

October 25, 2022

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Adjourned Meeting – 6:00 PM

A) CALL MEETING TO ORDER

Mayor Jeni Arndt called the meeting to order at 6:00 p.m. in the City Council Chambers at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City's Zoom platform.

B) ROLL CALL

PRESENT

Mayor Jeni Arndt
Mayor Pro Tem Emily Francis
Councilmember Susan Gutowsky
Councilmember Tricia Canonico
Councilmember Shirley Peel
Councilmember Kelly Ohlson

ABSENT

Councilmember Julie Pignataro

STAFF PRESENT

City Manager Kelly DiMartino
City Attorney Carrie Daggett
Deputy City Clerk Aimee Jensen

C) ITEMS FOR DISCUSSION

1. Resolution 2022-108 Adopting an Interim Greenhouse Gas Reduction Goal.

The purpose of this item is to consider adoption of a Resolution setting an ambitious interim target in 2026 of 50% below 2005 levels for community greenhouse gas (GHG) reductions.

In support of Council establishing a 2026 interim goal, staff have projected the community GHG inventory for 2026 at 43% below the 2005 baseline with the inclusion of the Council Action Roadmap and other key strategies presented to Council at the October 11, 2022 work session. If Council adopts this Resolution, it will be necessary to accelerate existing strategies, identify new, or accelerate planned, City-led strategies and to invest in additional community leadership and action.

Honore Depew, Climate Program Manager, stated this item would establish an interim 2026 community greenhouse gas emissions reduction goal. He discussed the Our Climate Future plan stating it is a robust framework for organizing and accomplishing the City's environmental priorities. Additionally, he discussed the greenhouse gas modeling that will be informing the decision this evening.

Regarding the 2026 interim goal, Depew stated the current modeling of the pathways shows an approximate 43% reduction expected by 2026; however, that assumes the implementation of the next move strategies by the City, community, and key partners such as Platte River Power Authority. He stated Councilmembers have generally expressed interest in establishing a more ambitious interim goal, therefore this resolution proposes a 50% reduction, which will require some combination of accelerating existing strategies, identifying new City-led strategies, and investing in additional community leadership and action, as well as aligning with state and federal legislation.

Public Comment:

Lynette Robinson questioned whether the community is truly ready for this goal and expressed concern this will leave the population in dire straits.

Nancy Eason stated she has a lot of questions about this resolution, including how binding is the resolution and whether there are consequences for not meeting the goal. She expressed skepticism about whether the goal could be reached in four years and requested information as to how the electricity reduction aspects of the goal will be met. She also questioned how Our Climate Future is funded, requested assurance equity is being kept in mind, and questioned how population increases are being accommodated. She supported the landfill reduction goals.

Rich Stave stated he is not sure he agrees with some of the conclusions that have been made, however, he agreed goals are important to progress. He stated this is an expensive program in terms of the onus being put on citizens and stated pertinent metrics and transparency are missing. He also questioned who owns the results.

Kurt Kastein questioned the return on investment of this plan and stated the reduction goals are quite aggressive. He challenged Council to attach cost check points to the goals.

Virginia Vernon stated the information provided is very vague and questioned the cost. She stated the push for green energy is deceitful and commented that renewable energy is not renewable nor is it reliable.

(No name given) opposed the resolution and urged Council to keep in mind what happened in Texas last year. He questioned what will occur with solar panels and wind turbines freeze up and suggested nuclear power should be considered. He also questioned the cost of the necessary changes.

Kevin Cross, Fort Collins Sustainability Group, expressed support for the greenhouse gas reduction goals and stated setting the 50% stretch goal will encourage reaching further and keeping Fort Collins on track for its 2030 goal. He suggested an 80% greenhouse gas reduction goal by 2030 is more attainable and realistic than 100%.

Eric Sutherland opposed adoption of the resolution and questioned how the City can continue with the purported leadership in this area. He stated government should provide valuable services that improve the lives of residents and questioned how this resolution fits into that definition.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Resolution 2022-108.

Councilmember Peel thanked staff for the roadmap but expressed concern about the heavy-handed regulatory nature of some of the pathways. She also opposed adoption of an interim goal stating the cost of rapidly enacting some of those pathways is not being considered. She stated

these changes will place a reliance on an unreliable system and she would prefer taking more calculated risks.

Mayor Arndt thanked staff for the roadmap and stated there is a difference between cost and price. She stated not adopting this goal could negatively impact quality of life and she noted it has been widely acknowledged the 2026 goal is a stretch goal.

The motion carried 5-1.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, Canonico and Ohlson.

Nay: Councilmember Peel.

Absent: Councilmember Pignataro.

