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Legislative Review Committee Minutes
Tuesday, August 30, 2022
3:00-4:00PM

Committee Members Present:

Tricia Canonico (chair), Shirley Peel

Committee Members Absent:

Jeni Arndt

Staff Present:

Tyler Marr, Ginny Sawyer, John Duval, Megan Valliere, Jennifer Cassell (lobbyist), Ed Bowditch (lobbyist)

1. No changes to the minutes from June 28, 2022, meeting.
2. Review current Legislative Policy Agenda 2023 updates.
 - a. Additions, changes, or comments:
 - i. Councilmember Canonico asked if the recommended changes to the Legislative Policy Agenda (LPA) regarding letters of support would preclude Committee members from receiving staff support for bill testimony.
 1. Tyler responded that the intent of this recommended change is to help discern decisions about when staff can provide letters based on the explicit language of the LPA and the nature of the requesting agency versus when Committee members would need to take a more active role. Staff will still be available to assist when Committee members would like to testify on specific bills supported by CML and CC4CA.
 - ii. There were a few changes to the LPA in the area of housing, and Jen and Ed see affordable housing as a huge topic to watch during this year's session of the General Assembly.
 - iii. Councilmember Peel asked a question related to [HB 22-1137, Homeowner's Association Board Accountability and Transparency](#). She mentioned that a constituent reached out to her with concern about this bill and asked whether we can or should address that within the LPA.
 1. Tyler responded that this is the first time we have heard from a resident regarding this piece of legislation. When Councilmember Peel returns from travel, she will forward this information to staff in the City Manager's Office. Staff will either come up with a suggested edit to the LPA or provide a justification for leaving the LPA as is regarding HB 22-1137.
 - iv. The committee discussed whether we have heard of any state-level conversations about removing parking minimums for developments within a certain distance of transit routes.
 1. Tyler said he will flag this topic for a conversation with Caryn Champine as part of Land Use Code updates.

2. Ed replied that nothing is happening with this at the state-level that he knows of but that there is a very active movement to support a policy of this type in Denver.
- v. To clarify the LPA and keep it on track for adoption earlier than in previous years, Ginny will remove language specifying the time frame for elections.
- vi. Councilmember Canonico stated that as of Friday, 08/26/2022, the EPA has labelled PFAS as a hazardous material. She asked if we should add something to the LPA about consumer education or PFAS removal.
 1. Ginny flagged this topic for further investigation.
- vii. John Duval discussed a requested change to the LPA and an advocacy topic for this year's session of the legislature. As SB 20-217, Enhance Law Enforcement Integrity, is currently written, the POST board could revoke or suspend an officer's POST certification for not activating body worn cameras when in interactions being recorded by other means.
 1. Councilmembers Canonico and Peel would like to proceed with an LPA edit that advocates for officers' ability to turn off body worn cameras when they are in circumstances in which their interactions are being recorded by other means (i.e., in interview rooms or during phone interviews).
- viii. Councilmember Peel requested clarification regarding blight studies for URA development. She asked staff if we are required to spend a minimum of \$50,000 on a blight study to have an area declared eligible for URA funding.
 1. John responded that there isn't a cost requirement for the study but that certain components are required to be present to make a blight determination. We can see if there are ways to make a blight declaration easier, but ultimately the evidence must be convincing to the City Council. A state-of-the-art, comprehensive blight study by consultants could likely cost around \$50,000, but we can try to find other ways to conduct these studies.
 2. Since this issue is more local in nature, staff will follow up to find out what is common practice for Fort Collins to see if there is a way to address this cost barrier.
 3. Jen caught wind that Adams County might be interested in running URA legislation that would allow counties some of the same authority that municipalities hold in this area. Adams County and others may bring this to CCI to discuss and explore legislation ahead of the session.
- ix. Under the Water, Wastewater, and Stormwater section of the LPA, Councilmember Canonico asked why number 5 is worded "opposes barriers to financing for water conservation projects" rather than "supports financing opportunities for water conservation projects"?
 1. Tyler said that his recollection of the history behind that wording is that there are many regulatory barriers in the water conservation space, especially regarding storage projects. We don't want to de-emphasize how burdensome the regulatory process is, but Tyler heard support from the LRC to include language that directly promotes greater state

funding for water conservation projects. Staff will look at this and propose new language to the LPA.

- x. Tyler added that the DDA is starting think about their renewal period sunseting. It is currently a thirty-year window, and the period is ending later this decade. We plan to work with the DDA and other cities across the state to request an extended sunset for development funding.
 - xi. Anissa Hollingshead and other city clerks would like to advocate for precinct boundaries to follow county incorporation boundaries. This will make it easier for clerks to determine city-specific voter turnout statistics. There is a clerk's section of CML, and that is where staff will solicit more information and feedback on this topic.
 - xii. Finally, staff is looking for clarification on liquor licensing for established on-street patios. City staff will continue communications with lobbyists and other interested communities with support from the LRC. Potential partners include Boulder and Arvada. Tyler noted that there is room for clarification on the rules surrounding liquor and entertainment districts.
- b. Target adoption date
 - i. The final redlined version of the LPA will be sent in a memo which staff will work to complete. Staff hopes to come to the full council for adoption sometime in October.

3. CC4CA

- a. Will attend September LRC meeting.
 - i. Councilmember Canonico stated that they might be attending in-person for that meeting.
 - ii. Ginny will follow up with CC4CA and make appropriate accommodations.

4. Other Business

- a. Washington D.C. trip
 - i. Confirm dates and visits of interest
 - 1. Tyler, Councilmember Canonico, and Mayor Arndt will be visiting Washington D.C. on September 22 and 23.
 - 2. Tyler and Megan have met with PDT regarding various grant programs. Staff hopes to build awareness for these programs because we expect stiff competition for federal dollars. For elected officials, we want to spend time discussing where mid-size municipalities are struggling with applying for federal grant dollars.
 - 3. Councilmember Peel asked if staff will put all Council trips and conferences on the calendar for next year.
 - a. Tyler responded that this item is on the to-do list for early next year. Staff wants to be more coordinated in these efforts, and a full list of proposed dates will be presented at Council's planning session in January.
- b. Schedule Legislative Breakfast
 - i. The legislative breakfast is a time for LRC members and others to meet with our state legislative delegation. Ginny will start working with them to find a date on

the calendar, and we will essentially take any time we can get given the difficulty of scheduling this event.

c. Capitol Watch

- i. This is a bill tracking system that has proven incredibly useful to staff. Ginny offered to give a tutorial to Councilmembers Canonico and Peel so that they can decide if they would like access to the platform.