



**City Manager's Office**  
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## **Legislative Review Committee Agenda**

August 11, 4:00 p.m.  
Commons Conference Room

1. Approval of minutes from July 28, 2015 meeting
2. Discuss 2016 legislative priorities and policy agenda themes
  - Consider 2015 priorities – keep or change?
  - Discuss new proposed priorities
3. Consider bill proposals
  - CML Policy Committee (initial submission deadline September 9)
4. Other business
  - State Legislators will attend September 22 LRC meeting

Next meetings: September 8, September 22, and October 13



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## **Legislative Review Committee Agenda**

Meeting Notes

July 28, 2015, 4:00 p.m.

Commons Conference Room

Present: Ross Cunniff, Councilmember; Ray Martinez, Councilmember; Gino Campana, Councilmember; Wendy Williams, Assistant City Manager; Carrie Daggett, City Attorney; Dan Weinheimer, Legislative Policy Manager

Absent: None

Guests: Dan Betts, Senator Cory Gardner's Office; Kevin Jones, Chamber of Commerce; Dale Adamy, citizen

The meeting came to order at 4:00 pm.

Councilmember Cunniff moved approval of the minutes from the April 28, 2015 and May 12, 2015 meetings, Councilmember Martinez seconded. Minutes were adopted without amendment.

Dan circulated a sample of a **committee notebook** that would be used to manage future LRC meeting materials. He explained the purpose was to have both meeting materials and documents like the Policy Agenda, Legislative Priorities and contact information in one place. Staff will maintain the meeting information and the notebooks will be ready for use at future LRC meetings.

LRC started a discussion on process and procedure. Councilmembers asked for a status update on the LRC website. Dan indicated that it is a work in progress but that he had spent time consolidating several pages to two – one focused on general legislative information and the other on LRC materials. **LRC sought to include a bill research tool to the page for LRC members and the public.** There was some discussion on the logistics of the subscription service that the City uses.

LRC discussed a new committee chair. **Councilmember Campana** was nominated by Councilmember Martinez and **accepted the chair position.**

The committee returned to the discussion of processes and considered **ways to increase the interaction between Councilmembers and state/federal elected officials.** Among possible actions that the group discussed were:

1. continuing the June legislative lunch,
2. inviting state legislators to a September LRC meeting to talk about bills that they plan to run,

3. adding a midterm meeting to the LRC calendar similar to the legislative breakfast and lunch meetings,
4. having a City Council tour to the Capitol and meetings with legislators,
5. meetings on Fridays during the General Assembly session,
6. having informal social gatherings of legislators and Councilmembers

**LRC discussed their role in advocacy.** Dan was asked to share contact information for legislators. LRC discussed process for engaging on legislative issues.

The meeting was adjourned at 5:01 pm.



City of Fort Collins

# 2015 Legislative Priorities



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Environmental Protection Agency  
Administrator Gina McCarthy listens  
to discussion during Fort Collins tour  
in February 2014



## 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.

## Fort Collins Legislative Representation

### United States Senate

- Cory Gardner
- 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  
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### Colorado State Senate

- John Kefalas  
Senate District 14  
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Denver, CO 80203  
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### Colorado House of Representatives

- Jeni Arndt  
District 53  
1525 Sherman Street  
Denver, CO 80203  
P: 303-866-2917
- Joann Ginal  
District 52  
1525 Sherman Street  
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  
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PO Box 1190  
Fort Collins, CO 80522-1190  
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**Karen Weitkunat**  
Mayor  
970-416-2154



**Gerry Horak**  
Mayor Pro Tem, District 6  
970-217-2993



**Bob Overbeck**  
District 1  
970-817-1411



**Lisa Poppaw**  
District 2  
970-817-0587



**Gino Campana**  
District 3  
970-460-6329



**Wade Troxell**  
District 4  
970-219-8910



**Ross Cunniff**  
District 5  
970-420-7398

# 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.



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 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
- 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:

### 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:

### **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



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



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 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.

## 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.



Halligan Reservoir

## 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



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.

# City of Fort Collins Legislative Contacts

## Legislative Review Committee

Name	District/Title	Email
Councilmember Wade Troxell	District 4	<a href="mailto:wtroxell@fcgov.com">wtroxell@fcgov.com</a>
Councilmember Lisa Poppaw	District 2	<a href="mailto:lpoppaw@fcgov.com">lpoppaw@fcgov.com</a>
Councilmember Ross Cunniff	District 5	<a href="mailto:rcunniff@fcgov.com">rcunniff@fcgov.com</a>
Wendy Williams	Assistant City Manager	<a href="mailto:wwilliams@fcgov.com">wwilliams@fcgov.com</a>
Carrie Daggett	Interim City Attorney	<a href="mailto:cdaggett@fcgov.com">cdaggett@fcgov.com</a>
Dan Weinheimer	Legislative Policy Manager	<a href="mailto:dweinheimer@fcgov.com">dweinheimer@fcgov.com</a>

## Legislative Staff Liaison Members

Topic Area	Name	Title	Email
Affordable Housing and Social Sustainability	Beth Sowder	Interim Social Sustainability Director	<a href="mailto:bsowder@fcgov.com">bsowder@fcgov.com</a>
Air Quality	Melissa Hovey	Senior Environmental Planner	<a href="mailto:mhovey@fcgov.com">mhovey@fcgov.com</a>
Cable Television Franchise	Carson Hamlin	Cable Television Manager	<a href="mailto:chamlin@fcgov.com">chamlin@fcgov.com</a>
Climate and Environmental Protection	Lucinda Smith	Environmental Services Director	<a href="mailto:lsmith@fcgov.com">lsmith@fcgov.com</a>
Elections, Liquor Licensing, Medical Marijuana Licensing	Wanda Nelson	City Clerk	<a href="mailto:wnelson@fcgov.com">wnelson@fcgov.com</a>
Community Services	J.R. Schnelzer	Director of Parks	<a href="mailto:jrschnelzer@fcgov.com">jrschnelzer@fcgov.com</a>
Energy	Steve Catanach	Light and Power Operations Manager	<a href="mailto:scatanach@fcgov.com">scatanach@fcgov.com</a>
Finance	Michael Beckstead	Chief Financial Officer	<a href="mailto:mbeckstead@fcgov.com">mbeckstead@fcgov.com</a>
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Fire Protection and Hazardous Materials Management	Bob Poncelow	Division Chief, Poudre Fire Authority	<a href="mailto:bponcelow@poudre-fire.org">bponcelow@poudre-fire.org</a>
Human Resources	Janet Miller	Human Resources Director	<a href="mailto:jmiller@fcgov.com">jmiller@fcgov.com</a>
Legal	Carrie Daggett	Interim City Attorney	<a href="mailto:cdaggett@fcgov.com">cdaggett@fcgov.com</a>
Natural Areas, Open Lands and Cache la Poudre River Issues	John Stokes	Natural Resources Director	<a href="mailto:jstokes@fcgov.com">jstokes@fcgov.com</a>
Neighborhood and Building Services	Mike Gebo	Chief Building Official	<a href="mailto:mgebo@fcgov.com">mgebo@fcgov.com</a>
Planning and Land Use	Laurie Kadrich	Community Development and Neighborhood Services Director	<a href="mailto:lkadrich@fcgov.com">lkadrich@fcgov.com</a>
Public Safety	Cory Christensen	Deputy Chief	<a href="mailto:cchristensen@fcgov.com">cchristensen@fcgov.com</a>
Recycling and Solid Waste	Susie Gordon	Senior Environmental Planner	<a href="mailto:sgordon@fcgov.com">sgordon@fcgov.com</a>
Risk Management	Lance Murray	Risk Manager	<a href="mailto:lmurray@fcgov.com">lmurray@fcgov.com</a>
Stormwater	Jon Haukaas	Water Engineering Field Operations Manager	<a href="mailto:jhaukaas@fcgov.com">jhaukaas@fcgov.com</a>
Transportation	Mark Jackson	Planning, Development and Transportation Deputy Director	<a href="mailto:mjackson@fcgov.com">mjackson@fcgov.com</a>
Utilities Customer Service	Lisa Rosintoski	Utility Customer Connections Manager	<a href="mailto:lrosintoski@fcgov.com">lrosintoski@fcgov.com</a>
Water Supply and Quality	Carol Webb	Interim Water Resource and Treatment Operations Manager	<a href="mailto:cwebb@fcgov.com">cwebb@fcgov.com</a>



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## **Legislative Review Committee Agenda**

September 8, 4:00 p.m.  
Commons Conference Room

1. Approval of minutes from August 11, 2015 meeting
2. Discuss 2016 legislative policy agenda
3. Consider 2016 bill proposals
  - CML Policy Committee proposals
  - City proposals
4. Other business
  - State Legislators will attend September 22 LRC meeting
  - Darin will attend October 27 meeting to align with CML Policy Committee

Next meetings: September 22, and October 27 (October 13 cancelled)



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## **Legislative Review Committee Agenda**

Meeting Notes

August 11, 2015, 4:00 p.m.  
Commons Conference Room

Present: Ross Cunniff, Councilmember; Ray Martinez, Councilmember; Gino Campana, Councilmember; Carrie Daggett, City Attorney; Dan Weinheimer, Legislative Policy Manager

Absent: Wendy Williams, Assistant City Manager

Guests: Kevin Jones, Chamber of Commerce

The meeting came to order at 4:03 pm.

