

**ORDINANCE NO. 091, 2021
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF FORT COLLINS
RELATED TO WATER, WASTEWATER AND ELECTRIC RATES, FEES, AND CHARGES
APPLIED UNDER THE INCOME-QUALIFIED ASSISTANCE PROGRAM**

WHEREAS, the City Council is empowered and directed by Article XII, §6 of the Fort Collins City Charter, to by ordinance from time-to-time fix, establish, maintain and provide for the collection of such rates, fees or charges for utility services furnished by the City as will produce revenues sufficient to pay the costs, expenses, and other obligations as set forth therein; and

WHEREAS, the current rates, fees or charges for utility services set forth in Chapter 26 of the City Code are necessary to produce sufficient revenues to provide the utility services described herein; and

WHEREAS, the revenue from the rates, fees or charges for utility services as proposed for adjustment herein shall be used to defray the costs of providing such utility services as required by the Charter and the City Code; and

WHEREAS, on May 1, 2018, City Council adopted Ordinance No. 054, 2018, creating the Income-Qualified Assistance Program (“IQAP Program”) including eligibility, components, requirements, and discounted utility service rates for residential water, wastewater, and electric services furnished by respective enterprises of the City (the “IQAP Rates”), as codified in Articles III, IV, and VI of Chapter 26 of the City Code; and

WHEREAS, the initial IQAP Rates were adopted for a limited period of time expiring July 31, 2021 such provisions require extension to remain in effect after that date; and

WHEREAS, Fort Collins Utilities staff has identified provisions of Chapter 26 of the Code where consolidation and clarification of IQAP Program eligibility and practices are required to better align with City Council priorities, market efficiencies and utility practices; and

WHEREAS, the City Manager and Utilities staff have also recommended to the City Council that City Code be clarified to align the applicable period for IQAP Rates with the applicable periods for other City utility rates; and

WHEREAS, the Energy Board considered proposed City Code adjustments for the IQAP Program and Rates at its May 13, 2021, regular meeting and recommended approval of the proposed adjustments; and

WHEREAS, the Water Commission considered the proposed City Code adjustments for the IQAP Program and Rates at its May 20, 2021, regular meeting, and recommended approval of the proposed adjustments; and

WHEREAS, the City Council Finance Committee considered the proposed City Code adjustments for the IQAP Program and Rates at its June 16, 2021, regular meeting and staff included the Committee's feedback in the final adjustments proposed herein; and

WHEREAS, the proposed extension of the IQAP Rates and adjustments to the IQAP Program benefit the public's health, safety and welfare and serve a utility purpose that benefits the rate payers by improving conservation practices through outreach and education; improving the rate of on-time payment of utility bills and reducing billing operation expenses, consistent with the purposes of Article XII, §6 of the City Charter; and

WHEREAS, based on the foregoing, City Council desires to amend Chapter 26 of the City Code to adjust customer eligibility for the IQAP Program and IQAP Rates for electric and water, and wastewater services as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. Section 26-724(b), (c) and (d) of the Fort Collins City Code are hereby amended to read as follows:

Sec. 26-724. - Residential income-qualified assistance program.

...

(b) *Qualification.* As set forth in this Section, an opt-out discount on certain components of City utility service rates applied under this Chapter shall be available for qualified customers who satisfy the following criteria:

...

(c) *Enrollment.* Customers may begin receiving the discounts described in this Section through the following methods:

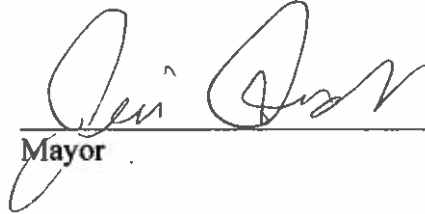
(1) *Auto enrollment; opt-out.* Customers identified by the Utility as qualified based on subsection (b) above shall be automatically enrolled in the program on an annual basis and receive the discounted service rates set forth in subsection (d) below. The Utility may rely on current enrollment in LEAP to qualify customers without requiring a program-specific application. Any customer who does not wish to receive such discount may contact the Utility customer service office to request removal from (i.e. "opt-out" of) the program created by this Section; and

(2) *Application.* Customers not otherwise automatically enrolled may enroll in the program via an application, provided the customer's enrollment in LEAP can be verified.

(d) *Rates.* The discounts applied to monthly base and volumetric rates for qualified customers shall be as set forth in Sections 26-127(a), 26-280, 26-464(c), and 26-465(c) of this Code on meter readings during the period of August 1, 2021, through December 31, 2022.

...

Introduced, considered favorably on first reading, and ordered published this 6th day of July, A.D. 2021, and to be presented for final passage on the 4th day of August, A.D. 2021.



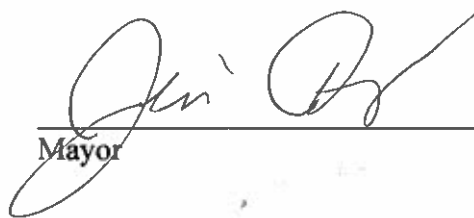
Mayor

ATTEST:



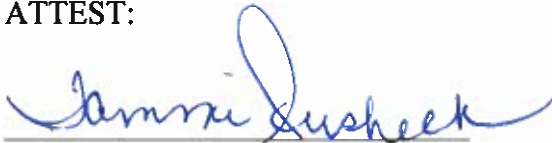
Interim City Clerk

Passed and adopted on final reading on this 4th day of August, A.D. 2021.



Mayor

ATTEST:



Interim City Clerk

