Fort Collins City Council Work Session Agenda

Tuesday, November 18, 2025

Starting 15 Minutes after end of Skyview South GID No. 15 Meeting

300 Laporte Avenue, Fort Collins, CO 80521

NOTICE:

Work Sessions of the City Council are generally held on the 2nd and 4th Tuesdays of each month. Meetings are conducted in a hybrid format, however there is no public participation permitted in a work session.

City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

How to view this Meeting:

Meetings are open to the public and can be attended in person by anyone.

Meetings are televised live on Channels 14 & 881 on cable television.

Meetings are livestreamed on the City's website, fcgov.com/fctv.

Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide 48 hours’ advance notice when possible.

A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione 48 horas de aviso previo cuando sea posible.

While work sessions do not include public comment, mail comments about any item on the agenda to cityleaders@fcgov.com

City of Fort Collins

Meeting agendas, minutes, and archived videos are available on the City's meeting portal at https://fortcollins-co.municodemeetings.com/

City Council
Work Session Agenda

November 18, 2025 at 7:00 PM

Jeni Arndt, Mayor
Emily Francis, District 6, Mayor Pro Tem
Susan Gutowsky, District 1
Julie Pignataro, District 2
Tricia Canonico, District 3
Melanie Potyondy, District 4
Kelly Ohlson, District 5

Council Information Center (CIC)
300 Laporte Avenue, Fort Collins

Cablecast on FCTV
Channel 14 on Connexion
Channel 14 and 881 on Comcast

Carrie Daggett City Attorney	Kelly DiMartino City Manager	Delynn Coldiron City Clerk

CITY COUNCIL WORK SESSION
Starting 15 minutes after end of Skyview South General Improvement District No. 15 Meeting.

A) CALL MEETING TO ORDER

B) ITEMS FOR DISCUSSION

1. **Council Vacancy Appointment Process for District 6**

   The purpose of this item is to discuss the process Council would like to use to fill the District 6 vacancy created by Mayor Pro Tem Francis' election as Mayor and for selecting a new Mayor Pro Tem. The proposed timeline will also be discussed.

C) ANNOUNCEMENTS

D) ADJOURNMENT

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File Attachments for Item:

1. Council Vacancy Appointment Process for District 6

The purpose of this item is to discuss the process Council would like to use to fill the District 6 vacancy created by Mayor Pro Tem Francis’ election as Mayor and for selecting a new Mayor Pro Tem. The proposed timeline will also be discussed.

November 18, 2025

WORK SESSION AGENDA ITEM SUMMARY
City Council

STAFF

Delynn Coldiron, City Clerk
Carrie Daggett, City Attorney

SUBJECT FOR DISCUSSION

Council Vacancy Appointment Process for District 6

EXECUTIVE SUMMARY

The purpose of this item is to discuss the process Council would like to use to fill the District 6 vacancy created by Mayor Pro Tem Francis' election as Mayor and for selecting a new Mayor Pro Tem. The proposed timeline will also be discussed.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What feedback do Councilmembers have regarding the process for filling the District 6 vacancy?
2. Do Councilmembers have any concerns with the proposed timeline?
3. What feedback do Councilmembers have about the process and timeline for selecting a new Mayor Pro Tem?

BACKGROUND / DISCUSSION

Council has filled six vacancies since 1992. The process used has differed over time as noted in the more detailed background information shown below. In contrast to most other Council appointment processes, there are some important Charter requirements that govern the process for filling this vacancy. Revised requirements were approved by the voters at the recent November 4 election and provide, in part, that:

a. If a district Councilmember office becomes vacant, the vacancy will be publicly and promptly announced on the City's website; and
b. If a district Councilmember office becomes vacant, Council then has 35 business days to choose a new member; and
c. The office that has been vacated will appear on the next regular municipal election ballot for which the process requirements can be met.

In this case, the date of the vacancy will be January 13, 2026, the day Mayor Pro Tem Francis will be sworn in as Mayor. This gives Council until March 5, 2026 to fill the vacancy since there are two City holidays within that timeframe.

Timeline:

This timeline reflects the goal of having a Councilmember appointed and sworn in prior to the Council retreat proposed to start the weekend of January 23rd. This will ensure participation by all Councilmembers in setting Council priorities for the next two years.

