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Legislative Review Committee Agenda

September 11, 2012, 4:00 p.m.
City Manager's Conference Room

1. Approval of minutes from August 6, 2012 meeting

2. Review current federal issues
   - Train horn noise status
   - High Park Fire update

3. Consider updates made to 2013 Policy Agenda

4. Consider topic areas for 2013 Legislative Priorities
(2012 Legislative Priorities)
   - Federal
     - *Support High Park Fire mitigation and recovery activities and cost recovery*
     - Reform FRA train horn regulation
     - Support federal evaluation of medical marijuana
     - Emphasize federal policies and resources needed to sustain local clean energy progress
     - Support funding for transportation infrastructure with an emphasis on building an integrated, multimodal system

   - State
     - Reestablish the right of municipalities to provide telecommunication services
     - Oppose any attempt to remove Fort Collins from the vehicle emissions program
     - Support legislation to regulate electronic waste
     - Support integrated waste management planning, including the potential for waste-to-energy benefits
     - Support legislation that helps the state and local governments access cleaner energy resources
     - Reform waste tire disposal/recycling practices

5. Other issues and concerns
   - Review legislative presentation to Futures Committee

LEGISLATIVE POLICY AGENDA
2013

Adopted

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INTRODUCTION

Fort Collins is a community of 145,000 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 2013 City of Fort Collins Legislative Policy Agenda identifies issues of importance to the City of Fort Collins. The Agenda expresses policies and positions on issues that affect the quality of life and the governance of our community. Our policy agenda is structured to address areas of local concern and to also reflect the strategic planning that guides resource allocation and other decision making within the City organization.

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

We offer this Agenda to our Legislators as a guideline when considering legislation that impacts Fort Collins. We encourage Legislators to contact Fort Collins City Council Members and our Legislative Policy Manager should they have any questions regarding our policy positions on specific legislation.

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. If a bill is governed by two or more competing policies, then the LRC may decide how to balance those policies in taking a position. If a bill falls outside of the Legislative Policy Agenda, the LRC refers the bill to the full Council for consideration before a position is taken on behalf of the City.

Council Members presently serving on the Legislative Review Committee are:

- Mayor Pro Tem Kelly Ohlson
- Councilmember Lisa Poppaw
- Councilmember Wade Troxell

Staff liaisons support the LRC by contributing expertise in various areas of municipal service. The City works closely with the Colorado Municipal League on many legislative items.

LEGISLATIVE POLICY STATEMENTS

Cultural, Parks and Recreation

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. Support funding for cultural services for the education, entertainment and enrichment of the community.

2. Support legislation that facilitates the creation, performance and presentation of the arts.

3. Support legislation that protects and preserves our cultural heritage.

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. Support legislation that maintains or enhances funding for parks, trails, forestry, horticulture and recreation services and facilities.

2. Support use of Great Outdoors Colorado and other sources for full funding of municipal government projects, with maximum local discretion regarding local needs and priorities.

3. ~~Oppose~~ Support ~~legislation that would reduce~~continued ~~the~~ availability of Great Outdoors Colorado grants to municipalities ~~or would restrict~~in equal or greater ~~the amount of~~ funding ~~or availability~~levels ~~of Colorado Lottery funding for Great Outdoors Colorado grants~~.

4. Support legislation that enhances the City's ability to provide quality parks and recreation services and facilities for its citizens.

ECONOMIC HEALTH

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. Support legislation that maintains or expands municipal authority to establish alternative funding mechanisms, including financing tools such as public improvement fees (PIF) and certificates of participation (COP).

2. Support 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. Support legislation that promotes sustainable economic development.

4. Support increased funding and budgetary autonomy for Colorado State University and Front Range Community College.

5. Support legislation promoting the equitable treatment of sales and use taxes to residents and corporations residing or doing business in Colorado. The City strongly recommends that taxes be as broad-based as possible and that exemptions be limited.

6. Support federal legislation that recognizes the importance of sales and use tax to local, self-collecting municipalities and equitably distributes sales tax collections on e-commerce transactions.

7. ~~Oppose~~ Support ~~legislation that reduces~~legislation that would maintain or increase the City's revenue base (sales, use and property tax).

8. ~~Oppose~~ Support legislation intended ~~to weaken or eliminate~~to clarify and enhance local governments' ability to use urban renewal authority (URA) to reduce blight.

INVESTMENTS

The Fort Collins City Council has adopted investment polices to be used by the City. The policies are reviewed and update 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. Support legislation designed to protect, without unnecessarily restricting, the investments of government entities.