Councilmember Cunniff moved approval of the minutes from the July 28, 2015 meetings, Councilmember Martinez seconded. Minutes were adopted without amendment.

Dan presented an **update on Council-Legislator communication recommendations** made at the last LRC meeting. He shared that all state legislators would be present at the September 22 – LRC intends to use this meeting to discuss the upcoming 2016 session and bills that legislators intend to offer. Also staff is coordinating a tour of Halligan Reservoir and discussion of water issues for state legislators on September 21.

LRC then **discussed 2016 legislative priorities** – the goal of this discussion was to review past priority themes and begin to rewrite the legislative priorities and policy agenda documents.

Priority topics discussed include:

- URA
- Oil and Gas
- Broadband reform
- Trains
- Marijuana
- Resilience and Climate Action Plan implementation
- Transportation
- Water
- Homelessness/poverty

LRC will review the legislative policy agenda at its next meeting and staff will begin drafting 2016 priorities language based on discussion.

The meeting was adjourned at 5:00 pm.



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## **Legislative Review Committee Agenda**

September 22, 4:00 p.m.  
Commons Conference Room

1. Welcome guests and introductions as needed
2. Discuss local legislators' 2016 legislative priorities and anticipated bill offerings
  - Areas of commonality
  - Collaboration
3. Discussion of 2016 legislative topics
  - Solutions to homelessness
  - Police body cameras and police reform-related bills
  - Construction defect reform
  - Urban Renewal Authority (URA) clean-up and reform
4. Other business

Next meetings: October 27, November 10, and November 24



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## **Legislative Review Committee Agenda**

### Meeting Notes

September 8, 2015, 4:00 p.m.

Commons Conference Room

Present: Ross Cunniff, Councilmember; Ray Martinez, Councilmember; Gino Campana, Councilmember; Carrie Daggett, City Attorney; Dan Weinheimer, Legislative Policy Manager; Wendy Williams, Assistant City Manager

Absent: None

Guests: Kevin Jones, Chamber of Commerce

The meeting came to order at 4:02 pm.

Councilmember Martinez moved approval of the minutes from the August 11, 2015 meeting, Councilmember Cunniff seconded. Minutes were adopted without amendment.

Dan reminded the LRC that all three **state legislators would be attending the September 22 LRC meeting** to discuss bills and 2016 priorities.

LRC then **discussed the 2016 legislative policy agenda** – the goal of this discussion was to review past policy agenda topics and determine areas to enhance the upcoming 2016 Legislative Policy Agenda document.

The LRC sought to focus the September 22 meeting discussion with legislators on both the legislators' proposed bills and on some key topics for Fort Collins.

Discussion themes mentioned include:

- Solutions to homelessness
- Police body cameras and issues around body camera usage
- Construction defects reform
- Urban Renewal Authority (URA) clean-up and continued reform

The meeting was adjourned at 4:58 pm.



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## **Legislative Review Committee Agenda**

October 27, 4:00 p.m.  
Commons Conference Room

1. Approval of minutes from September 22, 2015 meeting
2. Discuss 2016 legislative policy agenda and priorities draft
  - Consider adding rolling coal to priorities or policy agenda
3. Oil and Gas Conservation Commission Rulemaking
  - Review draft pre-hearing statement
  - Discuss rulemaking calendar and City involvement
4. 2016 LRC schedule
  - Legislative Breakfast/meeting date change
  - National League of Cities March conference in Washington, DC
  - Meetings with legislators
5. Other business
  - Update on Climate Coalition
  - Review CML Policy Committee meeting information

Next meetings: November 10 and November 24



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## **Legislative Review Committee Agenda**

### Meeting Notes

September 22, 2015, 4:00 p.m.

Commons Conference Room

Present: Ross Cunniff, Councilmember; Ray Martinez, Councilmember; Gino Campana, Councilmember; Wendy Williams, Assistant City Manager; John Duvall, Deputy City Attorney; Dan Weinheimer, Legislative Policy Manager

Absent: Carrie Daggett, City Attorney

Guests: John Kefalas, State Senator; Jeni Arndt, State Representative; Joann Ginal, State Representative; Bob Overbeck, City Councilmember; Wade Troxell, Mayor; Kevin Jones, Chamber of Commerce; Dan Betts, Senator Cory Gardner's Office; Sue Beck-Ferkiss, Social Sustainability Specialist; Vanessa Fenley, Homeward 2020; John Hutto, Fort Collins Police Chief; Josh Birks, Economic Health Director

The meeting came to order at 4:04 pm.

Councilmember Martinez moved approval of the minutes from the September 8, 2015 meetings, Councilmember Campana seconded. Minutes were adopted without amendment.

Councilmember Campana recognized state legislators individually to review their goals and legislative proposals for the 2016 General Assembly session.

- Representative Arndt
  - Spoke about her planned bills and strategy for managing her activities for 2016.
  - Bills include:
    - Working with legal community on juvenile driver's license driving under revocation amendment
    - Amending current General Educational Development (GED) testing program
    - Improving teacher evaluation standards
    - Creating an agriculture water flexibility bill
    - Adding agricultural-based businesses to the OEDIT innovator program
- Representative Ginal
  - Bills include:
    - Death with dignity – a bill seeking to give terminally ill persons the right to end their lives
  - Topics of interest:

- Police and firefighter pensions
  - Rural community access to primary care doctors
  - Helping residents with intellectual disability enter the workforce
  - Supporting veterans' access to health care
  - Ensuring water supply safety
- Senator John Kefalas
  - Bills include:
    - Health insurance exchange bill to secure a state innovation waiver under Section 1332 of the Affordable Care Act (ACA) to pursue innovative health insurance strategies.
    - Seeking to standardize health insurance cards
    - Fair opportunity initiative modeled on Oregon's prosperity initiative which is an economic development program aimed at expanding commerce to reduce poverty
  - Topics of interest:
    - Lessening traffic congestion on Interstate 25
    - Protections for residents of manufactured housing communities – possibly alternative dispute resolution (ADR) between residents and owners
    - Affordable housing
    - Tax Increment Financing (TIF) as a mechanism to fund affordable housing

Other topics discussed by LRC and legislators included:

- Securing land for food production in Fort Collins and Northern Colorado
- Veterans to farmers program – teaching veterans to become community farmers
- Solutions to homelessness in Fort Collins -Housing First program as goal
- Use of body cameras in law enforcement – LRC expressed concerns about any mandated use of body camera and the retention of video evidence and provision of that evidence without charge to
- Construction defect law reform – a bill will be offered in 2016 session, it appears that the House Speaker may be willing to compromise on the issue and advance a solution
- Urban Renewal Authority (URA) reform – legislators asked City staff to develop some recommendations for legislative language to address Fort Collins concerns

The meeting was adjourned at 5:00 pm.