- November 18 Work Session
  - After the November 18 Regular Meeting
  - Discuss process to be used for filling the District 6 vacancy
- December 2, 2025 – Motion directing the City Clerk to advertise for the vacancy
- December 3, 2025 – (or as soon thereafter as possible) begin advertising
- December 16, 2025 – Motion calling a Special Meeting for January 13
- December 31, 2025 –
  - Deadline for applications from interested candidates
  - Candidate information emailed to Council and posted on City webpage
- January 8, 2026 – Candidate information will be included in Thursday agenda packets
- January 13, 2026 Special Meeting –
  - Public comment for outgoing Councilmembers
  - Outgoing Councilmember comments
  - Swearing in and seating of new Councilmembers
  - Consideration of Resolutions for outgoing Councilmembers
  - Public comment on candidates interested in filling the District 6 vacancy
  - **Opportunity for newly seated Council to determine the pool of applicants to be interviewed**
    - **All applicants (Option 1); or**
    - **A reduced number of applicants agreed on by Council (Option 2)**
      - **This would be done through a series of motions and votes.**
  - Opportunity for Council to make any adjustments, if needed, to the process being used to fill the District 6 vacancy
  - Set date for Special Meeting to conduct interviews
    - Motion to call the Special Meeting
  - Reception
- January 14-17, 2026 (need to choose a date during the January 13 Special Meeting)
  - Conduct applicant interviews
- January 20, 2026 – Regular Meeting
  - Selection process and consideration of a Resolution making an appointment
  - Swear in new Councilmember
- January 24 and 31, 2026
  - Possible Council Retreat dates

There are multiple processes Council can follow to identify the desired applicant to fill a vacancy. The following options have been prepared for your consideration based on previous processes:

Options for Interviewing:

- Setting
  - Informal work session setting,
  - Formal Council Chambers setting, or
  - Remote Zoom meeting.
- Questions
  - One question from the Mayor and a question from two other Councilmembers (or the number agreed to by Council); plus follow up questions based on the information provided, or
  - One question from each Councilmember; plus follow up questions based on the information provided, or
  - Another option defined by Council.
- Sequestering
  - All applicants participate; no sequestering, or
  - Applicants are sequestered and Council interviews one at a time.
- Timing
  - On a different day than the resolution making the appointment is considered, or
  - On the same day that the resolution making the appointment is considered.

Options for Selection:

- Public Comment
  - At the beginning of the item, or
  - After each specific motion identifying a potential appointee, or
  - Both at the beginning of the item and after each specific motion identifying a potential appointee, or
  - Another option defined by Council.
- Finalists
  - All applicants, or
  - 5 or fewer candidates based on a Councilmember vote, or
  - Another option defined by Council.
- Voting to narrow the field of finalists
  - By raising hands, or
  - By written ballot (collected and read by the City Clerk).
  - Note: A roll call vote would be required in a remote meeting.

- Tiebreakers to narrow the field of finalists
  - Councilmember discussion followed by agreed-upon method of voting, or
  - Another option defined by Council.

Once the field of finalists has been narrowed (if desired by Council), the process will move to Councilmember discussion and motions. The oath of office for the chosen candidate could be administered the same evening as the selection or could be administered at the following Tuesday's meeting; either at a regular or adjourned meeting.

The following is more detail from the earlier processes used since 2002 to fill various vacancies:

1. The most recent process was used to fill the District 4 vacancy that opened in **2021** due to the election of Councilmember Kristin Stephens to the Larimer County Commissioner position. The process used at that time included:
   a. Advertising (open for 17 days – December 2-December 18)
      i. 8 applications received
   b. Interviews – 8 applicants on January 6.
   c. Council consideration of a Resolution (2021-007) at a special meeting held on January 12, 2021 to make the appointment.

   The process followed for interviews included:
   a. All applicants interviewed one at a time
   b. 12 minutes per interview + time for Council follow-up:
      i. Description of the process given by the Mayor (3 minutes)
      ii. Opening statement based on direction from the Mayor (1.5 minutes for each candidate)
      iii. Pre-defined question from the Mayor (2 minutes for each candidate)
      iv. Pre-defined question from a Councilmember (2 minutes for each candidate)
      v. Pre-defined question from a Councilmember (2 minutes for each candidate)
      vi. Closing statement (1.5 minutes for each candidate)
      vii. Follow-up questions from Councilmembers and brief discussion (30 minutes total across all interviews)

   Candidates were not sequestered and were interviewed based on a random selection done by staff in the City Clerk's Office prior to the meeting.

   The process followed for selection included:
   a. Public comment
   b. Motions nominating various candidates
   c. Votes (roll calls)
   d. Motion to adopt Resolution adding nominated individual's name
   e. Vote (roll call)

   The appointment was valid from January 12, 2021 through the time a successor took office at the April 2021 election. Minutes from the January 12, 2021 meeting are attached (Attachment 1). Resolution 2020-113 establishing the selection and appointment process is also attached (Attachment 2).

2. A District 1 vacancy opened in **2019** due to the election of Councilmember Bob Overbeck to the Larimer County Assessor position. The process used at that time included:
   a. Advertising – open for 15 days (December 12 – December 26)
      i. 9 applications were received.
   b. Interviews – 9 applicants on January 2 at a work session following the regular meeting.
      i. 8 applicants attended; 1 applicant withdrew.
   c. Council consideration of Resolution (2019-014) at a regular meeting held on January 15, 2019.
   d. Oath of office administered at an adjourned meeting held on January 22, 2019.

   The process followed for interviews included:
   a. All applicants interviewed one at a time.
   b. 20 minutes per interview.
      i. Opening question (Mayor) – 1-2 minutes.
      ii. Council questions – 16-18 minutes.
         1. One question per Councilmember (more if time allows).
         2. Should be a follow-up or a clarification of information provided in the application.
   c. Closing statement (Applicant) – 1-2 minutes.

