

April 17, 2018

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

● ROLL CALL

PRESENT: Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak
Staff Present: Atteberry, Daggett, Coldiron

● AGENDA REVIEW: CITY MANAGER

City Manager Atteberry stated Item No. 12, *Resolution 2018-040 Making Findings of Fact and Conclusions of Law Regarding the Appeal of the Landmark Preservation Commission's Decision that 2601 South College Avenue is Eligible for Fort Collins Landmark Designation*, has been moved to the Discussion Agenda, and recommended postponing Item No. 14, *Second Reading of Ordinance No. 047, 2018, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund and the Transportation Fund and Authorizing the Transfer of Appropriations from the Transportation Capital Expansion Fee Fund and the Transportation Fund into the Capital Project Fund for the East Prospect Road Improvements Project and Transferring Appropriations from the Capital Project Fund to the Cultural Services and Facilities Fund for the Art in Public Places Program*, indefinitely. He also recommended adjourning this meeting to next Tuesday to consider Item No. 15, *Items Relating to the Appropriation From Light and Power/Broadband Fund Debt Proceeds and Other Funds Related to the Broadband Project*.

Eric Sutherland withdrew Item Nos. 8, *Items Related to Income Qualified Assistance Programs*, and 11, *Resolution 2018-037 Authorizing Addendums to Extend the Terms of the Intergovernmental Agreements Between the City and Poudre School District and the City and Thompson School District Pertaining to the Land Dedication and In-Lieu Fee Requirements Contained in Such Agreements*, from the Consent Agenda.

● CITIZEN PARTICIPATION

Wes Kenny, Fort Collins Symphony Maestro, announced the Symphony's pops concert at Timberline Church. He introduced Tom Bittinger, bassoonist, who played a piece from Vivaldi.

Kaitlyn Young opposed the U+2 Ordinance and noted other Ordinances exist to address property maintenance concerns.

Hanna Johnson, ASCSU, supported Item No. 8, *Items Related to Income Qualified Assistance Programs*.

Stephen Sorenson, Cultural Resources Board Chair, thanked Council and the City Manager for productive discussions related to Art in Public Places.

Adam Lovell discussed the U+2 Ordinance and stated there is overwhelming support for its repeal.

Beth Bruno, A Face to Reframe, discussed anti-human trafficking efforts.

Megan Lundstrom, Free Our Girls, discussed sex trafficking.

Chris Bruno, Restoration Counseling Center, discussed sex trafficking.

Eric Sutherland discussed time-of-use utility rates.

Lynn Nichols, No Pipe Dream, stated her organization is advocating for the City of Thornton to let its water flow through town via the Poudre River.

Charmaine Stavedahl opposed Thornton's plan to build a system of pipelines to divert its water prior to its flow through Fort Collins.

Gary Wockner, Save the Poudre, discussed the plans for NISP and Thornton to take water out of the Poudre upstream of Fort Collins.

Karen Wagner opposed allowing Thornton to divert water from the Poudre River upstream of Fort Collins.

Dave Zick stated he is currently homeless and discussed a Fort Collins ordinance that technically makes it illegal to breathe in Fort Collins.

R. Warren Limnenen opposed allowing Thornton to divert water from the Poudre River upstream of Fort Collins.

- **CITIZEN PARTICIPATION FOLLOW-UP**

Mayor Troxell summarized the citizen comments.

Councilmember Cunniff responded to Ms. Young, noting the U+2 study is not being run by him; therefore, his opinions will not affect its outcome. He also noted his stance on the issue was a key part of his reelection campaign.

Councilmember Martinez thanked the speakers who discussed human and sex trafficking for their work. He asked about Fort Collins' sphere of influence related to the Thornton pipelines.

Councilmember Overbeck thanked the speakers and requested information regarding Fort Collins' sphere of influence related to the Thornton pipelines.

Mayor Pro Tem Horak stated no municipality takes water from anywhere other than the mouth of the canyon and noted members of Council and the management team have met with Thornton.

Councilmember Cunniff noted Fort Collins continues to be in talks with Thornton.

Mayor Pro Tem Horak stated Fort Collins is working to increase the river flows and Thornton is a partner to those efforts.

Councilmember Stephens stated there are groups working on augmenting the river flows and substantive work is being done.

