

September 1, 2020

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

(Secretary's Note: Due to the COVID-19 crisis and state and local orders to remain safer at home and not gather, this meeting has been conducted using a hybrid approach allowing in-person participation with strict protocols and a variety of remote participation options.)

● **ROLL CALL**

PRESENT: Pignataro, Gorgol, Gutowsky, Summers, Stephens (6:33 PM), Troxell, Cunniff
STAFF PRESENT: Atteberry, Daggett, Coldiron

● **AGENDA REVIEW: CITY MANAGER**

City Manager Atteberry stated an item has been added under Other Business: *Discussion and possible action to direct staff work regarding a Councilmember-proposed resolution related to support for law enforcement and the right to peacefully assemble.*

City Clerk Coldiron outlined the remote participation options.

● **PUBLIC COMMENT**

Jaya Strasberg opposed the use of single-use plastic bags specifically noting what happens in Fort Collins influences all downstream communities. She proposed a ban on single-use plastic bags and a fee for paper bags.

Rich Stave commented on finding people sleeping partially on trails in the early morning hours. He also stated the Zoom invitation to the public for the last Energy Board meeting was not sent out until just after the meeting started.

Nancy York agreed with Ms. Strasberg's comments and stated the City should be taking climate change more seriously and should not be widening roads for vehicles but only for bus service. She also commented on counting evictions.

Ray Martinez commented on the recent death of a ranger at Horsetooth Reservoir and stated it was tremendous to see the outpouring of emotion during the memorial event. He stated he sees tremendous support for law enforcement in the community.

● **PUBLIC COMMENT FOLLOW-UP**

Mayor Troxell summarized the citizen comments. He noted there will be an official service area response to Ms. Strasberg.

Councilmember Cunniff noted one of Council's priorities is reduction of plastic pollution which is important to communicate in the service area response. He stated he may consider bringing forth the topic for the April 2021 ballot.

Councilmember Cunniff requested staff follow up with Mr. Stave regarding his topics. City Manager Atteberry replied he would do so.

Councilmember Summers noted the Centers for Disease Control has announced a four-month moratorium on evictions.

Councilmember Pignataro asked if the Council priority regarding plastics is set to come before Council in the next six months. Jackie Kozak-Thiel, Chief Sustainability Officer, replied the topic is scheduled for a work session on October 27th.

● **CONSENT CALENDAR**

RESULT:	ADOPTED [6 TO 0]
MOVER:	Emily Gorgol, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Pignataro, Gorgol, Gutowsky, Summers, Troxell, Cunniff
AWAY:	Stephens

1. **Consideration and Approval of the Minutes of the July 21, 2020 and August 4, 2020 Regular Council Meetings. (Adopted)**

The purpose of this item is to approve the minutes from the July 21, 2020 and August 4, 2020 Regular Council Meetings.

2. **Second Reading of Ordinance No. 102, 2020, Appropriating Unanticipated Department of Justice Coronavirus Emergency Grant Revenue in the General Fund for Police Services. (Adopted)**

This Ordinance, unanimously adopted on First Reading on August 18, 2020, appropriates funds awarded by the Department of Justice (DOJ) for the formula grant FY 2020 Coronavirus Emergency Supplemental Funding Grant. This grant award of \$100,818 will defray certain expenses the City has incurred responding to the COVID-19 Pandemic, which includes the purchase of personal protective equipment, cleaning supplies, and communication expenses along with overtime associated with the response.

3. **Second Reading of Ordinance No. 103, 2020, Appropriating Unanticipated Philanthropic Revenue Received by City Give from The Friends of the Gardens on Spring Creek for Transfer to The Gardens on Spring Creek. (Adopted)**

This Ordinance, which was unanimously adopted on First Reading on August 18, 2020, appropriates \$75,000 in philanthropic revenue in the General Fund for transfer to The Gardens on Spring Creek to support general operating costs as designated by the donor, The Friends of the Gardens on Spring Creek. The Friends of the Gardens on Spring Creek is an independent not-for-profit 501(c)(3) organization established in 1988 whose mission is to support The Gardens through advocacy, community engagement, volunteerism and fundraising.

