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Legislative Review Committee Agenda

Meeting Notes

February 4, 2014, 4:00 p.m.

Commons Conference Room (City Hall)

Present: Wade Troxell, Councilmember; Lisa Poppaw, Councilmember; Ross Cunniff, Councilmember; Wendy Williams, Assistant City Manager; Steve Roy, City Attorney; Dan Weinheimer, Legislative Policy Manager

Absent: None

Guests: Carol Webb, Regulatory and Government Affairs Manager

Councilmember Troxell called the meeting to order at 4:25 pm.

Adoption of the minutes from the January 21, 2014 meeting were moved for approval by Councilmember Poppaw and seconded by Councilmember Cunniff. Minutes were adopted without amendment.

Carol Webb presented a background memo and discussed the City's response to Larimer County's development of **1041 regulations**. Carol explained that these regulations govern electricity, water and wastewater transmission lines throughout unincorporated Larimer County. She explained that changes to the regulations would have an effect on the Fort Collins Utilities because of the various conveyance pipelines through unincorporated County. Carol sought to inform the LRC and to get direction for comments to the County. **LRC asked Carol to prepare briefing materials for the whole City Council and to contact Larimer County seeking additional time to comment.**

LRC also recommended **augmenting the LRC's responsibilities** to include the ability to **comment on County policies** that have an impact on City operations. This change will be included in the 1041 materials brought to City Council.

Dan Weinheimer reviewed the **process changes** adopted in response to the January 21 LRC meeting. Among the changes are improvements to the bill tracker, adding a searchable dossier of bills with City positions to the City website and merging the LRC webpage and the Legislative Activity webpage. Dan indicated more changes will be forthcoming.

After this discussion, Dan reviewed the bills listed in the LRC agenda.

HB14-1002 would create a **water infrastructure grant fund** for use after natural disasters. LRC affirmed a **support** position.

HB14-1004 attempts to **realign emergency management entities** providing disaster response. Based on staff recommendation that this reorganization would result in a net negative for local emergency response, LRC affirmed an **oppose** position.

HB14-1007 provides additional power to counties during times of severe fire risk to **restrict agricultural burning and fireworks**. LRC affirmed a **support** position citing risks to public safety from fire.

HB14-1011, 1012, and 1013 all involve programs meant to spur **advanced industries** either through funding, tax credit or workforce development. LRC affirmed a **monitor** position.

HB14-1017 seeks to add funding options and realign the Department of Local Affairs to support creation of more **affordable housing** statewide. The LRC affirmed a **support** position on this bill.

HB14-1077 seeks to increase the amount available in the Colorado Oil and Gas Conservation Commission's **environmental response fund**. LRC affirmed a **support** position.

HB14-1087 would prevent public employees from **collective bargaining**. Dan informed the LRC that this bill was killed in the State Affairs committee. LRC had adopted a **monitor** position.

HB14-1105 concerns **tax exempt fuel sales** between government agencies, making these sales legal. LRC affirmed a **support** position.

HB14-1122 is a proposal meant to **keep marijuana from those under-21**. Dan informed the LRC that this bill was expected to be amended to provide a definition for closed/locked space. Steve Roy commented that putting too many definitions into state statute could limit the City's ability to adopt local regulations. Dan noted that the definition of "open in public" was not expected to be added to the bill, allowing cities to adopt their own policies. LRC affirmed a **monitor** position pending additional information.

HB14-1132 would provide local control for setting **hours of operation for alcohol sales**. Dan updated the LRC that the bill had been amended to allow local government to only extend hours but not to contract them. On this basis the LRC updated its position and adopted an **oppose** position.

HB14-1152 would require disposal of **passive surveillance records** that could be used for law enforcement. Dan mentioned that the bill initially proposed a 6 month limit for retention and now include a 12-month limit. Councilmember Poppaw noted that this could hamper investigations. LRC adopted an **oppose** position.

HB14-1164 addresses **non-partisan local elections** and would clean up election law. Dan noted that this bill is supported by local governments and is on a fast track in the Capitol. LRC adopted a **monitor** position.

HB14-1196 is a bill setting up a **local government marijuana impacts task force**. Dan shared that CML is monitoring the bill and that it was initiated by Colorado Counties Inc. to review sharing local impact revenue. LRC adopted a

monitor position.

HB14-1207 seeks to create a **CDPHE prescription drug take-back** program. Based on staff comments concerned that this program would not meet DEA approval and could harm the City's ability to conduct special take-back events the LRC adopted a **monitor** position. Dan was asked to investigate the concerns raised by staff.

HB14-1226 would eliminate a state statute that has created concern about local governments' ability to **regulate plastics and plastic packaging**. LRC had an extensive conversation about the bill and adopted a **support** position in order to increase local control options.

SB14-002 creates a permanent funding source and home for the **Safe2Tell program** within the Attorney General's Office. LRC affirmed a **support** position.

SB14-007 allows counties to alter their portion of the **road and bridge fund** to address flood damaged infrastructure. The LRC affirmed a **support** position.

SB14-009 seeks to implement a **disclosure of split mineral and property estate** at time of real estate transactions. LRC affirmed a **support** position.

SB14-010 seeks to provide greater control and options to **manufactured home community** residents particularly when a community is proposed to be sold or converted to another use. LRC discussed the bill but had concerns about its intent and effectiveness. LRC adopted a **monitor** position.

SB14-017 seeks to **limit the use of agricultural water for lawn irrigation** in new developments. The bill would implement a statewide land use regime and usurp local control. LRC adopted an **oppose** position.

SB14-022 would allow cities to adopt financial policies to put reserves into a **Community Development Financial Institution** (CDFI). This mechanism could then be used to fund affordable housing construction. LRC affirmed a **support** position.

SB14-029 creates an **architectural paint stewardship program**. LRC adopted a **support** position.

SB14-044 would have provided **seniors a reduced motor vehicle registration fee**. The bill was killed in committee before the LRC meeting so a position was not considered.

SB14-045 concerns responsibility for **wildland incident management**. Dan informed the LRC that this bill was killed in committee. LRC had adopted an **oppose** position.

SB14-046 creates a **local firefighter safety grant program**. LRC affirmed a **support** position.

SB14-054 would provide local liquor authorities with the ability to consider a **fine in lieu of suspension for alcohol violations**. Current program limits consideration of fine in lieu to once per two years. This bill proposes to give cities the option to offer fine in lieu more frequently. LRC adopted a **monitor** position.

LRC tabled discussion of the remainder of the agenda. Before adjourning, Dan pointed out the copy of a draft bill concerning reintroduction of the black-footed ferret to public lands with adoption of a safe harbor agreement. This bill is a City

of Fort Collins bill being sponsored by Rep. Randy Fischer. Dan noted that he would bring the bill to LRC for consideration upon introduction.

The meeting was adjourned at 5:32 pm.