



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 June 16, 2020 (Revised 6/15/20)

### 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 Council at [cityleaders.com](http://cityleaders.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/fccouncilmeeting2020>. The link and instructions are also posted at [www.fcgov.com/councilcomments](http://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](http://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 **June 16** meeting: **982 4141 6497** followed by the pound sign (#).
- Phone participation information is also available 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.

#### **WATCH THE MEETING:**

- Anyone can view the Council meeting live on Channels 14 and 881 or online at [www.fcgov.com/fctv](http://www.fcgov.com/fctv).

#### **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](mailto: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.

**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](#)**

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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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## **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 the Week of July 11-18, 2020, as Flood Awareness Week.
- B. Proclamation Declaring June 2020 as LGBTQ Pride Month.

## **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](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. Consideration and Approval of the Minutes of the May 12, 2020 Adjourned Council Meeting and May 19, 2020 Regular Council Meeting.

The purpose of this item is to approve the minutes from the May 12, 2020 Adjourned Council Meeting and the May 19, 2020 Regular Council meeting.

2. Second 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.

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

This Ordinance, unanimously adopted on First Reading on June 2, 2020, appropriates 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.

3. Second Reading of Ordinance No. 077, 2020, Appropriating Unanticipated Grant Revenue and Authorizing Transfers in the General Fund for the Emergency Management Performance Grant.

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

- Priority 2 - Emergency-related items that are not urgent but require Council approval.

This Ordinance, unanimously adopted on First Reading on June 2, 2020, appropriates unanticipated grant revenue in the General Fund for the Emergency Management Performance Grant-Special Projects. This appropriation includes \$10,000 of grant revenue provided by the Colorado Division of Homeland Security and Emergency Management (DHSEM) to support emergency management programs. The grant directly supported purchasing an emergency management credentialing system (Salamander) and required a local match of \$10,951. Matching funds were appropriated and unexpended in the 2020 Emergency Preparedness and Security operating budget and will be transferred to the Emergency Management Performance Grant-Special Projects program.

4. Second Reading of Ordinance No. 078, 2020 Making a Supplemental Appropriation in the General Fund for the Restorative Justice Services Program.

This item meets the following COVID-19 emergency priority 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 June 2, 2020, appropriates grant revenue to fund Restorative Justice Services within Community Development and Neighborhood Services (CDNS). The City has received an amendment to an existing grant providing \$12,474 in additional funds from the Colorado Division of Criminal Justice (DCJ) Juvenile Diversion fund to support Restorative Justice Services, which includes the RESTORE program for shoplifting offenses, and the Restorative Justice Conferencing Program (RJCP) and Reflect Program for all other offenses. The amendment to the existing grant provides additional funds for a specific project - the creation of videos and other outreach materials to increase awareness for Restorative Justice Services. No match is required. The additional funds were awarded from extra funds the state grant funding agency made available toward the end of the grant cycle (7/1/2019-6/30/2020) and the funds must be spent by June 30, 2020, the end of the current grant cycle.

5. Second Reading of Ordinance No. 079, 2020, Amending and Superseding Ordinance No. 061, 2020 Enacting Temporary Procedures for Remote Participation in Certain Meetings.

This Ordinance, unanimously adopted on First Reading on June 2, 2020, updates and replaces Ordinance No. 061, 2020, to allow Council to conduct business that has been postponed due to the local emergency set forth in the Ordinance. This Ordinance will also allow boards and commissions to conduct business remotely using technology set in place for Council meetings.

This Ordinance has been amended on Second Reading to change the time required to notify City Clerk of remote participation from thirty-six (36) hours to three (3) hours.

6. Resolution 2020-055 Authorizing Acquisition of Certain Assets and Operational Control of the Community Solar Project Located at the Riverside Avenue and Mulberry Street Intersection.

This item meets the following COVID-19 emergency priority 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 Fort Collins Utilities (“Utilities”) acquisition of the assets of the Riverside Community Solar Project from Clean Energy Collective (“CEC”). Utilities will subsequently perform all program management and customer support functions, as well as operations and maintenance of the facility. CEC has been the owner, developer and operator of the Riverside Community Solar array since its construction in 2014-2015. CEC and Utilities have reached agreement on a transfer of ownership of the assets of the solar site to consolidate all program functions under Utilities. Current customers who own panels in the solar array will continue to receive credits on their bill, as they do today, based on the City’s applicable time of day rates as set forth in the City Code.

7. Resolution 2020-058 Declaring that Fort Collins is Essential and Expressing Council's Support of Fair, Direct Federal Emergency Support to Reopen and Rebuild Local American Economies.

