



Wade Troxell, Mayor
Kristin Stephens, District 4, Mayor Pro Tem
Susan Gutowsky, District 1
Julie Pignataro, District 2
Ken Summers, District 3
Ross Cunniff, District 5
Emily Gorgol, District 6

City Council Chambers
City Hall West
300 LaPorte Avenue
Fort Collins, Colorado

Cablecast on FCTV Channel 14
and Channel 881 on the Comcast cable system

Carrie Daggett
City Attorney

Darin Atteberry
City Manager

Delynn Coldiron
City Clerk

**Regular Meeting
March 17, 2020
(amended 3/16/2020)**

The March 17, 2020 Council Meeting was postponed to 6:00 p.m. March 31, 2020, for lack of quorum due to the self-quarantine of four (4) Councilmembers.

In order to limit the number of people in City Hall and to ensure adequate social distancing, the City is strongly urging community members to access the March 17 Council meeting through remote means described below, unless participation in person is necessary. Here are the options for virtual attendance and remote public participation:

Watch the Meeting: Anyone can view the Council meeting live on Channels 14 and 881 or online at www.fcgov.com/fctv.

Public Participation: Individuals who wish to address Council via remote public participation, both during Public Comment and as part of any discussion item, can do so through WebEx at <https://tinyurl.com/fccouncilmeeting3172020>. The link and instructions will also be posted at www.fcgov.com/council.

At the beginning of the meeting, under Consent Calendar Review, remote participants may request an item on the Consent Calendar be “pulled” off and considered separately.

The meeting will be available beginning at 5:15 p.m. Tuesday. Participants should complete the registration form to be included in public participation and view further instructions. Staff will moderate the WebEx session to ensure all participants have an opportunity to address Council. Individuals who require user assistance registering or joining the WebEx event can call 970-224-6137 for support.

Note: To preserve bandwidth and ensure an orderly meeting, only individuals who wish to address Council should use the WebEx link. Anyone who wants to watch the meeting, but not address Council, should view the FCTV livestream.

Persons wishing to display presentation materials using the City's display equipment under the Citizen Participation portion of a meeting or during discussion of any Council item must provide any such materials to the City Clerk in a form or format readily usable on the City's display technology no later than two (2) hours prior to the beginning of the meeting at which the materials are to be presented.

NOTE: All presentation materials for appeals, addition of permitted use applications or protests related to election matters must be provided to the City Clerk no later than noon on the day of the meeting at which the item will be considered. See [Council Rules of Conduct in Meetings](#) for details.

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (V/TDD: Dial 711 for Relay Colorado) for assistance.

Proclamations and Presentations 5:30 p.m.

- A. Proclamation Declaring the Week of March 16-22, 2020 as Fix-a-Leak Week.
- B. Proclamation Declaring April 1, 2020 as Census Day and Encouraging Every Resident to Participate in the 2020 Census. *(Proclamation will be read in English and Spanish)*

Regular Meeting 6:00 p.m.

- PLEDGE OF ALLEGIANCE
- CALL MEETING TO ORDER
- ROLL CALL
- AGENDA REVIEW: CITY MANAGER
 - City Manager Review of Agenda.
 - Consent Calendar Review (**Remote participation allowed - please see instructions on Page 1**)

This Review provides an opportunity for Council and citizens to pull items from the Consent Calendar. Anyone may request an item on this calendar be "pulled" off the Consent Calendar and considered separately.

- Council-pulled Consent Calendar items will be considered before Discussion Items.
- Citizen-pulled Consent Calendar items will be considered after Discussion Items.

- **PUBLIC COMMENT (Remote participation allowed)**

Individuals may comment regarding items scheduled on the Consent Calendar and items not specifically scheduled on the agenda. Comments regarding land use projects for which a development application has been filed should be submitted in the development review process** and not to the Council.

