

February 4, 2020

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

● **ROLL CALL**

PRESENT: Gorgol, Stephens, Troxell, Cunniff
ABSENT: Pignataro, Gutowsky, Summers
Staff Present: Atteberry, Daggett, Coldiron

A. Presentation of Service Enterprise Certification Award. (staff: Sue Schaffer)

Kristy Judd, Spark the Change Colorado CEO, Points of Light Foundation's service enterprise hub, presented a certificate of recognition to the City of Fort Collins as being a Service Enterprise, a national accreditation for volunteer programs.

Sue Schaffer recognized the City's volunteer managers.

● **AGENDA REVIEW: CITY MANAGER**

City Manager Atteberry withdrew Item No. 5, *Second Reading of Ordinance No. 020, 2020, Repealing and Reenacting Chapter 2, Article II, Division 3 of the Code of the City of Fort Collins Relating to Procedures for Appeals to the City Council*, for placement on the Discussion Agenda. He also stated Council will consider a motion to adjourn to February 11 for a possible executive session.

● **PUBLIC COMMENT**

William Cutcher stated he is running for Congressional District 2 and wants to help others overcome difficulties.

Glen Akins stated he has always championed for the City's broadband effort and stated it will be successful with proper marketing. He requested the pace of installation be increased.

Sarah Bayer, Polaris School, discussed a research study her students completed on microplastics in the water shed.

Nora Mooney, Polaris School, discussed some of the results of the microplastics study and stated single use plastics use needs to be decreased.

Eric Sutherland stated the City should have placed fiber cables when it undergrounded utility lines. The current broadband effort is one of the largest public policy failures in Colorado municipal history. The issue needs to be addressed pragmatically and on an accounting basis.

Robyn Dolgin thanked the City for its commendable efforts to account for and reduce community-wide greenhouse gas emissions. She requested Council direct staff to start counting and working toward reducing all fluorinated gas emissions within the city limits.

Fred Kirsch read a statement on behalf of the Fort Collins Sustainability Group stating Broadcom is currently responsible for over 8% of the fluorinated greenhouse gas emissions in Fort Collins and the City should count fluorinated gases in its greenhouse gas inventory.

Doug Henderson, Sierra Club Poudre Canyon Group, expressed support for the City's efforts to reduce climate impacts but stated Broadcom's fluorinated gas emissions should be included in the City's greenhouse gas accounting.

Marisol Jackson, New Hope Youth Ranch, discussed the goals of the Ranch to build in Fort Collins and discussed the lack of social advocacy for students and working-class citizens.

Julie Rowan-Zock stated Broadcom's fluorinated gas emissions should be included in the City's greenhouse gas accounting.

Elizabeth Hudetz discussed toxic waste produced by oil and gas wells and stated Broadcom's fluorinated gas emissions should be included in the City's greenhouse gas accounting.

- **PUBLIC COMMENT FOLLOW-UP**

Mayor Troxell summarized the citizen comments, noting there will be a quarterly community report on the broadband service forthcoming and that fluorinated gases are monitored at the state level.

City Manager Atteberry noted there is a plastics pollution item on next Tuesday's work session, there will be a quarterly report forthcoming on Connexion, and Lucinda Smith can speak to the fluorinated gases issue.

Lucinda Smith, Environmental Services Director, stated the City's greenhouse gas emissions are currently reported at a basic level using a standardized protocol. There is another expanded level of reporting available which includes industrial product and process emissions, including fluorinated gases. EPA reporting has indicated Broadcom is the single largest source of those emissions in Fort Collins; however, those emissions have decreased over the last several years as abatement devices have been installed.

Smith stated staff is looking at what might be an appropriate threshold for bringing those emissions into the City's inventory and through Our Climate Future, staff will be seeking input on what kinds of metrics are the best to measure and track progress on this issue. Staff anticipates providing a report by the end of the quarter.

