



City of Fort Collins  
**2014 Legislative Priorities**



Downtown  
Fort Collins

Fort  
Collins  
starts  
here

BANK

BeauJo's

LINDEN ST

FIRE LANE  
ONLY  
NO PARKING  
OR STOPPING  
ANY VEHICLE  
OR TRAILER  
IN THIS AREA

HOBBS





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# Introduction

Fort Collins is a community of more than 151,000 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 wide-ranging set of policy statements meant to convey positions on issues that affect the quality of life and the governance of our community.

Fort Collins 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 2014 City of Fort Collins Legislative Policy Agenda identifies a broad range of issues of importance to 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 to also reflect the strategic planning that guides City of Fort Collins organizational resource allocation and decision making.

The City's Legislative Priorities are those issues that Fort Collins is focusing on in the 2014 Colorado General Assembly or United States Congress. These priority topics, like the City's overall policies, are reviewed and updated annually.

Seven outcome areas have been identified by the City to ensure appropriate and effective resource allocation to support the community's priorities. Fort Collins' outcome areas include High Performing Government, Transportation, Culture, Parks and Recreation, Economic Health, Neighborhood Livability, Environmental Health, and Safe Community. 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.

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# 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 or United States Congress are reviewed by the Legislative Policy Manager and those addressing a legislative priority or adopted policy position are brought to the Legislative Review Committee (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 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 on many legislative items facing cities. Fort Collins works with 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.

Urban Renewal Authority  
is an important tool  
for Fort Collins to address  
community blight  
and encourage infill  
redevelopment





# Legislative Priorities

## Objective:

### **Support retention of Urban Renewal Authority**

## Issue:

Urban Renewal Authority (URA) is a statewide tool in place to identify and revitalize areas of the city deemed blighted and provide a funding mechanism to encourage redevelopment. The main funding tool 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. This year it is anticipated that several bills could be introduced to further modify the use of URA and 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.

Fort Collins supports dialogue on URA enhancements but does not support bills that would eliminate the use of URA or TIF.

## Objective:

### **Support increasing 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 that limit restrictions communities can impose and the information available to residents about potentially harmful practices.

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 emission 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 right ownership

Fort Collins intends to use existing programs like the Local Government Designee (LGD) to their 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.

## Objective:

### **Implement solutions for railroad horn noise**

## Issue:

In June 2005 the Federal Railroad Administration (FRA) implemented a new federal Train Horn Rule that significantly increased the duration, frequency and volume level of train horns at all public grade crossings. Fort Collins is one of many communities across Colorado and the United States that was built along rail lines. The increased noise from the horns has resulted in mounting citizens' complaints and threatens the economic viability of our community. "Quiet Zones" are offered as a way to mitigate the loud horn noise however studies and mitigation actions are costing many hundreds of thousands of dollars.

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 Mason Corridor Bus Rapid Transit, which will begin operation in 2014, is one example and we very much appreciate federal support of this project. 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. 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.

FRA has discussed the rule in terms of ensuring automobile safety – that blasting a horn as the train nears an intersection will prevent accidents. The alternative is expensive quiet zones or approved countermeasures. Fort Collins accident data along Mason Street in Downtown demonstrates that accidents are rare and typically involve risk-taking behavior.

## 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. 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.



The increased noise from the horns has resulted in mounting citizens' complaints and threatens the economic viability of our community.



Rebuilding the roads and bridges is also critical to restoring tourism and access to the environmental assets of the region.

## Objective:

### Support clarity and consistency between state and federal marijuana laws

#### Issue:

The passage and implementation of Amendment 64 legalized adult use marijuana in Colorado.

Fort Collins seeks clarification on the following items:

- Conflicts exist between state and federal laws regarding marijuana possession
- The extent communities can regulate and tax marijuana
- 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
- The amount and portion shared locally of sales and excise taxes
- Hours and standards for operation for marijuana businesses
- Effectively funding prevention of under-21 possession and use

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. Because marijuana is currently classified as a Schedule 1 drug, it cannot be researched, prescribed by a doctor or handled through the same distribution channels as other prescribed drugs. As a result, different states have adopted different approaches and experience conflicts with federal laws. In Colorado, medical marijuana is 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 and possibly changed in order to allow 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:

### Support necessary resources to aid Northern Colorado recovery from 2013 flooding

#### Issue:

Northern Colorado sustained significant flooding that left many people dead, thousands displaced, and infrastructure severely compromised. Fort Collins and its regional partners will seek funding to rebuild infrastructure. Roads, bridges, stormwater and wastewater systems were damaged in many communities throughout Northern Colorado. Residents need to have transportation, sanitary systems and safe housing. Rebuilding the roads and bridges is also critical to restoring tourism and access to the environmental assets of the region.

Fort Collins stands alongside its neighbors in supporting funding needed to replace or repair needed systems.





**Objective:**

**Support funding for transportation infrastructure with an emphasis on building an integrated, multi-modal system**

**Issue:**

Funding for vital transportation infrastructure will continue to be a high priority for the City of Fort Collins. We strongly support preservation of federal levels of funding and allocation of all 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. This is no longer a sustainable method of funding the nation's transportation infrastructure needs.

The City applauds the reauthorization of the nation's surface transportation law with a focus on transit, livable communities, comprehensive regional planning, revitalization of existing infrastructure, pedestrian and bicycle infrastructure, and other approaches that decrease petroleum consumption and reduce carbon pollution. S.1813 – Moving Ahead for Progress in the 21st Century (MAP 21) – has many positive attributes however more work is needed to ensure that funding for transit, bicycling, and walking is protected and enhanced, especially at the local level. While MAP-21 provides funding for many Federal and State programs and needs, it appears to further localize the cost of many multi-modal projects and programs.

**Objective:**

**Emphasize federal policies and resources needed to sustain local cleaner energy progress**

**Issue:**

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.

We urge development of a new, more stable, long range transportation funding mechanism that doesn't rely upon fuel tax revenues. This is no longer a sustainable method of funding the nation's transportation infrastructure needs.



Reduce carbon emissions and create opportunities for waste-to-energy applications when ultra-low pollution conversion technology is used.

**Objective:**

**Support integrated waste management planning, including the potential for waste-to-energy benefits**

**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 only be effective at meeting the community’s waste reduction goals if facility managers have confidence to develop and expand in Colorado, guided by new legislation that drives waste diversion.

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.

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Biking Poudre Trail