waste by 2020; 90% by 2025 and 100% by 2030.

Therefore, the City supports the following policy statements:

1. Clarify and broaden the regulatory authority of local government to ensure the efficient management of recyclable material and solid waste.
2. Encourage integrated waste management planning and implementation, including but not limited to creation of a State waste diversion goal.
3. Provide incentives and funding for programs that promote waste reduction, reuse and recycling and development of related infrastructure.

4. Enable “buy recycled” or “environmentally preferable purchasing” policies for government agency procurement.
5. Continue or increase funding for programs to collect and monitor data on trash volumes, rates of diversion from landfill disposal and economic impacts of recycling.
6. Require greater producer responsibility, such as “take back” regulations that assist consumers to appropriately recycle electronic equipment (e-waste).
7. Establish a deposit fee on beverage containers and that would be used to pay for recycling programs.
8. Strengthen the “renewable energy” standard; oppose expanding the definition to include pyrolysis (burning of materials).
9. Minimize waste by developing methods to use waste as an asset.

### **UTILITY SERVICES**

It is critical that the City operate its electric distribution, drinking water, stormwater and wastewater services in a financially sound, reliable, safe and environmentally acceptable manner. Like other municipal utilities across the country, Fort Collins is faced with many new and evolving challenges associated with changes in the industry, the age and security of its infrastructure and the necessity of managing a changing workforce.

Therefore, the City supports the following policy statements:

#### **ENERGY**

1. Maintain infrastructure security while minimizing restriction to the Utility’s ability to manage security as an integral part of the system.
2. Provide technical assistance to local government that balances local design and implementation of greenhouse gas reduction strategies.
3. Establish uniform standards for the reduction of carbon emissions.
4. Remove financing barriers for energy efficiency, and encourage and fund energy efficiency and conservation while allowing local customization of the programs.
5. Reduce community energy use and net energy use of existing buildings.

6. Incent renewable energy production, including wind power, and provide for “State Implementation Plan” credits for renewable energy (excluding residential wood burning and corn-based ethanol) and energy efficiency.
7. Reject attempts to prevent or inhibit provision of municipal electric service in newly annexed areas.
8. Foster smart grid technology adoption and grid modernization.

#### **WATER SUPPLY AND QUALITY**

1. Maintain or expand the authority delegated to the State to administer federally mandated water, stormwater and wastewater environmental regulatory programs (primacy).
2. Enact reasonable water quality control regulations that are cost effective and can show tangible benefits.
3. Enable local watershed protection planning.
4. Provide cities the flexibility to enhance in-stream flows to preserve or improve the natural environment of the stream while protecting the integrity of Colorado’s appropriation doctrine and City water supply.
5. Recognize the importance of infrastructure security while minimizing restriction to the Utility’s ability to manage security as an integral part of the system.
6. Stipulate adequate funding for local governments to implement mandated programs.
7. Remove barriers to financing for water conservation projects.
8. Fund recovery and treatment of Cache la Poudre and other waterways impacted natural disasters.
9. Enable the City to develop and protect its water supply under Colorado’s appropriation doctrine without adversely affecting in-stream flows or the natural environment of the stream.

## *High Performing Government*

### **Strategic Outcome**

Deliver an efficient, innovative, transparent, effective and collaborative city government

### **Strategic Objectives**

1. Improve organizational capability and effectiveness – professional development, leadership, change management, strategic thinking, fiscal literacy and staff engagement.
2. Improve core Human Resources systems and develop a total reward system.
3. Align similar jobs and skill sets across the organization to address succession planning and career progression.
4. Strengthen methods of public engagement and reach all segments of the community.
5. Optimize the use of technology to drive efficiency and productivity, and to improve services.
6. Enhance the use of performance metrics to assess results.
7. Develop and implement enterprise-wide processes in appropriate areas – “Plan, Do, Check, Act” process improvement tool, safety, strategic planning, council and strategic plan tracking tool, budgeting, project management.
8. Assess effectiveness of safety initiatives, develop and implement safety initiatives to achieve safety goals, and continue to focus on employee health and wellness.
9. Improve productivity, efficiency, effectiveness, customer service and citizen satisfaction in all areas of the municipal organization.
10. Implement leading-edge and innovative practices that drive performance excellence and quality improvements across all Service Areas.
11. Proactively influence policy at other levels of government regulation.
12. Promote a values-driven organizational culture that reinforces ethical behavior, exercises transparency and maintains the public trust.
13. Continuously improve the City’s governance process.