Councilmember Cunniff noted the expanded level of reporting includes a clause that it could track industrial product and process emissions if there are unique circumstances. There could be an argument that a large electronics manufacturer such as Broadcom could be a unique circumstance.

Councilmember Cunniff asked when the first report on Connexion should be expected. City Manager Atteberry replied he believes it will be just after the first quarter of the calendar.

- **CONSENT CALENDAR**

Mayor Troxell noted there are several public hearings on the Consent Agenda.

Eric Sutherland withdrew Item Nos. 2, *Second Reading of Ordinance No. 017, 2020, Amending Article IV of Chapter 8 of the Code of the City of Fort Collins Relating to the City's Purchasing and Contracting Procedures and Requirements*, and 7, *First Reading of Ordinance No. 022, 2020, Amending Chapter 19 of the Code of the City of Fort Collins Regarding Municipal Court*, from the Consent Agenda.

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

RESULT:	CONSENT AGENDA ADOPTED [UNANIMOUS]
MOVER:	Kristin Stephens, District 4
SECONDER:	Ross Cunniff, District 5
AYES:	Gorgol, Stephens, Troxell, Cunniff
ABSENT:	Pignataro, Gutowsky, Summers

1. **Second Reading of Ordinance No. 016, 2020, Adopting the 2020 Amended Classified Employee Pay Plan to Update Classified Positions as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police. (Adopted)**

This Ordinance, unanimously adopted on First Reading on January 21, 2020, amends the 2020 City Classified Employee Pay Plan based on an annual market analysis conducted as agreed upon through the 2019-2021 Collective Bargaining Agreement with the Northern Colorado Lodge #3 of the Fraternal Order of Police (FOP).

2. **Second Reading of Ordinance No. 018, 2020, Authorizing the Sale of the Real Property Located at 906 East Stuart Street to Planet Scale Limited. (Adopted)**

This Ordinance, unanimously adopted on First Reading on January 21, 2020, authorizes the sale of the City-owned property located at 906 East Stuart Street to Planet Scale Limited, a Colorado limited liability company, for \$291,000. The City has no current or future identified use for the property and disposition of the property will eliminate the City's ongoing maintenance expenses and liability risk.

3. **Second Reading of Ordinance No. 019, 2020, Designating the Buildings of Lots 25 and 26, Block 111 (155 West Mountain Avenue and 130 South Mason Street), Known as the Fort Collins Express/McCormick Building and the McCormick Apartments, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins. (Adopted)**

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with the procedures described in Section 1(f) of the Council's Rules of Meeting Procedures adopted in Resolution 2019-064.

This Ordinance, unanimously adopted on First Reading on January 21, 2020 designates the property on Lots 25 and 26, Block 111, (155 West Mountain Avenue), including the Fort Collins Express/McCormick Building and McCormick Apartments, as a Fort Collins Landmark. This is a voluntary designation at the owner's request.

4. **First Reading of Ordinance No. 021, 2020, Making Appropriations and Authorizing Transfers of Appropriations for the Restorative Justice Services Program. (Adopted)**

The purpose of this item is to appropriate grant revenue to fund Restorative Justice Services within Community Development and Neighborhood Services (CDNS). A grant in the amount of \$33,803 has been awarded from the Colorado Division of Criminal Justice (DCJ) Juvenile Diversion fund for the continued operation of Restorative Justice Services, which includes the RESTORE program for shoplifting offenses, the Restorative Justice Conferencing Program (RJCP) and the Reflect Program for all other offenses. This amount is the remainder of the total 2019-2020 amount of \$67,612. The

first portion, \$33,809, was appropriated through the 2019 Annual Adjustment Ordinance. This second portion covers expenses incurred January 1, 2020-June 30, 2020. The total grant amount is being appropriated in two separate Ordinances due to changes in state law, which affected the state grant award process. State partners were only able to guarantee half the grants funds in 2019, and then later guaranteed the second half of the funds.