- Those who wish to speak are asked to sign in at the table in the lobby (for recordkeeping purposes).
- All speakers will be asked by the presiding officer to identify themselves by raising their hand, and then will be asked to move to one of the two lines of speakers (or to a seat nearby, for those who are not able to stand while waiting).
- The presiding officer will determine and announce the length of time allowed for each speaker.
- Each speaker will be asked to state his or her name and general address for the record, and to keep comments brief. Any written comments or materials intended for the Council should be provided to the City Clerk.
- A timer will beep once and the timer light will turn yellow to indicate that 30 seconds of speaking time remain, and will beep again and turn red when a speaker's time to speak has ended.

[**For questions about the development review process or the status of any particular development, citizens should consult the Development Review Center page on the City's website at fcgov.com/developmentreview, or contact the Development Review Center at 221-6750.]

- **PUBLIC COMMENT FOLLOW-UP**

Consent Calendar

The Consent Calendar is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Anyone may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately. Agenda items pulled from the Consent Calendar will be considered separately under Pulled Consent Items. Items remaining on the Consent Calendar will be approved by City Council with one vote. The Consent Calendar consists of:

- Ordinances on First Reading that are routine;
- Ordinances on Second Reading that are routine;
- Those of no perceived controversy;
- Routine administrative actions.

If the presiding officer determines that the number of items pulled from the Consent Calendar by citizens is substantial and may impair the Council's ability to complete the planned agenda, the presiding officer may declare that the following process will be used to simplify consideration of the Citizen-Pulled Consent Items:

(1) All citizen-pulled items (to be listed by number) will be considered as a group under the heading "Consideration of Citizen-Pulled Consent Items."

(2) At that time, each citizen wishing to speak will be given a single chance to speak about any and all of the items that have been moved to that part of the agenda.

(3) After the citizen comments, any Councilmember may specify items from the list of Citizen-Pulled Consent Items for Council to discuss and vote on individually. Excluding those specified items, Council will then adopt all "Citizen-Pulled Consent Items" as a block, by a single motion, second and vote.

(4) Any Citizen-Pulled Consent Items that a Councilmember has asked to be considered individually will then be considered using the regular process for considering discussion items.

1. Second 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.

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.

This Ordinance, unanimously adopted on First Reading on February 4, 2020, zones 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.

2. Second 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.

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.

This Ordinance, unanimously adopted on First Reading on February 4, 2020, zones 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.

3. Second 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.

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.

This Ordinance, unanimously adopted on First Reading on February 4, 2020, zones 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.

4. Second 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.

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.

This Ordinance, unanimously adopted on First Reading on February 4, 2020, zones 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.

5. Second Reading of Ordinance No. 041, 2020, Appropriating Unanticipated Black and Gray Market Marijuana Grant Revenue in the General Fund for Police Services.

This Ordinance, unanimously adopted on First Reading on March 3, 2020, appropriates unanticipated grant revenue in the amount of \$345,227 from the Colorado Department of Local Affairs in the General Fund to support investigation and prosecution of black-market marijuana activity.

6. Second Reading of Ordinance No. 042, 2020, Reappropriating Funds Previously Appropriated in 2019 But Not Expended or Not Encumbered in 2019.

This Ordinance, unanimously adopted on First Reading on March 3, 2020, reappropriates monies in 2020 that were previously authorized by City Council for expenditures in 2019 for various purposes. The authorized expenditures were not spent or could not be encumbered in 2019 because:

- there was not sufficient time to complete bidding in 2019 and, therefore, there was no known vendor or binding contract as required to expend or encumber the monies,
- the project for which the dollars were originally appropriated by Council could not be completed during 2019 and reappropriation of those dollars is necessary for completion of the project in 2020, or
- the funds appropriated to be spent in 2019 to carry on some of the programs, services, and facility improvements were not spent or encumbered in 2019 for other reasons but continue to be needed for the same purposes in 2020.

In the above circumstances, the unexpended and/or unencumbered monies lapsed into individual fund balances at the end of 2019 and reflect no change in Council policies.