- **CONSENT CALENDAR**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt and approve all items not withdrawn from the Consent Agenda.

RESULT:	CONSENT CALENDAR ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

1. **Consideration and Approval of the Minutes of the March 6, March 20 and April 3, 2018 Regular Council Meetings. (Adopted)**

The purpose of this item is to approve the minutes from the March 6, March 20 and April 3, 2018, Regular Council meetings.

2. **Second Reading of Ordinance No. 046, 2018, Reappropriating Funds Previously Appropriated in 2017 But Not Expended and Not Encumbered in 2017. (Adopted)**

This Ordinance, unanimously adopted on First Reading on April 3, 2018, reappropriates monies in 2018 that were previously authorized by City Council for various expenditures in 2017. The authorized expenditures were not spent or could not be encumbered in 2017 because:

- there was not sufficient time to complete bidding in 2017 and therefore, there was no known vendor or binding contract as required to expend or encumber the monies,
- the project for which the dollars were originally appropriated by Council could not be completed during 2017 and reappropriation of those dollars is necessary for completion of the project in 2018, or
- the funds appropriated in 2017 for certain ongoing programs, services, and facility improvements remained unspent at the end of 2017 for the various reasons discussed below, but continue to be needed in 2018 for these programs, services and facility improvements.

In the above circumstances, the unexpended and/or unencumbered monies lapsed into individual fund balances at the end of 2017 and reflect no change in Council policies.

3. **Second Reading of Ordinance No. 048, 2018, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund and the Transportation Fund and Authorizing the Transfer of Appropriations from the Transportation Capital Expansion Fee Fund and the Transportation Fund into the Capital Project Fund for the South Timberline Road Improvements Project and Transferring Appropriations from the Capital Project Fund to the Cultural Services and Facilities Fund for the Art in Public Places Program. (Adopted)**

This Ordinance, unanimously adopted on First Reading on April 3, 2018, appropriates \$549,496 into the Capital Project Fund for the South Timberline Road Improvement Project. This funding will be used to initiate the design for the project. In addition, this item will authorize the transfer of \$5,495, one percent of the appropriated funds, from the Capital Project Fund to the Cultural Services and Facilities Fund for Art in Public Places. This project will reconstruct South Timberline Road from Stetson Creek Drive to Trilby Road to the City's four lane arterial roadway standard.

4. **Second Reading of Ordinance No. 049, 2018, Appropriating Prior Year Reserves in the Utility Customer Service and Administration Fund for Cyber Security and System Enhancements for the Utilities Customer Information System. (Adopted)**

This Ordinance, unanimously adopted on First Reading on April 3, 2018, funds security improvements identified in a 2017 assessment of the Utilities customer information system. This system is the Utilities' primary tool for processing about \$200 million in revenue annually, and it supports multiple critical integrated systems that Utilities relies on for daily operations in the delivery of accurate billing. Given

the expected lifespan of the system, it is crucial that it is protected and supported until a new billing system is implemented.

5. **Second Reading of Ordinance No. 050, 2018, Appropriating Unanticipated Grant Revenue in the Light and Power Fund for the Peak Notification Pilot Project. (Adopted)**

This Ordinance, unanimously adopted on First Reading on April 3, 2018, appropriates \$18,500 in grant revenues from the American Public Power Association into the Fort Collins Utilities Light and Power Operations fund to pilot a peak load notification project. This pilot project will be internal to the City of Fort Collins. It will educate staff members from various departments about coincident peak and provide tools to help City staff conserve power during peak events.

6. **Second Reading of Ordinance No. 051, 2018, Amending Chapter 26 of the Code of the City of Fort Collins Regarding Reimbursement Agreements for the Construction of Water and Sewer Mains. (Adopted)**

This Ordinance, unanimously adopted on First Reading on April 3, 2018, amends City Code sections related to reimbursement agreements for the construction of water and sewer mains. These sections of Code define requirements by which private parties may seek reimbursement from adjacent property owners for installation of public water and sewer infrastructure. As written, the Code language applies to greenfield development, which is growing less common in Fort Collins. The proposed Code changes would make the reimbursement agreements also applicable to infill, redevelopment, and existing development and thus be more useful to the City and developers.