   Candidates were not sequestered and were interviewed based on a random selection done by staff in the City Clerk's Office prior to the meeting.

   The process followed for selection included:
   a. Public comment.
   b. Motions nominating various candidates.
   c. Votes (roll calls).
   d. Motion to adopt Resolution adding nominated individual's name.
   e. Vote (roll call).

   The appointment was valid from January 15, 2019 through the time successors took office after the April 2, 2019 election. Councilmember Gutowsky was elected to fill the remainder of the unexpired term. Minutes from the January 15 meeting are attached (Attachment 3). Resolution 2018-129 establishing the section and appointment process is also attached (Attachment 4).

3. A District 6 vacancy opened in **2002** due to the resignation of Councilmember Chuck Wanner. The process used at that time included:
   a. Advertising – open for 23 days (May 9 – May 31)
      i. 10 applications were received.
   b. Interviews - 10 applicants at an adjourned meeting held on June 11, 2002.
   c. Council consideration of a Resolution (2002-063) at the June 11 meeting to make the appointment.

   The process followed at the meeting included:

      a. Two-minute introductory statements by applicants.
   b. Public comment.

c. Written ballot to select five candidates; results announced.
d. Second written ballot done as a tie breaker for applicants who had received 3 votes; results announced.
e. Third written ballot done as a tie breaker for applicants who had received 3 votes; results announced.
f. Six applicants identified to move on to interviews.
g. Interviews conducted.
   i. Applicants were sequestered when not being interviewed.
   ii. Applicants were asked to provide responses to six questions (1 question submitted by each Councilmember); responses limited to 1 minute per question.
h. Motions to appoint various candidates; all failed.
i. Written ballot done to reduce the field to 2 candidates; results announced.
j. Councilmember discussion on the strengths of the remaining applicants.
k. 2-minute statements made by remaining applicants.
l. Motion to reduce the candidates to two; David Edwards and David Roy.
m. Motion to appoint David Roy; Resolution adopted.

The appointment was valid from June 11, 2002 through the time successors took office after the April 3, 2003 election. Councilmember Roy was elected to fill a new four-year term. Minutes from the June 11, 2002 meeting are attached (Attachment 5).

Application Materials:

Attached are application materials (Attachments 6 and 7) staff proposes using for this process. Council comments/suggestions are welcome.

Mayor Pro Tem Selection:

The City Charter requires the Council to elect a Mayor Pro Tem from among the members of the Council to act as Mayor during the absence or disability of the Mayor. Since Mayor Pro Tem Francis will be assuming her new role as Mayor, the Council will need to elect a new Mayor Pro Tem.

It is advisable that at the first regular or special meeting after the District 6 vacancy exists, Council elect its new Mayor Pro Tem.

In the past, this has been done by Councilmembers indicating their interest in the position, followed by nominating motion(s) and vote(s). The individual selected as the next Mayor Pro Tem will act in this capacity until the new Mayor Pro Tem is voted in after the November 2027 election.

NEXT STEPS

Adoption of a Resolution outlining Council's desired process to fill the District 6 vacancy and approval of a motion directing the City Clerk to start collecting applications at the December 2, 2025 Regular Meeting.

ATTACHMENTS

1. Council Meeting Minutes, January 12, 2021
2. Resolution 2020-113
3. Council Meeting Minutes, January 15, 2019
4. Resolution 2018-129
5. Council Meeting Minutes, June 11, 2002
6. Application
7. District 6 Map
8. Presentation

January 12, 2021

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Special Meeting – 6:00 PM

(Secretary's Note: Due to the COVID-19 crisis and state and local orders to remain safer at home and not gather, all Councilmembers, staff, and citizens attended the meeting remotely, via teleconference.)

- **CALL TO ORDER**

City Manager Atteberry stated there were no changes to the published agenda.

Mayor Troxell outlined the public participation options.

- **ROLL CALL**

PRESENT: Pignataro, Gorgol, Gutowsky, Summers, Troxell, Cunniff
STAFF: Atteberry, Daggett, Coldiron

- **DISCUSSION ITEMS**

1. **Items Relating to a Small Business Relief Program to be Administered and Distributed by the City's Economic Health Office in Cooperation with Larimer County. (Adopted on First Reading)**

A. *Resolution 2021-006, Authorizing an Intergovernmental Agreement Between the City and Larimer County for Funding and Administration of a Small Business Relief Program.*

B. *First Reading of Ordinance No. 017, 2021, Appropriating Unanticipated Revenue in the General Fund for a Small Business Relief Program to be Administered and Distributed by the Economic Health Office.*

The purpose of this item is for Council to consider an ordinance appropriating unanticipated revenue to operate a Small Business Relief program and a resolution authorizing a related agreement describing the administration and distribution of the funds with Larimer County. The Colorado legislature, in special session in December, passed Senate Bill 20B-001 (SB20B-001) setting aside over $37 million for direct relief payments to small businesses located in eligible Counties, which businesses include restaurants, bars, movie theaters, and fitness and recreational sports centers.