2. Support legislation that provides for adequate transparency of the City's investment activity.

3. ~~Oppose a~~Support ~~ny~~ legislation that would ~~require~~ provide municipalities ~~to~~ freedom to participate in investments that ~~do not~~ meet their objectives. ~~set forth in the City's policies.~~

4. Oppose restrictions on the City's ability to adopt its 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. Support legislation enabling provision of services through private enterprise in a manner that fosters cost effective, sustainable, quality services.

2. Support local control of the awarding of contracts and the accountability of local officials for those actions.

3. Oppose mandates that increase the complexity and cost of services without improving those services.

ENVIRONMENTAL HEALTH

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. Support legislation and regulations adopting programs and policies that improve public health and air quality.

2. Support legislation that maintains or increases the stringency of air quality standards.

3. ~~Oppose~~ Support legislation that ~~restricts~~ enhances local government authority to improve air quality beyond minimum State or Federal requirements.

4. Support legislation that promotes regional improvement of air quality, recognizing that air pollution does not follow jurisdictional boundaries.

5. Support legislation to assure that Federal, State and County agencies have adequate authority and resources (funding and personnel) to enforce air quality regulations.

6. Support legislation that removes barriers and promotes voluntary actions to reduce air pollution.

7. Support legislation and regulations that 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
   - Encouraging behavior changes, such as limiting unnecessary idling of vehicles
   - Implementing State motor vehicle emissions testing programs consistent with City air quality goals

8. Support legislation and regulations that provide authority for local governments to implement vehicle emissions reductions programs.

9. Support legislation and regulations that make tailpipe emissions and fuel economy standards more stringent for all vehicles.

10. Support programs and policies that promote advanced low emission vehicle technology; and encourage or promote alternative fuels such as biodiesel, cellulosic ethanol, hydrogen and compressed natural gas.

11. Support legislation and regulations that reduce residential wood smoke emissions in order to achieve compliance with air quality standards.

12. Support legislation that helps to reduce fossil fuel consumption in the transportation and building sector.

13. Support programs and policies that allow local officials to establish baseline levels and understand the ongoing contributions of the oil and gas industry to air pollution.

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 2050.

Therefore the City supports the following policy statements:

1. Support legislation and regulation that reduce Fort Collins' vulnerability to climate change impacts.

2. Support legislation that establishes reduction targets for greenhouse gas emissions.

3. Support legislation that establishes market-based mechanisms to reduce greenhouse gas emissions, including providing incentives to business and citizens to reduce emissions and for green building and sustainable design.

4. Support legislation and regulations to promote pollution prevention.

5. Support the Colorado self-audit law.

~~5.~~6. Support legislation that provides local government the authority to inspect oil and gas sites and ensure operator compliance through enforcement of state and local regulations.

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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. Support legislation that maintains or enhances tax incentives for voluntary land conservation by private landowners.

2. ~~Oppose~~ Support legislation that expands~~reduces~~ the effectiveness of existing protection for wetlands, wildlife habitats, and other sensitive natural areas.

3. Support additional funding for land conservation programs.

4. Support legislation protecting the Cache la Poudre River.

5. ~~Oppose~~ Support legislation that would ~~reduce~~ increase the availability of Great Outdoors Colorado grants to municipalities in amounts equal to or greater than are currently offered. ~~or would restrict the amount of funding or availability of Colorado Lottery funding for Great Outdoors Colorado grants.~~

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 50% of the community's waste stream from landfill disposal.

Therefore, the City supports the following policy statements:

1. Support legislation that clarifies and broadens the regulatory authority of local government to ensure the efficient management of recyclable material and solid waste.

2. Support legislation that encourages integrated waste management planning and implementation, including but not limited to creation of a State waste diversion goal.

3. Support legislation that provides incentives and funding for programs that promote waste reduction, reuse and recycling and development of related infrastructure.

4. Support legislation that enables "buy recycled" or "environmentally preferable purchasing" policies for government agency procurement.

5. Support legislation that continues or increases funding for programs to collect and monitor data on trash volumes, rates of diversion from landfill disposal and economic impacts of recycling.

6. Support legislation to require greater producer responsibility, such as "take back" regulations that assist consumers to appropriately recycle electronic equipment (e-waste.)

7. Support legislation that establishes a deposit fee on beverage containers and that would be used to pay for recycling programs.

8. ~~Oppose~~ Support legislation that ~~would add pyrolysis (burning of materials) of otherwise recyclable material to the~~strengthens the "renewable energy" standard; oppose expanding the definition to include pyrolysis (burning of materials).