7. Second Reading of Ordinance No. 043, 2020, Adopting Revisions to the Master Street Plan.

This Ordinance, unanimously adopted on First Reading on March 3, 2020, amends the Master Street Plan. The Master Street Plan (MSP) map serves as the official source for identification of street alignments and classifications for the City. The map shows both existing and future street locations. Updates to the map are done either through a request from a developer proposal or City initiated, based on changing plans, functions or information. The requests are City-initiated, and include amendments to the street system, add potential roundabout locations to the map, and update the potential railroad grade-separated crossing locations. These requested changes are in addition to the changes approved on January 14, 2020, for Montava.

8. First Reading of Ordinance No. 045, 2020, Appropriating Unanticipated Philanthropic Revenue from New Belgium Brewing in the General Fund and Transferring it to the Capital Projects Fund for the Poudre River Reach 4 Feasibility Study.

The purpose of this item is to appropriate \$10,000 in philanthropic revenue in the General Fund for transfer to the Capital Projects Fund for the Reach 4 Feasibility Study by Park Planning & Development. The intent of the charitable gift is designated by the donor, New Belgium Brewing, in support of the Reach 4 Feasibility Study.

The Reach 4 efforts focus on the feasibility of completing the improvements as called out in the Poudre River Downtown Master Plan. The Plan includes a conceptual site plan and cost estimate for Reach 4, located between the Whitewater Park and Linden Street. Reach 4 is particularly sensitive, as it is a former Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site. The study will help determine if/how the concept site plan and cost estimate provided in the Master Plan should be adjusted, based on a more robust analysis of the site conditions and preferred outcomes. These efforts will help inform a design and construction offer in the upcoming BFO process.

9. First Reading of Ordinance No. 046, 2020, Appropriating Unanticipated Philanthropic Revenue from Veterans Plaza of Northern Colorado in the General Fund and Transferring it to the Capital Projects Fund for the Veterans Plaza Improvement Project.

The purpose of this item is to appropriate \$10,752 in philanthropic revenue in the General Fund for transfer to the Capital Projects Fund to be used for improvements at the Veterans Plaza in Spring Canyon Community Park. The gift was provided by Veterans Plaza of Northern Colorado. The charitable gift will underwrite the costs of improvements to construct a new sidewalk from the parking area to Veterans Plaza and provide other site improvements.

10. Items Relating to the 15-year Capital for the 2020 Epic Homes Loan Program.

- A. First Reading of Ordinance No. 047, 2020, Making a Supplemental Appropriation from the Light & Power Fund to be Expended as Loans to Utility Services Customers Under the Epic Loan Program.
- B. First Reading of Ordinance No. 048, 2020, Making a Supplemental Appropriation from Unappropriated Prior Year Reserves in the Light & Power Fund to Make Debt Service Payments Under the Vectra Bank Line of Credit for the Epic Loan Program.

The purpose of this item is to appropriate funds for the Epic Loan Program in 2020 for 15-year loan issuance to Fort Collins Utilities electric customers, and anticipated debt service to third-party capital providers. The Epic Loan Program is part of the Epic Homes comprehensive portfolio for single-family home performance for both owner- and renter-occupied homes. These appropriations will cover 15-year loan agreements being considered by the Electric Utility Enterprise Board on March 17 for First Reading and April 7 for Second Reading and are necessary to formally authorize the disbursement of funds for customer loans. For future years, staff will include loan issuance and debt service as part of the biennial Budgeting for Outcomes process. Contingent upon authorization of the 15-year loan agreements by the Enterprise Board, the 2020 appropriation for 15-year loan issuance is \$1,600,000 and the appropriation for debt service is \$100,000.

The 15-year capital agreements were presented at the January 27, 2020 Council Finance Committee meeting.

11. Items Relating to the One Twenty Eight Racquette Drive Annexation.

- A. Resolution 2020-025 Setting Forth Findings of Fact and Determinations Regarding the One Twenty Eight Racquette Drive Annexation.
- B. Public Hearing and First Reading of Ordinance No. 049, 2020, Annexing the Property Known as the One Twenty Eight Racquette Drive Annexation to the City of Fort Collins, Colorado.