The required local match is \$22,537, which is 25% of the total funding. This will be met by appropriating \$5,370 in cash match funds from the CDNS operating budget previously designated for Restorative Justice Services. No cash match funds for this grant were appropriated in 2019, so this cash match appropriation meets the requirement. The rest of the match is in-kind, designated from the City in the form of office space for grant funded services; \$8,584 in office space was met in 2019, and the remaining \$8,584 in office space will be met in 2020. The grant period is July 1, 2019, to June 30, 2020. This is the third year in a 3-year cycle for the Juvenile Diversion grant.

5. **Items Relating to Updating Certain Minor Code Violations and Related Penalties. (Adopted)**

- A. First Reading of Ordinance No. 023, 2020, Amending the Code of the City of Fort Collins to Reclassify Certain Offenses as Petty Offenses and Update the Potential Monetary Penalty for Code Violations.
- B. First Reading of Ordinance No. 024, 2020, Amending Section 17-102 of the Code of the City of Fort Collins Regarding the Offense of Throwing Missiles.

The purpose of this item is to reclassify some misdemeanors as petty offenses, update and simplify the maximum possible fine for all types of offenses and amend the throwing missiles offense to reflect behavior that threatens safety and not simply any throwing of anything.

6. **First Reading of Ordinance No. 025, 2020, Amending Various Sections of the Fort Collins Traffic Code. (Adopted)**

The purpose of this item is to ensure that the Fort Collins Traffic Code is consistent with Colorado traffic laws.

7. **Items Relating to the Soldier Canyon Pump Station Annexation. (Adopted)**

- A. Resolution 2020-014 Setting Forth Findings of Fact and Determinations Regarding the Soldier Canyon Pump Station Annexation.
- B. Public Hearing and First Reading of Ordinance No. 026, 2020, Annexing the Property Known as the Soldier Canyon Pump Station Annexation to the City of Fort Collins, Colorado.

The purpose of this item is to annex the tract of land known as the Soldier Canyon Pump Station Annexation, located at 4316 Laporte Ave. The Applicant, Platte River Power Authority, has submitted a written petition requesting the annexation. The purpose of the annexation is to allow the Soldier Canyon Pump Station to be served by Fort Collins Light and Power, rather than Xcel Energy. This is a voluntary annexation. The Soldier Canyon Pump Station Annexation totals 0.702 acres; it achieves the required 1/6 perimeter boundary contiguity with the existing municipal boundaries to the north, west and south. The site is enclosed on three sides by the City of Fort Collins Water Treatment Facility at 4316 Laporte Avenue. The annexation would incorporate the site into Fort Collins' municipal boundaries, as well as the Residential Neighborhood Sign District. A related item to zone the annexed property is presented as the next item on this Agenda.

8. **Public Hearing and First Reading of Ordinance No. 027, 2020, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Soldier Canyon Pump Station Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map. (Adopted)**

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2019-064.

The purpose of this item is to apply a zoning to the property included in the annexation known as the Soldier Canyon Pump Station Annexation. Soldier Canyon Pump Station Annexation, owned by the Platte River Power Authority, is located adjacent to the City of Fort Collins Water Treatment Facility at 4316 Laporte Avenue and is 0.702 acres in size. The proposed zoning for this annexation is Residential Foothills (R-F). The surrounding uses include the existing City Water Treatment Plant to the north, south and west, and Colorado State University Solar Farm to the east. The abutting City limits to the north, south and west are zoned Residential Foothills (R-F). Staff also recommends placement into the Residential Neighborhood Sign District.

9. **Items Relating to the Timberline-International Annexation No. 1 (Adopted)**

A. Resolution 2020-015 Setting Forth Findings of Fact and Determinations Regarding the Timberline-International Annexation. No. 1.

B. Public Hearing and First Reading of Ordinance No. 028, 2020, Annexing the Property Known as the Timberline-International Annexation No. 1 to the City of Fort Collins, Colorado.

