

ORDINANCE NO. 096, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 2-31(a)(5) OF THE CODE OF THE CITY OF FORT COLLINS
TO UPDATE THE CROSS REFERENCE TO TELECOMMUNICATION FACILITIES
AND SERVICES

A. City Code Section 2-31 describes the procedure for holding an executive session and the permissible reasons for doing so.

B. Code Section 2-31(a)(5) allows for an executive session to be held to discuss “matters pertaining to issues of competition in providing the telecommunication facilities and services authorized in Article XII, Section 7 of the City Charter and City Code Section 26-398.”

C. Code Section 26-398 was replaced by Code Section 26-572 when Ordinance No. 089, 2019, established the telecommunication services division of the City’s electric utility.

D. This Ordinance updates Code Section 2-31(a)(5) to reference Code Section 26-572.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 2-31 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-31. Executive sessions.

(a) The City Council, and any committee of the City Council, may, by two-thirds ($\frac{2}{3}$) majority vote of those members present and voting, hold an executive session upon announcement of the topic for discussion in the executive session, which announcement shall include a specific citation to the provision of this Section that authorizes the City Council or Council committee to meet in executive session, and shall identify the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is to be held. Said executive session may be held only at a regular or special meeting and only for the purposes of considering any of the following matters and providing direction, through individual expressions of opinion, to City staff or other persons with regard to such matters:

...

(5) Consideration, by the Council or any board or commission established under Article XII, Section 7(e) of the City Charter, of matters pertaining to issues

of competition in providing the telecommunication facilities and services authorized in Article XII, Section 7 of the City Charter and City Code Section 26-572 including, without limitation, matters subject to negotiation, strategic planning, pricing, sales and marketing, development phasing and any other matter allowed under Colorado law.

Introduced, considered favorably on first reading on July 21, 2026, and approved on second reading for final passage on August 18, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: August 28, 2026
Approving Attorney: Brad Yatabe

Exhibit: None