The purpose of this item is to annex the 35,000 square foot property located within the Mulberry Corridor. The Initiating Resolution 2020-010 was adopted on consent, January 21, 2020. The subject property is located at 128 Racquette Drive, abuts the Fort Collins Airpark, and is approximately 375 feet west of Dry Creek, which is a tributary to the Poudre River. The proposed zoning for this annexation is Industrial (I).

It should be noted that though this annexation does comply with state statute, the property currently contains a land use that has not been established/permitted within Larimer County. The City of Fort Collins Land Use Code requires the property owner or representative thereof to submit a development application within 60 days of the effective date of the annexation in order to legally establish the land use in the City of Fort Collins.

12. First Reading of Ordinance No. 050, 2020, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the One Twenty Eight Racquette Drive Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map.

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 2018-034.

The purpose of this item is to zone the property included in the One Twenty Eight Racquette Drive Annexation into the Industrial (I) zone district.

13. First Reading of Ordinance No. 051, 2020, Authorizing the Sale of Real Property Located Adjacent to the Utilities Service Center at 700 Wood Street.

The purpose of this item is to authorize the sale of City-owned real property located at approximately 525 North Whitcomb Street, adjacent to the City's Utilities Services Center located at 700 Wood Street. The property is a small offsetting portion of the Utility Service Center development and consists of 1,680 square feet. The buyers are the owners of real property at 525 North Whitcomb Street. The sale price is \$6,720 and the proceeds will be placed in the Light and Power Fund.

14. First Reading of Ordinance No. 052, 2020, Authorizing the Conveyance of a Permanent Sanitary Sewer Line Easement and a Temporary Construction Easement on Soaring Vista Natural Area to South Fort Collins Sanitation District.

The purpose of this item is to authorize the conveyance of a permanent sanitary sewer line easement and a temporary construction easement to South Fort Collins Sanitation District (SFCSD) on behalf of Interstate Land Holdings, LLC (ILH) on Soaring Vista Natural Area. The proposed easement area aligns with an existing sewer line easement held by South Fort Collins Sanitation District on the west side of the natural area.

15. Resolution 2020-026 Authorizing an Amendment to the Intergovernmental Agreement With Larimer County, Colorado for the Larimer County Conservation Corps Energy and Water Program.

The purpose of this item is to seek City Council approval of an amendment to an Intergovernmental Agreement (IGA) between the City of Fort Collins and Larimer County for funding of the Larimer County Conservation Corps (LCCC) Water and Energy Program. The City of Fort Collins Utilities has partnered with the LCCC since 2010 with tremendous success. LCCC crews have supported local resource conservation by providing home efficiency assessments to customers of Fort Collins Utilities and Loveland Water and Power. By the end of the 2019 spring season, LCCC crews assessed over 3,500 homes in Fort Collins and enabled these customers to save on their utility bills. Due to its success, the Program is now part of Utilities Affordability Portfolio and provides a mechanism for low to moderate income customers to control home energy use and costs.

16. Resolution 2020-027 Adopting the Recommendations of the Council Committee Regarding the Recruitment and Selection of a Chief Judge.

The purpose of this item is to review and consider the Council Committee's recommendations regarding the recruitment and selection of a Chief Judge. Council will consider adoption of a plan and schedule for the Chief Judge recruitment and selection process.

END CONSENT

- **CONSENT CALENDAR FOLLOW-UP**

This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.

- **STAFF REPORTS**

A. COVID-19 Update – Staff: Jim Byrne, Director of Emergency Preparedness and Security; Tom Gonzales, Larimer County Public Health Director

- **COUNCILMEMBER REPORTS**

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

Discussion Items

The method of debate for discussion items is as follows:

- Mayor introduces the item number, and subject; asks if formal presentation will be made by staff
- Staff presentation (optional)
- **Mayor requests citizen comment on the item (three minute limit for each citizen) Remote participation allowed**
- Council questions of staff on the item
- Council motion on the item
- Council discussion
- Final Council comments
- Council vote on the item

Note: Time limits for individual agenda items may be revised, at the discretion of the Mayor, to ensure all citizens have an opportunity to speak. **Please sign in at the table in the back of the room.** The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.