4. **Second Reading of Ordinance No. 104, 2020, Appropriating Unanticipated Philanthropic Revenue Received by City Give from the Urban Agriculture Resilience Program through The Friends of the Gardens on Spring Creek for The Gardens on Spring Creek. (Adopted)**

This Ordinance, unanimously adopted on First Reading on August 18, 2020, appropriates \$15,000 in philanthropic revenue in the General Fund for transfer to The Gardens on Spring Creek. Facilitated by The Friends of the Gardens on Spring Creek, the funding award is made from the Urban Agriculture Resilience Program for the designated purpose of urban agriculture and community gardening.

5. **Second Reading of Ordinance No. 105, 2020, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Transfer to the Recreation Fund for the Fort Collins Senior Center. (Adopted)**

This Ordinance, unanimously adopted on First Reading on August 18, 2020, appropriates \$66,652 in philanthropic revenue in the General Fund for transfer to the Fort Collins Senior Center in the Recreation Fund for support of general operations. The charitable funds are the disbursement of revenue from a Designated Endowment held by the Community Foundation of Northern Colorado to benefit the Fort Collins Senior Center.

6. **Second Reading of Ordinance No. 106, 2020, Authorizing the Acquisition by Eminent Domain Proceedings of Certain Lands Necessary to Construct Public Improvements for the Timberline Capital Improvement Project - Stetson Creek Road to Trilby Road. (Adopted)**

This Ordinance, which was unanimously adopted on First Reading on August 18, 2020, requests Council authorization for the use of eminent domain, if deemed necessary, to acquire property interests needed for construction improvements for the Project.

7. **First Reading of Ordinance No. 107, 2020, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Transfer to Social Sustainability in the General Fund for the Equity Indicators Project. (Adopted)**

The purpose of this item is to appropriate \$20,000 in philanthropic revenue in the General Fund for transfer to Social Sustainability for the support of the Equity Indicators project as designated by the donor, Bohemian Foundation. In a commitment to advance equitable outcomes, the City has selected CUNY Institute for State and Local Governance (ISLG) to lead an Equity Indicators project which will establish a framework for measuring and understanding the inequities that exist in Fort Collins.

8. **First Reading of Ordinance No. 108, 2020, Amending Chapter 26 of the Code of the City of Fort Collins to Clarify Utility Accounts, Billing and Collections. (Adopted)**

The purpose of this item is to adopt changes to City Code to align with requirements in the 2020-2025 LEAP Vendor Agreement. Under current billing practices, utility bills are treated as a single customer account payment balance, and payments made to an account are applied equally across utility service products on that account. The Code changes will allow for Low-Income Energy Assistance Program (LEAP) payments to be applied only to electric service (as required in the 2020-2025 LEAP Vendor Agreement), even if a customer has other Fort Collins utility services (e.g., water, wastewater, stormwater and/or broadband).

These Code changes will enable Fort Collins Utilities to remain a LEAP Vendor which benefits the 200+ income-qualified customers that receive LEAP in two ways: (1) they get a more accurate benefit amount because Fort Collins Utilities is able to provide Estimated Home Heating Costs (EHHC) from which LEAP bases benefit calculations, and (2) it is more convenient for the customer because LEAP payments are automatically applied to a customer's utility account.

9. **First Reading of Ordinance No. 109, 2020, Amending the Code of the City of Fort Collins to Modify and Update Requirements and Procedures for City Elections and Campaign Finance in City Elections. (Adopted)**

The purpose of this item is to consider proposed amendments to the City's election campaign Code provisions.

10. **Resolution 2020-081 Setting the Dates of the Public Hearings on the 2021 Proposed City of Fort Collins Budget. (Adopted)**

The purpose of this item is to set two public hearing dates for the proposed 2021 budget that the City Manager has filed with the City Clerk pursuant to Section 2 of City Charter Article V. Section 3 of City Charter Article V now requires Council to set a date for a public hearing on the proposed budget and to cause notice of the hearing to be published. This Resolution sets two public hearing dates. The first for Council's regular meeting on September 15, 2020, and the second for its regular meeting on October 6, 2020. The Resolution also directs the City Clerk to publish the notice of these two hearings that is attached as Exhibit "A" to the Resolution.

11. Resolution 2020-082 Making Appointments to Various Boards and Commissions. (Adopted)

The purpose of this item is to appoint four individuals to fill vacancies on the Affordable Housing Board, Landmark Preservation Commission, Human Relations Board and the Economic Advisory Board that exist due to the resignation of previous members.