**LEGISLATIVE REVIEW COMMITTEE**  
2016 MEETING SCHEDULE

<b>Date</b>	<b>Time</b>	<b>Location</b>
January 19	4:00 – 5:00PM	Commons Conference Room
February 9	4:00 – 5:00PM	Commons Conference Room
February 19 (Friday)	4:00 – 5:00PM	Breakfast Meeting, Location TBD
March 1	4:00 – 5:00PM	Commons Conference Room
March 22	4:00 – 5:00PM	Commons Conference Room
April 5	4:00 – 5:00PM	Commons Conference Room
April 19	4:00 – 5:00PM	Commons Conference Room
May 3	4:00 – 5:00PM	Commons Conference Room
May 31	4:00 – 5:00PM	Commons Conference Room
Week of June 20	90 minute Lunch	Legislative Lunch, Location TBD
July 12	4:00 – 5:00PM	Commons Conference Room
August 9	4:00 – 5:00PM	Commons Conference Room
September 6	90 minute Meeting	Commons Conference Room
September 20	4:00 – 5:00PM	Commons Conference Room
October 11	4:00 – 5:00PM	Commons Conference Room
October 25	4:00 – 5:00PM	Commons Conference Room
November 8	4:00 – 5:00PM	Commons Conference Room
November 29	4:00 – 5:00PM	Commons Conference Room
December 13 (Friday)	8:00AM – 10:00AM	Breakfast Meeting, Location TBD

**Goals:**

1. Increased engagement with General Assembly and Congressional delegation
2. Communication throughout the General Assembly session
3. Timely opportunities for action

**Key dates:**

- January 13, General Assembly convenes
- March 5-9, National League of Cities Conference, Washington, DC
- TBD, Lobbying trip to Washington, DC
- May 11, General Assembly adjournment sine die



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## MEMORANDUM

Date: October 15, 2015

To: Mayor and City Councilmembers

From: Dan Weinheimer, Policy and Project Manager

Through: Darin Atteberry, City Manager  
Jeff Mihelich, Deputy City Manager  
Laurie Kadrich, Director of Planning, Development and Transportation

Re: Oil and Gas Rulemaking Process

### Bottom-line:

Staff has been tracking an upcoming Colorado Oil and Gas Conservation Commission (COGCC) rulemaking. Fort Collins is poised to offer comments on the draft rule representing the City, to track the rulemaking and to engage as Council sees fit (either with or without other local government partners).

Staff plans to secure "party status" for the rulemaking in order to preserve the greatest opportunity for Fort Collins to engage throughout the hearing process.

### Background:

COGCC expects to have a rulemaking in November/December on two recommendations of the Governor's Oil and Gas Task Force related to proximity of large-scale oil and gas operations to communities and the amount and type of communication and input cities will have in site location for these facilities.

A staff team has engaged in dialogue on these upcoming rule changes with Larimer County and Loveland. Fort Collins staff have coordinated these meetings and initially offered to have all entities that have a Local Government Designee within the county participate – Loveland and Larimer County have been the only participants.

This coalition group is engaged with Broomfield and with Boulder County agencies - both groups have already offered written comments directly to COGCC.

Options (from most engaged to least):

1. Secure "party status"
  - Provides clear opportunity to address Commission orally or through written comments throughout the rulemaking
  - As mentioned, due to the timing (October 19 deadline to request party status) staff will secure party status in order to preserve the option
2. Secure party status with a coalition of other governments

- Fort Collins and aligned communities would likely coordinate a single spokesperson and develop comments collectively
- 3. Submit written comments throughout the rulemaking and speak in public comment
  - Option would preserve an ability to provide written comments but oral comment would be limited
- 4. Provide written comments initially and simply monitor the process
- 5. Monitor the rulemaking process without formal comments

Important dates announced for this rulemaking include:

November 16-17 - the dates designated for the rulemaking hearing (expect December dates as well)

- October 14, 15, and 16: 3-hour rulemaking scoping meetings for potential stakeholders
- October 15: Next meeting of our Larimer County group
- October 19: Deadline to request party status
- October 20: Staff will attend a pre-hearing meeting at the CU-Boulder law school
- October 28: Pre-hearing statements due to COGCC
- November 3: Latest date for Council to consider a resolution
- November 6: Party response to pre-hearing statements
- Week of November 9: Parties must attend a pre-hearing conference

Staff plans to work through the Legislative Review Committee (LRC) to provide updates and receive feedback on the rulemaking. Staff will also keep Council informed with periodic written communications.

# CML POLICY COMMITTEE - OCTOBER 16, 2015

## Fiscal Fair Play

**DRAFT**

### ***CML Policy Statement***

#### **State Fiscal Fair Play**

Municipal finances are closely interrelated with state finances and policies. State adherence to fiscal fair play policies will greatly help municipalities and their citizens. Therefore, the League:

- Supports appropriate action to address the state and local financial crises caused by the interaction of various constitutional amendments and the economy.
- Supports continued state sharing with municipalities of equitable portions of existing and future revenues derived from traditional state-collected, municipally-shared sources.
- Urges the state to avoid or exercise restraint in relying on fees, charges and other cash funding of programs that affect municipalities, especially in the areas of technical assistance, in programs where municipal participation is mandated by state law, and in regulatory programs that affect municipalities.
- Opposes state-granted exemptions or other state actions that erode municipal sales, use, property and other revenues unless the state provides adequate replacement revenues.
- Opposes disproportionate cuts in state programs that benefit municipalities.
- Opposes the state utilizing local funds or requiring local governments to collect state revenues in order to fund state programs.

### **A. Road & Bridge Mill Levy**

#### **Facts**

1. *Colorado statutes require 50% of revenues collected from a county road & bridge mill levy to be shared back with municipalities within the county.*
2. *The mill levy is under the unilateral control of county commissioners who set the mill levies each year.*
  - a. *May be raised or lowered annually*
  - b. *No public vote is required*
  - c. *No input from municipalities is required.*
3. *Lowering the road & bridge mill levy increases revenues to other line items in the county budget*
4. *34 counties have decreased road & bridge mill levies from their highest point in the last 10 years. (Only 7 increased the road & bridge mill levy)*
5. *The result is a net loss by municipalities of nearly \$19 million in road & bridge funds that have instead been redistributed back into county programs. Some counties have then turned around used that money for county road & bridge projects.*
6. *Examples:*
  - a. *Jefferson County: The road & bridge mill levy has been perennially reduced by a "temporary" adjustment from 3.28 to a 1.4 mills (and proposed for 2016 to be 1.253 mills), which translates to approximately \$7 million of municipal road & bridge money unilaterally redistributed to the county budget.*
  - b. *Larimer County: The county has reduced the road & bridge mill levy by over 90% from 1976 (4.9 mills) to 2015 (0.572 mills). This includes an over 50% reduction in 2009, at which time the county supplemented its own road & bridge fund with specific ownership*

*taxes for the stated purpose of “reducing payments to cities/towns and increasing funds available to maintain county roads.”*

- c. El Paso County: The county slashed its road & bridge mill levy by 80% in the last 10 years, resulting in \$4 million reduction in municipal share of road & bridge money – or nearly a 400% drop.*
- d. Moffat and Montrose Counties have completely eliminated their road & bridge mill levy.*

## **B. Severance tax**

SB 15-255 swept \$20 million off the top of severance tax revenues that, for local governments, are intended to mitigate the impacts of natural resource extraction on local government infrastructure and programs.

Impacts to local and state government:

- Direct Distribution to Impacted Local Governments - \$ 3 million
- Energy Impact Assistance Fund - \$7 million
- Colorado Water Conservation Board grants and loans - \$5 million
- Department of Natural Resources Operational Account - \$ 5 million

The ability of the state to sweep severance tax and federal mineral lease money rather than attempt to directly address constitutional constraints on the legislature’s ability to budget to its needs is troubling.

## **C. Unfunded mandates**

Certain laws and constitutional language purport to protect local governments against state unfunded mandates. However, they often still occur. A discussion of whether or not state law is strong enough or whether additional efforts should be undertaken is appropriate.