The purpose of this item is to provide support for the National League of Cities’ efforts as they implore Congress to provide direct federal support to all of America’s cities regardless of population size.

**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. Community Dashboard Metric-Response to Priority 1 Calls (staff: Rena Martinez, John Feyen)
- B. COVID-19 Update-Workforce Development Update (staff: Josh Birks)

● **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.

8. Items Relating to the Completion of the 2020 Spring Cycle of the Competitive Process for Allocating City Financial Resources to Affordable Housing and Community Development Activities Utilizing Funds from the Federal Community Development Block Grant (CDBG) Program, Federal HOME Investment Partnerships (HOME) Program, the City's Affordable Housing Fund (AHF) and the City's Human Services Program (HSP), and Appropriating Funding Accordingly. (staff: Adam Molzer; 5 minute presentation, 30 minute discussion)

- A. Public Hearing and Resolution 2020-056 Approving the Programs and Projects that Will Receive Funds from the Federal Community Development Block Grant Program, HOME Investment Partnerships Program, the City's Affordable Housing Fund, and the City's Human Services Program.
- B. Public Hearing and First Reading of Ordinance No. 081, 2020, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund.
- C. Public Hearing and First Reading of Ordinance No.082, 2020, Appropriating Unanticipated Revenue in the HOME Investment Partnerships Fund.

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

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

The purpose of this item is to approve funding recommendations of the 2020 Spring Cycle of the Competitive Process and appropriate federal dollars. The Resolution will complete the 2020 Spring Cycle of the Competitive Process for allocating \$3,480,278 in City financial resources to affordable housing and public facility projects, human service programs and administration of the programs. The Ordinances will appropriate the City's FY2020 CDBG Entitlement Grant and FY2020 HOME Participating Jurisdiction Grant from the Department of Housing and Urban Development (HUD), and CDBG program income and CDBG reconciled funds from FY2018 and FY2019, and HOME program income and HOME reconciled funds from FY2018 and FY2019.

9. Second Reading of Ordinance No. 044, 2020, Updating the Harmony Corridor Plan for the Gateway Area and the Harmony Corridor Standards and Guidelines. (staff: Cameron Gloss; 5 minute presentation; 60 minute discussion)

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

- Second Reading Ordinance
- 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 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.

10. Resolution 2020-057 Appointing Two Representatives to the Selection Committee for the Jointly Appointed Larimer County and City of Fort Collins Boxelder Basin Regional Stormwater Authority Board of Directors. (staff: Theresa Connor, Ken Sampley; 5 minute presentation, 10 minute discussion)

This item meets the following COVID-19 emergency priority 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 for City Council to appoint two representatives to serve on the interview and selection committee for the Jointly Appointed Larimer County and City of Fort Collins Boxelder Basin Regional Stormwater Authority Board Director. The selected candidate will then be considered for appointment by each elected body.

11. First Reading of Ordinance No. 083, 2020 Imposing a Moratorium Until January 31, 2021, Upon the City's Acceptance and Processing of Applications for Approval of New Service Plans for Metropolitan Districts. (staff: Josh Birks, Paul Sizemore; 5 minute presentation, 30 minute discussion)

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

- Priority 5 - Items that must move forward based on a Council directed timeline.
- Priority 6 - Items that relate to funding, operation and business activities that the City must continue despite the current crisis.

The purpose of this item is for Council to consider a moratorium until January 31, 2021, upon the City's acceptance and processing of new applications for approval of service plans for Metropolitan Districts. This moratorium will apply to the consideration of new Service Plans, but not to the amendment of Metropolitan District Service Plans previously approved by Council or to the consideration of agreements with the City as contemplated in such Service Plans. For example, the moratorium would not apply to Council's consideration of Public Benefit Agreements and Intergovernmental Agreements contemplated in certain existing Service Plans.

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

- **OTHER BUSINESS**

- A. Discussion of possible Council next steps regarding equity and inclusion and community concerns regarding police policies and related social impacts.

- B. 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.)

- C. Consideration of a motion to cancel the Tuesday, July 7, 2020 Regular Council meeting.

- "I move that Council cancel its regular meeting of July 7, 2020, pursuant to City Code Section 2-28(a), in light of the Independence Day holiday weekend."

- **ADJOURNMENT**

- A. Consideration of a motion to adjourn to 6:00 p.m., Tuesday, June 23, 2020.

- "I move that Council adjourn this meeting to 6:00 p.m., Tuesday, June 23, 2020, to consider items relating to funding for non-congregate shelter facilities 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.