Josh Birks, Economic Health and Redevelopment Director, stated this item involves two actions that would enable a new business support program. The first action would consider a resolution authorizing an intergovernmental agreement between the City and Larimer County for funding and administration of the new Small Business Relief Program. The second action would consider First Reading of an Ordinance appropriating unanticipated revenue into the General Fund to fund the Program and have the Economic Health Office manage the distribution and administration of the Program.

Birks discussed the State Statute that outlines the specific industries eligible for assistance under this Program. He noted Larimer County is in the queue to receive its allocation on January 15 and the cities of Fort Collins, Loveland, and Estes Park will be hub partners charged with distribution to businesses in all areas of the County. He discussed the application process and eligibility requirements for businesses and stated there are three tiers of assistance. Birks noted the hubs will meet on January 29 to finalize the number of eligible businesses and determine payment amount by tier. All funds must be distributed by February 12 per state statute.

Councilmember Pignataro noted the application period has already started and asked about outreach to businesses. Birks replied the outreach is similar to that undertaken for the Small Business Assistance Program and includes social media, print ads, and reliance on partners such as the Chamber of Commerce and other business and merchant associations.

Councilmember Gutowsky asked if there is a maximum number of applications that can be received and how each application will be vetted. Birks replied there is not a maximum number of applications, though there are only so many businesses in the county with a revenue of less than $2.5 million, which is the maximum for this Program. He outlined the planned process for completing the eligibility analysis, meeting with the other hub partners to determine how many businesses across the County have been certified by tier, and then completing the math to determine each allocation. He stated the hubs have agreed to prefer to maximize assistance to smaller businesses.

Councilmember Gorgol commended door-to-door efforts for contacting businesses. She asked if staff would provide assistance to businesses with the application and proof of income loss process noting the tight timeline. Birks replied a template to prove income loss has been provided in the application and members of the Economic Health team are available to provide technical assistance. He stated opening the application process on January 6 was done to give businesses ample time to apply and outreach is occurring for incomplete applications.

Mayor Pro Tem Cunniff made a motion, seconded by Councilmember Pignataro, to adopt Resolution 2021-006.

Mayor Troxell stated this is a good news item and thanked Birks and the Economic Health Office for their work and proactive approach.

Mayor Pro Tem Cunniff agreed this is a good news item and thanked Larimer County for leading the effort.

RESULT:	**RESOLUTION 2021-006 ADOPTED ON FIRST READING [UNANIMOUS]**
MOVER:	Ross Cunniff, District 5
SECONDER:	Susan Gutowsky, District 1
AYES:	Pignataro, Gorgol, Gutowsky, Summers, Troxell, Cunniff

Mayor Pro Tem Cunniff made a motion, seconded by Councilmember Gutowsky, to adopt Ordinance No. 017, 2021, on First Reading.

RESULT:	**ORDINANCE NO. 017, 2021 ADOPTED ON FIRST READING [UNANIMOUS]**
MOVER:	Ross Cunniff, District 5
SECONDER:	Susan Gutowsky, District 1
AYES:	Pignataro, Gorgol, Gutowsky, Summers, Troxell, Cunniff

2. **Resolution 2021-007 Making an Appointment to Fill a Vacancy for Councilmember for District 4 on the Fort Collins Council. (Adopted)**

The purpose of this item is for Council to make an appointment to fill the vacant District 4 Council seat. Mayor Pro Tem Kristin Stephens tendered her resignation from the Council effective December 31, 2020, as a result of her recent election to the office of Larimer County Commissioner.

City Clerk Coldiron stated tonight's meeting allows for public comment on the applicants, for applicants to address Council, and for Council to make its selection for an individual to fill the vacant District 4 Council seat. She noted the read-before packet contained over 100 emails supporting various candidates and she stated three emails were received after the packet went out, all in support of Dr. Melanie Potyondy.

Deagan Bartels endorsed Jessica Dyrdahl for the vacant Council seat.

Anya Blank endorsed Dr. Melanie Potyondy for the vacant Council seat.

Paula Cole endorsed Erin Hottenstein for the vacant Council seat.

Dustin Noden endorsed Dr. Melanie Potyondy for the vacant Council seat.

Ben Randall endorsed Jessica Dyrdahl for the vacant Council seat.

Tara Gross endorsed Dr. Melanie Potyondy for the vacant Council seat.

Helen Castro endorsed Jessica Dyrdahl for the vacant Council seat.

Sally Harris endorsed Erin Hottenstein for the vacant Council seat.

Kris Odenbaugh endorsed Dr. Melanie Potyondy for the vacant Council seat.

Dr. Melanie Potyondy thanked Councilmembers for the time they have devoted to the Council vacancy process and thanked City Clerk Coldiron and Chief Deputy City Clerk Knoll for their patience and assistance in the process.

Dana Winkelman endorsed Dr. Melanie Potyondy for the vacant Council seat.

Patty Mogorit endorsed Dr. Melanie Potyondy for the vacant Council seat.