### **HOME RULE**

The City of Fort Collins is a home rule municipality under Article XX (Article 20) of the Colorado Constitution, which grants home rule municipalities “full right of self-government in local and municipal matters.” Home rule authority affords the citizens of Fort Collins greater access to government and increased opportunity for participation and contribution to the decision making process.

Home rule is of utmost importance to the City of Fort Collins. The City recognizes, however, that there are particular areas in which insistence on local control may be

untimely or unwise. Therefore, proposed modifications must be reviewed on a case-by-case basis to determine when it is in the City's best interest to assert home rule authority and when the City should support statewide intervention. For example, the City must be free to regulate local activities that primarily impact the area within the City's boundaries, such as the speed of local traffic or the effects of particular land use developments. On the other hand, the cumulative effect of these and other activities has substantial statewide ramifications which may call for statewide regulation, so that, for example, state regulation may be needed to effectively manage overall growth and development in the state, traffic congestion in major transportation corridors and environmental quality.

Therefore, the City supports the following policy statements:

1. Strengthen home rule authority of municipal governments.
2. Reject State or Federal intervention in matters of local concern and which unnecessarily or adversely affect the City's ability to manage pursuant to its home rule authority.

### **HUMAN RESOURCES**

The City of Fort Collins is committed to the safety and well-being of its employees. The City works diligently to be an efficient and responsible steward of tax dollars while ensuring that employees receive fair and competitive compensation and benefits. The City believes that its citizens, through their elected representatives on City Council, are in the best position to determine appropriate City employee compensation, benefits, and policies.

Therefore, the City supports the following policy statements:

1. Enhance the City's ability to decide employment issues, including collective bargaining, arbitration, compensation, benefits and leaves.
2. Expand the City's ability to offer health, welfare and wellness services for employees.
3. Maintain current state funding for police officer death and disability benefits.
4. Reject returning employees with defined contribution plans to defined benefit plans if there is a cost to local government.

### **RISK MANAGEMENT**

The City of Fort Collins recognizes the dual purpose of the workers' compensation system – providing benefits promptly to injured employees in a cost-effective manner and minimizing costly litigation. Council also recognizes that the City's self-insurance



program is a cost efficient method to insure workers' compensation and that government intervention or taxation can negatively impact the City.

Therefore, the City supports the following policy statements:

1. Improve administrative efficiency within the Division of Workers' Compensation.
2. Resist increased insurance premium costs to employers.
3. Limit or reduce administrative burdens or taxes to self-insurance programs.
4. Limit insurance claim litigation.
5. Increase the City's options and ability to manage workers' compensation claims; oppose actions like removing existing offsets to workers' compensation benefits or limiting the City's ability to designate treating physicians.
6. Reject efforts to presumptively expand workers compensation coverage to illnesses or injuries that are not work related.

### **SOVEREIGN AND GOVERNMENTAL IMMUNITY**

The Fort Collins City Council recognizes that the complexity and diversity of City operations and services required to meet the needs of the citizens of Fort Collins may expose the City and its officers and employees to liability for damage and injury. The Council further recognizes that City officers and employees must be confident that they have the City's support in the lawful and proper performance of their assigned duties and responsibilities.

Therefore, the City supports the following policy statements:

1. Protect the interests of municipalities and their officers and employees in the lawful and proper performance of their duties and responsibilities.
2. Discourage baseless and frivolous claims and demands made against municipalities, their officers and employees.
3. Maintain or enhance municipal liability protections and municipal immunity.

### **TELECOMMUNICATIONS**

The City of Fort Collins encourages a competitive, open market for cable and telecommunications services in order to ensure the public has access to a variety of programming and services at the lowest cost possible.

Therefore, the City supports the following policy statement:

1. Maintain and enhance local franchising authority to preserve local governments' ability to negotiate in the public interest for cable channel space, institutional networks and public education and government programming.
2. Re-establish the rights of municipalities to provide low cost, accessible telecommunications services and related infrastructure.
3. Revise or repeal SB05-152 so that municipalities may offer high-speed and "advanced service" broadband to residents.
4. Permit municipalities to offer high speed internet, Wi-Fi and other enhanced telecommunication services to residents, schools, academic institutions and businesses.
5. Allow municipalities to provide telecommunication services within City-owned facilities and on City property.
6. Enhance exclusive digital communication networks for public safety personnel use during emergencies.