7. **First Reading of Ordinance No. 052, 2018, Appropriating Prior Year Reserves and Unanticipated Revenue in the General Fund for Cultural Development and Programming Activities, Tourism Programming, and Convention and Visitor Program Services. (Adopted)**

The purpose of this item is to appropriate \$482,841, of which \$242,389 is proposed for 2018 Cultural Development and Programming Activities (Fort Fund), \$26,873 is proposed for 2018 Tourism Programming (Fort Fund), and \$213,579 is proposed for 2018 Convention and Visitors Program activities, from a combination of unanticipated revenue (Lodging Tax) and prior year reserves (unspent appropriations) in the General Fund Lodging Tax Reserves.

Lodging taxes are annually collected by the City of Fort Collins for Cultural Development and Tourism programming activities. Anticipated revenue is projected through each Budgeting for Outcomes (BFO) cycle and then adjusted annually as needed based on actual collections. Lodging tax revenue collected in 2017 was \$237,967 above projected collections.

8. **First Reading of Ordinance No. 055, 2018, Authorizing the Release of a Restrictive Covenant on Property at the Colony at Rigden Farm. (Adopted)**

The purpose of this item is to authorize the release of a restrictive covenant for affordable home ownership on a property's title because the property developed into market rate rental housing. The project contemplated by the covenant was not built and no affordable housing incentives were provided to the developer.

9. **Resolution 2018-036 Finding Substantial Compliance and Initiating Annexation Proceedings for the Aweida Annexation. (Adopted)**

The purpose of this item is to determine substantial compliance and initiate annexation proceedings for the Aweida Annexation. The Aweida Annexation brings one property and the abutting arterial street right-of-way totaling 0.862 acres, located on the southwest corner of the South Taft Hill Road and W CR 38 E intersection, into Fort Collins' municipal boundaries. No project development plan proposal was submitted in conjunction with the annexation application. The requested zoning for this annexation is Low Density Mixed-Use Neighborhood (L-M-N).

The proposed Resolution makes a finding that the petition substantially complies with the Municipal Annexation Act, determines that a hearing should be established regarding the annexation, and directs that notice be given of the hearing. The hearing will be held at the time of first reading of the annexation and zoning ordinances; not less than thirty days of prior notice is required by State law. Pursuant to § 31-12-108, C.R.S., if the annexation petition is in substantial compliance with the requirements of § 31-12-107, C.R.S., Council is required to adopt a resolution finding substantial compliance and setting a hearing. The proposed zoning of a property to be annexed is not a requirement under § 31-12-107, C.R.S., and discussion of zoning issues should be reserved for the zoning review that will occur concurrent to the first reading for the annexation.

10. **Resolution 2018-038 Appointing Julie Pignataro to the Citizen Review Board of the City of Fort Collins. (Adopted)**

The purpose of this item is to appoint Julie Pignataro to fill a vacancy on the Citizen Review Board due to the resignation of Pranaya Sathe, whose term was set to expire on December 31, 2018. In January 2018, City Manager Darin Atteberry, Mayor Troxell, and Councilmember Ray Martinez interviewed applicants solicited in the fall of 2017 and identified Ms. Pignataro as an alternate if a vacancy arose during the year.

- **END CONSENT**

- **STAFF REPORTS**

City Manager Atteberry stated members of the City's Youth Advisory Board attended the National League of Cities conference in Washington, D.C.

Milan Khosla, Katie Ko, Joel Warne, and Megan Ronquillo, Youth Advisory Boardmembers, discussed their experience at the National League of Cities conference. Specifically, they focused on transportation issues and noted the free bus transportation offered to students is unusual. They discussed work force equity as well.

Councilmember Martinez encouraged the Boardmembers to give this presentation to the Poudre School District Board.

- **COUNCILMEMBER REPORTS**

Councilmember Overbeck reported on a visit from the Northern Arapaho Youth Group from the Wind River Indian Reservation.

Councilmember Cunniff reported on a meeting with the Federal Railroad Administration and meetings with Senators Gardner and Bennett.

Mayor Troxell reported on the Baldrige Award ceremony.

Councilmember Summers congratulated City Manager Atteberry and staff on receiving the Baldrige Award.

Mayor Pro Tem Horak reported on the meeting with the Federal Railroad Administration and discussed the Regional Air Quality Council's recent meeting.