### **1. State law: C.R.S. 29-1-304.5**

*(1) No new state mandate or an increase in the level of service for an existing state mandate beyond the existing level of service required by law shall be mandated by the general assembly or any state agency on any local government unless the state provides additional moneys to reimburse such local government for the costs of such new state mandate or such increased level of service. In the event that such additional moneys for reimbursement are not provided, such mandate or increased level of service for an existing state mandate shall be optional on the part of the local government.*

*(2) The provisions of subsection (1) of this section shall not apply to:*

*(a) Any new state mandate or any increase in the level of service for an existing state mandate beyond the existing level of service which is the result of any requirement of federal law;*

*(b) Any new state mandate or any increase in the level of service for an existing state mandate beyond the existing level of service which is the result of any requirement of a final state or federal court order;*

*(c) Any modification in the share of school districts for financing the state public school system;*

*(d) Any new state mandate or any increase in the level of service for an existing state mandate beyond the existing level or service which is the result of any state law enacted prior to the second regular session of the fifty-eighth general assembly or any rule or regulation promulgated thereunder;*

*(e) Any new state mandate or any increase in the level of service for an existing state mandate beyond the existing level of service which is undertaken at the option of a local government which results in additional requirements or standards; and*

*(f) Any order from the state board of education pertaining to the establishment, operation, or funding of a charter school or any modification of the statutory or regulatory responsibilities of school districts pertaining to charter schools.*

*(3) For purposes of this section:*

*(a) "Increase in the level of service for an existing state mandate" does not include any increase in expenditures necessary to offset an increase in costs to provide such service due to inflation or any increase in the number of recipients of such service unless such increase results from any requirement of law which either enlarges an existing class of recipients or adds a new class of recipients.*

*(b) "Local government" means any county, city and county, city, or town, whether home rule or statutory, or any school district, special district, authority, or other political subdivision of the state.*

*(c) "Requirement of federal law" means any federal law, rule, regulation, executive order, guideline, standard, or other federal action which has the force and effect of law and which either requires the state to take action or does not directly require the state to take action but will, according to federal law, result in the loss of federal funds if state action is not taken to comply with such federal action.*

*(d) "State mandate" means any legal requirement established by statutory provision or administrative rule or regulation which requires any local government to undertake a specific activity or to provide a specific service which satisfies minimum state standards, including, but not limited to:*

*(I) Program mandates which result from orders or conditions specified by the state as to what activity shall be performed, the quality of the program, or the quantity of services to be provided; and*

*(II) Procedural mandates which regulate and direct the behavior of any local government in providing programs or services, including, but not limited to, reporting, fiscal, personnel, planning and evaluation, record-keeping, and performance requirements.*

2. Executive Order No. 5 - Establishing a Policy to Enhance the Relationship between State and Local Government

*"To the extent authorized by law, no state agency shall promulgate any regulation creating a mandate on local governments..." (Creates exceptions but was further implemented by legislation in 2013)*

3. Colorado Constitution Article X, Section 20 (TABOR)

**(9) STATE MANDATES.** *Except for public education through grade 12 or as required of a local district by federal law, a local district may reduce or end its subsidy to any program delegated to it by the general assembly for administration. For current programs, the state may require 90 days notice and that the adjustment occur in a maximum of three equal annual installments.*

4. New Hampshire Constitution

**[Art.] 28-a. [Mandated Programs.]** *The state shall not mandate or assign any new, expanded or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivision unless such programs or responsibilities are fully funded by the state or unless such programs or responsibilities are approved for funding by a vote of the local legislative body of the political subdivision.*

## **D. Federal – Marketplace Fairness**

Geoff Wilson will provide an update in the latest activity at the federal level.

## **E. Others?**

# CML POLICY COMMITTEE - OCTOBER 16, 2015

## Member proposals

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### **Municipal Housing Authority – Term of commissioners**

Proposed by: City of Rifle. *Lobbyist: Meghan Dollar.* **Committee Recommendation: CML-initiated legislation to amend the statutes pertaining to municipal housing authorities to designate a 5-year term (current law), unless a different term is established by a municipality for its authority.**

### **Land Use – Remove charter school exemption from local land use regs**

Proposed by: City of Durango. *Lobbyist: Meghan Dollar.* **No action taken. Deferred to December 4 meeting for further consideration of alternatives and collaborative approach with public and charter school organizations.**

### **Health Care – Convert to single health care region**

Proposed by: Town of Frisco. *Lobbyist: Kevin Bommer.* **No action taken. Discussion only and staff presentation of issues. Deferred until a later date.**

## Action Items

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### **Affordable Housing: Homeless Right to Rest Act**

In 2014, Denver Homeless Out Loud and the American Civil Liberties Union introduced HB 15-1264 that would have created the “Colorado Right to Rest Act.” HB 14-1264 attempted to apply certain rights to the homeless and allowed an individual to bring suit against local governments and businesses should they believe they were harassed. CML was successful in defeating this legislation. The ACLU plans to reintroduce the bill in the 2016 legislation session. **Staff recommendation: Oppose.** *Lobbyist: Meghan Dollar* **Committee Recommendation: Oppose**

### **Affordable Housing: State Low Income Housing Tax Credits**

During the 2014 legislation session, HB 14-1017 was passed to create a state low income housing tax credit that is operated through the Colorado Housing and Finance Authority (CHFA). CML supported this legislation. The program was to sunset in two years and requires legislative action in 2016 to continue. In the last two years, nearly 2000 affordable housing units were developed in various municipalities throughout the state using state tax credits. This program is another tool for the state to develop affordable housing in communities. **Staff recommendation: Support.** *Lobbyist: Meghan Dollar* **Committee Recommendation: Support**

### **Emergency Management: TABOR Clarifications during Emergencies**

During the 2014 session CML worked with the Joint Budget Committee to pass HB 14-1393 which clarified that federal funding passed through the state did not count toward a municipality's TABOR limit nor did it count as state funding for purposes of the enterprise test. Even with the passage of HB 14-1393, TABOR still needs surgical changes to allow municipalities to use their resources to full capacity during an emergency. That is why CML collaborated on the drafting of a concurrent resolution authorizing a referred ballot question to ask the voters to approve the following items:

- Define what an “emergency” within TABOR is. Currently, only what is not an emergency is defined.
- In the event of an emergency, allow a government to have a TABOR election on any date for purposes of obtaining additional resources to address any need caused by the emergency;
- Exclude emergency state aid from local fiscal year spending;
- Exclude state grants for emergency response and recovery from the enterprise compliance test; and
- Create an exemption for a government that uses its 3% reserve for responding to an emergency. In these circumstances they would not need to backfill the reserve until the fiscal year after the disaster is deemed ended.

CML is aware that any concurrent resolution, let alone one addressing TABOR, needs bipartisan support. CML has met with important stakeholders to get their feedback on proposed language. **Staff recommendation: Support.** *Lobbyist: Meghan Dollar.*  
**Committee Recommendation: Support**

### **Elections: Secretary of State's Technical Corrections bill**

Major election legislation affecting municipal elections has been approved by the General Assembly in the past three sessions. The Secretary will be pursuing legislation to make various technical corrections to the Uniform Election Code in the wake of these major bills. The SoS is agreeable to CML and the municipal clerks addressing some of our own Municipal Election Code technical corrections in this bill. For example, last session the nomination petition process was advanced on the election calendar, but the associated date for cancelling an election should there be fewer candidates than vacancies to be filled, was not. **Staff recommendation: Staff discretion to support.** *Lobbyist: Geoff Wilson.* **Committee Recommendation: Staff discretion to support**

### **Elections: Signature Verification in Mail Ballot Elections**

Last session, CML played an active role in defeating legislation that would have required signature verification in municipal mail ballot elections. CML did not oppose

signature verification per se; there were practical and fiscal questions that needed to be resolved, however, making the 2015 legislation premature. CML committed to work to address our concerns and return with a bill in 2016, if that course proved practical. CML staff has worked with the Secretary of State's office to secure access for municipal clerks to the State's SCORE database of signatures, and our clerks are confident that fiscal impacts will be small. The bill will be carried by Rep Patrick Neville, (R), Castle Rock, whose bill CML opposed last session. We anticipate support from the Colorado Municipal Clerks Association and the Secretary of State for this legislation. **Staff recommendation: Support. Lobbyist: Geoff Wilson. Committee Recommendation: Support**

#### **Land Use: Special District Impact Fees**

Several fire districts are still interested in passing legislation to allow a fire prevention district to impose an impact fee on new development within their jurisdiction. The intent is that the fee will be reasonably related to the overall cost of the fire protection districts services. During the December 2014 Policy Committee meeting, staff initially recommended CML support the proposed legislation. It was decided that CML would support the legislation on the condition that two amendments were made to the proposed legislation. One, the fire district should provide notice to any affected municipality. Two, the fire district would be required to update its service plan to reflect the additional impact fee. Staff has since met with the proponents and they have refused both amendments. As a result staff recommends CML take no position, and the proponents can take their chances directly with the Colorado Association of Realtors. **Staff recommendation: No Position. Lobbyist: Meghan Dollar. Committee Recommendation: Oppose unless amended to 1) provide notice to affected municipalities, and 2) require service plan amendment.**

