

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

Adjourned Meeting
March 31, 2020
6:00 pm
(amended 3/30/2020)

In light of the frequently changing situation due to the COVID-19 emergency, the City Manager is working with the Mayor and conferring with members of Council to evaluate whether the March 31st meeting will be canceled or whether only certain items listed on the agenda will be considered by Council. Methods for public participation are also under review.

>> Please note that there is a high likelihood that the plans and agenda for March 31 will change. Those interested in items on the agenda are asked to check back regularly for updated information. <<

Public Participation for March 31 City Council Meeting

Public Participation will only be available online. No one will be allowed to attend in person.

View Meeting Agenda

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 can do so through WebEx at (https://tinyurl.com/FCCityCouncil03312020). The link and instructions will also be posted at www.fcgov.com/council. Individuals participating in the WebEx session should also watch the meeting through that site, and not via FCTV, due to the streaming delay.

The meeting will be available beginning at 5:15 p.m., Tuesday. Participants should complete the registration form prior to 6:00 p.m. 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.

In order to participate:

- You need to have a laptop or computer with a microphone and/or headset that includes a microphone.
You need to have access to the internet.
You must complete the WebEx event registration (accessed from the link shown above) and view further instructions.

- Join the WebEx meeting.
- Keep yourself on muted status.
- DO NOT Watch/stream FCTV at the same time

If residents wish to speak to a document or presentation, the City Clerk needs to be emailed those materials by 4 pm Tuesday, March 31.

Individuals not comfortable or able to access the WebEx platform to participate are encouraged to email general public comments you may have to [CityLeaders@fcgov.com](mailto:CityLeaders@fcgov.com). If you have specific comments about either of the discussion items scheduled, please make that clear in the subject line of the email and send prior to the meeting Tuesday evening.

**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.

[View Live Stream](#)

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*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.*

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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.

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## Adjourned Meeting 6:00 p.m.

- PLEDGE OF ALLEGIANCE
- CALL MEETING TO ORDER
- ROLL CALL
- AGENDA REVIEW: CITY MANAGER
  - City Manager Review of Agenda.
- Consideration of a motion to move Item #5 and Items #7 through #13 to the April 7 Agenda.
- Consideration of a motion to move Items #1 through #4 and Items #6, #16 and #17 to the April 21 Agenda

~~● Consent Calendar Review (Remote Participation Allowed - Please See Instructions on Page 4)~~

~~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](http://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. (reschedule to April 21)

*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. (reschedule to April 21)

*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. (reschedule to April 21)

*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. (reschedule to April 21)

*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. (reschedule to April 7)

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. (reschedule to April 21)

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. (reschedule to April 7)

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. (reschedule to April 7)

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, secured and facilitated by City Give, 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. (reschedule to April 7)

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 charitable gift, facilitated by City Give, was made by Veterans Plaza of Northern Colorado. The charitable funding will underwrite the costs of improvements to construct a new sidewalk from the parking area to Veterans Plaza and provide other site improvements.

10. First Reading of Ordinance No. 051, 2020, Authorizing the Sale of Real Property Located Adjacent to the Utilities Service Center at 700 Wood Street. (reschedule to April 7)

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.

11. 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. (reschedule to April 7)

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.

12. Resolution 2020-026 Authorizing an Amendment to the Intergovernmental Agreement with Larimer County, Colorado for the Larimer County Conservation Corps Energy and Water Program. (reschedule to April 7)

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.

13. Resolution 2020-031 Finding Substantial Compliance and Initiating Annexation Proceedings for the One Twenty Eight Racquette Drive Annexation. (reschedule to April 7)

This is a 100% voluntary annexation. The property contained within the annexation area is approximately 35,000 square feet and abuts the Fort Collins Airpark, 365 feet west of the Dry Creek subdivision. The proposed zoning for this annexation is Industrial (I).

On January 21, 2020, Council adopted Resolution 2020-010 initiating annexation proceedings for the One Twenty Eight Racquette Drive Annexation and scheduling a hearing date of March 17, 2020 for the proposed annexation. Due to current events around COVID-19 City Council was not able to assemble a quorum to hold the scheduled public hearing on March 17, 2020. As a result, the statutory timing requirement that an annexation hearing must occur within 60 days after the effective date of the initiating resolution was not met. This new Resolution will reinstate annexation proceedings for One Twenty Eight Racquette Drive.

