

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
May 19, 2020
Revised 05/18/2020

PUBLIC PARTICIPATION FOR COUNCIL MEETINGS

View Meeting Agenda

There will be four options for people who would like to participate in the meeting:

- Live via the Zoom online meeting,
• Live via the telephone,
• Live in Council Chambers,
• By submitting emails to CityLeaders@fcgov.com.

All options will be available for those wishing to provide general public comment, as well as public comment during individual discussion items.

PUBLIC PARTICIPATION (ONLINE):

Individuals who wish to address Council via remote public participation can do so through Zoom at https://tinyurl.com/councilmeeting05192020 The link and instructions are also posted at www.fcgov.com/councilcomments. Individuals participating in the Zoom session should also watch the meeting through that site, and not via FCTV, due to the streaming delay and possible audio interference.

The Zoom meeting will be available beginning at 5:15 p.m. on the day of the meeting. Participants wanting to ensure their equipment setup is working should join prior to 6:00 p.m. For public comments, the Mayor will ask participants to click the "Raise Hand" button to indicate you would like to speak at that time. Staff will moderate the Zoom session to ensure all participants have an opportunity to address Council.

In order to participate, you must:

- Have an internet-enabled smartphone, laptop or computer.
• Using earphones with a microphone will greatly improve your audio experience.
• Join the Zoom meeting.
• You can find the link on the front page of the agenda or on the City's home webpage at www.fcgov.com.
• If you use the City's home page, simply click on the "Participate remotely in Council Meeting" link shown near the top of the page.

- Please remember to not watch/stream FCTV at the same time due to delays and possible feedback issues.

PUBLIC PARTICIPATION (PHONE OPTION):

- Dial public participation phone number, **1-346-248-7799**.
- Enter the Meeting ID for the **May 19** meeting: **946 7606 1061** followed by the pound sign (#).
 - You can also find this information for participating by phone on the City's home webpage by clicking on the "Remote Public Participation Instructions" link shown near the top of the page.
- The meeting will be available beginning at 5:15 p.m. Please call in to the meeting prior to 6:00 p.m., if possible. For public comments, the Mayor will ask participants to indicate if you would like to speak at that time – **phone participants will need to press *9 to do this**. Staff will be moderating the Zoom session to ensure all participants have an opportunity to address Council. Once you join the meeting:
- DO NOT Watch/stream FCTV at the same time due to streaming delay and possible audio interference.

PUBLIC PARTICIPATION (IN PERSON):

To participate in person, individuals should come to City Hall and be prepared to follow strict social distancing, sanitizer and facial covering guidelines.

- No more than 10 individuals will be allowed in Council Chambers. Therefore, staging for individuals who wish to speak will occur in the City Hall lobby and outside (weather permitting).
- Only one speaker at a time will be allowed to enter Council Chambers.
- Individuals will be required to wear masks while inside City Hall and any other City buildings being utilized.
- Once a speaker has provided comments, he or she will be asked to leave Council Chambers to make room for the next speaker.

PUBLIC PARTICIPATION (VIA EMAIL):

Individuals not comfortable or able to access the Zoom platform or able to participate by phone are encouraged to participate by emailing general public comments you may have to CityLeaders@fcgov.com. If you have specific comments on any of the discussion items scheduled, please make that clear in the subject line of the email and send prior to the meeting Tuesday evening.

WATCH THE MEETING:

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

Documents to Share: If residents wish to speak to a document or presentation, the City Clerk needs to be emailed those materials by 4 p.m. the day of the meeting.

Note: Only individuals who wish to address Council should use the Zoom link or call in by phone. Anyone who wants to watch the meeting, but not address Council, should view the FCTV livestream.

[View Live Stream](#)

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 5:45 p.m.

The Mayor will share highlights of each proclamation listed below but will not read proclamations in their entirety.

- A. Proclamation Declaring May 2020 as Building Safety Month.
- B. Proclamation Declaring May 20, 2020 as Class of 2020 Graduation Day.

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

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

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. Consideration and Approval of the Minutes from the April 21, 2020 Regular Council Meeting and the April 28, 2020 Adjourned Council Meeting.

The purpose of this item is to approve the minutes from the April 21, 2020, Regular Council meeting and the April 28, 2020, Adjourned Council meeting.

2. 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 item meets the following COVID-19 emergency priorities for being on the Council agenda:

- This item is on Second Reading.
- This item is required to comply with federal or state legal or other requirements.

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.