Karen Artell endorsed Dr. Melanie Potyondy for the vacant Council seat.

Christian Dickson endorsed Jessica Dyrdahl for the vacant Council seat.

Sidna Rachid stated she would be the best choice to fill the vacant Council seat due to her accounting and budgeting background.

Greg Thomas thanked Council for their hard work and endorsed Dr. Melanie Potyondy for the vacant Council seat.

Georgiana Jones endorsed Dr. Melanie Potyondy for the vacant Council seat.

Alison Coatman endorsed Dr. Melanie Potyondy for the vacant Council seat.

Don Heyse endorsed Dr. Melanie Potyondy for the vacant Council seat.

Midora Hisby endorsed Dr. Melanie Potyondy for the vacant Council seat.

Alex Blank endorsed Dr. Melanie Potyondy for the vacant Council seat.

Kira Beckham endorsed Dr. Melanie Potyondy for the vacant Council seat.

Ali Razza endorsed Jessica Dyrdahl for the vacant Council seat.

Donna Boudreaux endorsed Dr. Melanie Potyondy for the vacant Council seat.

Ken Forsythe endorsed Dr. Melanie Potyondy for the vacant Council seat.

Shirley Peel thanked Council for its commitment to the process of filling the vacant seat.

Phil Jensen stated he is a candidate and thanked Council for its work on this process; he endorsed Dr. Melanie Potyondy for the vacant Council seat.

Veronica Olivas thanked Council for the time and consideration put toward this effort and stated she would like to serve on Council.

William Wright thanked Council for the opportunity to be a candidate and commended the way the interviews were handled.

Erin Hottenstein thanked Council for the thoroughness of the process and stated she is looking forward to the opportunity to serve on Council.

Jessica Dyrdahl thanked Council for the process and for its support of the Small Business Relief Program.

Mayor Pro Tem Cunniff thanked the applicants and commended their spirit of public service.

Mayor Troxell concurred and noted the requirement of selecting only one does not diminish the qualifications of the others.

Councilmember Summers expressed appreciation for the interest of the candidates and spoke in favor of appointing Erin Hottenstein. He also noted speaking in favor of one candidate does not mean the others are not qualified.

Mayor Pro Tem Cunniff stated Dr. Melanie Potyondy is at the top of his list for the appointment due to her comments on environmental sustainability. He also noted voters in District 4 will be able to make their own selection in April.

Councilmember Pignataro thanked the candidates and expressed support for the candidates who reached out individually to the current Councilmembers and for those whose priorities most align with those of former Mayor Pro Tem Stephens.

Councilmember Gutowsky expressed support for Dr. Melanie Potyondy citing her support of education issues and advocacy at the state level.

Councilmember Gorgol thanked the citizens for their engagement in this process and thanked the candidates for their effort.

Councilmember Gorgol made a motion, seconded by Councilmember Gutowsky, to adopt Resolution 2021-007.

Mayor Troxell commended the candidates and added the names of Jessica Dyrdahl and Shirley Peel to the general discussion already including Erin Hottenstein and Dr. Melanie Potyondy.

Councilmember Gorgol made a motion, seconded by Councilmember Gutowsky, to amend the motion placing the name of Dr. Melanie Potyondy in the Resolution.

Mayor Pro Tem Cunniff stated he would support the motion.

Councilmember Pignataro stated she would support the motion but noted that does not diminish the qualifications of the other candidates.

Councilmember Gutowsky stated she would support the motion as well and commented on her short list being created based on those who contacted her individually.

Councilmember Summers commented on the various qualifications and commitment of the candidates.

Mayor Troxell thanked the candidates, particularly those who reached out individually. He noted, in full disclosure, that Dr. Melanie Potyondy's husband is employed by the City Attorney's Office and appropriate conflict of interest regulations would be followed if she is appointed.

Councilmember Summers congratulated Dr. Melanie Potyondy and stated his vote should not be perceived as being against her but rather as an indication of how difficult this decision has been.

Mayor Troxell noted the oath of office will be given at the January 19 meeting.

RESULT:	**RESOLUTION 2021-007 ADOPTED [UNANIMOUS]**
MOVER:	Emily Gorgol, District 6
SECONDER:	Susan Gutowsky, District 1
AYES:	Pignataro, Gorgol, Gutowsky, Summers, Troxell, Cunniff
ABSENT:	Stephens

- **ADJOURNMENT**

The meeting adjourned at 7:31 PM.