The purpose of this item is to annex the first of three sequential tracts of land known collectively as the Timberline-International Annexations. Timberline-International Annexation No. 1 consists of 0.09 acres of North Timberline Road right-of-way and establishes the required 1/6 contiguity with existing City limits. Timberline-International Annexation No. 1, located northeast of the North Timberline Road and International Boulevard intersection, would incorporate the property into Fort Collins' municipal boundaries, as well as into the Residential Neighborhood Sign District. A related item to zone the annexed property is presented as the next item on this Agenda.

10. **Public Hearing and First Reading of Ordinance No. 029, 2020, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Timberline-International Annexation No. 1 to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map. (Adopted)**

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2019-064.

The purpose of this item is to apply zoning to the property included in the first of three sequential annexations, known as the Timberline-International Annexation No.1. Timberline-International Annexation No. 1 is located northeast of the North Timberline Road and International Boulevard intersection. The proposed zoning for this annexation is Industrial (I). The surrounding properties are existing industrial land uses currently zoned I-Industrial Zoning District (in Larimer County) to the north, south and west. The abutting City limit to the east is zoned Low Density Mixed-Use Neighborhood (L-M-N) and consists of North Timberline Road right-of-way. Staff also recommends placement into the Residential Neighborhood Sign District.

11. **Items Relating to the Timberline-International Annexation No. 2 (Adopted)**

A. Resolution 2020-016 Setting Forth Findings of Fact and Determinations Regarding the Timberline-International Annexation. No. 2.

- B. Public Hearing and First Reading of Ordinance No. 030, 2020, Annexing the Property Known as the Timberline-International Annexation No. 2 to the City of Fort Collins, Colorado.

The purpose of this item is to annex the second of three sequential tracts of land known collectively as the Timberline/International Annexations. Timberline/International Annexation No. 2 consists of 0.86-acres of North Timberline Road and International Boulevard right-of-way, which establishes the required 1/6 contiguity with existing City limits (Timberline-International Annexation No. 1). Timberline-International Annexation No. 2, located northeast of the North Timberline Road and International Boulevard intersection, would incorporate the property into Fort Collins' municipal boundaries, as well as into the Residential Neighborhood Sign District. A related item to zone the annexed property is presented as the next item on this Agenda.

12. **Public Hearing and First Reading of Ordinance No. 031, 2020, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Timberline-International Annexation No. 2 to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map. (Adopted)**

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2019-064.

The purpose of this item is to apply zoning to the property included in the second of three sequential annexations, known as the Timberline-International Annexation No. 2. Timberline-International Annexation No. 2 is located northeast of the North Timberline Road and International Boulevard intersection. The proposed zoning for this annexation is Industrial (I). The surrounding properties are existing industrial land uses currently zoned I-Industrial Zoning District (in Larimer County) to the north, south and west. The abutting City limit to the east is zoned Low Density Mixed-Use Neighborhood (L-M-N) and consists of North Timberline Road right-of-way. Staff also recommends placement into the Residential Neighborhood Sign District.

13. **Items Relating to The Timberline-International Annexation No. 3 (Adopted)**

- A. Resolution 2020-017 Setting Forth Findings of Fact and Determinations Regarding the Timberline-International Annexation. No. 3.
- B. Public Hearing and First Reading of Ordinance No. 032, 2020, Annexing the Property Known as the Timberline-International Annexation No. 3 to the City of Fort Collins, Colorado.

The purpose of this item is to annex the third of three sequential tracts of land known collectively as the Timberline-International Annexations. Timberline-International Annexation No. 3 consists of 1.39-acres, which establishes the required 1/6 contiguity with existing City limits (Timberline-International Annexation No. 2). Timberline-International Annexation No. 3, located northwest of the North Timberline Road and International Boulevard intersection, would incorporate the property into Fort Collins' municipal boundaries, as well as into the Residential Neighborhood Sign District. A related item to zone the annexed property is presented as the next item on this Agenda.