3. 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 item meets the following COVID-19 emergency priorities for being on the Council agenda:

- This item is on Second Reading.
- This item is required to comply with federal or state legal or other requirements.

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.

4. 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 item meets the following COVID-19 emergency priorities for being on the Council agenda:

- This item is on Second Reading.
- This item is required to comply with federal or state legal or other requirements.

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.

5. 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 item meets the following COVID-19 emergency priorities for being on the Council agenda:

- This item is on Second Reading.
- This item is required to comply with federal or state legal or other requirements.

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.

6. Postponement of Second Reading of Ordinance No. 044, 2020, Updating the Harmony Corridor Plan for the Gateway Area and the Harmony Corridor Standards and Guidelines to June 16, 2020.

Given the anticipated length of the Hughes Stadium Site Second Reading item, the continued high level of community interest in the Harmony Corridor Plan amendments and potential for considerable Council hearing discussion, staff is requesting that the item be considered at the June 16th hearing. Impacted property owners have indicated that they have no objection to the item being moved to June 16, 2020.

This Ordinance, adopted on First Reading on March 3, 2020, by a vote of 4-2 (Nays: Summers, Troxell; Gorgol absent) amends the Harmony Corridor Plan and the Harmony Corridor Standards and Guidelines by adopting revised Plan polices, standards and guidelines pertaining to the “gateway” area located west of I-25.

7. Second Reading of Ordinance No. 065, 2020, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund for COVID-19 Response and Recovery.

This item meets the following priorities for items to be considered by Council during the COVID-19 emergency: (1) urgent items specifically related to COVID-19 activities that are critical in nature and must receive Council consideration as soon as possible; (6) items that relate to funding, operation and business activities that the City must continue despite the current crisis; and (7) items that are required to comply with federal or state legal or other requirements.

This Ordinance, unanimously adopted on First Reading on May 5, 2020, appropriates unanticipated Community Development Block Grant (CDBG) funding in the amount of \$649,203 from the Department of Housing and Urban Development (HUD) to be used for COVID-19 response and recovery.

8. Second Reading of Ordinance No. 066, 2020, Appropriating Prior Year Reserves and Authorizing the Transfer of Previously Appropriated Funds in the Light and Power Fund for the 700 Wood Street Remodel Project and Related Art in Public Places.

This item meets the following COVID-19 emergency priorities for being on the Council agenda:

- Priority 5 - Items that must move forward based on a council-directed timeline, i.e., completion of a pilot project or the end of a moratorium.
- Priority 6 - Items that relate to funding, operation and business activities that the City must continue despite of the current crisis.

This Ordinance, unanimously adopted on First Reading on May 5, 2020, appropriates funds necessary for completion of the joint control room and associated 700 Wood Street remodel project for Fort Collins Connexion and Electric Utility/Light & Power (L&P) operations. L&P is requesting an appropriation of \$900,000 from uncommitted reserves, which has been included in the Utilities’ financial rate strategy and 2019 Capital Improvement Plan. Since this appropriation request is for the purpose of capital construction, City Code also requires a \$9,000 contribution (1% of the amount being appropriated) to

the Art in Public Places program. This amount is also being requested from uncommitted L&P reserves, bringing the total use of L&P reserves in this request to \$909,000. In addition to the appropriation from available reserves, L&P is requesting a transfer of \$770,000 in funds previously appropriated for the Substation capital parent account to obtain the remaining funds for the 700 Wood Street remodel project. Council Finance Committee considered and supported this approach on April 20, 2020.

9. Second Reading of Ordinance No. 067, 2020 Suspending for Fiscal Years 2021 and 2022 the Biennial Budget Term Required by City Code Section 8-1 and Approving the Temporary Revision of the City's Budgeting Process for the 2021 and 2022 Budgets.

This item meets the following COVID-19 emergency priorities for being on the Council agenda:

- Priority 2 - Emergency-related items that are not as urgent but need Council consideration.

This Ordinance, unanimously adopted on First Reading on May 5, 2020, modifies the City's biennial budgeting process due to the current unknowns of the depth and duration of the COVID-19 Pandemic and impacts to the local economy and City revenue streams.

10. Second Reading of Ordinance No. 068, 2020, Designating the Brown-Gooding Property, 425 Mathews Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with Section 1(f) of the Council's Rules of Meeting Procedures adopted in Resolution 2019-064.

This item meets the following COVID-19 emergency priorities for being on the Council agenda:

- Priority 6 - Items that relate to funding, operation and business activities that the City must continue despite the current crisis.

