



CITY COUNCIL VOTING RESULTS

March 2, 2021

Councilmembers Present:	Gorgol, Gutowsky, Pignataro, Potyondy, Summers, Troxell, (Cunniff joined the meeting during Staff Reports)
Councilmembers Absent:	

Remote Participation Only - Meeting was held entirely remote with no presence in Council Chambers.

Remote and in-person participation - Meeting was held with the option for remote or in-person participation by Councilmembers. Remote participation by a Councilmember is designated by (R) after their name above.

ITEM	ACTION
CONSENT AGENDA	
1. Consideration and Approval of the Minutes of the February 2, 2021 Regular meeting and the February 9, 2021 Adjourned meeting	Adopted on Consent 6-0
2. Second Reading of Ordinance No. 029, 2021, Appropriating Unanticipated Philanthropic Revenue in the General Fund Received by City Give for Transfer to the Parks Department for Upgrades to Water's Way Park	Adopted on Consent 6-0
3. <u>Items Related to Sales Tax and Lodging Tax Code Updates, the Elimination of the Utilities Refund Program, and an Exception to the Outdoor Vendor License Requirement.</u> A. Second Reading of Ordinance No. 030, 2021, Amending Certain Sections of Chapter 25 of the Code of the City of Fort Collins Relating to the Imposition, Collection and Enforcement of the City's Sales, Use and Lodging Taxes. B. Second Reading of Ordinance No. 031, 2021, Amending Chapter 15 of the Code of the City of Fort Collins to Establish an Exception for Minor Businesses to the Outdoor Vendor License Requirement. C. Second Reading of Ordinance No. 032, 2021, Amending Certain Sections of Chapter 26 of the Code of the City of Fort Collins Eliminating the Utility Refund Program.	Adopted on Consent 6-0 Adopted on Consent 6-0 Adopted on Consent 6-0
4. Second Reading of Ordinance No. 033, 2021 Adopting the Housing Strategic Plan as an Element of the City's Comprehensive Plan.	Adopted on Consent 6-0
5. Second Reading of Ordinance No. 034, 2021, Appropriating Prior Year Reserves for Phase One of the Land Use Code Update to Reorganize the Land Use Code and Complete Housing Revisions as an Implementation Action Recommended in City Plan (2019) and the Housing Strategic Plan (2021).	Adopted on Consent 6-0
6. First Reading of Ordinance No. 035, 2021, Reappropriating Funds Previously Appropriated in 2020 But Not Expended and Not Encumbered in 2020.	Adopted on Consent 6-0

ITEM	ACTION
7. First Reading of Ordinance No. 036, 2021, Making a Supplemental Appropriation for Grants to Fort Collins Utilities Commercial Water Customers for Water Conservation Landscape Transformation Projects.	Adopted on Consent 6-0
8. First Reading of Ordinance No. 037, 2021, Appropriating Prior Year Reserves and Making Supplemental Appropriations for the Utilities Locating Department.	Adopted on Consent 6-0
9. First Reading of Ordinance No. 038, 2021, Establishing Rental Rates and Delivery Charges for Use of Water Available Under Fort Collins Utilities' Raw Water Interests for 2021 Through March 2024.	Adopted on Consent 6-0
<p>10. <u>Items Relating to the South Timberline Improvement Project – Stetson Creek to Trilby.</u></p> <p>A. Resolution 2021-026 Approving an Intergovernmental Agreement with the Colorado Department of Transportation for the Timberline Improvements Project – Stetson Creek Road to Trilby Road.</p> <p>B. First Reading of Ordinance No. 039, 2021, Making Supplemental Appropriations and Appropriating Prior Year Reserves for the South Timberline Road Improvements Project - Stetson Creek Road to Trilby Road and Related Art in Public Places.</p>	<p>Adopted on Consent 6-0</p> <p>Adopted on Consent 6-0</p>
11. Resolution 2021-027 Authorizing the City Manager to Execute an Agreement with the United States Fish and Wildlife Service to Fund a Temporary Position to Work on the Halligan Water Supply Project.	Adopted on Consent 6-0
12. Public Hearing and Resolution 2021-028, Approving the Programs and Projects that will Receive COVID-19 Response and Recovery Funding from the Federal Community Development Block Grant Program.	Adopted on Consent 6-0
13. Resolution 2021-029 Making Appointments to the Parking Advisory Board of the City of Fort Collins.	Adopted 7-0
ITEMS NEEDING INDIVIDUAL CONSIDERATION	
14. Second Reading of Ordinance No. 028, 2021, Making Supplemental Appropriations for Year 2 of the Home2Health Project.	Adopted 6-0 (Recused: Gorgol)
15. First Reading of Ordinance No. 027, 2021, Approving and Appropriating an Off-Cycle Funding Request Contingent on the Outcome of the April 6, 2021, Election, to Support Initial Implementation of Ordinance No. 026, 2021, Establishing Regulations Regarding Disposable Bags.	Adopted 6-1 (Nays: Summers)
16. First Reading of Ordinance No. 040, 2021, Amending the Land Use Code Regarding Exterior Lighting.	Adopted 7-0
OTHER BUSINESS	
B. Consideration of a Motion to enter into an Executive Session to discuss legal issues related to the Hughes Property Citizen Initiative Declaratory Judgment Action and the <i>People v. Wiemold</i> appeal from Municipal Court concerning the City's camping ordinance	Adopted 7-0

ITEM	ACTION
<p>C. <u>Possible Consideration of Motions to give direction to the City Attorney and the City Manager on whether to appeal the two lawsuits:</u></p> <p>"I move the Council direct the City Attorney, in coordination with the City Manager, to appeal the District Court's decision in the Hughes Property Citizen Initiative Declaratory Judgment Action to the Colorado Court of Appeals as it pertains to the property acquisition requirement in the citizen-initiated ordinance."</p> <p>Or</p> <p>"I move the Council direct the City attorney to not appeal the District Court's decision in the Hughes Property Citizen Initiative Declaratory Judgment Action to the Colorado Court of Appeal."</p> <p>And</p> <p>"I move the Council direct the City Attorney to appeal the District Court's decision in the <u>People v. Wiemold</u> appeal from Municipal Court concerning the City's camping ordinance."</p> <p>Or</p> <p>"I move the Council direct the City Attorney not to appeal the District Court's decision the <u>People v. Wiemold</u> appeal from Municipal Court concerning the City's camping ordinance."</p>	<p>Defeated: 3-4 (Nays: Summers, Potyondy, Cunniff, Gutowsky)</p> <p>Adopted: 4-3 (Nays: Gorgol, Troxell, Pignataro)</p> <p>Defeated: 4-3 (Nays: Potyondy, Pignataro, Summers, Gorgol)</p> <p>Adopted: 4-3 (Nays: Cunniff, Troxell, Gutowsky)</p>

Meeting Adjourned at 10:17 p.m.