



City of Fort Collins

2016 Legislative Priorities

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Introduction

Fort Collins is a community of 158,300 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 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 2016 City of Fort Collins Legislative Policy Agenda identifies a broad range of important issues. 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. 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 issues Fort Collins is focused on in the 2016 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.

Fort Collins Legislative Representation

United States Senate

- Cory Gardner
354 Russell Senate Office Building
Washington, DC 20510
P: 202-224-5941
- Michael Bennet
458 Russell
Senate Office Building
Washington, DC 20510
P: 202-224-5852

United States House of Representatives

- Jared Polis
1433 Longworth
House Office Building
Washington, DC 20515
P: 202-225-2161

COLORADO GOVERNOR

- John Hickenlooper
136 State Capitol
Denver, CO 80203
P: 303-866-2471

Colorado State Senate

- John Kefalas
Senate District 14
200 East Colfax, Room 338
Denver, CO 80203
P: 303-866-4841

Colorado House of Representatives

- Jeni Arndt
District 53
200 East Colfax, Room 622
Denver, CO 80203
P: 303-866-2917
- Joann Ginal
District 52
200 East Colfax, Room 301
Rm 626
Denver, CO 80203
P: 303-866-4569

Larimer County Commissioners

- Lew Gaiter III, District 1
- Steve Johnson, District 2
- Tom Donnelly, District 3
200 W. Oak Street, Second Floor
PO Box 1190
Fort Collins, CO 80522-1190
P: 970.498.7010



Wade Troxell
Mayor
970-416-2154
wtroxell@fcgov.com



Gerry Horak
Mayor Pro Tem, District 6
970-217-2993
ghorak@fcgov.com



Bob Overbeck
District 1
970-817-1411
boverbeck@fcgov.com



Ray Martinez
District 2
970-690-3686
raymartinez@fcgov.com



Gino Campana
District 3
970-460-6329
gcampana@fcgov.com



Kristin Stephens
District 4
970-217-5817
kstephens@fcgov.com



Ross Cunniff
District 5
970-420-7398
rcunniff@fcgov.com

Use cityleaders@fcgov.com to e-mail all City Councilmembers and the City Manager at once.

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 Gino Campana, Chair
- Councilmember Ross Cunniff
- Councilmember Ray Martinez

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 also works with Colorado Association of Municipal Utilities (CAMU) which represents 29 municipal utilities throughout the state on utility issues. In addition, 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 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 the use of urban renewal and tax increment financing 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.

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. The City has engaged regional partners in an attempt to develop an equitable formula and process for utilizing URA in Larimer County. Fort Collins has sought to identify a mechanism to balance Larimer County costs for providing service in URA areas and to shared constituents.

2015 URA reform law (HB15-1348) institutes several changes that the City will be implementing in its URA practices. Key changes to URA law add additional members from county, special districts and school district to a URA Board and a negotiated use of tax increment funds before the City could utilize them. Fort Collins is already working on adopting HB 1348 changes.

The City would like to see clarifications made to HB 1348 as language included in the new law does not conform to URA statute and it is unclear how this new law impacts projects already under development.



Prospect Station



Fort Collins supports studying and better understanding the health and community impacts of oil and gas extraction.

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
- Limiting the proximity of large-scale oil and gas sites to the City limits in order to minimize community impacts
- Mitigation measures that balance developing oil and gas resources with community environmental and human health
- 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 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. The City will monitor and engage as appropriate in rulemaking hearings of the Colorado Oil and Gas Conservation Commission.

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 extended blockages of community intersections, 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 three rail companies servicing the community 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), Great Western Railway (GWR) 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
- Collaboration with railroads to train local emergency personnel
- Solution-oriented use of technology and innovation to improve conflict areas
- Promote improve existing federal and state regulations to identify reasonable safety protections



Trains have regained preference for transporting goods and materials.



At the core of the issues with both medical and adult use marijuana is the classification of the drug.

Objective:

Support marijuana law clarifications and alignment with Colorado Constitution

Issue:

The passage and implementation of Amendment 64 legalized adult use marijuana in Colorado. The 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 that 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 restricting 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 different 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 and achieve Climate Action Plan goals

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

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.

City staff are working to develop actions to implement in order to achieve the Climate Action Plan goals. These goals may be assisted and promoted through legislative and regulatory actions. Success in achieving the City's climate action goals may be enhanced through partnership with communities that have adopted similarly aggressive climate action and adaptation goals. Action in the transportation and energy sectors will be important drivers for reducing greenhouse gas emissions and achieving both climate and resilience goals.

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 Mason corridor includes both the Mason Trail and the Max rapid transit system.

Objective:

Support transportation infrastructure connectivity with an emphasis on funding an integrated, multi-modal system

Issue:

Funding for vital transportation infrastructure will continue 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.

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.

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. 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.