● **CONSIDERATION OF COUNCIL-PULLED CONSENT ITEMS**

11. **Resolution 2018-040 Making Findings of Fact and Conclusions of Law Regarding the Appeal of the Landmark Preservation Commission's Decision that 2601 South College Avenue is Eligible for Fort Collins Landmark Designation. (Adopted)**

The purpose of this item is to make findings of fact and conclusions of law regarding the appeal of the Landmark Preservation Commission's decision to uphold the eligibility of 2601 South College Avenue for Fort Collins landmark designation. The appeal was heard by City Council on April 3, 2018.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Stephens, to adopt Resolution 2018-040:

Councilmember Cunniff stated he would not support the motion as he disagrees with the decision and conclusions.

RESULT:	RESOLUTION 2018-040 ADOPTED [6 TO 1]
MOVER:	Gerry Horak, District 6
SECONDER:	Kristin Stephens, District 4
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Horak
NAYS:	Cunniff

● **DISCUSSION ITEMS**

12. **Second Reading of Ordinance No. 047, 2018, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund and the Transportation Fund and Authorizing the Transfer of Appropriations from the Transportation Capital Expansion Fee Fund and the Transportation Fund into the Capital Project Fund for the East Prospect Road Improvements Project and Transferring Appropriations from the Capital Project Fund to the Cultural Services and Facilities Fund for the Art in Public Places Program. (Postponed Indefinitely)**

This Ordinance, adopted on First Reading on April 3, 2018 by a vote of 6-1 (Nays: Cunniff) appropriates \$600,000 into the Capital Project Fund for the East Prospect Road Improvements Project. In addition, this item will authorize the transfer of \$6,000, one percent of the appropriated funds, from the Capital Project Fund to the Cultural Services and Facilities Fund for Art in Public Places. This project will reconstruct East Prospect Road as a four-lane arterial roadway from Sharp Point Drive to Interstate-25 (I-25) western frontage road as identified on the City's Master Street Plan. This project will complement the Colorado Department of Transportation's (CDOT) I-25 and Prospect Road Interchange improvements planned to begin construction in 2019. Appropriated funds will enable the initiation of the design process for the project. Construction funds have not yet been identified. Staff anticipates an overall project budget of \$4,000,000 and an anticipated construction start date of 2020. Staff anticipates the completion of both projects in 2021.

As requested at the April 3, 2018 Council Meeting, staff will present the project to the Council Finance Committee on April 16, 2018. Staff will provide a memo to Council summarizing the discussion prior to the April 17, 2018 Council Meeting.

Eric Sutherland questioned how many times a taxing district smaller than a parcel of land has existed.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Martinez, to postpone Second Reading of Ordinance No. 047, 2018, indefinitely.

RESULT:	ORDINANCE NO. 047, 2018, POSTPONED INDEFINITELY [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ray Martinez, District 2
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

13. Items Relating to the Appropriation From Light and Power/Broadband Fund Debt Proceeds and Other Funds Related to the Broadband Project. (Withdrawn)

A. *First Reading of Ordinance No. 056, 2018, Appropriating Bond Proceeds from the Issuance of 2018 Electric Utility Enterprise Revenue Bonds for Capital, Operating and Debt Service Expenditures Associated with the Construction of a Broadband System to Provide Telecommunication Facilities and Services to Customers Within Fort Collins and Excepting This Appropriation from the City Code's Art In Public Places Requirement.*

B. *First Reading of Ordinance No. 057, 2018, Appropriating Funds from the Light and Power Fund to Defease the City of Fort Collins, Colorado, Electric Utility Enterprise Taxable Revenue Bonds Series 2010B.*

The purpose of this item is to appropriate (1) bond proceeds for the construction of a municipal broadband system and (2) Light & Power reserves for the defeasance of outstanding debt. The issuance and defeasance were authorized by the Electric Utility Enterprise Board Ordinances No. 003 and No. 004, respectively. This agenda item is consistent with Strategic Objective 3.9 from the 2016 Strategic Plan: Encourage the development of reliable, high speed internet services throughout the community.