Mayor

ATTEST:

City Clerk

RESOLUTION 2020-113
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ESTABLISHING A PROCESS FOR CITY COUNCIL
SELECTION AND APPOINTMENT OF A DISTRICT 4 COUNCILMEMBER
TO FILL A VACANCY DUE TO THE RESIGNATION OF
MAYOR PRO TEM KRISTIN STEPHENS

WHEREAS, at the November 3, 2020, general election, Mayor Pro Tem Kristin Stephens, the Councilmember representing Council District 4, was elected to the Board of County Commissioners of Larimer County; and

WHEREAS, on November 24, 2020, Mayor Pro Tem Stephens noted she would be submitting her resignation from the City Council, effective December 31, 2020, in order to assume her new elective office; and

WHEREAS, Section 18 of Article II of the Charter of the City of Fort Collins provides for the appointment by the City Council to fill a vacancy on Council, to serve until the next regular election; and

WHEREAS, in the interest of timely carrying out its duty to so appoint a District 4 Councilmember in an efficient, fair and effective manner, the City Council at its Work Session on November 24, 2020, and in connection with this Resolution has considered various options and schedules for proceeding; and

WHEREAS, in light of those discussions, the City Council desires to proceed with the selection and appointment process as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the selection and appointment process to fill the impending District 4 Council vacancy shall be as follows:

Section 1. Public information and application process:

A. The City Clerk will post and distribute to various media information regarding the vacancy and the application process, beginning on Wednesday, December 2, 2020.

B. The form of application includes a notarized affidavit and financial disclosure statement. Per City Charter, applicants must meet the following qualifications:

1. United States citizen;
2. Registered voter in the city for one year immediately prior to the appointment;
3. At least 21 years of age;
4. Resident of Council District 4; and
5. Never convicted of a felony.

C. Applications may be emailed to the City Clerk's Office at cityclerk@fcgov.com, hand-delivered to the City Clerk's Office, 300 LaPorte Avenue, or mailed to the City Clerk's Office at PO Box 580, Fort Collins, CO 80522, and must be received by the City Clerk by 5:00 p.m. on Friday, December 18, 2020, in order to be considered.

D. All application materials will be posted for public review in advance of an expected adjourned meeting on December 22, 2020, and then will be available to the public and City Council for subsequent steps in the selection process.

E. Upon the closure of the application period, staff will confer with the Mayor to determine, based on the number of applicants, whether:

1. to include on the agenda for the expected December 22, 2020, adjourned meeting a Council vote to determine the pool of applicants to be interviewed, or, alternatively,

2. to include on the agenda of the special meeting planned for January 6, 2021, a Council vote on the finalists to be considered at the January 12, 2021, adjourned meeting.

Section 2. Initial interview process:

A. The Council will conduct initial interviews with all applicants at a special meeting to be conducted using remote (Zoom) technology to be scheduled for January 6, 2021, at 6:00 pm. As noted above, in the event that the number of applications received makes interviewing all applicants impracticable, Council may consider determining which applicants Council will interview prior to the conduct of the interviews at the January 6, 2021, special meeting.

B. Each applicant will have a time-limited opportunity to provide an opening statement in random order determined by the City Clerk. Applicants will not be sequestered or required to leave the room during questioning of other applicants.

C. Questioning of all applicants will proceed, beginning with the Mayor asking a question for each applicant to answer in turn, and then continuing with each successive Councilmember asking a question for each of the applicants to answer. There will be an opportunity for follow up or clarifying questions from Councilmembers after all applicants have responded to each question. The order of responding to each question will rotate among the applicants.

D. After the completion of Councilmember questions, each applicant will have a time-limited opportunity to provide a closing statement.

E. If a large number of applicants is interviewed, Council may choose to vote to narrow the field to a number of finalists. Otherwise, Council will make no decisions at its special meeting regarding the applicants moving forward to the next step of the process.

Section 3. Input and Selection Process:

A. Members of the public will be invited to provide comments to the City Council at any time at CityLeaders@fcgov.com <mailto:CityLeaders@fcgov.com> or in care of the City Clerk at the address above, regarding the applicants and the Council's selection of an appointee.

B. Council will take action to select an appointee at a planned adjourned meeting on Tuesday, January 12, 2021. The public will have an opportunity to comment at the beginning of the discussion, as on all discussion items, with the time limit for comment set by the Mayor based on the number of speakers.

C. After completion of public comment, Council will discuss the applicants.

D. The City Clerk will provide a resolution with a blank for the name of the appointee as part of the Council's agenda materials. After discussing the applicants, Council will then by motion propose appointees until the resolution with a named appointee receives a majority vote.

Section 4. Swearing In of Appointee:

A. Legal swearing in of the appointed Councilmember may take place in the office of the City Clerk at a mutually convenient time after the January 12, 2021, appointment.

B. Ceremonial swearing in of the appointed Councilmember will take place at the Regular Council meeting on Tuesday, January 19, 2021.

Section 5. Council may make modifications to the procedures or schedule set forth above as it determines appropriate in light of the circumstances of the process as it proceeds.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 1st day of December, A.D. 2020.

Mayor

ATTEST:

City Clerk

CITY OF FORT COLLINS
SEAL
COLORADO

January 15, 2019

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

- **ROLL CALL**

PRESENT: Martinez, Stephens, Summers, Troxell, Cunniff, Horak
Staff Present: Atteberry, Daggett, Coldiron

- **AGENDA REVIEW: CITY MANAGER**

City Manager Atteberry stated Item No. 5, *First Reading of Ordinance No. 004, 2019, Authorizing the Conveyance of a Transmission Line Easement on City Property at Meadow Springs Ranch to Roundhouse Renewable Energy, LLC*, has been moved from the Consent Agenda to the Discussion Agenda and Item No. 22, *Resolution 2019-015 Approving a Respectful Workplace Policy for the Council and Council Appointees*, has been postponed to February 5.