17. Public Hearing and Second Reading of Ordinance No. 138, 2019, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the Hughes Stadium Site Rezoning and Approving Corresponding Changes to the Residential Neighborhood Sign District Map. (staff: Cameron Gloss, Tom Leeson; no staff presentation; 90 min discussion)

The City Manager is recommending, with support from the Mayor and Mayor Pro Tem, that the Public Hearing regarding Rezoning of the Hughes Stadium site be postponed until March 31. This postponement is in recognition of the impact of COVID-19 and knowing that this item has previously drawn large crowds to Council meetings. The City will offer a remote participation option for the March 31 meeting and is testing those capabilities this evening in a live setting prior to using it for an item with such broad community interest. City Council will formally consider a motion to postpone this item at Tuesday's meeting.

This Ordinance, adopted on First Reading on November 5, 2019, by a vote of 4-3 (Nays: Cunniff, Gutowsky, Pignataro), rezones 164.55 acres located on the west side of Overland Trail and north of CR32, with one condition, and to place the property into the Residential Sign District. City Council initiated the rezoning on July 16, 2019 and directed City staff to prepare a rezoning application and make a recommendation regarding the appropriate zoning. The site is currently zoned Transition (T) and staff recommends placement into the Residential Foothills (RF) and Low-Density Mixed-Use Neighborhood (LMN) zone districts. A recommended condition of the rezone requires that future development in the portion zoned Residential Foothills district meet the requirements of a Cluster Plan pursuant to Land Use Code Section 4.3(E)(2). The request places the property into the Residential Sign District. The Planning and Zoning Board on a 4-2 vote recommended that City Council not adopt the staff proposed zoning and instead zone the property entirely Residential Foothills.

18. **Resolution 2020-030 Extending the State of Local Emergency Declared by the City Manager.**

Coronavirus 2019 (COVID-19) threatens the City of Fort Collins with widespread human and economic impact. President Donald J. Trump, Governor Jared Polis and Larimer County have declared a state of emergency in response to the COVID-19 pandemic. On March 13, 2020, the City Manager, as Director of the City's Office of Emergency Management, proclaimed a local emergency and activated the Emergency Operations Plan established by City Code. City Council is asked to approve the extension of the proclamation of local emergency until such time as the City Manager determines it is no longer necessary.

19. Emergency Ordinance No. 054, 2020 Enacting Temporary Procedures to Authorize Remote Participation in Meetings.

The purpose of this item is to propose temporary procedures that would enable City Councilmembers to remotely participate in meetings during the current Novel Coronavirus 2019 (COVID-19) crisis.

20. Resolution 2020-028 Adopting the 2020 Strategic Plan. (staff: Tyler Marr; 5 minute staff presentation; 30 minute discussion)

The purpose of this item is to formally adopt the 2020 strategic plan, consistent with City Council feedback at the February 25, 2020 work session. The adopted plan will guide the 2021 and 2022 Budgeting For Outcomes process.

21. Public Hearing and First Reading of Ordinance No. 053, 2020, Amending Chapter 26 of the Code of the City of Fort Collins to Adopt a Water Shortage Action Plan (Previously Known as the Water Supply Shortage Response Plan) and Making Various Related Changes. (staff: Mariel Miller, Liedel Hans: 10 minute staff presentation; 30 minute discussion)

The purpose of this item is to adopt into City Code by reference an updated Water Supply Shortage Response Plan (WSSRP) for Fort Collins Utilities. The updated plan and updates to City Code Section 26-167(a) include: changing the name to the Water Shortage Action Plan (WSAP); adding new sections to the Plan; changes and additions to various restrictions; changes to the structure of the water restriction levels; and changes to the water rate increases during declared water shortages.

22. Resolution 2020-029 Accepting and Adopting Ethics Opinion No. 2020-01 of the Ethics Review Board Finding No Violation of State or Local Ethics Provisions by Councilmember Ken Summers. (staff: Carrie Daggett; 10 minute discussion)

The purpose of this item is consideration of the opinion of the Ethics Review Board to Council for its consideration and possible approval.

