

# AGENDA ITEM SUMMARY

July 2, 2019

City Council

## **STAFF**

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Delynn Coldiron, City Clerk

## **SUBJECT**

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Consideration and Approval of the Minutes of the June 4, 2019 Regular Council Meeting.

## **EXECUTIVE SUMMARY**

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The purpose of this item is to consider and approve the minutes from the June 4, 2019 regular Council meeting.

## **ATTACHMENTS**

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1. June 4, 2019 (PDF)

June 4, 2019

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

● **ROLL CALL**

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

● **AGENDA REVIEW: CITY MANAGER**

City Manager Atteberry withdrew Item No. 12, *Items Relating to Various Amendments to the City of Fort Collins Land Use Code*, from the agenda for additional staff work.

● **PUBLIC COMMENT**

Mary Elise urged Council to act on the current climate emergency and stated the Climate Action Plan is not adequate.

Mary Grant requested Council initiate a zoning hearing for the Hughes Stadium property.

Forrest Carlson urged Council to declare a climate emergency and take drastic action to address climate change.

Lawrence Budd expressed concern about affordable housing being located near a sewage plant and stated there seems to be a concerted effort to push low-income residents outside the city.

Janie Stein thanked Council for initiating its Climate Action Plan and urged the declaration of a climate emergency.

Viviana Montalvo thanked Council for initiating its Climate Action Plan and urged the declaration of a climate emergency.

Jeremy (no last name given) urged Council to declare a climate emergency and ban the use of herbicides and pesticides.

Niki Barooxis urged Council to declare a climate emergency.

Micah Lott urged Council to declare a climate emergency and include members of the Arapaho tribe in addressing climate change.

Andrew Kimmel, Northern Colorado Health Network, stated the Network's programs enable all people living with HIV to have access to basic service needs.

Maggie (no last name given) stated the Climate Action Plan needs to have more immediate goals and stated fossil fuel use must be addressed.

Caitlyn (no last name given) urged Council to declare a climate emergency.

Linda Carroll discussed the possibility of a major fire occurring in the city.

Nancy York urged Council to provide leadership on properly addressing the urgency of climate change. She supported reallocating road funds to transit funding.

- **PUBLIC COMMENT FOLLOW-UP**

Mayor Pro Tem Stephens summarized the citizen comments.

Councilmember Cunniff thanked the speakers and discussed the Climate Action Plan and City's focus thereon.

City Manager Atteberry reiterated the high priority of the Climate Action Plan and its goals for the entire City organization.

Councilmember Cunniff noted one of Council's priorities is to increase its outreach and dialogue and questioned whether the City has communicated with tribal representatives. He also requested Council receive an update on the urban-wild land interface regarding fire risk. He asked if tall grasses are allowed to be grown in City limits. City Manager Atteberry replied there is a maximum allowable height for weeds and grasses for City facilities and private properties. He stated ditch companies will occasionally have prescribed burns as necessary.

Councilmember Pignataro thanked the speakers and assured Ms. Carroll she will receive communication from appropriate staff members.

Councilmember Gorgol requested an update on the Hughes Stadium area zoning. Tom Leeson, Community Development and Neighborhood Services Director, replied a preliminary development review application was recently submitted. The site, when annexed a few months ago, was zoned T - Transitional, which is basically a holding zone that does not have any associated development rights. The current application is not yet a formal development application and that must occur prior to a zoning hearing. A number of zoning districts could conform to the underlying structure plan and if this development application is not formally submitted, the City would likely initiate a zoning process on its own. The zoning process would be a quasi-judicial matter as the parcel is under 640 acres in size.

Councilmember Gorgol asked about opportunities for public input during the zoning process. Leeson replied there will be neighborhood meetings, a hearing before the Planning and Zoning Board, and a formal review before Council. Additionally, there will be a City-initiated open house wherein zoning will be specifically discussed.

Councilmember Cunniff asked about the quasi-judicial nature of the process. City Attorney Daggett replied it is legislative in that it can be referred to voters, but it is quasi-judicial in the sense that it would be reviewed as such by a court.

Councilmember Cunniff stated he would like to initiate a process to allow for communication to Council to be placed as part of the record in time for the zoning decision. City Attorney Daggett noted any written materials provided to the Planning and Zoning Board are provided to Council but stated the formation of a process involving input directly to Council can be prioritized.