A citizen has asserted that the annexation petition does not comply with statutory requirements because less than fifty percent of the landowners in the area to be annexed who own more than fifty percent of the area, excluding public streets, alleys, and City owned land, signed the annexation petition, if deed-of-trust holders are treated as owners. Staff does not agree that deed-of-trust holders are considered owners for this purpose and believes the petitioner has satisfied all annexation requirements.

14. **First Reading of Ordinance No. 033, 2020, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Timberline-International Annexation No. 3 to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map. (Adopted)**

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2019-064.

The purpose of this item is to zone the property included in the third of three sequential annexations, known as the Timberline-International Annexation No.3. Timberline-International Annexation No. 3 is located northeast of the North Timberline Road and International Boulevard intersection. The proposed zoning for this annexation is Industrial (I). The surrounding properties are existing industrial land uses currently zoned I-Industrial Zoning District (in Larimer County) to the north, south and west. The abutting City limit to the east is zoned Low Density Mixed-Use Neighborhood (L-M-N) and consists of North Timberline Road right-of-way. Staff also recommends placement into the Residential Neighborhood Sign District.

15. **Resolution 2020-018 Authorizing the Initiation of Exclusion Proceedings of Annexed Properties Within the Territory of the Poudre Valley Fire Protection District and Authorizing an Intergovernmental Agreement with Said District. (Adopted)**

The purpose of this item is to authorize the City Attorney to file a petition in Larimer County District Court to exclude properties annexed into the City in 2019 from the Poudre Valley Fire Protection District (the District) in accordance with state law. The properties affected by this Resolution are the Kechter Enclave Annexation, Trilby Substation Enclave Annexation, Friendly Fire Enclave Annexation and Strauss Cabin Enclave Annexation. C.R.S. Section 32-1-502 requires an order of exclusion from the District Court to remove these annexed properties from special district territories. The properties have been receiving fire protection services from the Poudre Fire Authority and will continue to do so. The City Attorney's Office files the petition in Larimer County District Court each year seeking exclusion for all properties annexed in the previous year that should be removed from the District to avoid double taxation.

● **STAFF REPORTS**

A. Water Reclamation and Biosolids Platinum Certification. (staff: Jason Graham)

Kevin Gertig, Utilities Executive Director, discussed Meadow Springs Ranch, which has been owned by Fort Collins since the 1990s.

Jason Graham, Drake Wastewater Plant Operations Director, stated the City's water reclamation biosolids division earned a platinum recognition for its work from the National Biosolids Partnership Program.

● **COUNCILMEMBER REPORTS**

Councilmember Gorgol reported on attending the County's input session on vaping and the City's "Strategic Doing" event.

Councilmember Cunniff reported on the URA Board retreat and on receiving a check from Friends of the Senior Center for a new sound system in one of the meeting rooms.

Mayor Pro Tem Stephens reported on a visit to Riffenburgh Elementary School.

Mayor Troxell reported on the Police Services awards ceremony, a meeting of the Northern Colorado Regional Airport Commission, and the State of the City address.

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

16. **Second Reading of Ordinance No. 020, 2020, Repealing and Reenacting Chapter 2, Article II, Division 3 of the Code of the City of Fort Collins Relating to Procedures for Appeals to the City Council. (Adopted as Amended on Second Reading)**

This Ordinance, unanimously adopted on First Reading on January 21, 2020, amends the City Council appeals procedure contained in City Code in order to clarify aspects of the appeals procedures and to improve the appeals process.

City Attorney Daggett stated there was a change discussed when this Ordinance was considered on First Reading which related to the question of consolidation of appeals when there are multiple appeals of one decision. Council received a memo from the City Clerk's Office that included suggested language for amendments to the Ordinance that would more clearly specify that when Council is considering procedural issues at the beginning of the appeal hearing, the issue of consolidation of appeals would be discussed. She outlined the specific wording changes.