#### **Public Safety: Wildland Urban Interface (WUI) Code**

A member of the wildfire matters review committee has submitted draft legislation to require cities and counties that have building codes and are in the wildland urban interface, to adopt the 2015 ICC WUI code or an equal or more stringent requirement, by early 2017. There is also a requirement for local governments to report adoption of the code to the Division of Fire Prevention and Control. This is an unfunded mandate that would add additional administrative code proceedings as well as require mitigation far beyond the ability of many small communities to enforce. **Recommendation: Oppose Lobbyist: Meghan Dollar. Committee Recommendation: Oppose**

#### **Sales and Use Tax: Appeal Bonds and Deposits**

Late in the 2015 session, legislation was introduced to eliminate the appeal bond (two times the amount at issue) and deposit requirements for those who wish to appeal an

adverse administrative tax decision. CML vigorously opposed the bill, not so much based on its substance as on process grounds: the bill was prepared without consultation with either municipalities or the Department of Revenue, and it was introduced at the end of the session when it would not receive the deliberate consideration that a bill on this important topic requires. The 2015 legislation was thereafter killed at its supporters' request. CML staff has met with the bill proponents and has had a chance to network this proposal among some of our tax professionals, who didn't have major issues with the bill last year and still don't. Recommendation reflects fact bill has not yet been written. **Staff recommendation: Staff discretion to support.** *Lobbyist: Geoff Wilson.* **Committee Recommendation: Staff discretion to support**

### **Sales and Use Taxes: Single Point of Licensing & Remittance Pilot Program**

CML is presently in the middle of a major project to simplify our municipal tax system by developing and encouraging our members to adopt uniform sales and use tax definitions. This project, being conducted with the support of and in cooperation with the business community, will simplify the tax system that provides municipalities with over 70% of their general purpose tax revenues, without jeopardizing those revenues. This work is being done pursuant to a 2014 General Assembly resolution, SJR14-038. Another important step in simplifying the current system is providing a way that businesses can get tax licenses for every municipality in which they do business, and then remit the taxes owed to each of those jurisdictions, through a single web site. Many jurisdictions already provide for electronic filing and licensing on an individual jurisdiction basis. CML staff anticipates a 2016 resolution urging CML to follow up its definition project with work on a pilot program for a one point of licensing and remittance system. **Staff recommendation: Staff discretion to support.** *Lobbyist: Geoff Wilson.* **Committee Recommendation: Staff discretion to support**

### **Transportation: Off-Highway Vehicles (OHV)**

An interim legislative committee will put forward a bill to bring minimal standardization to the use of OHVs (also known as all-terrain vehicles) on public roads. While OHVs will continue to be prohibited from travel on state highways, the bill includes a provision CML sought to allow OHVs to cross state highways in municipalities that allow their travel on municipal streets. The bill continues to empower municipalities and counties to decide whether to allow OHVs on their local roads. A few minimum standards will be required to be included in ordinances that authorize their use - including minimum age, insurance, helmets for drivers under 18, brakes, and lights. OHVs used on public roads would be required to obtain a special license plate from their county clerk. **Staff recommendation: Support.** *Lobbyist: TBD.* **Committee Recommendation: Staff discretion to support**

# Action item: Supplemental agenda

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## **Public Safety: Wildfire Risk Reduction Grant Program**

In the 2013 and 2015 Legislative sessions, CML supported the creation and continuance of the Wildfire Risk Reduction Grant (WRRG) program through the Department of Natural Resources. With WRRG, local governments, non-profits, and homeowner's associations are all eligible to apply for supplementation to mitigation projects. The program has awarded millions of dollars to projects for forest restoration and mitigation with the hope of minimizing future wildfire damage. The program was renewed for one year in 2015 so there will be necessary legislation to continue funding in 2016. At this time, the program does not have funding in the Governor's budget, however, this program provides significant support for wildfire mitigation and CML staff recommends that the League take a support position to continue to fund the program.

**Staff recommendation:** **Support.** *Lobbyist: Meghan Dollar.* **Committee Recommendation: Support**

# Information items: Supplemental agenda

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## **Urban renewal: Downtown Development Authority statutes**

According to a proposal made by Teller County to CCI's legislative steering committee, "current TIF rules require counties and other subdivisions of government to subsidize municipal economic development projects." A proposal has been made to CCI by Teller County to modify DDA statutes to "match the TIF rules." It is not yet clear if that proposal to seek legislation was approved by CCI's steering committee and board. However, if CCI intends to move forward, staff will bring the details and a recommendation to the Policy Committee on December 4. *Lobbyist: Kevin Bommer*

## **Marijuana: State special sales tax shareback**

A proposal made to CCI's legislative steering committee may result in proposed legislation attempting to amend the provisions of the state sales tax shareback to local governments with approved retail sales and carve out half of the shareback for based on cultivation and production. When the deal was cut for a state shareback in 2013, CCI passed on the opportunity for inclusion in the shareback beyond any retail sales counties may receive. If CCI pursues this legislation, staff will bring the details and a recommendation to the December 4 Policy Committee meeting. *Lobbyist: Kevin Bommer*



**LEGISLATIVE POLICY AGENDA**  
**~~2015~~2016**

**Adopted**  
**~~November 18, 2014~~**

## TABLE OF CONTENTS

TOPIC	PAGE
INTRODUCTION	4
FORT COLLINS LEGISLATIVE REVIEW COMMITTEE	5
LEGISLATIVE REVIEW PROCESS	5
<del>2015</del> <u>2016</u> LEGISLATIVE PRIORITIES	6
LEGISLATIVE POLICY STATEMENTS	13
CULTURE AND RECREATION	
CULTURAL SERVICES	13
PARKS AND RECREATION	13
ECONOMIC HEALTH	
FINANCE	15
INVESTMENTS	15
PRIVATIZATION	16
ECONOMIC DEVELOPMENT	16
ENVIRONMENTAL HEALTH	
AIR QUALITY	17
CLIMATE AND ENVIRONMENTAL PROTECTION	18
NATURAL AREAS AND OPEN LANDS	19
OIL AND GAS	19
RECYCLING AND SOLID WASTE	20
UTILITY SERVICES	21
ENERGY	21
WATER SUPPLY AND QUALITY	22
HIGH PERFORMING GOVERNMENT	
HOME RULE	23
HUMAN RESOURCES	24
RISK MANAGEMENT	24
SOVEREIGN AND GOVERNMENTAL IMMUNITY	25
TELECOMMUNICATIONS	25
COMMUNITY AND NEIGHBORHOOD LIVABILITY	27
AFFORDABLE HOUSING	27
DEVELOPMENT REVIEW AND INSPECTION	28
PLANNING AND LAND USE	29
SOCIAL SUSTAINABILITY	29
URBAN AGRICULTURE	

SAFE COMMUNITY	30
FIRE PROTECTION	31
HAZARDOUS MATERIALS MANAGEMENT	32
MARIJUANA	32
PUBLIC SAFETY	
TRANSPORTATION	34
TRANSPORTATION	36
CITY LEGISLATIVE STAFF	

## INTRODUCTION

Fort Collins is a community of 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 ~~2015-2016~~ 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 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 201~~65~~ 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~~ Gino Campana, Chair
- ~~Councilmember Lisa Poppaw~~
- 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 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.

## 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 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. 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 that does not conform to URA statute and it is unclear how this new law impacts projects already under development.

**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
- Limit 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 ~~is monitoring the work of the Governor's appointed Oil and Gas Task Force and will provide comments as permitted~~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) 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
- Solution-oriented use of technology and innovation to improve conflict areas
- Promote the FRA to enact new or amend existing regulations

**Objective: Support allowing local governments to provide broadband and enhanced communication services**<sup>[DW1]</sup>

**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.

**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 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. 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.

**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.

**~~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 further work on the Colorado Water Plan and ~~the development of~~ the federal Environmental Protection Agency's (EPA) Waters of the United States rulemakings affective water.

**~~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 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.~~

**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-Fully fund~~ an affordable housing fund
- Implement funding for 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 reform
- Adopt standardized state-level tools to respond to homelessness
- Pilot innovative programs to address housing and homelessness

**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 vitally 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 of Great Outdoors Colorado and other sources for fund~~ing~~ 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 distributes 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 investments of government entities.

2. Provide adequate transparency of the City's investment activity.
3. Provide municipalities freedom to participate in investments that meet their strategic objectives.
4. Do 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 of 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. Adopt clarifying language to HB15-1348 to address ambiguity and confusion created by the drafters. Specifically, address standard use of terms, arbitration process and ensure intent that the law does not impact projects already underway.