High Performing Government
HOME RULE

The City of Fort Collins is a home rule municipality under Article XX 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. Support legislative efforts to strengthen home rule authority of municipal governments.

2. Oppose legislation that requires 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. ~~Oppose~~ Support legislation that ~~creates unnecessary burdens on or limits~~enhances the City's ability to decide employment issues, including collective bargaining, arbitration, compensation, benefits and leaves.

2. Support legislation that expands the City's ability to offer health, welfare and wellness services for employees.

3. ~~Oppose~~ Support legislation that maintains~~reduces~~ current state funding for police officer death and disability benefits.

4. Oppose legislation that would permit employees with defined contribution plans to return 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. Support legislation that improves administrative efficiency of the Division of Workers' Compensation.

2. ~~Oppose~~ Support legislation that prevents increases insurance premium costs to employers.

3. ~~Oppose~~ Support legislation that would ~~add~~ limit or reduce administrative burdens or taxes to self-insurance programs.

4. ~~Oppose~~ Support legislation that would ~~promote~~ check- insurance claim litigation.

5. ~~Oppose~~ Support legislation that ~~restricts~~ increases the City's options and ability to manage workers' compensation claims; oppose~~,~~ ~~such as~~actions like removing existing off-sets to workers' compensation benefits or limiting the City's ability to designate treating physicians.

6. Oppose legislation that presumptively expands 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. Support legislation that protects the interests of municipalities and their officers and employees in the lawful and proper performance of their duties and responsibilities.

2. Support legislation that discourages baseless and frivolous claims and demands made against municipalities, their officers and employees.

3. ~~Oppose~~ Support legislation that limits~~expands~~ or ~~increases~~ enhances municipal liability protections, or~~, conversely, further limits~~expands 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. Support legislation that maintains and enhances local franchising authority. This helps ensure local governments' ability to negotiate, in the public interest, for cable channel space, institutional networks and public education and government programming.

2. Support legislation that re-establishes the rights of municipalities to provide low cost, accessible telecommunications services and related infrastructure.

UTILITY SERVICES

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

Therefore, the City supports the following policy statements:

ENERGY

1. Support legislation that recognizes the importance of infrastructure security while minimizing restriction to the Utility's ability to manage security as an integral part of the system.

2. Support programs that provide assistance to local government, and that encourage and allow for local design and implementation of greenhouse gas reduction strategies.

3. Support legislation that establishes uniform standards for the reduction of carbon emissions.

4. Support legislation that removes barriers to financing for energy efficiency, and encourages and funds energy efficiency and conservation while allowing local design and implementation of the programs.

5. Support legislation that reduces community energy use and net energy use of existing buildings.

6. Support legislation and regulations that provide incentives to encourage 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. Oppose legislation that attempts to prevent or inhibit provision of municipal electric service in newly annexed areas.

8. Support legislation that encourages grid modernization and smart grid technologies

WATER SUPPLY AND QUALITY

1. Support legislation that maintains or expands the authority delegated to the State to administer federally mandated water, stormwater and wastewater environmental regulatory programs (primacy).

2. Support water quality legislation that results in reasonable water quality control regulations that are cost effective and can show identifiable benefits.

3. Support legislation that enables local development of watershed protection.

4. Support legislation that provides the City 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. Support legislation that recognizes the importance of infrastructure security while minimizing restriction to the Utility's ability to manage security as an integral part of the system.

6. Support adequate funding of mandated programs.

7. Support legislation that removes barriers to financing for water conservation projects.

8. Support legislation that would fund recovery and treatment of Cache la Poudre and other waterways impacted by 2012 wildfires.

~~8.~~9. Support programs and policies that allow local officials to understand water sources, disposition of produced water, and best understand the ongoing impacts of the oil and gas industry to water quality.

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Neighborhood Livability

AFFORDABLE HOUSING

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

Therefore, the City supports the following policy statements:

1. Support legislation that maintains or enhances current levels of funding for affordable housing throughout Colorado.

2. ~~Oppose~~ Support legislation that increases~~limits~~ local government's ability to regulate, manage or generate alternative sources of funding for affordable housing, including public-private partnerships.

3. Support legislation that protects the rights of low-income and/or disabled residents in tenant-landlord disputes, especially as it relates to safety issues.

4. Support legislation that retains flexibility for City to adopt and enforce rental terms that allow it to appropriately maintain and manage City-owned affordable rental properties.

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. Support legislation that requires regional cooperation in land use and transportation planning, and legislation that fosters sustainable development, without unduly constraining the City's home rule powers.