Eric Sutherland stated it does not matter what is in the Code if Council is not following the law concerning appeals, which he stated it has not done in the past. The scope of this change missed the point and optimum planning outcomes are not occurring in this community because the processes do not provide a method to bring people together to determine what the community should become.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 020, 2020, on Second Reading, as amended.

Councilmember Cunniff stated he would support the motion and commended the changes. He stated there is more work that can be done in terms of providing support to citizens filing appeals.

Mayor Pro Tem Stephens agreed with Councilmember Cunniff and stated work on the process can be done to make it fairer for community members. Councilmember Gorgol agreed.

Mayor Troxell stated he would support the motion as it is related to appeals further in the process. He stated citizens have many opportunities for public input starting very early in the development review process.

RESULT:	ORDINANCE NO. 020, 2020, ADOPTED AS AMENDED ON SECOND READING [UNANIMOUS]
MOVER:	Kristin Stephens, District 4
SECONDER:	Ross Cunniff, District 5
AYES:	Gorgol, Stephens, Troxell, Cunniff
ABSENT:	Pignataro, Gutowsky, Summers

● **DISCUSSION ITEMS**

17. **First Reading of Ordinance No. 034, 2020, Amending Chapter 1 of the Code of the City of Fort Collins to Establish Standards for Sentences to Probation and Deferred Judgments and Sentences. (Adopted on First Reading)**

The purpose of this item is to amend Chapter 1 of the City Code to describe how probation will be used in Municipal Court as a new sentencing alternative and to codify procedures for deferred judgment and sentencing dispositions.

Patty Netherton, Municipal Court Administrator, stated Judge Kathleen Lane's alternative sentencing options aim to promote public safety and reduce recidivism while balancing accountability and compassion. She discussed existing alternative sentencing options and stated an enhancement budget offer was approved to add a new 0.75 FTE probation officer in early 2020. Goals for this position are to include a greater compliance with court-ordered programs, reducing repeat offenses, utilizing rehabilitative options and methods, and facilitating public safety. Netherton discussed the experience of the recently hired probation officer.

Mayor Pro Tem Stephens commended the alternative sentencing program and requested additional information as to how this will work with special agency session. Netherton replied there will not be much difference to the defendant if he or she is going into the special agency session; however, the intent is for that to become part of the whole probation division so the supervision of those individuals can be divided.

Councilmember Gorgol requested additional information on the behavior-based education classes and their impact on recidivism. Jill Hueser, Assistant City Attorney, discussed some of the education classes and their impacts.

Councilmember Gorgol asked if childcare and transportation are offered. Hueser replied the classes are offered by other agencies and she is not aware those services are offered; however, some individuals have been authorized to go through online courses.

Mayor Troxell requested additional information as to the desired outcomes. Hueser replied the populations that would be supervised by the probation officer would be first-time offenders with deferred sentences and individuals who need more specialized and individualized treatment. Recidivism reduction and moving people toward resources are the main goals.

Mayor Troxell discussed the importance of outcomes-based data.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 034, 2020, on First Reading.

Mayor Pro Tem Stephens agreed barriers to attending courses should be addressed per Councilmember Gorgol's comments.

Councilmember Cunniff stated this is a good tool to help individuals unwind from mistakes.

RESULT:	ORDINANCE NO. 034, 2020, ADOPTED ON FIRST READING [UNANIMOUS]
MOVER:	Kristin Stephens, District 4
SECONDER:	Ross Cunniff, District 5
AYES:	Gorgol, Stephens, Troxell, Cunniff
ABSENT:	Pignataro, Gutowsky, Summers

18. **First Reading of Ordinance No. 035, 2020, Appropriating Prior Year Reserves to Purchase Property on North College Avenue for the Affordable Housing Land Bank. (Adopted on First Reading)**

The purpose of this item is to appropriate funds for the purchase of an approximately 5-acre parcel of land just west of North College Avenue for the City's affordable housing Land Bank Program.