- **END CONSENT**

- **CONSENT CALENDAR FOLLOW-UP**

Councilmember Cunniff noted there was a package of election changes on the Consent Agenda per Item No. 14, *First Reading of Ordinance No. 112, 2020, Amending Section 7-135 of the Code of the City of Fort Collins to Amend Requirements and Procedures Related to Campaigns and Campaign Finance in City Elections.*

- **STAFF REPORTS**

Staff Report: COVID-19 Update - Discuss women in the workforce related to COVID-19, school choice, and childcare. (Josh Birks)

Josh Birks, Economic Sustainability Director, introduced Jennifer Henderson, TILT Founder and CEO, and Tina Todd, Simply HR, to share their perspectives.

Ms. Henderson stated TILT works with organizations to streamline the employee leave lifecycle. She discussed the fact that access to affordable childcare is a barrier for regional employers and the pandemic has exacerbated that, particularly for working women. One out of four women have reported becoming unemployed during the pandemic because of a lack of childcare, which is twice the rate of men for the same reason.

Ms. Henderson discussed options for addressing childcare needs given remote learning through Poudre School District.

Ms. Todd stated Simply HR is a human resources consulting firm providing support for businesses in Fort Collins and northern Colorado. She discussed participation in the workforce over the past several months noting there was a 9% decrease in labor force participation for women with children. She cited specific examples of women in the workforce leaving their positions to accommodate virtual learning.

Councilmember Summers asked for further clarification about this situation causing a generation-long impact on women in the workforce. Ms. Henderson replied that is in regard to the amplification of downshifting and opting out of the workforce today which has significant repercussions on women in the workforce. Rejoining the workforce at the same level many women are leaving to care for children is unlikely. She stated women who opted out of the workforce pre-COVID for anything more than two years suffer a 30-40% earning reduction over their lifetimes.

Councilmember Pignataro asked if there is anything in the upcoming budget regarding childcare. Jackie Kozak-Thiel, Chief Sustainability Officer, replied the main item related to childcare involves maintaining the level of human service funding knowing that is a direct support for childcare providers in the community.

Councilmember Pignataro suggested possible partnerships in terms of work-study classes through CSU or UNC to provide instructors to help facilitate learning pods.

Councilmember Gorgol noted there is a lack of applicants and space for childcare providers. She asked if there has been work done with community partners to identify solutions. Ms. Henderson replied the options she discussed were a result of crowd-solving ideas spanning the country.

Councilmember Gorgol asked if the City organization is considering providing on-site, off-site, or shared childcare options. City Manager Atteberry noted the City is one of the largest community employers and has worked to provide a great deal of flexibility to its employees in this space. Teresa Roche, Chief Human Resources Officer, replied the City surveyed its 900 essential employees to see if childcare was of interest in the spring, and it was not a large priority. However, the Family Care Connections program has been used by some essential workers and has been completely subsidized. She will continue to survey workers regarding new needs and discussed the new Leader's Toolkit called "Navigating the Impact of Caregiving Challenges During COVID-19."

Mayor Pro Tem Stephens stated affordable childcare has been lacking in the community for years prior to the pandemic and it is time to provide resources. She noted it is not realistic for most families to have one member leave the workforce for even a few months.

● **COUNCILMEMBER REPORTS**

Mayor Troxell reported he and Councilmember Cunniff participated in the Platte River Power Authority Board meeting during which the Integrated Resource Plan was discussed. He also reported on the recent Urban Renewal Authority Board meeting during which the North College area and desired amenities were discussed.

Mayor Pro Tem Stephens reported the Poudre Fire Authority Chief is retiring and the search process will begin shortly.

Mayor Troxell reported the City has been closely monitoring the Cameron Peak Fire regarding the water supply resources in the area.

● **DISCUSSION ITEMS**

12. **Emergency Ordinance No. 110, 2020 Suspending Certain Provisions of the City's Land Use Code to Permit Temporary Use of the Property at 1301 Blue Spruce Drive as a Homeless Shelter.** (Adopted)

The purpose of this item is for Council to consider approving an emergency ordinance to allow a temporary overnight shelter at 1301 Blue Spruce Drive. The number of shelter beds available in Fort Collins has been reduced due to the need for social distancing because of COVID-19. While homeless shelters are a permitted use in the Industrial Zone District where this property is located, this would allow the use to occur immediately rather than undergoing the development review process for the proposed change in use. Emergency ordinances are authorized under the Charter in emergency circumstances and require the affirmative vote of at least five (5) members of the Council for passage.