This Ordinance, unanimously adopted on First Reading on May 5, 2020, designates the Brown Gooding Property located at 425 Mathews Street as a Fort Collins Landmark. The owners of this property, Sarah Breseke and Wouter Montfroofij, have a pending Landmark Rehabilitation Loan for which funds have been requested and obligated but cannot be released without the Landmark designation in place. The single-family residence and garage are eligible for recognition as a Landmark due to their significance to Fort Collins under Designation Standard 3, Design/Construction and their historic integrity.

11. Second Reading of Ordinance No. 069, 2020, Designating the Horsley/Delta Zeta Property, 201 East Elizabeth Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

This item is a quasi-judicial matter and if it is considered on the discussion agenda, it will be considered in accordance with Section 1(f) of the Council's Rules of Meeting Procedures adopted in Resolution 2019-064.

This item meets the following COVID-19 emergency priorities for being on the Council agenda:

- Priority 6 - Items that relate to funding, operation and business activities that the City must continue despite the current crisis.

This Ordinance, unanimously adopted on First Reading on May 5, 2020 designates the Horsley/Delta Zeta Property, 201 East Elizabeth Street, as a Fort Collins Landmark. The owner of this property, Stephanie Walter, has a pending Landmark Rehabilitation Loan for which funds have been requested and obligated but cannot be released without the Landmark designation in place. The property is eligible for recognition as a Landmark due to its significance to Fort Collins under Designation Standards 1. Events, and 3. Design/Construction and its historic integrity.

12. Items Relating to the College Avenue/Trilby Road Intersection Improvements Project.

- A. Resolution 2020-046 Approving the Intergovernmental Agreement with the Colorado Department of Transportation for Road Intersection Improvements - College Avenue-Trilby Road.
- B. First Reading of Ordinance No. 071, 2020, Making Supplemental Appropriations for the College Avenue-Trilby Road Intersection Improvements Project.

This item meets the following COVID-19 emergency priorities for being on the Council agenda:

- Priority 6 - Items that relate to funding, operation and business activities that the city must continue despite the current crisis.
- Priority 7 - Items that are required to comply with federal or state legal or other requirements.

The purpose of this item is to authorize the Mayor to sign an intergovernmental agreement (IGA) between the City and the Colorado Department of Transportation (CDOT) to accept previously awarded federal grants needed for the design, right-of-way acquisition and construction of necessary improvements to the College Avenue and Trilby Road intersection. Ordinance No. 071, 2020 will appropriate the following state and federal funded grants:

- Highway Safety Improvement Program (HSIP) for safety related improvements (\$2,250,000)
- Congestion, Mitigation and Air Quality Improvements (CMAQ) program (\$387,371)
- Funding Advancements for Surface Transportation & Economic Recovery (FASTER) (\$1,500,000)

13. First Reading of Ordinance No. 072, 2020, Relating to the Extraction of Hemp within Dwellings.

This item meets the following COVID-19 emergency priority for being on the Council agenda:

- Priority 7 - Items that are required to comply with federal or state legal or other requirements.

This item is required in order to comply with state law allowing the cultivation, extraction, processing, and manufacturing of industrial hemp and industrial hemp products, and the Uniform Fire Code which permits and regulates the extraction of hemp.

The purpose of this item is to amend Article XII, Chapter 12 of the City Code as it relates to the extraction of industrial hemp to clarify that the prohibition on the use of inherently hazardous substances in the extraction process only applies to dwellings, not to commercial businesses.

14. Emergency Ordinance No. 073, 2020 Approving Emergency Rules and Regulations Enacted by the City Manager Pursuant to the Local COVID-19 Emergency.

The purpose of this item is to approve emergency rules and regulations enacted by the City Manager in response to the COVID-19 emergency. Section 2-671(a)(6)(a) of the City Code provides that emergency rules and regulations must be confirmed at the earliest practical time by the Council. This Emergency Ordinance seeks Council's approval and ratification of all the emergency measures that have been enacted to date. Adoption by ordinance will ensure that each of the regulations is enforceable to the fullest extent of the law.

15. First Reading of Ordinance No. 074, 2020, Authorizing the Conveyance of a Permanent Waterline Easement and a Temporary Construction Easement on Maxwell Natural Area to the Fort Collins Loveland Water District.

This item meets the following COVID-19 emergency priorities for being on the Council agenda:

- Priority 4 - Items that are substantially complete, have completed significant public process, and are ready for Council consideration.