- **PUBLIC COMMENT**

Fred Kirsch, District 6 Council candidate, discussed City election voter turnout and announced an event at The Artery called "Bands and Ballots" designed to be an open house where citizens can meet with candidates.

Adam Eggleston, District 2 Council candidate, suggested Council examine the desires of the community before placing a ban on outdoor fire pits, encouraged Council to look at the data from the U+2 survey prior to next week's work session, and discussed the Keep Fort Collins Great tax extension.

Hunter Buffington, Fort Collins Sustainability Group, supported adoption of the wasteshed plan stating it will help the City reach its no-waste goal by 2030.

- **PUBLIC COMMENT FOLLOW-UP**

Mayor Troxell summarized the citizen comments.

Mayor Pro Tem Horak noted the election with record high voter turnout mentioned by Mr. Kirsch had 17 candidates, a moderate growth ordinance, and decriminalization of marijuana on the ballot which likely led to the higher voter turnout. He also noted the City does not get involved in hosting candidate forums or events.

- **CONSENT CALENDAR**

Mayor Troxell withdrew Item No. 10, *Public Hearing and First Reading of Ordinance No. 009, 2019, Annexing the Property Known as the Strauss Cabin Enclave Annexation to the City of Fort Collins, Colorado*, from the Consent Agenda.

Mayor Troxell closed the public hearings for Item Nos. 6, *Public Hearing and First Reading of Ordinance No. 005, 2019, Annexing the Property Known as the Friendly Fire Enclave Annexation* *to the City of Fort Collins, Colorado*, 7, *First Reading of Ordinance No. 006, 2019, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Friendly Fire Enclave Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map*, 8, *Public Hearing and First Reading of Ordinance No. 007, 2019, Annexing the Property Known as the Kechter Enclave Annexation to the City of Fort Collins, Colorado*, 9, *First Reading of Ordinance No. 008, 2019, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Kechter Enclave Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map*, 11, *Items Relating to the Zoning of the Strauss Cabin Enclave Annexation*, 12, *Public Hearing and First Reading of Ordinance No. 011, 2019, Annexing the Property Known as the Trilby Substation Enclave Annexation to the City of Fort Collins, Colorado*, and 13, *First Reading of Ordinance No. 012, 2019, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Trilby Substation Enclave Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map.*

Mayor Pro Tem Horak made a motion, seconded by Councilmember Stephens, to adopt and approve all items not withdrawn from the Consent Agenda.

RESULT:	**CONSENT AGENDA ADOPTED [UNANIMOUS]**
MOVER:	Gerry Horak, District 6
SECONDER:	Kristin Stephens, District 4
AYES:	Martinez, Stephens, Summers, Troxell, Cunniff, Horak

1. **Consideration of the Minutes From the December 4, 2018, December 18, 2018 and January 2, 2019, Regular Council Meetings and the November 27, 2018 and January 8, 2019, Adjourned Council Meetings. (Adopted)**

   The purpose of this item is to approve the minutes from the December 4, 2018, December 18, 2018 and January 2, 2019, Regular Council meetings and the November 28, 2018 and January 8, 2019 Adjourned Council meetings.

2. **Second Reading of Ordinance No. 001, 2019, Appropriating Unanticipated Revenue in the Capital Project Fund and Appropriating Prior Year Reserves in the General Fund and Authorizing the Transfer of Appropriations from the General Fund to the Capital Project Fund Gardens on Spring Creek Visitors Center Project and Transferring Appropriations from the Capital Project Fund Gardens on Spring Creek Visitors Center Project to the Cultural Services and Facilities Fund for the Art in Public Places Program. (Adopted)**

   This Ordinance, unanimously adopted on First Reading on January 2, 2019, appropriates revenues raised by the Gardens on Spring Creek and Friends of the Gardens and Gardens Reserves for completion of the Visitor's Center.

3. **First Reading of Ordinance No. 002, 2019, Appropriating Unanticipated Grant Revenue in the General Fund for the Fort Collins Police Services Victim Services Unit. (Adopted)**

   The purpose of this item is to fund the Victim Services Unit of Fort Collins Police Services for victim advocacy services under the Colorado Victim Rights Amendment for victims of crime and their family members. The Fort Collins Police Services Victim Services Unit has been awarded a 12-month grant in the amount of $27,000 for the period from January 1, 2019 to December 31, 2019, by the Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Board to help fund services provided by this team. These funds will be used for the salary for the part-time victim advocate who provides crisis intervention services during weekday hours and is housed in the Victim Services office.

4. **First Reading of Ordinance No. 003, 2019, Appropriating Unanticipated Grant Revenue in the General Fund for the Purchase of New Recycling Equipment at the Timberline Recycling Center. (Adopted)**

The purpose of this item is to appropriate grant funds to purchase a new cardboard compactor unit for the City's public drop-off site, Timberline Recycling Center (TRC), as well as a new cover for an existing baler to protect it from weather conditions.

