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Legislative Review Committee Agenda

Meeting Notes

January 24, 2012, 4:00 p.m.

City Manager's Conference Room

Present: Kelly Ohlson, Mayor Pro Tem; Lisa Poppaw, Councilmember; Wade Troxell, Councilmember; Darin Atteberry, City Manager; Wendy Williams, Assistant City Manager; Steve Roy, City Attorney; Dan Weinheimer, Legislative Policy Manager

Absent: None

Guests: Brian Janonis, Utilities Executive Director; Kevin Gertig, Water Resources/Treatment Operations Manager; Carol Webb, Regulatory & Government Affairs Manager; James Thompson, Regional Director, U.S. Senator Michael Bennet

Mayor Pro Tem Ohlson called the meeting to order at 4:07 pm.

Dan Weinheimer briefly introduced himself to the LRC as the Legislative Policy Manager.

The Committee conducted brief review of the adopted 2012 Legislative Policy Agenda to affirm positions. Dan Weinheimer led discussion pointing out its thoroughness and help in getting familiar with the City positions on legislation. Mayor Pro Tem Ohlson pointed out the City's adopted priorities. Dan sought clarification on the City's intent with regard to federal advocacy. Mayor Pro Tem Ohlson said that during budgeting the City had determined not to retain a federal lobbyist. He also stated that the City is not interested in advocacy on national policy issues not concerning residents. Councilmember Poppaw asked if there was a larger role that could be played on specific issues of interest without a federal lobbyist.

James Thompson with Senator Bennet's office offered that he as the Regional Director would gladly meet with City staff and represent local issues to the Senator. Darin Atteberry specifically asked for the Senator's assistance in train horn regulation and in securing federal funding to support the innovation underway in the community – specifically transportation and energy related issues. Mayor Pro Tem Ohlson mentioned strong interest in securing \$10-12 million for the completion of the North College Gap.



The next agenda item was a rundown of legislation currently active in the Legislature. Several bills were brought to the attention of the Committee to adopt positions.

First, two bills concerning the rule-making on nutrients have been introduced – SB12-17 and HB12-1161. Carol Webb made a presentation on the City’s regulatory concerns with regard to nutrients management. SB12-17 would put a 5-year moratorium on adopting state nutrient management rules and HB12-1161 would give the Legislature the power to appoint a committee of experts to develop recommendations on nutrients. After debating the merits of regulation and affirming that the City’s position supporting nutrient regulation, Dan Weinheimer recommended watching these bills in order to determine a position in the future. Dan noted neither bill has a hearing scheduled and that allows time before adopting a formal position. Further, Steve Roy noted that the Legislative Policy Agenda may not allow a position be taken so staff was to review where on the Agenda these proposals could be considered.

Next, Representative Randy Fischer’s bill, HB12-1003, to allow cities to adopt rules concerning the use of graywater was considered. The Committee was told of Utilities’ staff recommendation to support this proposal along with the support from the Water Board. A support position was adopted.

Next, the Committee considered SB12-50 which proposes to eliminate the use of red light cameras and photo speed radar throughout the state. Due to the City’s effective use of the technology, a formal oppose position was adopted.

Next was HB12-1082, which would require the use of prevailing wage on state public works contracts exceeding \$100,000. This bill would impact the City when it comes to the use of state grants, possibly raising the cost of public works projects and limiting financial resources. While the Committee opposed the practice, staff was first directed to research whether the Agenda allowed a position to be taken. *Note: Dan confirmed that the Legislative Policy Agenda states that under the heading of Finance, subheading Privatization the City of Fort Collins opposes mandates that increase the complexity and cost of services without improving those services.*

Finally, HB12-1062 which is the Police Officer’s Bill of Rights was considered. This bill would usurp local control on personnel matters and on the application of City resources. The Committee adopted an oppose position to the bill.

The meeting was adjourned 4:56 pm