A key transportation funding priority for Fort Collins is Interstate 25 (I-25) in Northern Colorado. The highway has become a pinch point in the regional transportation inventory that limits access to and from Fort Collins for residents, visitors, and the delivery of goods and services. Immediate funding to widen north I-25 is needed to sustain the region's economic growth. The City is an active part of the I-25 Coalition whose primary goal is to accelerate construction of a third lane in each direction of I-25 as identified in the I-25 North Project (from State Highway 6 to State Highway 14).

Actions that may expedite the improvement and expansion of northern sections of I-25 include:

- A Transportation Revenue Anticipation Notes (TRANS) bond II ballot initiative (TRANS bonds were previously used to help fund the \$1.67 billion T-REX I-25 improvements in the south Denver Metro area)
- State of Colorado General Fund dollars going to transportation (maintenance & capital construction)
- Modification to SB 228 for maintenance as long as it's tied to TRANS bond (SB 228 provides a mechanism for the State to transfer funds from the General Fund to CDOT for strategic transportation capital infrastructure projects)
- Extending SB 228 for 10 years beyond projected five-year transfer required in law
- Tax credit legislation for specific highway projects

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 implementation of the Colorado Water Plan and the federal Environmental Protection Agency’s (EPA) rulemakings affecting water storage, use, quality and conservation.

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

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:

- Fully resource a state affordable housing fund
- Implement funding for the Earned Income 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 reform
- Adopt standardized state-level tools to respond to homelessness
- Pilot innovative programs to address housing and homelessness

Villages on Plum



City of Fort Collins Legislative Contacts

Legislative Review Committee

Name	District/Title	Email	Phone
Councilmember Gino Campana	District 3	gcampana@fcgov.com	970-460-6329
Councilmember Ross Cunniff	District 5	rcunniff@fcgov.com	970-420-7398
Councilmember Ray Martinez	District 2	raymartinez@fcgov.com	970-690 3686
Wendy Williams	Assistant City Manager	wwilliams@fcgov.com	970-416-2899
Carrie Daggett	City Attorney	cdaggett@fcgov.com	970-416-2463
Dan Weinheimer	Legislative Policy Manager	dweinheimer@fcgov.com	970-416-2253

Legislative Staff Liaison Members

Topic Area	Name	Title	Email	Phone
Affordable Housing and Social Sustainability	Beth Sowder	Social Sustainability Director	bsowder@fcgov.com	970-221-6752
Air Quality	Lindsay Ex	Environmental Program Manager	lex@fcgov.com	970-224-6143
Cable Television Franchise	Carson Hamlin	Cable Television Manager	chamlin@fcgov.com	970-221-6510
Climate and Environmental Protection	Lucinda Smith	Environmental Services Director	lsmith@fcgov.com	970-224-6085
Elections, Liquor Licensing, Medical Marijuana Licensing	Wanda Winkelmann	City Clerk	wwinkelmann@fcgov.com	970-416-2995
Cultural Services, Parks and Recreation	Mike Calhoon	Director of Parks	mcalhoon@fcgov.com	970-416-2079
Energy	Lisa Rosintoski	Utility Customer Connections Manager	lrosintoski@fcgov.com	970-416-2432
Finance	Michael Beckstead	Chief Financial Officer	mbeckstead@fcgov.com	970-221-6795
Economic Health	Josh Birks	Economic Health Director	jbirks@fcgov.com	970-221-6324
Fire Protection and Hazardous Materials Management	Bob Poncelow	Division Chief, Poudre Fire Authority	bponcelow@poudre-fire.org	970-416-2871
Human Resources	Janet Miller	Assistant Human Resources Director	jamiller@fcgov.com	970-221-6826
Legal	Carrie Daggett	City Attorney	cdaggett@fcgov.com	970-416-2463
Natural Areas, Open Lands and Cache la Poudre River Issues	John Stokes	Natural Resources Director	jstokes@fcgov.com	970-221-6263
Neighborhood and Building Services	Mike Gebo	Chief Building Official	mgebo@fcgov.com	970-416-2618
Planning and Land Use	Tom Leeson	Community Development and Neighborhood Services Director	tleeon@fcgov.com	970-221-6287
Public Safety	Jerry Schiager	Assistant Chief	jschiager@fcgov.com	970-416-2587
Recycling and Solid Waste	Susie Gordon	Senior Environmental Planner	sgordon@fcgov.com	970-221-6265
Risk Management	Lance Murray	Risk Manager	lmurray@fcgov.com	970-221-6807
Stormwater	Jon Haukaas	Water Engineering Field Operations Manager	jhaukaas@fcgov.com	970-221-6671
Transportation	Mark Jackson	Planning, Development and Transportation Deputy Director	mjackson@fcgov.com	970-416-2029
Utilities Customer Service	Lisa Rosintoski	Utility Customer Connections Manager	lrosintoski@fcgov.com	970-416-2432
Water Supply and Quality	Carol Webb	Water Resource and Treatment Operations Manager	cwebb@fcgov.com	970-221-6231