The purpose of this item is to authorize the conveyance of a permanent waterline easement and a temporary construction easement to the Fort Collins Loveland Water District (FCLWD) on Maxwell

Natural Area. The proposed easement area will traverse Maxwell Natural Area over a new alignment and vacate in-place a portion of the original waterline alignment presently held by FCLWD on the east side of the natural area. Replacing the existing failing waterline is crucial for water service to residents supplied by the waterline.

16. Resolution 2020-047 Approving the First Amendment to November 5, 2019, Intergovernmental Agreement with Larimer County, for Taft Hill Road Improvements – Horsetooth to Harmony Project.

This item meets the following COVID-19 emergency priorities for being on the Council agenda:

- Priority 6 - Items related to funding, operation, and business activities that the City must continue despite the current crisis.
- Priority 7 - Items required to comply with federal or state legal or other requirements.

The Taft Hill Improvements Project - Horsetooth to Harmony (Project) is funded with Larimer County (County) Regional Transportation Capital Expansion Fee (Regional TCEF) funds and federal Surface Transportation Block Grant (STBG) funds. The existing intergovernmental agreement (IGA) with the County allows the County to provide the Regional TCEF funds to the City.

The purpose of this item is to clarify that the County will purchase right-of-way associated with the Project and enable the City to reimburse the County for costs associated with right-of-way acquisition. This item will authorize the Mayor to sign an IGA amendment (Amendment) for the IGA that was previously signed by the Mayor as part of Resolution 2020-001. Right-of-way acquisition will support the Project which will improve Taft Hill Road from Horsetooth Road to Brixton Road (south of Harmony Road). The City will be reimbursing the County for applicable expenses using County Regional TCEF and STBG funds.

Amending the IGA is critical to keeping the Project on schedule. It will allow early involvement of right-of-way acquisition agents through the County.

17. Resolution 2020-048 Reappointing Teresa Ablao as an Assistant Municipal Judge of the Fort Collins Municipal Court and Authorizing the Execution of an Employment Agreement.

Consideration of this item is necessary at this time because the current appointment of Assistant Judge Ablao expires June 30, 2020, prior to the retirement of Chief Judge Lane.

The purpose of this item is to reappoint Teresa Ablao as the Assistant Municipal Judge for the Fort Collins Municipal Court. The City Charter provides for the appointment of Assistant Municipal Judges to serve in the absence of the Chief Judge. Teresa Ablao has served in this capacity since mid-2012. Chief Judge Kathleen M. Lane recommends that Ms. Ablao be reappointed as one of the Assistant Municipal Judges. Judge Ablao's experience and familiarity with the Court will be a great resource for the new Chief Judge.

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 – Jim Byrne~~

- **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)
- 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.

18. 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; 5 minute presentation; 90 minute discussion)

This item meets the following COVID-19 emergency priorities for being on the Council agenda:

- Priority 3 - Second Reading Ordinances.
- Priority 4 - Items that are substantially complete, have completed significant public process, and are ready for Council consideration. These items are being brought forward to help ensure that work does not have to be redone and can continue to move forward.

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. Council initiated the rezoning on July 16, 2019 and directed 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 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

Any member of the public, including the property owner of the property being considered for rezoning, who wishes to provide materials to Council for consideration in relation to this item must provide such information to the City Clerk no later than noon on May 19 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.

19. Items Relating to the Appointment, Salary, Oath of Office and Employment Contract of the Chief Judge. (staff: Teresa Roche; 5 minute presentation; 15 minute discussion)

- A. Resolution 2020-049 Appointing Jill Hueser as Chief Judge, Approving the Chief Judge's Employment Agreement and Direction Regarding Administration of Oath of Office for the Chief Judge.
- B. First Reading of Ordinance No. 075, 2020, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Salary of the Chief Judge.

This item meets the following COVID-19 emergency priorities for being on the Council agenda:

- Priority 5 - Items that must move forward based on a Council directed timeline, i.e., completion of a pilot project or the end of a moratorium.
- Priority 6 - Items that relate to funding, operation and business activities that the City must continue despite of the current crisis.

The purpose of the Resolution is to appoint Jill Hueser as the new Chief Judge effective July 6, 2020, and to approve the employment agreement of the Chief Judge. Another purpose is to direct the City Clerk to administer the Chief Judge oath of office to Jill Hueser on July 6, 2020. The Ordinance sets the salary of the Chief Judge effective July 6, 2020.