City Manager Atteberry stated this emergency ordinance would support temporary overnight emergency shelter for people experiencing homelessness given the capacity gap related to COVID. He stated staff recommends adoption of the ordinance.

Beth Sowder, Social Sustainability Director, stated this emergency ordinance would suspend specific requirements of the Land Use Code to allow a temporary overnight shelter at 1301 Blue Spruce Drive immediately. She indicated the City would enter into a lease with the Food Bank for Larimer County, the property owner, and would then sublease the space to the Fort Collins Rescue Mission to operate the space as a temporary overnight shelter from the end of September through April 2021. She stated the estimated cost to the City is approximately \$30,000 per month. CARES Act funding is anticipated to be used for the remainder of 2020 and already allocated CDBG funds are to be used for the 2021 costs. Sowder stated next steps, should Council approve this emergency ordinance, would include finalizing the lease, the sublease, and the funding agreement.

Cheryl Distaso expressed concern about the proposal stating the City recklessly closed the Atzlan shelter and needlessly closed the Heritage Park encampment in April in defiance of CDC recommendations. She stated the Rescue Mission has had to turn away people every night since the Atzlan shelter closed and the 100 beds proposed for this shelter are not enough. She further stated Fort Collins' shelter options are inadequate, unsafe, and dehumanizing and the City should immediately repeal its camping ban.

Rich Stave asked how many people will be served in the facility on a nightly basis and asked what restrictions will be placed on users. He also questioned whether the facility is properly equipped for social distancing.

Nancy York stated Fort Collins inhumanely treats homeless individuals and stated proper encampments should be allowed.

Mayor Pro Tem Stephens asked how many people will be served at the proposed shelter and asked how safety will be addressed. She noted there is no industrial processing that occurs at the facility; it is primarily for food distribution. City Manager Atteberry replied there is no warehouse activity in this portion of the facility. Sowder replied the Rescue Mission tries to provide even more space than is required for social distancing and there is currently enough space for 120 cot spaces with an ability to expand.

Amy Pezzani, Food Bank for Larimer County, stated the portion of the Food Bank that would be leased to the City is just under 15,000 square feet and is completely separate from the Food Bank use of the building.

Seth Forewood, Fort Collins Rescue Mission, stated beds and operations will be appropriately distanced and health screenings will occur. He stated the Larimer County Health Department will be consulting on the space as well.

Mayor Pro Tem Stephens asked if both men and women will be served. Forewood replied he is waiting for guidance from the Health Department on that. He clarified there are no shower facilities, but handwashing and restroom facilities will be available.

Councilmember Pignataro asked if this facility will offer services from various providers. Sowder replied this will be different from the Atzlan shelter in that this will only be an overnight shelter with morning and evening meal service and to-go lunch service. During the day, the Food Bank

will still be using the location for food distribution. She noted the Murphy Center will be extending its day shelter hours as well.

Councilmember Summers asked if construction will be needed at the facility. Forewood replied there will be no major construction, just minor changes to make the space appropriate for food service.

Councilmember Summers asked who would provide beds. Forewood replied the Rescue Mission has some available and is in talks with Larimer County Public Health regarding other options.

Councilmember Summers asked about the plan for ensuring people are not milling around area businesses, particularly given people will need to be going from the overnight shelter to and from the Murphy Center. City Manager Atteberry replied that concern has been heard and expressed by the Food Bank as well. Jackie Kozak-Thiel, Chief Sustainability Officer, replied the overnight shelter and extended day shelter hours are intended to provide security. Additionally, there will be private security on-site. Sowder replied the lease with the Food Bank requires security to be provided during the day, particularly during food distribution hours. She stated security is not necessarily needed at night as people will not be coming and going.

Councilmember Gutowsky asked why other facilities were not sufficient. City Manager Atteberry replied 22 sites were considered, three of which were in the North College area. Some of the difficulties with other sites included building condition.

Councilmember Gutowsky asked why the Fort Ram building was not considered. City Manager Atteberry replied it did not meet the necessary specifications.

Councilmember Gutowsky asked how transportation will be provided for those who need it. Sowder replied this location is very close to the Murphy Center and meetings have been held with Transfort regarding providing other transportation. She noted there are bus stops in front of both the Food Bank and the Murphy Center.