## *Community and Neighborhood Livability*

### **Strategic Outcome**

Provide a high quality built environment and support quality, diverse neighborhoods

### **Strategic Objectives**

1. Improve access to a broad range of quality housing that is safe, accessible and affordable.
2. Preserve the significant historical character of the community.
3. Direct and guide growth in the community through appropriate planning, annexation, land use and development review processes.
4. Preserve and provide responsible access to nature.
5. Preserve and enhance the City's sense of place.
6. Promote health and wellness within the community.
7. Leverage and improve collaboration with other service agencies to address the prevention of homelessness, poverty issues and other high priority human service needs.
8. Expand organizational and community knowledge about diversity, and embrace cultural differences.

9. Develop clear goals, strategic definition and description of the City's social sustainability role within the community.
10. Address neighborhood parking issues.
11. Maintain and enhance attractive neighborhoods through City services, innovative enforcement techniques, and voluntary compliance with City codes and regulations.
12. Foster positive and respectful neighbor relationships and open communication, as well as provide and support conflict resolution.

### **AFFORDABLE HOUSING**

The City of Fort Collins supports policy and funding mechanisms that help the City develop and maintain affordable housing for our community.

Therefore, the City supports the following policy statements:

1. Maintain or enhance current levels of funding for affordable housing throughout Colorado.
2. Increase local government's ability to regulate, manage or generate alternative sources of funding for affordable housing, including public-private partnerships.
3. Protect the rights of low-income and/or disabled residents in tenant-landlord disputes, especially as it relates to safety issues.
4. Retain flexibility for City to adopt and enforce rental terms that allow it to appropriately maintain and manage City-owned affordable rental properties.
5. Amend construction defect laws to reasonably balance safe and reliable housing with needed condominium construction.
6. Increase the amount of affordable, sustainable and high-quality housing in communities.
7. Develop strategies that balance the cost of services provided to the chronically homeless with the cost of providing permanent supportive housing.

### **DEVELOPMENT REVIEW AND INSPECTION**

Fort Collins City Council adopts a land use code, zoning and new and existing property inspection protocol. The City supports retention of home-rule control in aligning development review and inspections with local priorities. In recent sessions, state legislators have introduced measures aimed at having local inspectors provide inspection

for building types outside existing responsibilities without additional resources provided to conduct this work.

Therefore, the City supports the following policy statements:

1. Financially compensate jurisdictions or agencies for additional work of inspectors through fees or other means.
2. Give local governments choices in accepting additional inspection work.
3. Allow local governments to determine the time needed to conduct development review and inspection timelines.

### **PLANNING AND LAND USE**

Effective local land use planning and land development regulation contributes to the quality of life enjoyed primarily by Fort Collins residents, yet shared regionally within Larimer County. State legislation can influence local governments' ability to develop and implement land use plans for their communities.

Therefore, the City supports the following policy statements:

1. Require regional cooperation in land use and transportation planning, and foster sustainable development, without unduly constraining the City's home rule powers.
2. Prohibit the annexation of land that is located within the boundaries of a Growth Management Area that was legally established by an intergovernmental agreement between a municipality and a county by any municipality not a party to the agreement.
3. Limit the definition of a compensable taking and/or the definition of vested property rights beyond the provisions of existing law.
4. Retain local government authority to impose development impact fees.
5. Increase cities' ability to regulate industrial land uses like oil and gas exploration and extraction.
6. Foster equitable public housing policies that balance protection of tenants and landlords.

## **SOCIAL SUSTAINABILITY**

Fort Collins has implemented a triple-bottom line-oriented Sustainability Service Area in an effort to ensure community resources are allocated by considering equally human, environmental and economic benefits. Social Sustainability is the practice of ensuring healthy social systems so that people in our community can thrive. We do this through programs, policies, and partnerships that provide equity and opportunities for all.

Therefore the City supports the following policy statements:

1. Maintain or increase the funds available through the state and federal government for community-focused non-profits to provide human services and housing support.
2. Adequately fund K-12 and public post-secondary institutions to ensure opportunity for youth.
3. Provide funding for before and after school programs and school out days aimed at at-risk populations and low- to moderate-income households.
4. Enhance neighbor relations by improving the resources available to community mediation and restorative justice programs.
5. Provide communities with resources to address chronic homelessness.
6. Provide reasonable accommodation and expand access for special populations, including individuals with disabilities, seniors, at-risk youth, people with mental health needs, and households needing affordable childcare.