● **CONSENT CALENDAR**

Mayor Pro Tem Stephens noted Item Nos. 7, *Second Reading of Ordinance No. 072, 2019, Designating the Kamal/Livingston Property, 608 West Laurel Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins*, and 8, *Second Reading of Ordinance No. 073, 2019, Designating the Alfred Parker Duplexes I and II, 221-229 West Mulberry Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins*, are public hearings.

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

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ross Cunniff, District 5
<b>SECONDER:</b>	Julie Pignataro
<b>AYES:</b>	Pignataro, Gorgol, Gutowsky, Summers, Stephens, Cunniff
<b>ABSENT:</b>	Troxell

1. **Consideration and Approval of the Minutes of the May 7, and May 21, 2019, Regular Council Meetings. (Adopted)**

The purpose of this item is to approve the minutes from the May 7 and May 21, 2019 Regular Council meetings.

2. **Second Reading of Ordinance No. 066, 2019, Making Appropriations for a Federal Lobbying Contract Related to Regulation of Train Horn Noise. (Adopted)**

This Ordinance, unanimously adopted on First Reading on May 21, 2019, appropriates \$49,000 in order to enter into a lobbying contract with Squire Patton Boggs to achieve legislative or regulatory progress on reducing train horn noise in downtown Fort Collins. The City will enter into the lobbying contract without competition as permitted by Section 8-161(d)(1) of the City Code.

3. **Items Relating to a Great Outdoors Colorado Grant Project to Update the Parks and Recreation Policy Plan. (Adopted)**

A. Second Reading of Ordinance No. 067, 2019, Appropriating Unanticipated Revenue and Authorizing Transfers of Appropriations for a Great Outdoors Colorado Grant Project to Update the Parks and Recreation Policy Plan.

B. Resolution 2019-067 Authorizing the City Manager to Enter into a Grant Agreement with the State Board of the Great Outdoors Colorado Trust Fund for the Receipt of Funds for the Project to Update the Parks and Recreation Policy Plan.

This Ordinance, unanimously adopted on First Reading on May 21, 2019, appropriates unanticipated grant revenue awarded by Great Outdoors Colorado (GOCO) to update the Parks and Recreation Policy Plan. The existing Parks and Recreation Policy Plan, dated October 2008, requires periodic updating to reflect current conditions and address ongoing challenges of the Parks, Recreation, and Park Planning and Development departments. A GOCO Planning Grant application was submitted in November 2018 to supplement project funding. GOCO released notification of a \$75,000 grant award for the project in March 2019.

Resolution 2019-067 authorizes the City Manager to execute an agreement to accept the grant award.

4. **Second Reading of Ordinance No. 068, 2019, Amending Section 23-194 of the Code of the City of Fort Collins Regarding Natural Areas Permits. (Adopted)**

This Ordinance, unanimously adopted on First Reading on May 21, 2019, modifies Chapter 23, Section 194(b) of the City Code to increase the time for the Natural Areas Director to review Special Use and Commercial Use permit requests from five business days to fifteen business days.

5. **Items Relating to Various Amendments to City Code Chapter 26 Pertaining to Utility Services. (Adopted)**

A. Second Reading of Ordinance No. 069, 2019, Amending Section 26-491 of the Code of the City of Fort Collins to Add and Revise Definitions Related to the City's Stormwater System.

B. Second Reading of Ordinance No. 070, 2019, Amending Section 26-391 of the Code of the City of Fort Collins to Add and Revise Definitions Related to the City's Municipal Electric Utility System.

These Ordinances, unanimously adopted on First Reading on May 21, 2019, update definitions in City Code Chapter 26 pertaining to Stormwater and Electric Utility Services.

6. **Second Reading of Ordinance No. 071, 2019, Approving the Second Amendment to the Amended and Restated Intergovernmental Agreement for the Joint Operation of the Fort Collins-Loveland Municipal Airport, Now Known as the Northern Colorado Regional Airport. (Adopted)**

This Ordinance, unanimously adopted on First Reading on May 21, 2019, staggers the terms of the citizen members appointed to the Northern Colorado Regional Airport Commission. The current adopted Amended and Restated Intergovernmental Agreement states that appointed citizen members' terms expire at the same time for all three of the appointed citizen members. The proposed Amendment to the IGA provides for initial terms beginning July 1, 2019 for the three citizen members will be 2 years-Loveland appointed Citizen Member; 3 years-Fort Collins appointed Citizen Member; and 4 years-Joint Citizen Member.