The proposed Resolution makes a finding that the annexation petition substantially complies with the Municipal Annexation Act of 1965, determines that a hearing should be established regarding the annexation, and directs notice be given of the hearing. The hearing will be held at the time of First Reading of the annexation and zoning ordinances, and notice will be published and distributed as required by State law.

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.

14. Resolution 2020-032 Approving Emergency Rules and Regulations Enacted by the City Manager Pursuant to the Local Covid-19 Emergency Between March 17 and March 25 30, 2020.

The purpose of this item is to approve emergency rules and regulations enacted by the City Manager between March 17 and March 25 30, 2020, in response to the COVID-19 emergency. Section 2-671(a)(6)(a) of the City Code provides that the emergency rules and regulations must be confirmed at the earliest practical time by the City Council. This Resolution seeks Council's approval and ratification of the emergency measures.

15. Resolution 2020-033 Establishing City Council's Intent that Appropriate Members of Congress and the Colorado General Assembly be Advised of the City's Interests in Pending and Prospective COVID-19 Related Legislation.

The COVID-19 pandemic crisis has resulted in the federal government packaging massive pieces of legislation together in short periods of time to try and provide resources to assist in dealing with the crisis and in helping with recovery. After introduction, these bills have been voted upon within a few days, sometimes that same day. Many of the City's federal partners, such as the National League of Cities, Colorado Municipal League, or the International City/County Management Association have alerted the City to issues within these bills that either leave cities out of funding pots, result in unfunded mandates to the City, or in some cases, restrict our ability to access funding because of our population size.

The 2020 Legislative Policy Agenda, while covering topics such as resiliency, local control, and unfunded mandates, does not specifically address the bills, funding sources, or emergency management nature of this problem. Therefore, staff is requesting approval of this resolution, which will allow staff to quickly alert Colorado's Congressional delegation to issues that have economic consequences to Fort Collins related to COVID-19. While the third economic package, expected to pass the same week as of this writing, is currently being communicated as the last, this resolution would still allow staff to quickly chime into processes that affect any additional packages that may be

introduced, cleanup legislation, budget discussions related to this, or regulatory processes. Staff anticipates that when the state legislature reconvenes, they too may take up legislation related to COVID-19. The resolution is also written to include advocacy at the state level for similar topics.

## 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. Staff Report: COVID-19 Update. (staff: Jim Byrne, Director of Emergency Preparedness and Security)

- **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.

16. 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) (reschedule to April 21)

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

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) (reschedule to April 21)

**The City Manager is recommending the Public Hearing and Second Reading of Ordinance No. 138, 2019 be postponed to April 21.**

~~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.~~

~~Second Reading hearing procedure:~~

- ~~1. Announcement of item~~
- ~~2. Consideration of any procedural issues~~
- ~~3. Additional City staff presentation, if any, regarding the rezoning application~~
- ~~4. Additional property owner presentation, if any, regarding the rezoning application~~
- ~~5. Public testimony~~
- ~~6. City staff and property owner rebuttal testimony~~
- ~~7. Councilmember questions of staff, the property owner, and members of the public that provided comments~~
- ~~8. Council decision~~

~~Due to the COVID-19 health emergency, the City is providing an option for the public, including the property owner of the property being considered for rezoning, to provide input to City Council remotely as opposed to in person. Please refer to the summary agenda information for more details on this remote option.~~

~~Any member of the public, including the property owner of the property being considered for rezoning, who wishes to provide materials to City Council for consideration in relation to this item must provide such information to the City Clerk no later than noon on March 31 as required pursuant to Section 3.g.(2) of the *Amended Rules of Procedure Governing the Conduct of City Council Meetings and Council Work Sessions*.~~

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

- **OTHER BUSINESS**

- A. **Consideration of a motion to adjourn into executive session related to broadband issues. (Executive session will be rescheduled)**

"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."

- B. **Consideration of a motion to adjourn into executive session relating environmental issues at the landfill. Executive session will be rescheduled)**

"I move that the City Council go into executive session for the purpose of meeting 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.

C. 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**

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.