## **URBAN AGRICULTURE**

In 2011, City Plan, our community's comprehensive plan, was updated and contained four goals related to local food production. Staff has worked to align our policies and regulations with the goals outlined in our comprehensive plan. We have updated the Land Use Code to permit urban agriculture in all zone districts, allow farmers markets in more zone districts, allow a greater number and types of animals to be raised, and exempted hoop houses from the building permit process in order to facilitate year-round production. The City has also been an active participant in the Northern Colorado Food Cluster which convenes stakeholders to advance local food initiatives. Locally grown food is a critical step towards a more sustainable community.

Therefore the City supports the following policy statements:

1. Provide options for urban farmers to have longer-term access to the land required for food production.

2. Provide all citizens access to healthy foods.
3. Address supply chain needs to support urban farmers.
4. Diversify the production, consumption and distribution of local food products.
5. Adopt food production practices that support innovative and efficient irrigation practices.

## *Safe Community*

### **Strategic Outcome**

Provide a safe place to live, work, learn and play

### **Strategic Objectives**

1. Provide facilities and training capabilities to support a high caliber police force.
2. Optimize the use of technology to drive efficiency, productivity and customer service.
3. Align staffing levels to deliver services that meet community expectations and needs, and increase public safety operational efficiency.
4. Protect life and property with natural, aesthetically pleasing flood mitigation facilities through building codes and development regulations.
5. Develop and implement emergency preparation, response and recovery plans across the organization in collaboration with other community efforts.
6. Improve safety for all modes of travel including vehicular, pedestrian and bicycles.
7. Use data to focus police efforts on reducing crime and disorder within the community.
8. Improve community involvement, education and regional partnerships to make our community safer and stronger.
9. Partner with Poudre Fire Authority to provide fire and emergency services.
10. Provide a high-quality, sustainable water supply that meets or exceeds all public health standards and supports a healthy and safe community.

## **FIRE PROTECTION**

The Fort Collins City Council recognizes the critical importance of maintaining a safe environment and protecting the lives and property of the citizens of Fort Collins.

Therefore the City supports the following policy statements:

1. Institute a State fire code, the code of choice being the 2012 International Building and Fire Code, and allow municipalities to adopt their own amendments.
2. Reject limits to local enforcement of the International Fire Code as adopted with local amendments, or imposing inspection requirements or preventing collection of permit or inspection fees as required by the local jurisdiction.
3. Enhance life safety and property protection through installation of fire protection systems in structures when appropriate.
4. Strengthen the City's ability to prohibit the use and sale of fireworks and allow counties and fire districts to prohibit and otherwise control fireworks.
5. Promote fire safety, education and prevention with the goal of reducing injury, loss of life and property damage.
6. Allow local jurisdictions to implement open burning restrictions.

### **HAZARDOUS MATERIALS MANAGEMENT**

It is an important concern of the City to safeguard Fort Collins' health and environmental safety by reducing risks from the unauthorized release of hazardous materials or hazardous waste.

Therefore, the City supports the following policy statements:

1. Allow the City to continue controlling risks from hazardous materials use, storage and transportation through the International Building and Fire Code and related local amendments.
2. Allow Fort Collins to adopt local regulations for hazardous materials, including review and approval of the location of facilities that use or store hazardous materials or hazardous waste.
3. Strengthen the enforcement of hazardous materials regulations.
4. Strengthen the diversion of hazardous waste from landfills.
5. Establish greater flexibility and more options for local government in the management of publicly-owned areas thought to have asbestos containing soils while maintaining responsible site management practices.
6. Prevent and penalize improper storage and disposal of hazardous or exploration and production (E&P) wastes from oil and gas operations within municipal boundaries.

7. Preserve community safety by ensuring emergency responders have all available information needed to effectively address disasters and maintain public well-being.
8. Ensure hazardous materials are not stored or used within the 100-year floodplain.

## **MARIJUANA**

In 2012, Colorado voters approved Amendment 64 which legalizes the possession of adult-use or recreational marijuana in the state. During the same election Fort Collins residents voted to approve the use of medical marijuana within the City. Federal law maintains that marijuana is a schedule 1 drug and, as such, can neither be possessed and used nor researched.

Therefore, the City supports the following policy statements:

1. Regulate medical and retail marijuana manufacture, distribution and dispensaries.
2. Clarify the implementation and local rights and responsibilities related to Amendment 64.
3. Clarify and align federal marijuana law with the Colorado Constitution.
4. Protect communities' ability to raise necessary funds to maintain public safety and enforce marijuana possession laws.
5. Prevent under-21 access to marijuana.
6. Clarify the rights of individuals, landlords and homeowner associations in limiting or preventing growing or consuming marijuana in multi-family dwellings.
7. Provide additional state marijuana enforcement resources, especially for field enforcement.
8. Limit THC content per serving size and restrict packaging to a single serving.