Councilmember Gutowsky stated she has received a request for a 'no parking' zone from businesses near the Murphy Center and asked if this plan will exacerbate the issue. Sowder replied staff and people utilizing the shelter can park there overnight; however, no cars can remain there during the day. Ms. Pezzani replied the street is open parking and once the shelter is open and the pantry not operating, the parking lot will be available for those using the shelter which may improve the parking situation.

Councilmember Gorgol asked if there is a known gap between the number of beds provided in the community and the number of individuals experiencing homelessness. Sowder replied the Rescue Mission typically lacks the ability to serve about 15 to 20 men and there is currently enough capacity for women and families at Catholic Charities.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Gorgol, to adopt Emergency Ordinance No. 110, 2020.

Councilmember Cunniff stated he would support the motion as this is clearly a community need that must be addressed.

Councilmember Gorgol stated she would support the motion as well and encouraged better planning for an exit strategy and long-term plan.

Mayor Pro Tem Stephens commended the community partners for their work on this. She acknowledged it is not an ideal situation; however, she stated it is a CDC best practice to have indoor shelter available.

Councilmember Gutowsky stated she will support the motion as this is the right thing to do for the community and homeless citizens. She noted the North College community has worked hard to improve the desirability of the area and has done its share in providing locations for various providers. She will be advocating for consideration of locations in other parts of the city for future services.

Mayor Troxell asked about the participation of Homeward Alliance in this proposal. Kozak-Thiel replied Homeward 2020 has been leading the plan around homelessness being rare, short-lived, and non-recurring and Homeward Alliance manages the Murphy Center and other programs. She indicated both organizations have been key partners in the work through the pandemic and in ongoing work around homelessness.

Mayor Troxell stated he would support the motion and thanked the participating partners and staff.

RESULT:	EMERGENCY ORDINANCE NO. 110, 2020 ADOPTED [UNANIMOUS]
MOVER:	Kristin Stephens, District 4
SECONDER:	Emily Gorgol, District 6
AYES:	Pignataro, Gorgol, Gutowsky, Summers, Stephens, Troxell, Cunniff

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

13. First Reading of Ordinance No. 111, 2020, Amending Chapter 25 of the Code of the City of Fort Collins Regarding Economic Nexus and the Obligation of Remote Sellers to Collect and Remit Sales Tax. (Adopted on First Reading)

The purpose of this item is to discuss the proposed adoption of an Ordinance to require remote sellers to collect and remit City sales tax. The Ordinance is based on a model ordinance prepared by a working group of municipal attorneys and municipal finance staff, coordinated by the Colorado Municipal League (CML). With adoption of the Ordinance, the City Manager will enter into an agreement with the Colorado Department of Revenue to allow such taxpayers to remit tax to the City using the Department's single point of remittance software.

City Manager Atteberry noted this is a good news item which has previously been heard by the Council Finance Committee.

Travis Storin, Chief Financial Officer, stated this item would require remote or online sellers to collect and remit City sales tax for shipments made to customers inside City limits. The change will establish a greater level of competitive parity between physical and remote retailers and will allow for the collection of currently unaccounted for sales tax revenues.

Jennifer Poznanovic, Sales Tax Department Revenue Manager, discussed a 2018 decision by the Supreme Court that an out-of-state retailer does not need physical presence in a state in order for that state to require the retailer to collect and remit sales tax as long as they meet a certain threshold of sales. She detailed the economic nexus information and discussed the way other home-rule municipalities are handling this issue.

Rich Stave stated he has had difficulty in online ordering wherein orders cannot be completed because of a lack of a sales tax license with Fort Collins. He asked about the 200 individual sales number and questioned how this change will provide more efficient delivery of goods and services to Fort Collins citizens. Poznanovic replied the new system will allow all remote sellers to go to one portal to pay sales taxes for any jurisdiction on the system. Ryan Malarkey, Assistant City Attorney, replied the 200 individual sales is based on the past three months and the \$100,000 threshold is based on the previous calendar year. Businesses that do not meet that threshold would not be impacted by the collection requirements.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 111, 2020, on First Reading.

Councilmember Cunniff and Mayor Pro Tem Stephens stated they would support the motion citing this as a way to even the playing field for retail sales.

Mayor Troxell commended staff and Colorado Municipal League work on this issue.