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

● **OTHER BUSINESS**

A. Consideration of a motion to adjourn the City Council meeting to conduct the Electric Utility Enterprise Board meeting then return to the regular City Council meeting.

B. Consideration of a motion to adjourn into executive session relating to broadband issues.

"I move that City Council go into executive session to consider matters pertaining to issues of competition in providing telecommunication facilities and services including, without limitation, matters subject to negotiation, strategic plan, price, sales and marketing, development phasing and any other matter allowed under Colorado Law, as permitted under Article XX, Section 7(d) of the City Charter and Section 2-31(a)(5) of the City Code."

C. Consideration of a motion to adjourn into executive session relating to environmental issues at the landfill.

"I move that the City Council go into executive session for the purpose of meeting with the City's Attorneys and City Management staff to discuss the following matters as permitted under City Charter Article II, Section 11(2), City Code Section 2-31(a)(2) and Colorado Revised Statutes Section 24-6-402(4)(b):

1. Specific legal questions related to potential litigation regarding the environmental remediation of conditions at the Larimer County Landfill; and

2. Legal advice regarding how existing or proposed provisions of federal, state or local law affect particular policies, practices or regulations of the City related to the environmental remediation of conditions at the Larimer County Landfill.

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

(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)

- **ADJOURNMENT**

A. Consideration of a motion to adjourn to 6:00 pm Tuesday, March 31, 2020.

"I move that Council adjourn this regular meeting to 6:00 p.m. on Tuesday, March 31, 2020."

Every Council meeting will end no later than 10:30 p.m., except that: (1) any item of business commenced before 10:30 p.m. may be concluded before the meeting is adjourned and (2) the City Council may, by majority vote, extend a meeting until no later than 12:00 a.m. for the purpose of considering additional items of business. Any matter which has been commenced and is still pending at the conclusion of the Council meeting, and all matters scheduled for consideration at the meeting which have not yet been considered by the Council, will be continued to the next regular Council meeting and will be placed first on the discussion agenda for such meeting.



Wade Troxell, President
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Electric Utility Enterprise Board Meeting

March 17, 2020

(after the Regular Council Meeting)

The March 17, 2020 Electric Utility Enterprise Board meeting has been postponed for lack of quorum due to the self-quarantine of four (4) Councilmembers.

- **CALL MEETING TO ORDER**

1. Items Relating to the Epic Loan Program. (staff: Blaine Dunn, Sean Carpenter; 5 minute staff presentation; 10 minute discussion)
 - A. First Reading of Ordinance No. 009, Authorizing a Loan Agreement with Vectra Bank Colorado to Provide Funding for the Epic Loan Program.
 - B. First Reading of Ordinance No. 010, Authorizing a Loan Agreement with the Colorado Energy Office to Provide Funding for the Epic Loan Program.

In 2012, the City Council established, by ordinance, the On-Bill Utility Financing Program, which is now known as the Epic Loan Program. The Program provides financing for home energy upgrades by making loans to property owners who are customers of Fort Collins Utilities. Staff is recommending the Electric Utility Enterprise borrow additional capital for the Program from two third party lenders for 15-year capital. Ordinance No. 009 authorizes the Enterprise to borrow up to \$2.5 million, under a line of credit, from Vectra Bank Colorado (Vectra Loan) as additional funding for the Program. Ordinance No. 010 authorizes the Enterprise to borrow \$800,000 at 0% interest from the Colorado Energy Office (CEO Loan) as additional funding for the Program. Fifty percent of customers to date have used longer loan terms to reduce monthly payments and/or undertake more comprehensive energy efficiency projects, making 15-year capital an essential component for the success of the Program. These items were presented at the January 27, 2020 Council Finance Committee meeting and received support for bringing these Ordinances to the Electric Utility Enterprise Board for consideration.

- **OTHER BUSINESS**
- **ADJOURNMENT**