2.

3.4. 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 emissions 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.
14. Ensure law enforcement has the tools necessary to address “rolling coal” coming from vehicle exhaust emissions.

~~13.~~

## **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 mechanisms 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 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 and academic studies evaluating 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 impacts of oil and gas on water quality. Allow greater local regulation of oil and gas exploration activities within municipal boundaries.
5. Better balance surface ownership with mineral right ownership.
6. Allow local governments the ability to apply municipal zoning on oil and gas extraction and storage activities.
7. 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 water, light and power, 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 replacement and security of its infrastructure and the necessity of managing a knowledgeable workforce.

~~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 or improve the reliability of energy delivery to all customers.
2. Promote energy affordability and safety for residents, businesses and institutions.
3. Support reductions of the community's greenhouse gas (GHG) emissions from energy use in accordance with the Climate Action Plan (CAP) Framework (March 2015) – current community GHG goals are a reduction of 20 percent from 2005 levels by 2020, 80 percent by 2030 and carbon neutral by 2050.
4. Retain more of our community's energy expenditures in the local economy.
5. Foster local economic opportunity in energy efficiency, production and operation
6. Increase our community's resilience to potential energy and climate related disruptions

~~1.7.~~ Maintain infrastructure security while minimizing restriction to the Utility's ability to manage security as an integral part of the system.

~~2.8.~~ Provide assistance to local government that balances local design and implementation of greenhouse gas reduction strategies.

~~3.9.~~ Establish uniform standards for the reduction of carbon emissions.

~~4.10.~~ Remove barriers to financing for energy efficiency, and encourage and fund energy efficiency and conservation while allowing local customization of the programs.

~~5.11.~~ Reduce community energy use and net energy use of existing buildings.

~~6.12.~~ 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.

~~7.13.~~ Reject attempts to prevent or inhibit provision of municipal electric service in newly annexed areas.

~~8.14.~~ 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 regulations that are cost effective and can show identifiable 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 by 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 legislation 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 of 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 off-sets 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 communities 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 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.
8. Create a standardized statewide approach to addressing homelessness.
- 7.9. Invest in innovative pilot approaches to help communities seeking to provide service to address the causes of homelessness.

### **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 a jurisdiction or agency 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 population and low- to moderate-income families.
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 the 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.
17. Promote efforts to reduce conflict between community members and law enforcement.
18. Encourage the voluntary use of body-worn camera technology on officers and development of community-specific standards for retention and storage of data gathered from camera use.
19. Develop grant programs for police department use to fund the purchase, training and deployment of body-worn cameras and the retention of footage.

## *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 methods of funding 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.
- ~~10.~~11. Foster dialogue between railroad operators and communities aimed at solutions to rail proximity issues.
- ~~11.~~12. Facilitate the implementation of railroad quiet zones in municipalities and reduce train horn decibel and duration requirements in existing federal rule.
- ~~12.~~13. Reject divesting key highway roads in urban areas from the State and make them the sole responsibility of local jurisdictions.
14. Maintain safe operation of railroads through timely track inspections, joint training and communication between railroad and emergency personnel and the use of safe equipment.
15. Develop financing programs for Interstate 25 improvements.
16. Explore solutions to improve bicycle safety and fund implementation projects in communities.
17. Clarify federal and state regulations in order to preserve local governments’ ability to utilize unmanned aerial vehicles for service-related purposes.



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## **Legislative Review Committee Agenda**

November 10, 4:00 p.m.  
Commons Conference Room

1. Approval of minutes from October 27, 2015 meeting
2. Review 2016 legislative policy agenda and priorities draft
3. Oil and Gas Conservation Commission Rulemaking update
4. Other business
  - Update on Climate Coalition
  - Confirm 2016 meeting calendar

Next meetings: December 8



# LEGISLATIVE POLICY AGENDA 2016

Adopted  
December 15, 2015

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## TABLE OF CONTENTS

TOPIC	PAGE
INTRODUCTION	4
FORT COLLINS LEGISLATIVE REVIEW COMMITTEE	5
LEGISLATIVE REVIEW PROCESS	5
2016 LEGISLATIVE PRIORITIES	6
LEGISLATIVE POLICY STATEMENTS	13
CULTURE AND RECREATION	
CULTURAL SERVICES	13
PARKS AND RECREATION	13
ECONOMIC HEALTH	
FINANCE	15
INVESTMENTS	15
PRIVATIZATION	16
ECONOMIC DEVELOPMENT	16
ENVIRONMENTAL HEALTH	
AIR QUALITY	17
CLIMATE AND ENVIRONMENTAL PROTECTION	18
NATURAL AREAS AND OPEN LANDS	19
OIL AND GAS	19
RECYCLING AND SOLID WASTE	20
UTILITY SERVICES	21
ENERGY	21
WATER SUPPLY AND QUALITY	22
HIGH PERFORMING GOVERNMENT	
HOME RULE	23
HUMAN RESOURCES	24
RISK MANAGEMENT	24
SOVEREIGN AND GOVERNMENTAL IMMUNITY	25
TELECOMMUNICATIONS	25
COMMUNITY AND NEIGHBORHOOD LIVABILITY	27
AFFORDABLE HOUSING	27
DEVELOPMENT REVIEW AND INSPECTION	28
PLANNING AND LAND USE	29
SOCIAL SUSTAINABILITY	29
URBAN AGRICULTURE	

SAFE COMMUNITY	30
FIRE PROTECTION	31
HAZARDOUS MATERIALS MANAGEMENT	32
MARIJUANA	32
PUBLIC SAFETY	<a href="#">34</a>
TRANSPORTATION	<a href="#">34</a>
TRANSPORTATION	36
CITY LEGISLATIVE STAFF	

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## INTRODUCTION

Fort Collins is a community of 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 2016 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 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.

## **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 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.

## 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 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 that does not conform to URA statute and it is unclear how this new law impacts projects already under development.

**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

- Limit 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
- Collaborate with railroads to train local emergency personnel
- Solution-oriented use of technology and innovation to improve conflict areas
- Promote the FRA to enact new or amend existing regulations

**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 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.

**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.

**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 further work on the Colorado Water Plan and the federal Environmental Protection Agency's (EPA) rulemakings affecting water.

**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 fund an 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

**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 vitally 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 of Great Outdoors Colorado and other sources for funding 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 distributes 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 investments of government entities.

2. Provide adequate transparency of the City's investment activity.
3. Provide municipalities freedom to participate in investments that meet their strategic objectives.
4. Do 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 of 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. Adopt clarifying language to HB15-1348 to address ambiguity and confusion created by the drafters. Specifically, address standard use of terms, arbitration process and ensure intent that the law does not impact projects already underway.
4. 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 emissions and fuel economy standards for all vehicles while enhancing enforcement of illegal modifications that might include “rolling coal” and the use of nitrous oxide.
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.
14. Ensure law enforcement has the tools necessary to address “rolling coal” coming from vehicle exhaust emissions.

## **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 mechanisms 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 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 and academic studies evaluating 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 impacts of oil and gas on water quality. Allow greater local regulation of oil and gas exploration activities within municipal boundaries.
5. Better balance surface ownership with mineral right ownership.
6. Allow local governments the ability to apply municipal zoning on oil and gas extraction and storage activities.
7. 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, and which also involves new "Sustainable Materials Management" principles such as redesigning systems to reduce pollution and waste. 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, recognizing the economic benefits and job creation opportunities that occur when resource recovery is developed as an alternative to landfill disposal for waste products.
10. Partner with neighboring agencies and stakeholders to create facilities and infrastructure for regionally managing waste to its “highest and best” use.

### **UTILITY SERVICES**

It is critical that the City operate its water, light and power, 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 replacement and security of its infrastructure and the necessity of managing a knowledgeable workforce.