Deputy City Manager Jeff Mihelich noted affordable housing is one of Council's most critical priorities and this item involves the potential acquisition of land along North College Avenue for the Land Bank. This will ultimately lead to the construction of at least 75 new affordable units in Fort Collins.

Sue Beck-Ferkiss, Social Policy and Housing Program Manager, detailed the Land Bank Program, stating it is Fort Collins' only long-term affordable housing incentive. This is the first land bank parcel north of Vine Drive.

Eric Sutherland stated the agenda item summary does not immediately suggest this land is going to be suitable for this type of intense housing. More money will be spent on water taps than on the land itself.

Luke Lee Fetridge stated he has been working on this project as the real estate representative for the seller and discussed the process leading up to this point, noting Council's priority aligns well with that of the North Fort Collins Business Association. He stated this fills a niche in the north Fort Collins area that does not currently exist.

Mayor Pro Tem Stephens asked if the plan is for multi-family housing. Beck-Ferkiss replied the parcel is zoned CS, which is very generous with density; therefore, the constraints of the site will be the determining factor in the number and type of housing units.

Mayor Pro Tem Stephens asked how water is addressed for affordable housing units. Beck-Ferkiss replied budgeting offers have been made in the past to provide water to land bank properties and preliminary discussions have been held regarding a water bank. She noted the land bank does own water shares but would like to explore other options.

Mayor Troxell asked about infrastructure requirements and whether the URA could participate in the property. Mihelich replied in the affirmative and stated the property is well suited for additional infrastructure enhancements including off-site stormwater management on an adjacent City-owned property.

Mayor Troxell asked how the floodplain will impact this property. Mihelich replied it will not specifically impact this property, though more aggressive stormwater improvements are planned for the Mason corridor.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Gorgol, to adopt Ordinance No. 035, 2020, on First Reading.

Councilmember Gorgol stated she would support the motion as a win-win situation and encouraged further discussion of a water bank.

Mayor Pro Tem Stephens stated this is a good opportunity to add a land bank property and she commended the Villages on Horsetooth project.

RESULT:	ORDINANCE NO. 035, 2020, ADOPTED ON FIRST READING [UNANIMOUS]
MOVER:	Kristin Stephens, District 4
SECONDER:	Emily Gorgol, District 6
AYES:	Gorgol, Stephens, Troxell, Cunniff
ABSENT:	Pignataro, Gutowsky, Summers

19. **First Reading of Ordinance No. 036, 2020, Appropriating Unanticipated Grant Revenue and Authorizing Transfers in the Natural Areas Fund for the Club Outdoors Program. (Adopted on First Reading)**

The purpose of this item is to appropriate a \$70,660 grant awarded by the D.R. & V. Pulliam Charitable Trust into the Natural Areas Department's 2020 budget. This grant was awarded to support Club Outdoors, an after-school and summer program that connects Boys & Girls Club members to natural areas. Most of the grant (\$58,400) will be the salary for two summer internships and a new contractual staff person to run Club Outdoors for one year. The rest of the funds will cover expenses such as transportation, food, and gear for participants. The grant requires the Natural Areas Department to cover the benefits costs of the positions, \$16,161, a funding match of approximately 22%. The match will come from previously appropriated Natural Areas Department funds.

Zoe Shark, Interim Natural Areas Director, stated this grant would help to support Council's equity and inclusion priority and discussed Club Outdoors, which is an after-school and summer program for Boys and Girls Club members. The grant will allow the Club to expand from bi-weekly to weekly at three locations and funds associated positions and supplies. She noted the City would be required to provide benefits for the positions, which is about a 22% match.

Shark discussed the goals of Club Outdoors and stated the Land Conservation and Stewardship Board agreed with staff's recommendation to appropriate the funds.

Mayor Troxell commended the program.

Councilmember Cunniff stated environmental protection is also social equity and commended the program.

Mayor Pro Tem Stephens commended the program and asked how future funding is anticipated. Shark replied the hope is for renewal of the grant.