7. **Second Reading of Ordinance No. 072, 2019, Designating the Kamal/Livingston Property, 608 West Laurel Street, 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 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 May 21, 2019, designates the Kamal/Livingston Property, 608 West Laurel Street, as a Fort Collins Landmark, for its early mid-century vernacular architecture with Colonial Revival details. This is a voluntary designation at the property owner's request. The Landmark Preservation Commission unanimously recommends approving this landmark designation.

8. **Second Reading of Ordinance No. 073, 2019, Designating the Alfred Parker Duplexes I and II, 221-229 West Mulberry Street, 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 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 May 21, 2019, designates the Alfred Parker Duplexes I and II, 221-229 West Mulberry Street, as a Fort Collins Landmark, for being rare examples of twin American Foursquare duplex architecture. This is a voluntary designation at the property

owner's request. The Landmark Preservation Commission unanimously recommends approving this landmark designation.

9. **Second Reading of Ordinance No. 074, 2019, Making Appropriations and Authorizing Transfers of Appropriations for the Lemay and Vine Intersection Improvements Project and Related Art in Public Places. (Adopted)**

This Ordinance, unanimously adopted on First Reading on May 21, 2019, appropriates \$9.1M of Transportation Capital Expansion Fee (TCEF) and Transportation Reserve Funds into the Capital Project Fund for the Lemay and Vine Intersection Improvements Project. In addition, this item will authorize the transfer of \$91,000, one percent of the appropriated funds, from the Capital Project Fund to the Cultural Services and Facilities Fund for Art in Public Places.

The overall project cost, including design, property acquisition, and construction, is estimated at \$23.3M. The City has previously appropriated \$3.7M, and this appropriation would add \$9.1M to the project. The remaining funding needed for the project is \$10.5M in 2019 dollars.

10. **First Reading of Ordinance No. 075, 2019, Making Appropriations and Authorizing Transfers of Appropriations for the Drake Water Reclamation Facility Sidestream Treatment Project and Related Art in Public Places. (Adopted)**

The purpose of this item is to request an appropriation for additional funding for the Drake Water Reclamation Facility (DWRF) Sidestream Treatment Project. This request is necessary to complete the permit-required project within the required timeframe to meet DWRF's National Pollution Discharge Elimination System (NPDES) phosphorus compliance schedule deadline of December 31, 2020. Successful operation of this infrastructure will also earn regulatory credits to delay future capital project expenses by upwards of 10 years.

11. **First Reading of Ordinance No. 076, 2019, Approving, Affirming and Ratifying Funding of the Non-City Share of the NECCO Project by Offering to Owners and Developers of Property Within the NECCO Area a Proportionate Buy-In to Connect to the NECCO Project. (Adopted)**

The purpose of this item is to adopt the cost share concept whereby development and redevelopment draining into the Northeast College Corridor Outfall (NECCO) stormwater system are required to pay their proportional cost share of the NECCO improvements if they choose to use the NECCO system in lieu of constructing separate stormwater facilities. The NECCO stormwater system (or NECCO Project) was designed to provide an adequate stormwater outfall for the area north of Vine Drive and east of College Avenue in order to alleviate existing drainage problems and to facilitate development and redevelopment in the area.

12. **Items Relating to Various Amendments to the City of Fort Collins Land Use Code. (Withdrawn from Consideration)**

A. First Reading of Ordinance No.077, 2019, Making Various Amendments to the City of Fort Collins Land Use Code.

B. First Reading of Ordinance No. 078, 2019, Amending the City of Fort Collins Land Use Code Regarding Community Development and Neighborhood Services Director Variances to Certain Land Use Code Standards

The purpose of this item is to adopt a variety of revisions, clarifications and additions to the Land Use Code that are generally routine in nature that have been identified since the last update in February 2019. The proposed change to allow the Community Development and Neighborhood Services Director to process certain variances is presented as a separate ordinance because the change is not necessarily routine in nature and would allow the Director to process certain variances currently reviewed by the Zoning Board of Appeals.