RESULT:	ORDINANCE NO. 111, 2020, ADOPTED ON FIRST READING [UNANIMOUS]
MOVER:	Kristin Stephens, District 4
SECONDER:	Ross Cunniff, District 5
AYES:	Pignataro, Gorgol, Gutowsky, Summers, Stephens, Troxell, Cunniff

14. First Reading of Ordinance No. 112, 2020, Amending Section 7-135 of the Code of the City of Fort Collins to Modify and Update Requirements and Procedures for Campaigns in City Elections. (Adopted on First Reading)

The purpose of this item is to consider proposed amendments to the City's election campaign Code provisions.

City Clerk Coldiron stated the proposed Election Code items align with the City's Strategic Plan through the high-performing government outcome area. She stated the item related to limited liability contributions was brought to the attention of the Election Code Committee by members of the public who requested the local provisions be aligned with state provisions. The state provision requires any contribution by an LLC to be accompanied by a written statement including the names of all of the members of the LLC and their respective allocations. If an individual wishes to make an additional contribution, the LLC allocation must be taken into account.

City Clerk Coldiron stated this proposed change would align the local provisions with those of the state and any candidate or political committee that receives a contribution from an LLC would be required to list the LLC members as part of their financial disclosures. She outlined the committee definitions and maximum contribution limits indicating there are currently no maximum contribution limits for political or issue committees.

City Clerk Coldiron stated members of the public also brought the issue of contribution limits to the Election Code Committee and were seeking alignment between local and state regulations. State provisions currently limit the amount of contributions to \$625 per two-year time period. Additionally, the state allows political committees to make direct contributions to candidate and other political committees. The proposed change would limit contributions and contributions-in-kind to political committees to \$100, which could be changed by Council.

Robbie Moreland, Represent Fort Collins, supported both proposed changes to the Election Code.

Kathleen Schmidt, League of Women Voters of Larimer County, supported restricting LLC donations to stay within an individual donor's contribution limits.

Michelle Haefele expressed support for aligning the City's Election Code with that of the state.

Jody Deschanes thanked the Election Code Committee members and expressed support for aligning the City's Election Code with that of the state regarding LLC contributions; however, she did not support increasing campaign limits.

Mayor Pro Tem Stephens requested a description of independent expenditures. City Clerk Coldiron replied independent expenditures can be used to support or oppose candidates or ballot issues and there is no requirement as far as a maximum contribution related to independent expenditures. Rita Knoll, Chief Deputy City Clerk, replied independent expenditures are required to be reported within three days of obligating funds and the reporting must clarify which candidate or issue is being supported or opposed.

Ryan Malarkey, Assistant City Attorney, noted independent expenditures are not coordinated with candidates and there is no limit on their amount.

Councilmember Summers commented on the differences between the state and local Election Codes and questioned whether these changes would give special interest groups and independent expenditures groups too much power. He stated there is no equality when it comes to political campaigns and money does not always make the difference. He added a city should not be making radical changes to its Election Code every two years.

Mayor Troxell expressed support for the change related to LLC contributions but expressed concern regarding changes leading to a candidate not having control of his or her own message. He suggested donation limits should be raised to \$150 for Council candidates and \$200 for Mayoral candidates.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Gutowsky, to adopt Ordinance No. 112, 2020, on First Reading.

Councilmember Summers stated he could support LLC contribution limits but opposed limits on political committee donations stating that change does not align with the state.

Councilmember Pignataro thanked staff for their work and stated she would support the motion.

Councilmember Gorgol stated she would support the motion and encouraged the Election Code Committee to examine public financing options.

Mayor Pro Tem Stephens stated she would support the motion stating the current process favors those with more money.

Councilmember Gutowsky stated she would support the motion as the changes will create a more even playing field.

Mayor Troxell stated he would not support the motion as he would like to see the contribution limits increased.

RESULT:	ORDINANCE NO. 112, 2020, ADOPTED ON FIRST READING [5 TO 2]
MOVER:	Kristin Stephens, District 4
SECONDER:	Susan Gutowsky, District 1
AYES:	Pignataro, Gorgol, Gutowsky, Stephens, Cunniff
NAYS:	Summers, Troxell

● **OTHER BUSINESS**

- A. Consideration of a motion to adjourn the City Council meeting to conduct the General Improvement District No. 1 meeting then return to the regular City Council meeting.