Therefore, the City supports the following policy statements:

## **ENERGY**

1. Maintain or improve the reliability of energy delivery to all customers.
2. Promote energy affordability and safety for residents, businesses and institutions.
3. Support reductions of the community's greenhouse gas(GHG) emissions from energy use in accordance with the Climate Action Plan (CAP) Framework (March 2015) – current community GHG goals are a reduction of 20 percent from 2005 levels by 2020, 80 percent by 2030 and carbon neutral by 2050.
4. Retain more of our community's energy expenditures in the local economy.
5. Foster local economic opportunity in energy efficiency, production and operation
6. Increase our community's resilience to potential energy and climate related disruptions
7. Maintain infrastructure security while minimizing restriction to the Utility's ability to manage security as an integral part of the system.
8. Provide assistance to local government that balances local design and implementation of greenhouse gas reduction strategies.
9. Establish uniform standards for the reduction of carbon emissions.
10. Remove barriers to financing for energy efficiency, and encourage and fund energy efficiency and conservation while allowing local customization of the programs.
11. Reduce community energy use and net energy use of existing buildings.
12. 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.
13. Reject attempts to prevent or inhibit provision of municipal electric service in newly annexed areas.
14. 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 regulations that are cost effective and can show identifiable 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 by 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 legislation 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 of 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 off-sets 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 communities 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 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.
8. Create a standardized statewide approach to addressing homelessness.
9. Invest in innovative pilot approaches to help communities seeking to provide service to address the causes of homelessness.

### **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 a jurisdiction or agency 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 population and low- to moderate-income families.

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 the 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.
17. Promote efforts to reduce conflict between community members and law enforcement.
18. Encourage the voluntary use of body-worn camera technology on officers and development of community-specific standards for ~~retention and storage of data gathered from camera~~their use.
19. Develop grant programs for police department use to fund the purchase, training and deployment of body-worn cameras and the retention of footage.
20. ~~Ensure law enforcement has the tools necessary to address "rolling coal"~~.

## *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 methods of funding 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. Foster dialogue between railroad operators and communities aimed at solutions to rail proximity issues.
12. Facilitate the implementation of railroad quiet zones in municipalities and reduce train horn decibel and duration requirements in existing federal rule.
13. Reject divesting key highway roads in urban areas from the State and make them the sole responsibility of local jurisdictions.
14. Maintain safe operation of railroads through timely track inspections, joint training and communication between railroad and emergency personnel and the use of safe equipment.
15. Develop financing programs for Interstate 25 improvements.
16. Explore solutions to improve bicycle safety and fund implementation projects in communities.
17. Clarify federal and state regulations in order to preserve local governments’ ability to utilize unmanned aerial vehicles for service-related purposes.
- ~~17-18.~~ Ensure local government has access to test the use of unmanned aerial vehicles (UAVs) in service delivery.

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## **Legislative Review Committee Agenda**

Meeting Notes

October 27, 2015, 4:00 p.m.

Commons Conference Room

Present: Ross Cunniff, Councilmember; Ray Martinez, Councilmember; Gino Campana, Councilmember; Carrie Daggett, City Attorney; Dan Weinheimer, Legislative Policy Manager; Jeff Mihelich, Deputy City Manager

Absent: Wendy Williams, Assistant City Manager

Guests: Darin Atteberry, City Manager; Bob Overbeck, Councilmember; Kevin Jones, Fort Collins Area Chamber of Commerce

The meeting came to order at 4:04 pm.

Councilmember Martinez moved approval of the minutes from the September 22, 2015 meetings, Councilmember Cunniff seconded. Minutes were adopted without amendment.

Dan presented an **overview of the upcoming Colorado Oil and Gas Conservation Commission (COGCC) rulemaking** to the Committee. He indicated that a staff team has been tracking this process for several months and that the State would be conducting rulemaking hearings in mid-November. Dan explained that the scope of the rulemaking is confined to implementing two recommendations of the Governor's Oil and Gas Task Force. He also provided an overview of the timing set by the State for the rulemaking. LRC provided input that this item be considered by the full City Council with a resolution. The intent of full Council consideration would be to provide the public information and a chance to comment. LRC also discussed who should speak before the COGCC at the hearings and Councilmembers expressed that on such a technical topic that testimony may be more effective coming from staff that are familiar with the scope of the rulemaking.

**LRC discussed the draft Legislative Policy Agenda.** The Committee expressed support for the redline draft comments circulated by staff. LRC did make suggestions to the draft document specific to statements on "rolling coal" and to augment a statement about police-worn body cameras.

As part of the policy agenda discussion the LRC discussed "**rolling coal**" and where to include this topic in the document. Discussion focused on the question of whether this topic is a legislative fix or whether it's a question of City resources needed to enforce existing laws. Staff was asked to do additional research on what

other states have done, to reach out to other City departments – specifically Police Services – for recommendations, and to gather information about Colorado’s vehicle and emission inspection regime. Dan mentioned that New Jersey had passed a state law and Illinois had considered one (it was not enacted into law). **LRC determined that rolling coal should be included in the policy agenda but it was not listed as a priority issue.**

LRC reviewed the **draft 2016 calendar of meetings**. Dan reiterated that he had received direction that the March National League of Cities trip should not be a full lobbying trip and that a lobbying trip to Washington, DC should be calendared. Dan highlighted the change of calendar – moving the legislative breakfast to February and explained that the rationale was to offer City Council a chance to interact with legislators while the General Assembly was in session. The hope is that February would give City leaders greater input on topics of interest. LRC will continue the June lunch where City Council could engage legislators after the session. LRC would also continue inviting legislators to a September meeting in order to share bill ideas and work collaboratively ahead of the next General Assembly session.

Dan provided a brief update on the City’s efforts to coordinate with like-minded communities for a **climate-oriented advocacy coalition**. He indicated that the initial meeting was productive and that staff would be meeting again in November.

Darin and Councilmember Martinez provided a brief **update of the Colorado Municipal League (CML) policy committee meeting** which occurred October 16. Materials from the meeting were shared with the LRC and the City supported the adopted policy committee positions.

LRC decided to cancel its planned November 24 meeting.

The meeting was adjourned at 5:09 pm.

**LEGISLATIVE REVIEW COMMITTEE**  
2016 MEETING SCHEDULE

Date	Time	Location
January 19	4:00 – 5:00PM	Commons Conference Room
February 9	4:00 – 5:00PM	Commons Conference Room
February 19	3:30 – 5:00PM	Legislative Meeting, Location TBD
March 1	4:00 – 5:00PM	Commons Conference Room
March 22	4:00 – 5:00PM	Commons Conference Room
April 5	4:00 – 5:00PM	Commons Conference Room
April 19	4:00 – 5:00PM	Commons Conference Room
May 3	4:00 – 5:00PM	Commons Conference Room
May 31	4:00 – 5:00PM	Commons Conference Room
June 16	11:30 – 1:00 PM	Legislative Lunch, Location TBD
July 12	4:00 – 5:00PM	Commons Conference Room
August 9	4:00 – 5:00PM	Commons Conference Room
September 6	3:30 – 5:00PM	Legislative Meeting, Commons Conference Room
September 20	4:00 – 5:00PM	Commons Conference Room
October 11	4:00 – 5:00PM	Commons Conference Room
October 25	4:00 – 5:00PM	Commons Conference Room
November 8	4:00 – 5:00PM	Commons Conference Room
November 29	4:00 – 5:00PM	Commons Conference Room
December 6	4:00 – 5:00PM	Commons Conference Room

**Goals:**

1. Increased engagement with General Assembly and Congressional delegation
2. Communication throughout the General Assembly session
3. Timely opportunities for action

**Key dates:**

- January 13, General Assembly convenes
- February 19, Legislative Meeting; 3:30-5pm
- March 5-9, National League of Cities Conference, Washington, DC
- May 11, General Assembly adjournment sine die
- June 16, Legislative Lunch, Wrap of Session; 11:30am-1pm
- September 6, State Legislators at LRC meeting
- TBD, Lobbying trip to Washington, DC

**Comment [DW1]:** Recommend week of September 12



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## **Legislative Review Committee Agenda**

December 8, 4:00 p.m.  
Commons Conference Room

1. Approval of minutes from November 10, 2015 meeting
2. Finalize 2016 legislative policy agenda and priorities
3. Receive update on I-25 coalition efforts
  - Discuss resolution
4. Review 2016 General Assembly session process and procedures
5. Oil and Gas Conservation Commission Rulemaking update
6. Other business
  - Update on Climate Future Coalition
  - National League of Cities Congressional Conference

Next meetings: January 16 and February 9



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## **Legislative Review Committee Agenda**

Meeting Notes

November 10, 2015, 4:00 p.m.

Commons Conference Room

Present: Ross Cunniff, Councilmember; Ray Martinez, Councilmember; Gino Campana, Councilmember; Carrie Daggett, City Attorney; Dan Weinheimer, Legislative Policy Manager

Absent: Wendy Williams, Assistant City Manager

Guests: Kevin Jones, Fort Collins Area Chamber of Commerce

The meeting came to order at 4:03 pm.