13. **First Reading of Ordinance No. 079, 2019, Authorizing Execution of a Deed of Dedication to the City of Loveland for the Extension of Rockwell Avenue Across Jointly Owned City and City of Loveland Property at the Northern Colorado Regional Airport. (Adopted)**

The purpose of this item is to dedicate to the City of Loveland the right-of-way for extension of Rockwell Avenue across jointly owned Airport property.

14. **Resolution 2019-068 Approving Fort Fund Grant Disbursements. (Adopted)**

The purpose of this item is to approve Fort Fund grants from the Cultural Development and Programming and Tourism Programming Accounts for the selected community events, based upon the recommendations of the Cultural Resources Board.

15. **Resolution 2019-069 Naming the Gardens on Spring Creek Pavilion in Honor of the Everitt Family. (Adopted)**

The purpose of this item is to approve proposed donor recognition for the Pavilion at the Gardens on Spring Creek. The Friends of the Gardens Board of Directors and Gardens staff have raised \$375,000 towards completion of the Pavilion and five acres of new gardens and would like to name the pavilion in honor of Bob and Joyce Everitt.

16. **Resolution 2019-070 Accepting a Proposed Donation of a Sculpture to be Placed at the Gardens on Spring Creek. (Adopted)**

The purpose of this item is to accept the donation of a bronze sculpture of Bob and Joyce Everitt that was created for the Garden on Spring Creek.

17. **Resolution 2019-071 Authorizing the Assignment of the City's Private Activity Bond Allocation for 2019 to Housing Catalyst to Finance the New Construction of Affordable Housing Units. (Adopted)**

The purpose of this item is to support the new construction of an affordable housing development, to be located at 140 East Oak Street, by assigning the City's 2019 Private Activity Bond allocation.

18. **Items Relating to the Shared Use of Regional Broadband Transport and Access Services. (Adopted)**

A. Resolution 2019-072 Authorizing the Execution of an Intergovernmental Agreement Between the City and the City of Loveland for the Shared Use of Regional Broadband Transport and Access Services.

B. Resolution 2019-073 Authorizing the Execution of an Intergovernmental Agreement Between the City and the Town of Estes Park for the Shared Use of Regional Broadband Transport and Access Services.

The purpose of this item is to consider two resolutions related to intergovernmental agreements authorizing the shared regional Broadband Transport and Access services with the City of Loveland and Town of Estes Park.

- **END CONSENT**

● **STAFF REPORTS**

**A. Alternative Fuel Equipment Conversion.** (staff: Mike Brunkhardt, Jason Komes)

Jason Komes, Senior Air Quality Coordinator, stated this is a joint effort between Environmental Services and the Parks Department toward converting Parks' fleet of fossil fuel-powered equipment to electric alternatives. He discussed the project funding and goals met by the conversion.

Mike Brunkhardt, Parks Department Supervisor, discussed the equipment that has been converted and detailed a new lawn mower that is all electric. Fort Collins is the first municipality in Colorado to purchase the mower and discussed the advantages of using electric equipment, including reducing the carbon footprint.

Councilmember Cunniff discussed the importance of renewable electricity and its positive impact on climate change. He commended the work on this program

Councilmember Gorgol asked if any lawn businesses have been engaged to initiate similar programs. Komes replied that is a consideration and staff is planning to look at those opportunities.

Councilmember Gutowsky expressed appreciation for the attention on the health of employees and asked how the gas-powered equipment is being recycled. Brunkhardt replied older gas-powered equipment is auctioned off to the public.

Councilmember Summers asked about the battery life of the large electric mowers. Brunkhardt replied the mowers have large batteries and are truly commercial-grade; therefore, they can last a full day of mowing.

Mayor Pro Tem Stephens commended the program and encouraged citizens to consider electric mowers for home use.

City Manager Atteberry commended the operationalization of the program based on Council's goals and stated the City does want to lead by example.

Mayor Pro Tem Stephens asked if prices are coming down on the electric equipment. Brunkhardt replied they are gradually becoming more cost effective.

Councilmember Cunniff asked if auctioning gas-powered equipment to citizens is the best option. City Manager Atteberry replied the City's purchasing policies require surplus property to be auctioned; however, that may not be the best option for this equipment. He stated he would provide a report to Council.

Councilmember Gutowsky stated it would be a good idea to make the community aware of this project and other small-scale changes related to climate change.