## **PUBLIC SAFETY**

The Fort Collins City Council recognizes the critical importance of maintaining public order, providing a safe environment, and protecting the lives and property of the citizens of Fort Collins.



Therefore, the City supports the following policy statements:

1. Develop treatment and intervention programs, especially for youth, which have the potential to reduce incidents of violence in the community.
2. Provide greater protection to victims of crime.
3. Maintain or enhance the City's right to use camera enforcement of traffic laws, reduces operational restrictions on the use of camera enforcement, and increases the fines associated with violations.
4. Establish protocols and funding for shared, statewide emergency response communications.
5. Reject initiatives that have the potential to compromise officer safety.
6. Establish minimum training criteria and professional mediator certification that formally legitimizes the field of Alternative Dispute Resolution (ADR).
7. Regulate the use of cell phones by a motorist while operating a vehicle.
8. Preserve or increase funding for treatment of mental illness and substance abuse disorders.
9. Maintain or enhance a statewide database of concealed weapons permits.
10. Seek to reduce community flood risks.
11. Reduce cities' liability for prisoners' self-inflicted wounds while in police custody or detention facility.
12. Restrict access to illegal substances.
13. Require greater producer responsibility such as "take back" for prescription drugs to avoid these substances being abused or being disposed of into the water supply.
14. Clarify the qualifications for what types and purposes a business may obtain and use a state liquor license.
15. Define what qualifies as a "meal" when calculating the percentage of meals served for a liquor license.
16. Increasing state, regional and local disaster resilience.

## *Transportation*

### **Strategic Outcome**

Provide for safe & reliable multi-modal travel to, from, and throughout the city

### **Strategic Objectives**

1. Improve safety of all modes of travel.
2. Improve transit availability and grow ridership through extended hours, improved headways, and Sunday service in appropriate activity centers.
3. Fill the gaps for all modes of travel and improve the current transportation infrastructure while enhancing the aesthetic environment.
4. Improve traffic flow for all modes of transporting people, goods and information to benefit both individuals and the business community.
5. Create and implement long-term transportation planning and help local and regional transportation networks operate at a high level of efficiency, including the airport.
6. Support efforts to achieve climate action goals by reducing mobile emissions and supporting multiple modes of transportation.
7. Create and implement planning, engineering and financial strategies to address adequate infrastructure within the northeast area of Fort Collins.

## **TRANSPORTATION**

The City actively promotes the safety and ease of traveling to, from and throughout the community using a variety of modes of transportation. Additionally, the City's policy is to encourage the use of alternative transportation whenever appropriate.

Therefore, the City supports the following policies:

1. Facilitate cooperative programs among government agencies in order to help the City meet its basic transportation needs, including transit, street, highway, road and bridge construction and maintenance, and safe corridors for bicyclists and pedestrians.
2. Reject reductions to the present allocation formula of 60% state, 22% counties, and 18% municipalities for Highway User Tax Fund (HUTF) or any appropriations from the State using the same formula.
3. Explore and analyze alternative funding methods to meet transportation infrastructure needs.
4. Fund analysis and implementation of inter- and intra-regional transit linkages, including future commuter rail connectivity.

5. Facilitate regional planning for various modes of transportation with the goal of providing practical solutions to reduce reliance on single occupant vehicles.
6. Encourage flexibility in federal funding and regulations in order to better meet the needs of small to medium size communities.
7. Encourage or incent location of affordable housing near transit for greatest accessibility.
8. Preserve the guaranteed levels of federal funding for transportation and allocation of all federal motor fuel taxes and other federal transportation trust funds for their intended transportation purposes.
9. Broaden the definition of the gasoline tax to a “fuel tax” that encompasses other fuel options as they become more prevalent.
10. Increase local governments’ ability to prevent railroad trains from blocking street and highway grade crossings for unreasonable periods.
11. Facilitate the implementation of railroad quiet zones in municipalities and reduce train horn decibel and duration requirements in existing federal rule.
12. Reject divesting key highway roads in urban areas from the State and make them the sole responsibility of local jurisdictions.
13. Maintain safe operation of railroads through timely track inspections, joint training and communication between railroad and emergency personnel and the use of safe equipment.

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