Councilmember Martinez moved approval of the minutes from the October 27, 2015 meetings, Councilmember Campana seconded. Minutes were adopted without amendment.

Councilmember Campana **revisited the “rolling coal” discussion** from the October 27 meeting, noting that perhaps in addition to the inclusion of legislative action that perhaps outreach on this topic could be included in the role of the street outreach teams. LRC discussed this proposal and decided to forward the suggestion to appropriate staff with the caveat that this is a suggestion and should not take away from the street outreach teams’ primary function.

LRC **reviewed a redline version of the 2016 Legislative Policy Agenda**. Dan noted that the document has been shared with City Boards/Commissions for their feedback. He stated that he plans to bring the Policy Agenda forward mid-December, later than it has typically been considered but the additional time would allow more feedback. The review consisted of a few small changes to the document.

Dan provided an **overview of the Colorado Oil and Gas Conservation Commission (COGCC) rulemaking**. He shared that the City joined a rebuttal statement prepared by likeminded governments and would likely share its time with some of the same entities at the November 16 and 17 rulemaking hearings.

Dan also gave an **update on the climate coalition** that the City is exploring with some partners. He said the staff group had met recently and made progress towards a structure and actions for 2016. LRC members sought clarification about the anticipated difference between business-as-usual and the use of a coalition approach.

LRC **discussed and confirmed 2016 meeting dates** for both committee meetings and advocacy with state legislators and congressional representatives.

LRC canceled its planned November 24 meeting and will meet again December 8.

The meeting was adjourned at 4:48 pm.



# **LEGISLATIVE POLICY AGENDA 2016**

**Adopted**  
*December 15, 2015*

## TABLE OF CONTENTS

TOPIC	PAGE
INTRODUCTION	4
FORT COLLINS LEGISLATIVE REVIEW COMMITTEE	5
LEGISLATIVE REVIEW PROCESS	5
2016 LEGISLATIVE PRIORITIES	6
LEGISLATIVE POLICY STATEMENTS	12
COMMUNITY AND NEIGHBORHOOD LIVABILITY	
AFFORDABLE HOUSING	12
DEVELOPMENT REVIEW AND INSPECTION	13
PLANNING AND LAND USE	13
SOCIAL SUSTAINABILITY	14
URBAN AGRICULTURE	15
CULTURE AND RECREATION	
CULTURAL SERVICES	16
PARKS AND RECREATION	16
ECONOMIC HEALTH	
FINANCE	17
INVESTMENTS	18
PRIVATIZATION	18
ECONOMIC DEVELOPMENT	18
ENVIRONMENTAL HEALTH	
AIR QUALITY	20
CLIMATE AND ENVIRONMENTAL PROTECTION	21
NATURAL AREAS AND OPEN LANDS	21
OIL AND GAS	22
RECYCLING AND SOLID WASTE	22
UTILITY SERVICES	23
ENERGY	24
WATER SUPPLY AND QUALITY	24
HIGH PERFORMING GOVERNMENT	
HOME RULE	26
HUMAN RESOURCES	26
RISK MANAGEMENT	27
SOVEREIGN AND GOVERNMENTAL IMMUNITY	27

TELECOMMUNICATIONS	28
SAFETY	
FIRE PROTECTION	29
HAZARDOUS MATERIALS MANAGEMENT	30
MARIJUANA	30
PUBLIC SAFETY	31
TRANSPORTATION	
TRANSPORTATION	33
CITY LEGISLATIVE STAFF	35

## 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.

## **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.

**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

**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.

**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 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

**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

## *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.
8. Create a standardized statewide approach to addressing homelessness.
9. Invest in innovative approaches to address the causes of homelessness.

### **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 a jurisdiction or agency 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 population and low- to moderate-income families.
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.

## ***Culture 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 vitally 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 for funding 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 taxes).

## **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 investments of government entities.
2. Provide adequate transparency of the City's investment activity.
3. Provide municipalities freedom to participate in investments that meet their strategic objectives.
4. Do 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 of 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. Adopt clarifying language to HB15-1348 to address ambiguity and confusion created by the drafters. Specifically, address standard use of terms and arbitration process, and ensure intent that the law does not impact projects already underway.
4. 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, disincentives and other market approaches that support clean air
  - Encouraging behavior changes, such as reducing vehicle idling
  - 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 emissions and fuel economy standards for all vehicles including reducing the impact of "rolling coal" and nitrous oxide emissions.
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 percent below 2005 levels by 2020 and 80 percent below 2005 levels by 2030 and 100 percent 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 mechanisms 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 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 along the Front Range. There is a portion of a small oil field within Fort Collins' incorporated boundaries, and the City has entered into an Operator Agreement or Memorandum of Understanding (MOU), that stipulates the operations, maintenance and inspection process for that operator's local holdings. Fort Collins residents have expressed continuing concern about the human and environmental health impacts from oil and gas operations, 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 and academic studies evaluating 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 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, and which also involves new “Sustainable Materials Management” principles such as redesigning systems to reduce pollution and waste. Additionally, the City has adopted a goal of diverting 75 percent of community waste by 2020; 90 percent by 2025 and 100 percent 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, recognizing the economic benefits and job creation opportunities that occur when resource recovery is developed as an alternative to landfill disposal for waste products.
10. Partner with neighboring agencies and stakeholders to create facilities and infrastructure for regionally managing waste to its “highest and best” use.

### **UTILITY SERVICES**

It is critical that the City operate its water, light and power, 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 replacement and security of its infrastructure and development and retention of a knowledgeable workforce.

Therefore, the City supports the following policy statements:

## **ENERGY**

1. Maintain or improve the reliability of energy delivery to all customers.
2. Promote energy affordability and safety for residents, businesses and institutions.
3. Support reductions of the community's greenhouse gas (GHG) emissions from energy use in accordance with the Climate Action Plan (CAP) Framework (March 2015). Current community GHG goals are a reduction of 20 percent from 2005 levels by 2020, 80 percent by 2030 and carbon neutral by 2050.
4. Retain more of our community's energy expenditures in the local economy.
5. Foster local economic opportunity in energy efficiency, production and operation.
6. Increase our community's resilience to potential energy and climate related disruptions.
7. Maintain infrastructure security while minimizing restriction to the Utility's ability to manage security as an integral part of the system.
8. Provide assistance to local government that balances local design and implementation of greenhouse gas reduction strategies.
9. Establish uniform standards for the reduction of carbon emissions.
10. Remove barriers to financing for energy efficiency, and encourage and fund energy efficiency and conservation while allowing local customization of the programs.
11. Reduce community energy use and net energy use of existing buildings.
12. 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.
13. Reject attempts to prevent or inhibit provision of municipal electric service in newly annexed areas.
14. 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 regulations that are cost effective and can show identifiable 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 by 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 legislation 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 that 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 that 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 of 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 off-sets 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 communities 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 during emergencies.

## *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, 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 the 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 manufacturing, 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, reduce 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 motorists 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 facilities.
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.
17. Promote efforts to reduce conflict between community members and law enforcement.
18. Encourage the voluntary use of body-worn camera technology on officers and development of community-specific standards for the use of cameras and their data.
19. Develop grant programs for police department use to fund the purchase, training and deployment of body-worn cameras and the retention of footage.

## *Transportation*

### **Strategic Outcome**

Provide for safe and 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 percent state, 22 percent counties, and 18 percent municipalities for Highway User Tax Fund (HUTF) or any appropriations from the state using the same formula.
3. Explore and analyze alternative methods of funding 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 locating 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 time periods.
11. Foster dialogue between railroad operators and communities aimed at solutions to rail proximity issues.
12. Facilitate the implementation of railroad quiet zones in municipalities and reduce train horn decibel and duration requirements in existing federal rule.
13. Reject divesting key highway roads in urban areas from the state and make them the sole responsibility of local jurisdictions.
14. Maintain safe operation of railroads through timely track inspections, joint training and communication between railroad and emergency personnel, and the use of safe equipment.
15. Develop financing programs for Interstate 25 improvements.
16. Explore solutions to improve bicycle safety and fund implementation projects in communities.
17. Clarify federal and state regulations in order to preserve local governments’ ability to utilize unmanned aerial vehicles (UAVs) for service-related purposes.
18. Ensure local government has access to test the use of UAVs in service delivery.

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