20. Resolution 2020-050 Approving a Development Agreement to Secure Public Benefits for Development of the Northfield Metropolitan District Development Agreement. (staff: Josh Birks, Rachel Rogers; 5 minute staff presentation, 15 minute discussion)

THIS ITEM HAS BEEN POSTPONED TO JUNE 2

~~This item meets the following COVID-19 emergency priorities for being on the Council agenda:~~

- ~~• Priority 4 - Items that are substantially complete, has completed significant public process, and is ready for Council consideration. This item is being brought forward to help ensure that work does not have to be redone and can continue to move forward.~~

~~This item is vital to secure necessary project financing and is also related to Council's previous action of approving a metropolitan district service plan to be used in this project to help fund certain public benefits, i.e., much needed affordable and attainable housing. The project will also provide additional economic benefits of construction employment and significant permit fee revenue to the City. These benefits are material, especially in the midst of the pending economic slowdown as a result of the COVID-19 pandemic.~~

~~The purpose of this item is to consider Resolution 2020-050, which will approve the Agreement to Secure Public Benefits for the Northfield Development (attached as Exhibit A to the Resolution) (Public Benefits Agreement). The Agreement is contemplated in the Consolidated Service Plan for Northfield Metropolitan Districts Nos. 1-3, approved by City Council on October 1, 2019. Staff has completed its review of the Public Benefits Agreement to ensure it conforms to the service plan that was approved by Council.~~

21. First Reading of Ordinance No. 076, 2020, Appropriating Prior Year Reserves in the Light and Power Fund, the Water Fund, the Wastewater Fund, and the Stormwater Fund, and Authorizing the Transfer of Previously Appropriated Funds in the Broadband Fund for the Utilities Customer Information and Billing System Project. (staff: Lisa Rosintoski, Kevin Wilkins, Colman Keane; 10 minute presentation; 30 minute discussion)

THIS ITEM HAS BEEN POSTPONED TO JUNE 2

This item meets the following COVID-19 emergency priorities for being on the Council agenda:

- ~~Priority 6 – Items that relate to funding, operation and business activities that the City must continue despite of the current crisis~~

~~The purpose of this item is to appropriate an additional \$950,000 to purchase a Customer Information System with an Operational Support System (CIS/OSS) for electric, water, wastewater, stormwater and broadband billing services, replacing the legacy billing system. The CIS/OSS is the billing system that will collect revenues for utility and broadband services, serving as the accounting ledger for Utilities revenue, which currently generates over \$212 million in annual total revenue through an average of 84,400 monthly utility bills and service requests for residential and commercial customers.~~

~~The City signed a Master Professional Services Agreement (MPSA) and Software License Agreement with Open International LLC (Open) in August 2018 to implement Open SmartFlex (OSF). The CIS/OSS will be the system interface customers rely on for accurate utility and broadband billing that includes a robust customer self-service web-portal interface for utility and broadband services that will assist customers towards understanding utility usage and costs in order to make energy and water conservation/efficiency investments, as well as Connexion product offerings.~~

~~Multiple factors have led to the extension of Utilities Go-Live from June 2020 to October 2020, and the additional cost of \$3.3 million in order to complete the project. Therefore, Open and City of Fort Collins Utilities negotiated a cost-share distribution of the \$3.3 million, recognizing the partnership and long-term relationship needed for OSF as follows:~~

- ~~City of Fort Collins Utilities incurs 55%, for a total of \$1.7 million.~~
- ~~Open incurs 45%, for a total of \$1.4 million.~~
- ~~City of Fort Collins Utilities reimburses additional contingency/living expenses, estimated up to \$200,000.~~

~~Utilities and Connexion will split the City of Fort Collins Utilities share (\$1.9 million), thus totaling \$950,000 each for Connexion and the four utilities. Connexion has appropriated funding within the Connexion project. This funding request will be shared across the four utilities.~~

~~Staff recognizes there is a potential for future risks, primarily related to employee turnover and illness, due to the pandemic environment that continues into the foreseeable future. As such, there is a risk to meeting the October 5th Utilities Go-Live date. Therefore, staff is working with the vendor to develop mitigating actions that will minimize vendor resource costs on the project in order to eliminate and/or reduce those costs if there needs to be an extension of the project.~~

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

- **OTHER BUSINESS**

A. 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. Council will consider a motion to adjourn to 6:00 p.m. on Tuesday, May 26, 2020 for mid-year review of City Manager and City Attorney.

"I move that Council adjourn this meeting to 6:00 p.m. on Tuesday, May 26, in order to consider a motion to go into executive session to conduct mid-year performance reviews of the Council's direct report employees, and for such other business as may come before the Council."

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.