**B. Community Dashboard Metric: Response Time for Graffiti Removal.** (staff: Larry Schneider)

City Manager Atteberry stated this community dashboard metric, response time for graffiti removal, is tracked by the Streets Department and is located within the Neighborhood Livability and Social Health outcome area.



Larry Schneider, Streets Department Director, discussed the reduction in graffiti incidents and means of reporting graffiti. Artwork on utility boxes has reduced graffiti incidents and the average response time for removal is just under one day. He discussed the proactive nature of responding and outreach efforts to schools.

Councilmember Summers commended the good work.

Councilmember Gorgol commended the work and suggested the artwork efforts could potentially be considered in order to further reduce the need for graffiti abatement.

Mayor Pro Tem Stephens agreed with Councilmember Gorgol and suggested graffiti art could be investigated by the Art in Public Places Board.

City Manager Atteberry noted Larry Schneider was voted Public Works Official of the Year by American Public Works Association.

- **EMERGENCY PREPAREDNESS EXERCISE**

City Manager Atteberry reported the City will be participating in a full-scale emergency preparedness exercise hosted by Larimer County tomorrow at the Justice Center and at the Ranch in Loveland.

- **COUNCILMEMBER REPORTS**

Councilmember Summers reported on the ribbon cutting at the new micro-hydro electric facility at the water treatment facility.

Councilmember Gorgol reported on a gallery walkthrough with artist Zora Murff at the Gregory Allicar Museum of Art and the Fort Collins Cycling Club ride to kick off bike month.

Mayor Pro Tem Stephens reported on a tour of a sculptor's studio in Loveland and her piece dedicated toward women's suffrage which she is hoping to have displayed in Washington, D.C.

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

- **DISCUSSION ITEMS**

19. **Items Relating to the Completion of the 2019 Spring Cycle of the Competitive Process for Allocating City Financial Resources to Affordable Housing and Community Development Activities Utilizing Funds from the Federal Community Development Block Grant (CDBG) Program, Federal HOME Investment Partnerships (HOME) Program, the City's Affordable Housing Fund (AHF) and the City's Human Services Program (HSP), and Appropriating Funding Consistently Therewith. (Adopted on First Reading)**

A. *Public Hearing and Resolution 2019-074 Approving the Programs and Projects that will Receive Funds from the Federal Community Development Block Grant Program, HOME Investment Partnerships Program, the City's Affordable Housing Fund, and the City's Human Services Program.*

B. *Public Hearing and First Reading of Ordinance No. 080, 2019, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund.*

*C. Public Hearing and First Reading of Ordinance No. 081, 2019, Appropriating Unanticipated Revenue in the HOME Investment Partnerships Fund.*

*The purpose of this item is to approve funding recommendations of the 2019 Spring Cycle of the Competitive Process and appropriate federal dollars. Resolution 2019-074 completes the 2019 Spring Cycle of the Competitive Process for allocating \$3,602,625 in City financial resources to affordable housing and public facility projects, human service programs and administration of the programs. Ordinance No. 080, 2019, appropriates the City's FY2019 CDBG Entitlement Grant and CDBG program income and CDBG Reconciled funds from FY2017 and FY2018. Ordinance No. 081, 2019 appropriates the City's FY2019 HOME Participating Jurisdiction Grant from the Department of Housing and Urban Development (HUD).*

Councilmember Gorgol withdrew from the consideration of this item due to a conflict of interest.

Adam Molzer, Grant and Community Partnership Coordinator, discussed the annual competitive grant process used to award grant funding to affordable housing and human service programs in the city. The process is administered by the Community Development Block Grant Commission who provides a funding recommendation to Council. He discussed the grant funding sources and stated there is \$3.6 million of available funding this year. He detailed the funding recommendations and process improvements including making the process more efficient, systemized, and objective.

Councilmember Pignataro asked if the funding can move between housing and human services needs. Beth Rosen, Lead Specialist, Social Sustainability, replied in the negative stating there are maximum percentages allowed in each category.

Tim McLemore, Elderhaus Executive Director, thanked Council for the grant recommendations and discussed the services provided by Elderhaus for adults and seniors with special needs.

Laurie Klith thanked the CDBG Commission for their funding recommendations which will aid in hiring a full-time weekend crisis intervention specialist for children.

