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Legislative Review Committee Meeting Minutes

September 11, 2012, 4:00 p.m.

City Manager's Conference Room

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

Absent: Steve Roy, City Attorney

Guest: Dale Adamy

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

Adoption of the minutes from the August 6th meeting was postponed as they were not included in the City Council packet.

Dan Weinheimer provided updates of two outstanding issues – the Federal Railroad Administration train noise rule and the mitigation and recovery from the High Park Fire. City Manager Atteberry will be tentatively traveling to Kansas City to meet in person with the Federal Railroad Administration Regional Administrator on October 1st. Work has commenced on a noise study and those results will inform City action on this issue.

The LRC reviewed and recommended edits to the draft 2013 Legislative Policy Agenda. Dan noted that, as directed, he rearranged the Agenda to reflect the City's adopted Outcome Areas. Edits include:

- Page 5 – Removing statement number eight from the Economic Health
- Page 11 – Correcting tense in statement number two of Risk Management
- Page 14 – Removing “best” from statement number nine of Water Supply
- Page 15 – Amending statement number one of Fire Protection
- Page 16 – Editing statement number six of Fire Protection
- Page 16 – Changing “lets” to “allows” on statement number two of Hazardous Materials Management
- Page 17 – Editing statement number nine of Public Safety

Councilmember Troxell noted that he'd heard from a constituent about taxi service. He was told that the closest taxi company operates from Denver and was curious if that was true, what the rules for taxi companies are, and whether it might be good to have Fort Collins secure a local taxi company. Mayor Pro Tem Ohlson noted that the PUC may restrict licenses for taxis but that this was an



interesting issue to examine. Staff was asked to look into it but not yet to place it on the Agenda.

Mayor Pro Tem Ohlson asked that staff review Policy Agendas from the last several years to ensure that issues that might have dropped off but still have relevance could be considered. He noted that several years would provide a snapshot of the issues dealt with at the state and federal levels to better ensure a comprehensive list of priorities.

The LRC began review of the Policy Priorities; Dan noted the goal of the LRC agenda was to draw attention to the changes from the 2012 to 2013 priorities. He carried over many unresolved priorities onto the 2013 list and added a couple new ones – specifically the High Park Fire mitigation in the federal area and regulation of oil and gas to the state priorities.

Councilmember Troxell asked what the recommendation was for action with regards to train noise and the Federal Railroad Administration (FRA). Dan mentioned that while a meeting was forthcoming between the City Manager and representatives of FRA, that staff has been working with a consultant to complete phase two of the Quiet Zone study. Dan said a recommendation would be to complete this work and attempt to use the data and the unique configuration of Mason Street to secure a waiver. The waiver would need support from the railroad however, and this could be problematic. Dan recommended having an initial discussion with BNSF to gauge their concerns and interest. Councilmember Troxell stated he would support alternative measures for train noise like a bell similar to what is present on many commuter rail lines.

Councilmember Troxell raised a question about maintaining the City's position on medical marijuana. He had heard that some federal groups were doing research through National Institute of Health (NIH) and other federal research labs. Councilmember Poppaw stated that more than likely this meant the funding source was private because classification as a Schedule 1 drug precludes federal research funding. Staff was asked to look into the research and funding source.

Mayor Pro Tem Ohlson asked for a short summary of the electronic waste recycling bill passed in 2012. Staff will include that in the documents for the next LRC meeting.

The LRC all agreed that the venue be modified for the Legislative Breakfast. Staff will look into meeting at the Lincoln Center or at the new Museum of Discovery site if there is a suitable space.

Mayor Pro Tem Ohlson also asked that at the breakfast that the City of Fort Collins honor the contributions of State Senator Bob Bacon. He noted that Senator Bacon has had a long, successful career supporting Fort Collins in the



State Legislature and is worthy of recognition. Councilmember Poppaw suggested that a “thank you” and appropriate recognition for U.S. Representative Cory Gardner would be a nice gesture as redistricting moves Fort Collins out of his Congressional District. Staff will prepare appropriate recognition for both.

Dan Weinheimer ran through the remaining calendar of meetings for the LRC in 2012 – a meeting in October and the Breakfast in November. He also shared a draft calendar for 2013 which would keep the meeting times and days on the same schedule. The LRC approved this schedule for 2013.

The meeting was adjourned 4:52 pm.