2. Support legislation that prohibits 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. ~~Oppose~~ Support legislation t~~hat~~o ~~would~~ ~~extend~~limit the definition of a compensable taking and/or the definition of vested property rights beyond the provisions of existing law.

4. ~~Oppose~~ Support legislation that would ~~limit~~retain local government authority to impose development impact fees.

5. ~~Oppose~~ Support legislation that would ~~further restrict~~ allow cities' the ~~abilities to~~ability to regulate industrial land uses like oil and gas exploration and extraction.

6. Support housing policies that equitably balance protection of tenants and landlords.

7. Support legislation allowing greater local regulation of oil and gas exploration activities within municipal boundaries.

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 from fire.

Therefore the City supports the following policy statements:

1. Support legislation adopting a State fire code, the code of choice being the ~~2009~~ 2012 International Building and Fire Code, and allow municipalities to impose more restrictive standards.

2. Oppose legislation that limits local enforcement of the International Fire Code as adopted with local amendments, or imposes inspection requirements or prevents collection of permit or inspection fees as required by the local jurisdiction.

3. Support legislation that requires the installation of fire protection systems in structures to enhance life safety and property protection when appropriate.

4. Support legislation that strengthens the City's ability to prohibit the use and sale of fireworks and that allows counties and fire districts to prohibit and otherwise control fireworks.

5. Support legislation that promotes fire safety, education and prevention with the goal of reducing injury, loss of life and property damage.

~~5.~~6. Support legislation that allows local jurisdictions to implement open burning restrictions based on local conditions and needs.

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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. Support legislation that allows the City to continue controlling risks from hazardous materials use, storage and transportation through the ~~Uniform~~ International Building and Fire Code and related local amendments.

2. ~~Oppose~~ Support legislation that ~~restricl~~lets ~~the City's~~Fort Collins ~~ability 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. Support legislation that strengthens the enforcement of hazardous materials regulations.

4. Support legislation strengthening the diversion of hazardous waste from landfills.

5. Support policies or legislation to establish greater flexibility and more options for local government in the management of areas thought to have asbestos containing soils.

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. Support legislation that has the potential to reduce incidents of violence in the community, especially through the development of treatment and intervention programs for youth.

2. Support legislation and funding that provides greater protection to victims of crime.

3. Support legislation that maintains or enhances 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. Support legislation establishing protocols and funding for shared, statewide emergency response communications.

5. Support legislation that regulates medical marijuana manufacture, distribution and dispensaries.

6. Oppose programs that have the potential to compromise officer safety.

7. Support legislation that formally legitimizes the field of Alternative Dispute Resolution (ADR) by establishing minimum training criteria and professional mediator certification.

8. Support legislation that regulates the use of cell phones by a motorist while operating a vehicle.

9. ~~Oppose~~ Support legislation that ~~decreases~~ preserve or increase funding for treatment of mental illness and substance abuse disorders.

10. Support legislation that maintains or enhances a statewide database of concealed weapons permits.

11. Support legislation to reduce community flood risks.

12. Support legislation that reduces City liability for prisoners' self-inflicted wounds while in police custody or detention facility.

13. Support legislation and policies restricting access to illegal substances.

14. Support legislation to 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.

Transportation
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. Support legislation that facilitates 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. Oppose legislation that seeks to reduce 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. Support exploration and analysis of alternative methods of funding transportation infrastructure needs.

4. Support legislation to fund analysis and implementation of inter- and intra-regional transit linkages, including future commuter rail connectivity.

5. Support legislation that facilitates regional planning for various modes of transportation with the goal of providing practical solutions to reduce reliance on single occupant vehicles.

6. Support efforts to encourage flexibility in federal funding and regulations in order to better meet the needs of small to medium size communities.

7. Support preservation of the federal guaranteed levels of funding for transportation, and allocation of all federal motor fuel taxes and other federal transportation trust funds for their intended transportation purposes.

8. Support legislation broadening the definition of the gasoline tax to a "fuel tax" that encompasses other fuel options as they become more prevalent.

9. Support legislation that limits the ability of railroad trains to block street and highway grade crossings for unreasonable periods.

10. Support legislation that facilitates the implementation of railroad quiet zones in municipalities and that reduces current train horn decibel and duration requirements.

11. Oppose legislation intended to divest key highway roads in urban areas from the State and make them the sole responsibility of local jurisdictions.