Jason Morgan, A Little Help Northern Colorado Director, thanked Council and the Commission for their funding recommendations and discussed his organization's efforts to help people age in place by providing intergenerational support and connections.

Dave Swinehart, Disabled Resources Services, stated the vast majority of his organization's funding is government funding and he discussed the services provided by the organization. He thanked Council and the CDBG Commission for the funding recommendations.

Kristin Candella, Habitat for Humanity Director, thanked Council, the CDBG Commission, and the Social Sustainability Department for their support of the Poudre Build program which will allow Poudre High School students to build a Habitat home in the school parking lot.

Jessica Shannon, Health District of Northern Larimer County Resource Development Coordinator, thanked the Social Sustainability staff, the CDBG Commission, and Council for their funding recommendations and discussed the work of her organization related to mental health services for youth.

Courtney Carrick, Sexual Assault Victim Advocate Center Director of Operations, discussed the services provided by her organization.

Councilmember Summers thanked the speakers and stated he would like to receive additional information on mental health, substance abuse, and suicide prevention work. He asked about the evaluation criteria used in the human services area and stated specific issues and needs must be addressed prior to assigning funding.

Councilmember Gutowsky commented on the Habitat for Humanity and Poudre High School collaboration and first build.

Mayor Pro Tem Stephens stated major Council priorities, including housing, early childhood services, childcare, and mental health have been a focus for this funding and requested additional staff input. Molzer showed a map of the current human service priorities as they are defined in the Social Sustainability strategic plan and stated conversations are beginning around having a human services strategic plan.

Mayor Pro Tem Stephens asked about the proximity of affordable housing units to a sewage plant as mentioned by a speaker during citizen comment. Rosen replied the project is on the west side of some high-end multi-family rental housing on Drake slightly west of Timberline. She noted there is a requirement of an environmental review and assessment, including environmental justice, to allocate HUD funding to any housing project.

Councilmember Cunniff clarified the project is nearly a mile from the treatment plant.

Councilmember Cunniff made a motion, seconded by Councilmember Summers, to adopt Resolution 2019-074.

Councilmember Cunniff thanked the community non-profit partners.

Mayor Pro Tem Stephens thanked the CDBG Commission and staff for their work in making difficult funding decisions. She also commended the community organizations on their work.

<b>RESULT:</b>	<b>RESOLUTION 2019-074 ADOPTED [5 TO 0]</b>
<b>MOVER:</b>	Ross Cunniff, District 5
<b>SECONDER:</b>	Ken Summers, District 3
<b>AYES:</b>	Pignataro, Gutowsky, Summers, Stephens, Cunniff
<b>ABSENT:</b>	Troxell
<b>RECUSED:</b>	Gorgol

Councilmember Cunniff made a motion, seconded by Councilmember Summers, to adopt Ordinance No. 080, 2019, on First Reading.

<b>RESULT:</b>	<b>ORDINANCE NO. 080, 2019, ADOPTED ON FIRST READING [5 TO 0]</b>
<b>MOVER:</b>	Ross Cunniff, District 5
<b>SECONDER:</b>	Ken Summers, District 3
<b>AYES:</b>	Pignataro, Gutowsky, Summers, Stephens, Cunniff
<b>ABSENT:</b>	Troxell
<b>RECUSED:</b>	Gorgol

Councilmember Cunniff made a motion, seconded by Councilmember Summers, to adopt Ordinance No. 081, 2019, on First Reading.

<b>RESULT:</b>	<b>ORDINANCE NO. 081, 2019, ADOPTED ON FIRST READING [5 TO 0]</b>
<b>MOVER:</b>	Ross Cunniff, District 5
<b>SECONDER:</b>	Ken Summers, District 3
<b>AYES:</b>	Pignataro, Gutowsky, Summers, Stephens, Cunniff
<b>ABSENT:</b>	Troxell
<b>RECUSED:</b>	Gorgol

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

20. **Items Relating to Regulating Electric Scooters. (Adopted on First Reading)**

- A. *First Reading of Ordinance No. 082, 2019, Amending the Fort Collins Traffic Code Relating to Electric Scooters.*
- B. *First Reading of Ordinance No. 083, 2019, Amending Chapter 24 of the Code of the City of Fort Collins Relating to Parking of Electric Scooters.*

*The purpose of this item is to amend the Traffic Code and City Code relating to the regulation of the operation and parking of electric scooters. These amendments will treat electric scooters the same as bicycles and electrical assisted bicycles (with three exceptions) and adds a definition of electric scooter that is consistent with HB 19-1221 and regulates the parking of electric scooters.*

(Secretary's Note: Councilmember Summers left the meeting prior to the consideration of this item.)