RESULT:	WITHDRAWN
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14. Resolution 2018-039 Adopting the City of Fort Collins 2018 Strategic Plan. (Adopted)

The purpose of this item is to request City Council's approval of the City of Fort Collins 2018 Strategic Plan. Council reviewed the City's draft 2018 Strategic Plan at a meeting on March 3, 2018. Staff incorporated the input provided by Council into the final version sent to Council on April 12, 2018. The 2018 Strategic Plan document is an integral input to the City's Budgeting for Outcomes (BFO) process.

As was done in 2016, Council has asked to formally adopt the 2018 Strategic Plan. It reflects the City's Strategic Objectives, priorities and focus over the next 3-5 years and is used as a foundation document within other efforts across the City.

Mike Beckstead, Chief Financial Officer, stated the community input into the Strategic Plan has been critical and thanked staff members who have worked on the Plan. He noted the Strategic Plan sets the stage for the operating and budget plans that will ultimately be adopted.

Lawrence Pollack, Budget Director, discussed the biannual budget process and means of community input for the Strategic Plan. He detailed the process of outcomes, objectives, and metrics.

Councilmember Stephens requested the ways citizens can provide input into the budgeting process. Pollack replied the best place is on the City's website. Public events will be also held.

Councilmember Overbeck discussed the need for being more intentional about the Nature in the City experience for residents with hearing or visual impairments. He also requested information related to the inclusion of community policing language. Pollack replied some terms will be updated to reflect Council's suggestions.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt Resolution 2018-039.

Councilmember Cunniff commended staff's work on the Plan.

Mayor Troxell discussed the budgeting process and noted the Strategic Plan is an important component of that process.

Councilmember Overbeck thanked staff for their work.

Councilmember Stephens encouraged members of the public to stay involved in the process.

City Attorney Daggett outlined the changes: an edit to the title of strategic objective 4.3, an insertion to the second bullet of strategic objective 4.8, an insertion in the 3rd paragraph of the introduction for safe communities, and an insertion to the final bullet of strategic objective 5.2. Mayor Pro Tem Horak and Councilmember Overbeck accepted the changes.

RESULT:	RESOLUTION 2018-039 ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

15. **First Reading of Ordinance No. 058, 2018, Appropriating Prior Year Reserves in the General Fund and the Fort Collins Urban Renewal Authority Fund and Authorizing the Transfer of Appropriations from the General Fund and the Fort Collins Urban Renewal Authority Fund into the Capital Project Fund for the Poudre River Whitewater Park Project and Transferring Appropriations from the Capital Project Fund to the Cultural Services and Facilities Fund for the Art in Public Places Program and Transferring Appropriations in the Storm Drainage Fund from the Boxelder Creek Outfall Project and the Remington Street Outfall Project to the Capital Project Fund for the Poudre River Whitewater Park Project. (Adopted on First Reading)**

The purpose of this item is to appropriate additional funding for the Poudre River Whitewater Park project. The Whitewater Park will be located south of Vine Drive between College Avenue and the BNSF Railroad. Design and permitting for the project are nearly complete, with construction anticipated to begin Summer 2018, and the project complete in Summer 2019. There is sufficient funding available for a minimum, base project. To realize the full vision of the project, as outlined in the 2014 Poudre River Downtown Master Plan, approximately \$2M of additional funds are needed.

Kurt Friesen, Director of Park Planning, discussed the project site and stated the project is ready to move into the implementation phase this summer. The bulk of the project funding comes from the Community Capital Improvement Program, with additional funding from Natural Areas, Stormwater, and the General Fund among others. Friesen also discussed the \$2 million in additional funding needed for project enhancements. This appropriation request is for \$1.5 million, a portion of which goes toward Art in Public Places. With an additional \$500,000 from philanthropic sources, the total would fund those project enhancements.

Eric Sutherland questioned where the Urban Renewal Authority borrowed the \$300,000 being applied to this project.

Rich Stave questioned the focus for the project and stated it is upside down in terms of cost versus benefit.

City Manager Atteberry requested Deputy City Manager Mihelich address Council on the boards and commissions process to this point.

Deputy City Manager Mihelich stated staff provided presentations to all the boards and commissions requested by Council and there was unanimous support for the project and additional enhancements from the Parks and Recreation Board, North College Citizen Advisory Board, the Commission on Disabilities, and the Natural Resources Advisory Board. The Water Board and Land Conservation and Stewardship Board recommended approval with 5-2 votes.