- 2. First Reading of Ordinance No. 113, 2022, Suspending Certain Provisions of the City's Land Use Code and Building Code to Permit Temporary Use of City Property at 117 North Mason Street as a Homeless Shelter.**

The purpose of this item is to suspend certain provisions of the City's Land Use Code to allow the temporary use of 117 North Mason Street as a men's overflow shelter site from November 2022 – April 2023.

Beth Yonce, Social Sustainability Director, stated this temporary shelter would add overnight capacity during the winter months for men in the community experiencing homelessness. She stated the City would lease the property to Fort Collins Rescue Mission which would operate the shelter. She noted the City is providing most of the funding for the operation of the shelter and will be utilizing American Rescue Plan Act funds as well as general fund dollars. Additionally, United Way and the Fort Collins Rescue Mission also provide funding.

Councilmember Ohlson questioned who would be funding the new carpet and third-party security mentioned in the staff report. Yonce replied Fort Collins Rescue Mission will be funding the carpet replacement and the City will be funding the security.

Councilmember Ohlson stated an emergency temporary shelter will also likely be needed next winter and requested earlier planning occur.

Councilmember Gutowsky complimented staff on their work to find a new site given concerns raised about the previous site on Mountain Avenue.

Mayor Arndt concurred with Councilmember Gutowsky and commended staff work to find a new site.

Mayor Pro Tem Francis moved, seconded by Councilmember Gutowsky, to adopt Ordinance No. 113, 2022, on First Reading.

The motion carried 6-0.

Absent: Councilmember Canonico.

- 3. First Reading of Ordinance No. 116, 2022, Amending Chapter 26 of the Code of the City of Fort Collins to Make Various Changes to the Water Supply Requirement for Nonresidential Water Service.**

The purpose of this item is to approve changes to Fort Collins Utilities (Utilities) Water Supply Requirement (WSR) in Chapter 26 of City Code. There were changes to the WSR that went into effect January 1, 2022 through Ordinance No. 119, 2021. However, after administering the WSR

under that ordinance for several months, staff realized a need for further revision. The Ordinance broadened when Utilities nonresidential water customers doing redevelopment must meet WSRs, such that these customers must meet WSRs for almost any redevelopment. This also results in the assignment of an annual allotment and the potential for excess water use surcharges. This has resulted in significant staff time for previously routine matters and impacts to customers that are perceived as unfair. The proposed ordinance would return to the previous, historical requirement, where customers must only meet the WSR for new development and redevelopment that is replacing and existing meter or service with a larger size.

Jason Graham, Director of Water Utilities, stated water supply requirements involve a water-related impact fee that covers the cost of additional demand, including future infrastructure, water rights, and buying into the City's system. He outlined the unexpected challenges for the business community related to water supply requirements that were implemented at the beginning of the year. He stated this ordinance would make changes to the redevelopment section of the water supply requirements to change the trigger from change in use to an increase in existing service or new service.

Public Comment:

Rich Stave stated he was unsure what Graham's presentation meant and questioned how this helps development pay its own way.

Council Questions and Discussion:

Councilmember Ohlson cited examples of small changes made to businesses that did not impact water use but resulted in \$50,000 to \$60,000 in water fees. He questioned why those specific changes were considered to be changes of use. Graham replied the Code change adopted at the beginning of the year considered a change of use to be any type of development review or building permit process. He noted this change would eliminate that going forward.

Councilmember Ohlson asked about the initial intent of that requirement. Graham replied the intent was to assign an allotment and water supply requirement as businesses went through a redevelopment process. He noted there are pre-1984 businesses that do not have a water supply requirement.

Councilmember Ohlson asked staff if they are supportive of this change. Graham replied in the affirmative.

Councilmember Ohlson asked why this issue will require ongoing examination as mentioned by Graham. Graham replied the redevelopment aspect was missed originally and staff needs to do a better job of outreach and stakeholder engagement. He noted redevelopment that triggers the need for new water service or an increase in water supply will still result in businesses making fair share payments.

Councilmember Ohlson asked if the City will be refunding the business owners who paid the extra \$50,000 to \$60,000. Graham replied he believes only one business owner has made that payment and the check will either not be cashed or it will be refunded.

Mayor Pro Tem Francis moved, seconded by Councilmember Peel, to adopt Ordinance No. 116, 2022, on First Reading.

Mayor Arndt thanked staff for highlighting this issue and working quickly to resolve it.

**The motion carried 6-0.
Absent: Councilmember Pignataro.**

D) OTHER BUSINESS

None.

E) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:05 p.m.

Mayor

ATTEST:

City Clerk

DRAFT