Councilmember Cunniff made a motion, seconded by Councilmember Gorgol, to adopt Ordinance No. 036, 2020, on First Reading.

RESULT:	ORDINANCE NO. 036, 2020, ADOPTED ON FIRST READING [UNANIMOUS]
MOVER:	Ross Cunniff, District 5
SECONDER:	Emily Gorgol, District 6
AYES:	Gorgol, Stephens, Troxell, Cunniff
ABSENT:	Pignataro, Gutowsky, Summers

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

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

20. **Second Reading of Ordinance No. 017, 2020, Amending Article IV of Chapter 8 of the Code of the City of Fort Collins Relating to the City's Purchasing and Contracting Procedures and Requirements. (Adopted on Second Reading)**

This Ordinance, unanimously adopted on First Reading on January 21, 2020 adopts revisions to the purchasing and contracting provisions of the City Code. These changes include:

- Updated language, definitions, descriptions, and processes
- Updated timing of public disclosures
- Update thresholds of authority - minor purchases
- Excluded select contract types for the five (5) year term limit.

Eric Sutherland discussed the advent of streaming television content and opposed the City offering video content services as part of Connexion.

Mayor Troxell stated the goal of Connexion is to provide a fiber infrastructure and this provides the ability to provide for some initial services.

City Manager Atteberry noted customers can choose to buy video content, but there is no requirement to do so.

Councilmember Cunniff noted there is a segment of the population that may be slower to adopt technology and would prefer this service.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 017, 2020, on Second Reading.

RESULT:	ORDINANCE NO. 017, 2020, ADOPTED ON SECOND READING [UNANIMOUS]
MOVER:	Kristin Stephens, District 4
SECONDER:	Ross Cunniff, District 5
AYES:	Gorgol, Stephens, Troxell, Cunniff
ABSENT:	Pignataro, Gutowsky, Summers

21. **First Reading of Ordinance No. 022, 2020, Amending Chapter 19 of the Code of the City of Fort Collins Regarding Municipal Court. (Adopted on First Reading)**

The purpose of this item is to make various updates to Chapter 19 of the City Code, which governs Municipal Court procedures, to bring the City Code into alignment with current Court practices and legal requirements.

Eric Sutherland stated this provision conflicts with other language in the section and with the City Charter.

City Attorney Daggett stated the City Charter gives the Municipal Court jurisdiction over all matters arising under the City's Charter and ordinances.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Gorgol, to adopt Ordinance No. 022, 2020, on First Reading.

RESULT:	ORDINANCE NO. 022, 2020, ADOPTED ON FIRST READING [UNANIMOUS]
MOVER:	Kristin Stephens, District 4
SECONDER:	Emily Gorgol, District 6
AYES:	Gorgol, Stephens, Troxell, Cunniff
ABSENT:	Pignataro, Gutowsky, Summers

● **OTHER BUSINESS**

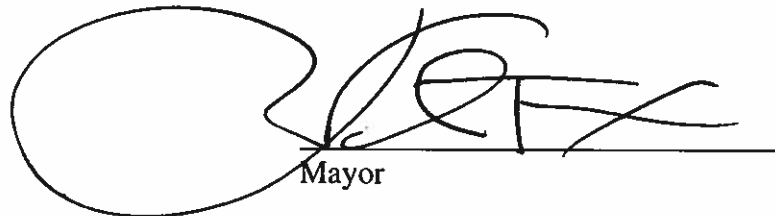
A. Motion to adjourn to February 11, 2020.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Cunniff, that Council adjourn to 6:00 PM on Tuesday, February 11, 2020, for consideration of a possible Executive Session and for such other business as may come before the Council.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristin Stephens, District 4
SECONDER:	Ross Cunniff, District 5
AYES:	Gorgol, Stephens, Troxell, Cunniff
ABSENT:	Pignataro, Gutowsky, Summers

● **ADJOURNMENT**

The meeting adjourned at 8:26 PM.


Mayor

ATTEST:


City Clerk