Mayor Pro Tem Stephens made a motion, seconded by Councilmember Gorgol, that Council temporarily adjourn this regular meeting to conduct the General Improvement District No. 1 Board meeting, to be resumed later this evening upon the completion of that GID Board meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristin Stephens, District 4
SECONDER:	Emily Gorgol, District 6
AYES:	Pignataro, Gorgol, Gutowsky, Summers, Stephens, Troxell, Cunniff

- B. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers.

Councilmember Summers stated he has drafted a resolution showing support for law enforcement and citizens' rights to safely, peacefully demonstrate.

Ray Martinez supported passing such a resolution and stated Council not showing support for law enforcement is negligent.

J.D. (no last name given) stated it is important for Council to proactively show its support for law enforcement.

Councilmember Summers read his drafted resolution.

Mayor Troxell agreed with all aspects of the drafted resolution and expressed support for Police Services. He stated he would like the resolution to include language related to Fort Collins striving to be the safest city in the country and fostering community trust. He also stated he understood this type of resolution to be under the scope of the recently formed ad hoc subcommittee.

Mayor Pro Tem Stephens stated she also understood this type of resolution would go before the subcommittee for input. She expressed support for the police force and the Chief. She stated putting forth this type of resolution at this time could be even more polarizing and opposed a statement that not supporting this type of resolution at this time means a lack of support for law enforcement.

Councilmember Summers clarified his draft resolution does not need a vote as it is written; he suggested it could go through additional wordsmithing.

Councilmember Cunniff expressed support for law enforcement and the Police Chief as well as for maintaining a safe community. He stated sending this through a process will help the final product and disagreed that not acting on it right now shows a lack of support for police. He suggested a reasonably quick examination of the resolution by the ad hoc committee.

Councilmember Pignataro stated she also understood this type of item would go before the ad hoc committee. She thanked Councilmember Summers for his work on the resolution noting it is important for Council to be conscious of the staff workload.

Councilmember Gutowsky supported sending the resolution to the ad hoc committee.

Councilmember Summers asked about the scope of the ad hoc committee and whether this falls under its purview. City Attorney Daggett replied the committee was charged to develop recommendations for ways to enhance and achieve a safe and equitable community for all, examine policy initiatives, police operations, and other municipal programs and services, provide recommendations to Council for the 2021 budget cycle in furtherance of these objectives, and review higher level performance indicators for Police Services and other related programs and services to improve the measurement of success in providing a safe and equitable community for all. It is within Council's purview to interpret and modify the committee's charge.

Councilmembers agreed it is appropriate for this item to go before the ad hoc committee. City Attorney Daggett noted it is important that the three members of the committee will be those who vote though other Councilmembers may attend meetings and comment.

C. Consideration of a motion to adjourn into an executive session to discuss real property acquisition and legal issues related to Hughes Stadium annexation property.

Mayor Pro Tem Stephens stated she would not be participating in the Executive Session due to the ongoing ethics review.

Councilmember Cunniff made a motion, seconded by Councilmember Pignataro, that the City Council go into executive session for the purpose of discussing the Hughes Stadium property with City staff and the City's attorneys, and particularly to discuss:

1. Real property acquisition and disposition related to the Hughes Stadium property, as permitted under:
 - City Charter Article Roman Numeral Two, Section 11(3),
 - Section 2-31(a)(3) of the City Code and
 - Colorado Revised Statutes Section 24-6-402(4)(a); and
2. Specific legal questions related to potential litigation regarding the Hughes Stadium property and the manner in which the particular policies, practices or regulations of the City related to the acquisition or development of the Hughes Stadium property may be affected by existing or proposed provisions of federal, state or local law, as permitted under:
 - City Charter Article Roman Numeral Two, Section 11(2),
 - City Code Section 2-31(a)(2) and
 - Colorado Revised Statutes Section 24-6-402(4)(b).

Adam Eggleston questioned where funds would come from for the City to purchase the property and discussed the types of housing that could be placed on the property.

RESULT: ADOPTED [6 TO 0]
MOVER: Ross Cunniff, District 5
SECONDER: Julie Pignataro, District 2
AYES: Pignataro, Gorgol, Gutowsky, Summers, Troxell, Cunniff
RECUSED: Stephens


● ADJOURNMENT

The meeting adjourned at 11:48 PM.



Mayor

ATTEST:



City Clerk



