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Legislative Review Committee Agenda

Meeting Notes

July 9, 2013, 4:00 p.m.

City Manager's Conference Room

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: Dale Adamy

Councilmember Troxell called the meeting to order at 4:08 pm.

Adoption of the minutes from the June 11, 2013 meeting were moved for approval by Councilmember Cunniff and seconded by Councilmember Troxell. Minutes were adopted without amendment.

Steve Roy sought to clarify part of the agenda – where, under Fort Collins, the item listed said **Open Records/Elections**. Dan Weinheimer discussed that the item was listed for inclusion in the 2014 Legislative Policy Agenda and was intended to capture a broad discussion of items related the City Clerk office in the policy agenda. Dan noted that the inclusion was due to the fact that the City Clerk's responsibilities were largely missing from the 2013 Policy Agenda.

Dan began by describing some of the anticipated topics for the 2014 General Assembly session. He described that the purpose of this review was to ensure that Fort Collins was prepared with positions for these topics. He expects **Urban Renewal Authority** to be a topic in 2014 and stated that he has spoken with Rep. Randy Fischer about working together on possible legislation. Steve Roy mentioned that this issue is one that staff should work to develop some policy options to offer the LRC.

Community broadband is another issue expected to come forward in the 2014 Assembly session. **SB05-152** is the existing law and it restricts governments from providing free Wi-Fi and other "advanced services" like high-speed internet to the public and businesses. Dan said that it appears the City of Boulder is gearing up to take a lead on the issue. Fort Collins IT is supportive of amending the law to at least provide internet service within City-owned facilities where currently the City pays for this service from a commercial provider. There are additional proposals to offer high-speed internet to Colorado State University or federal research labs

both in Fort Collins and Boulder so the City might want to pursue a more aggressive remedy to SB05-152. Dan will work with Boulder on its efforts around this issue.

Implementation of Amendment 64 is likely to continue in 2014 with the Assembly considering additional improvements to the laws around adult-use/recreational marijuana. Councilmember Troxell asked whether the legislature is likely to only consider recreational marijuana. Dan said that there has been specific discussion of some improvements to the implementation of Amendment 64 but that it is possible there may be action on all marijuana use. Steve mentioned that the Colorado City Attorney group was actively seeking advisement from the state ethics board about advising clients about police and licensing officials handling marijuana issues.

Adopting a **statewide uniform sales and use tax** will be a topic brought forward by at least one legislator, Rep. Kathleen Conti. Dan said that Rep. Conti has made this issue her main focus in the legislature and is seeking to develop a bill to standardize the rate of sales and use tax collected in Colorado. This is a concern for Fort Collins and other cities as this is a primary source of operating revenue.

Dan said that **oil and gas** is expected to be a topic in 2014 as it has been in past sessions. Many of the proposals offered in 2013 were unsuccessful and it is unclear whether the same proposals would be offered in 2014 or how these would be altered.

Councilmember Cunniff asked whether **renewable energy** was expected to be an issue in 2014 and if Fort Collins had positions to address bills. Wendy Williams said that there are positions already in the Policy Agenda on this topic but that staff could review them to ensure they reflected Council's priorities.

Councilmember Troxell mentioned to the group that he had discussed **train horns** with Pam Shaddock (District Director for Senator Mark Udall) and Senator Udall's transportation person. He recommended a demonstration of new or alternative technology and that the Federal Railroad Administration is encouraged to open their thinking beyond the "same old" strategies. Dan briefed the LRC that he had participated in discussions with the FRA's regional office about solutions in Fort Collins in an attempt to address local train horn noise. He said that discussions are ongoing with FRA. Councilmember Cunniff wondered if there are statistics about involuntary train accidents and Dan said he thought that information was included in the quiet zone study review. Councilmember Cunniff also wondered whether an accident like the one in Quebec (a train carrying oil tankers crashing and exploding in a community) was possible in Fort Collins. Councilmember Poppaw wondered if the City has control over hazardous material transportation rules. Dan said that he could follow up with the Office of Emergency Management for details on train accident preparedness and that he

thought the federal government would maintain the rules on movement of hazardous materials through communities.

The LRC discussed specific **issues for inclusion in the 2014 Legislative Policy Agenda**. He mentioned that there have been proposals in each of the last two sessions to have local building inspectors take on state inspection responsibility. He said that there is nothing in the Legislative Policy Agenda to address **building inspection** or changes to **building codes**. Councilmember Troxell expressed support for local control and an option to accept additional responsibility. Councilmember Cunniff said that if there could be fees assessed to the agency or organization to help fund the additional work for staff then he would consider additional inspection.

Dan reiterated the **community broadband** discussion was not yet defined but that there was no specific language in the current Policy Agenda to support this priority. He also returned to the earlier discussion of writing a set of City Clerk-related policy statements. Finally, he pointed out there is not a set of policy statements concerning **social sustainability**. Councilmember Poppaw said that she would support social sustainability being included.

Finally, the LRC reviewed the June 27 meeting with local legislators where Councilmembers were able to talk with Senator John Kefalas, Representatives Randy Fischer and Joann Ginal. Councilmembers Troxell and Cunniff both said that they felt it was a useful meeting and good discussion. Dan informed the Committee that he had followed up with the state legislators directly on some of the issues raised at the meeting. He also told the LRC that he was working on forging some partnerships with other legislative staff representing Fort Collins-based interests including CSU, Platte River Power Authority and others.

Councilmember Troxell wrapped up the meeting asking what would be discussed at the next meeting. Dan said that he expected that he would have a first draft of the 2014 Legislative Policy Agenda for comment as well as updates on possible sponsored legislation and issues important to Fort Collins.

The meeting was adjourned at 4:56 pm.