Councilmember Cunniff asked why the park is being addressed as a whitewater park when the ballot language addressed it as a kayak park. Mihelich replied the whitewater park provides less limiting language given other modes of transportation could be used.

Councilmember Cunniff requested an update on the philanthropic funding. Mihelich replied the original support noted in the ballot measure was \$1.5 million of private donations. The additional improvements added another \$500,000 for a total dedication of private resources of \$2 million for the project. Currently, the funding is short \$500,000 from the base phase and \$500,000 from the additional improvements; however, the ballot language requires the initial \$1.5 million to be in hand prior to construction beginning.

Councilmember Cunniff asked why lights must be pole lights. Friesen replied that is the most efficient means of lighting an area and stated the proposed fixtures are cut-off fixtures which eliminate light spillover.

City Manager Atteberry stated this project provides a unique opportunity to explore an urban/natural area interface park and assured Council lighting is critical and will be carefully examined.

Councilmember Cunniff asked about funding for park refresh needs. Friesen replied a pilot is underway at City Park at this time; therefore, a specific dollar amount has yet to be determined, but it is likely in the millions.

Councilmember Cunniff questioned what the \$500,000 for this project could do in terms of park refresh.

Councilmember Martinez asked if the ballot language referencing a 'kayak park' requires the City to keep that title. City Attorney Daggett replied the project is described as "downtown Poudre River enhancements and kayak park," "whitewater kayak park with viewing/picnic areas, adds a pedestrian bridge over the river, improves access to the river, and enhances the river's habitat and beauty." Given the term "whitewater" is used in the description, there is some flexibility in terms of the project's working title.

Councilmember Martinez stated lighting is important from a public safety component and asked if security cameras are incorporated. Friesen replied staff is in talks with the Police Department right now and an emergency call station is being considered. The budget already includes funding for security.

Councilmember Stephens asked if restrooms are planned for this area. Friesen replied a restroom is planned in a future phase; however, it is not funded as part of the base project or considered one of the optional features. FEMA needs to remap the area prior to a building being added.

Councilmember Overbeck asked about the impact of lighting on wildlife. Friesen replied the lighting will turn off at 11:00 PM; therefore, they will be off during the majority of wildlife movement time.

Councilmember Cunniff asked why a bridge is considered an optional element given its inclusion in the ballot language. Friesen replied that is budget-driven and the bridge will not be included unless the optional funding is provided.

Councilmember Cunniff expressed concern the bridge has been considered optional given it was part of the ballot language.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt Ordinance No. 058, 2018, on First Reading.

Councilmember Cunniff stated it is important to honor the will of voters and build the project, including the bridge. He expressed concern with the \$500,000 allocation from the General Fund and stated it would be more appropriately placed in the BFO process.

Mayor Pro Tem Horak stated he would support the motion; however, he expressed concern restrooms are not included.

Councilmember Stephens agreed the restrooms should be included, even if they are portable initially. She thanked the private funders and stated she would support the motion.

Councilmember Martinez commended the park design and requested restrooms include an accessible changing table.

Mayor Troxell stated he would support the motion and discussed the enhancements and improvements this project will provide.

RESULT:	ORDINANCE NO. 058, 2018, ADOPTED ON FIRST READING [6 TO 1]
MOVER:	Gerry Horak, District 6
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Horak
NAYS:	Cunniff

(Secretary's Note: The Council took a brief recess at this point in the meeting.)

● **CONSIDERATION OF CITIZEN-PULLED CONSENT ITEMS**

16. **Items Related to Income Qualified Assistance Programs. (Adopted)**

- A. First Reading of Ordinance No. 053, 2018, Amending Chapter 26 of the Code of the City of Fort Collins to Change the Name of Time-of-Use Electric Rates to Time-of-Day Electric Rates.
- B. First Reading of Ordinance No. 054, 2018, Amending Chapter 26 of the Code of the City of Fort Collins to Adopt Discounts Applicable to Water, Wastewater and Electric Rates, Fees and Charges Applied Under an Income Qualified Assistance Program.

The purpose of Ordinance No. 053, 2018, is to change the name for the electric service rates that will go into effect on October 1, 2018, from "time-of-use" to "time-of-day" to better identify how the rates will be applied to different times during the day.