Paul Sizemore, FC Moves Director, stated these Code amendments relate to shared-mobility electric scooters and follow recent state legislation that allows the Code to be changed so E-scooters are no longer required to be operated on sidewalks, but instead have the option to be ridden on streets and in bike lanes.

Amanda Mansfield, FC Moves, stated these proposed ordinances amend the Fort Collins Traffic Code relating to electric scooters to be consistent with state legislation and amends City Code to update the definition of E-scooters and their unique parking requirements. These and other regulation strategies, such as parking regulations, downtown dismount zone regulations, and crosswalk dismount requirements, are designed to regulate E-scooters and other shared mobility devices.

Mansfield detailed the proposed Ordinances, noting E-scooters are prohibited from being operated on natural area and park trails, are required to be dismounted at crosswalks, and have unique parking requirements. She discussed the public outreach process regarding the request for proposal which seeks an operator for a 12-month pilot program and detailed the goals of the program.

Councilmember Cunniff asked if the state law constrains the City from prohibiting E-scooters from sidewalks. Mansfield replied the law allows the City to treat E-scooters as it does bicycles and electric bicycles; therefore, they will not be allowed on sidewalks in the downtown dismount zone.

Mayor Pro Tem Stephens asked if equity issues were considered with the bike share program. Mansfield replied she would follow up with the program manager, but she believed those same considerations are in place.

Mayor Pro Tem Stephens asked if staff is working in conjunction with CSU to ensure knowledge of the regulations is disseminated to students. Mansfield replied CSU has been a strong partner throughout the process and all educational programming will be done in concert with CSU.

Mayor Pro Tem Stephens asked if there is an age minimum for riders. Mansfield replied riders must be 18 or older.

Councilmember Cunniff asked if GPS monitors will be required. Mansfield replied a technological innovation plan involving geo-fencing and other technologies to encourage and enforce correct behavior will be required as part of the RFP.

Councilmember Cunniff made a motion, seconded by Councilmember Pignataro, to adopt Ordinance No. 082, 2019, on First Reading.

<b>RESULT:</b>	<b>ORDINANCE NO. 082, 2019, ADOPTED ON FIRST READING [5 TO 0]</b>
<b>MOVER:</b>	Ross Cunniff, District 5
<b>SECONDER:</b>	Julie Pignataro, District 2
<b>AYES:</b>	Pignataro, Gorgol, Gutowsky, Stephens, Cunniff
<b>ABSENT:</b>	Troxell
<b>AWAY:</b>	Summers

Councilmember Cunniff made a motion, seconded by Councilmember Gorgol, to adopt Ordinance No. 083, 2019, on First Reading.

<b>RESULT:</b>	<b>ADOPTED ON FIRST READING [5 TO 0]</b>
<b>MOVER:</b>	Ross Cunniff, District 5
<b>SECONDER:</b>	Emily Gorgol, District 6
<b>AYES:</b>	Pignataro, Gorgol, Gutowsky, Stephens, Cunniff
<b>ABSENT:</b>	Troxell
<b>AWAY:</b>	Summers

● **OTHER BUSINESS**

**A. Consideration of a motion to cancel the June 18, 2019 Regular Council Meeting.**

Councilmember Cunniff made a motion, seconded by Councilmember Pignataro, that Council cancel its regular meeting of June 18, 2019, pursuant to City Code Section 2-28(a), due to the Colorado Municipal League Annual Conference.

<b>RESULT:</b>	<b>ADOPTED [5 TO 0]</b>
<b>MOVER:</b>	Ross Cunniff, District 5
<b>SECONDER:</b>	Julie Pignataro
<b>AYES:</b>	Pignataro, Gorgol, Gutowsky, Stephens, Cunniff
<b>ABSENT:</b>	Troxell
<b>AWAY:</b>	Summers

● **ADJOURNMENT**

The meeting adjourned at 8:35 PM.

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Mayor

ATTEST:

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City Clerk