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2013 Legislative Priorities

Revised x

Federal

High Park Fire Recovery

While the High Park Fire burned areas to the west of Fort Collins, the fire's severity and burn area will impact Fort Collins residents for years to come. One Fire impact to Fort Collins is to water quality and supply from the Cache La Poudre River. Staff are assessing the day-to-day water quality from the Poudre River and anticipating a long and costly recovery. Local officials are concerned with the reliability of the drinking water supplied to residential and industrial customers that rely on the consistent quality.

Addressing the water supply impacts has a huge economic impact for Fort Collins. Local businesses have chosen to locate in Fort Collins in part because of the reliable supply of high quality water. The ability for the Poudre River to recover from fire-related sediment and pollution will also have ripple effects on recreation industries, tourism and on the average resident's enjoyment of life in Northern Colorado. High Park Fire restoration is a community-wide concern.

Reform FRA train horn regulations

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

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

FRA has discussed the rule in terms of ensuring automobile safety – that blasting a horn as the train nears an intersection will prevent accidents. The alternative is expensive quiet zones or approved countermeasures. Fort Collins accident data along Mason Street in

Downtown demonstrates that accidents are rare and typically involve risk-taking behavior.

Support federal evaluation of medical marijuana

Communities across the United States are struggling with the issue of medical marijuana and the need for a single, viable distribution system. At the core of the issue is the classification of marijuana. Because marijuana is currently classified as a Schedule 1 drug, it cannot be researched, prescribed by a doctor or handled through the same distribution channels as other prescribed drugs. As a result, different states have adopted different approaches and experience conflicts with federal laws. This is the reason why, in Colorado, medical marijuana is recommended by a doctor but not prescribed.

Work is needed at the federal level to clarify this issue. The federal classification should be re-evaluated and possibly changed in order to allow more medical research. If it is determined that marijuana fits one of the other classifications and does have medical benefits, it could be included in the existing drug delivery system. This would reduce many of the conflicts experienced by cities and states where medical marijuana has been legalized.

Emphasize federal policies and resources needed to sustain local clean energy progress

The "Empowering Local Clean Energy Action" federal policy agenda identifies key policies and resources needed for local governments to sustain clean 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. Additionally, clean vehicle legislation such as S. 948/H.R. 1685 would help communities develop charging infrastructure and create models for the nationwide deployment of electric vehicles.

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

Funding for vital transportation infrastructure will continue to be a high priority for the City of Fort Collins. We strongly support preservation of federal levels of funding and allocation of all federal motor fuel taxes and other federal transportation trust funds for their intended purposes. In addition, we urge development of a new, more stable, long range transportation funding mechanism that doesn't rely upon fuel tax revenues. This is no longer a sustainable method of funding the nation's transportation infrastructure needs.

The City applauds the reauthorization of the nation's surface transportation law with a focus on transit, livable communities, comprehensive regional planning, revitalization of existing infrastructure, pedestrian and bicycle infrastructure, and other approaches that decrease petroleum consumption and reduce carbon pollution. S.1813 – Moving Ahead for Progress in the 21st Century (MAP 21) – has many positive attributes however more

work is needed to ensure that funding for transit, bicycling, and walking is protected and enhanced, especially at the local level. While MAP-21 provides funding for many Federal and State programs and needs, it appears to further localize the cost of many multi-modal projects and programs.

State

Support legislation to increase regulation of oil and gas operations

Fort Collins, like many other Colorado communities, has taken steps to address oil and gas extraction. Those efforts have been limited by the Colorado Oil and Gas Conservation Commission (COGCC) rules that limit restrictions communities can impose and the information available to residents about potentially harmful practices. Fort Collins seeks 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, and air emission from extraction processes and production equipment; and the right for communities to regulate oil and gas as an industrial practice and therefore apply local zoning practices to operators.

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.

Oppose any attempt to remove Fort Collins from the vehicle emissions program

Fort Collins has had a long history of supporting the motor vehicle emissions testing program in support of our goal to seek air quality improvement to protect the health of our citizens. It is expected that legislation will again be filed to remove the North Front Range from the vehicle emissions program.

Ground level ozone is a significant respiratory irritant. It causes a number of negative health effects. Past legislation has not recognized the regional nature of air pollution, suggesting that just because an area's monitor does not have a high reading, the area should not be subject to a control measure, even though ozone is regional in nature and federal law stipulates that areas contributing to non-attainment should also be subject to controls.

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

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.

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.

Support legislation that helps the state and local governments access cleaner energy resources

The City of Fort Collins supports policies that lead to increased investment in cleaner energy resources and respect the role of local governments in facility siting and permitting decisions.