The purpose of Ordinance No. 054, 2018, is to bring forward an ordinance to implement an Income-Qualified Assistance Program (IQAP), formerly referred to as the income-qualified rate (IQR). For qualified customers who "opt-in", this program will initially provide a 23% discount on specified rate components for electric, water and wastewater services on a customer's monthly bill. Utilities will qualify customers through the Low-income Energy Assistance Program (LEAP), which uses an income threshold of 165% of the Federal Poverty Level (FPL). The IQAP will have a three-year phased approach to provide data to City Council that demonstrates reasonable bill affordability and presents long-term recommendations on participation criteria, including whether a specific level of dwelling improvements in participants' homes may (or may not) eliminate the need for payment assistance, or support removal of participants from the program. The IQAP will be rolled out in October 2018, in conjunction with time-of-day (TOD) (formerly referred to as "time-of-use" [TOU]) rates for residential customers, as approved by Council in November 2017.

Eric Sutherland discussed the amount of power coming off the wind grid and the timing of signals to reduce energy consumption. He questioned why time-of-use rates are not applicable to business customers.

Alan Braslau, Energy Boardmember, supported this item. He stated it is important to point out that continual reasonable progressive rate increases are necessary in order to have reasonable management of an electric system; however, the question of affordability is also important.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 053, 2018, on First Reading.

RESULT:	ORDINANCE NO. 053, 2018, ADOPTED ON FIRST READING [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 054, 2018, on First Reading.

Councilmember Cunniff commended the work on the item.

Councilmember Stephens thanked fellow Councilmembers and staff for support of this program. She requested staff input as to roll-out outreach. Lisa Rosintoski, Utilities, replied that a campaign launch is planned for early May. The transition has already been communicated through the City's website, social media, and bill inserts.

Councilmember Martinez asked if the income-qualified assistance program will be managed through the LEAP program. Rosintoski replied in the affirmative and stated one-on-one assistance will be provided as needed.

Mayor Pro Tem Horak requested some additional information related to outreach prior to Second Reading. He encouraged the formation of a "one-stop shop" type program for qualifying individuals given not all qualified individuals are in LEAP.

RESULT:	ORDINANCE NO. 054, 2018, ADOPTED ON FIRST READING [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

17. **Resolution 2018-037 Authorizing Addendums to Extend the Terms of the Intergovernmental Agreements Between the City and Poudre School District and the City and Thompson School District Pertaining to the Land Dedication and In-Lieu Fee Requirements Contained in Such Agreements. (Adopted)**

The purpose of this item is to extend the terms of the Poudre School District and the Thompson School District Intergovernmental Agreements concerning land dedications or payments in-lieu for school purposes through December 31, 2018.

Eric Sutherland stated this item postpones amending a 20-year-old problematic agreement and discussed school funding.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Overbeck, to adopt Resolution 2018-037.

RESULT:	RESOLUTION 2018-037 ADOPTED [UNANIMOUS]
MOVER:	Gerry Horak, District 6
SECONDER:	Bob Overbeck, District 1
AYES:	Martinez, Stephens, Summers, Overbeck, Troxell, Cunniff, Horak

● **OTHER BUSINESS**

Mayor Pro Tem Horak discussed the receipt of the City of Loveland’s support of the lobbying efforts for I-25 expansion. He requested and received Council support to include I-25 funding in future budget offers.

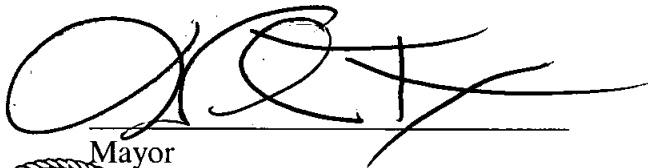
Mayor Pro Tem Horak suggested staff examine guidelines for Council agenda placement, conflicts of interest, et cetera.

Councilmember Cunniff requested a follow-up report on maintenance plans for Art in Public Places installations.

● **ADJOURNMENT**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Martinez, to adjourn to 6:00 PM, Tuesday, April 24, for the purpose of considering electric utility appropriations ordinances related to broadband and such other business as may come before the Council.

The meeting adjourned at 9:02 PM.



Mayor

ATTEST:


 City Clerk