No matching funds are required to use $23,689 in funds awarded by Colorado Department of Public Health and the Environment from the Resource Recovery & Economic Opportunity (RREO) Grant. The City will buy two new pieces of equipment to improve the operational efficiency of the TRC; $20,729 will replace an aging compactor used for cardboard recycling; $2,960 will purchase a cover for an existing cardboard baler, providing greater protection from snow/rain.

5. **Public Hearing and First Reading of Ordinance No. 005, 2019, Annexing the Property Known as the Friendly Fire Enclave Annexation to the City of Fort Collins, Colorado. (Adopted)**

The purpose of this item is to annex a 3 parcel, 2.057 acre enclave located in northwest Fort Collins. The Initiating Resolution 2018-111 was adopted November 20, 2018. The property abuts Laporte Avenue to the south and is situated between Grandview Avenue and North Bryan Avenue. The enclave consists of a combination of a residential and commercial uses.

6. **First Reading of Ordinance No. 006, 2019, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Friendly Fire Enclave Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map. (Adopted)**

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 2018-034.

The purpose of this item is to zone the property included in the Friendly Fire Enclave Annexation into the Limited Commercial (C-L) zone district and Neighborhood Sign District.

7. **Public Hearing and First Reading of Ordinance No. 007, 2019, Annexing the Property Known as the Kechter Enclave Annexation to the City of Fort Collins, Colorado. (Adopted)**

The purpose of this item is to annex an enclave of approximately 8.4 acres of land in southeast Fort Collins. The Initiating Resolution 2018-109 was adopted on consent, November 20, 2018. The property abuts Ziegler Road to the east and is situated between Trilby Road and the Fossil Creek Reservoir. The parcel contains a single-family residence with several agricultural related outbuildings.

8. **First Reading of Ordinance No. 008, 2019, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Kechter Enclave Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map. (Adopted)**

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 2018-034.

The purpose of this item is to zone the property included in the Kechter Enclave Annexation into the Low Density Mixed-Use Neighborhood (L-M-N) zone district and Neighborhood Sign District.

9. **Items Relating to the Zoning of the Strauss Cabin Enclave Annexation. (Adopted)**

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 2018-034.

A. Resolution 2019-007 Amending the City's Structure Plan Map.

B. First Reading of Ordinance No. 010, 2019, Amending the Zoning Map of the City of Fort Collins and Classifying For Zoning Purposes the Property Included in the Strauss Cabin Enclave Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map.

The purpose of this item is to amend the Structure Plan and zone the property included in the Strauss Cabin Enclave Annexation into the Urban Estate (U-E) zone district and Residential Neighborhood Sign District.

10. **Public Hearing and First Reading of Ordinance No. 011, 2019, Annexing the Property Known as the Trilby Substation Enclave Annexation to the City of Fort Collins, Colorado. (Adopted)**

The purpose of this item is to annex an enclave of approximately 1.8 acres of land in southwest Fort Collins. The Initiating Resolution 2018-108 was adopted on consent, November 20, 2018. The property is situated 300 feet southeast of the South Shields Street and West Trilby Road intersection. The single-parcel enclave consists of a Poudre Valley Rural Electric Association electric substation and is surrounded by City of Fort Collins Hazaleus and Colina Mariposa Natural Areas.

11. **First Reading of Ordinance No. 012, 2019, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Trilby Substation Enclave Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map. (Adopted)**

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 2018-034.

The purpose of this item is to zone the property included in the Trilby Substation Enclave Annexation into the Public Open Lands (P-O-L) zone district and Residential Neighborhood Sign District.

12. **Resolution 2019-008 Authorizing the City Manager to Execute an Agreement Regarding Use of Water Available Under 2.25 of the City's Shares of the Water Supply and Storage Company for a Three-Year Term and Ten Potential One-Year Renewals. (Adopted)**

The purpose of this item is to approve a resolution to authorize Park Planning and Development Department ("Park Planning") to enter into a long-term agreement to allow an agricultural water user to use certain City owned irrigation water rights. Park Planning recently purchased 2.5 shares of the Water Supply and Storage Company ("New WSSC Shares") as a source of irrigation water for several existing and planned parks in northeast Fort Collins. Several of the parks are in the developmental stage and do not currently require water deliveries under the shares. While those parks are being developed, Park Planning desires to enter into an agreement to allow for the use of 2.25 of the New WSSC Shares by an agricultural water user as a source of revenue and to ensure that all the New WSSC Shares continue to be used, which preserves their value. (The other 0.25 share of the New WSSC Shares would be used to irrigate existing parks, including the recently completed Crescent Park in the Maple Hill Subdivision.) The agreement would be for three irrigation seasons, with options for additional one-year periods.

13. **Resolution 2019-009 Authorizing the Execution of an Intergovernmental Agreement Between the City and the Colorado Department of Transportation for Transfort FLEX Service. (Adopted)**

    The purpose of this item is to authorize Transfort to enter into an Intergovernmental Agreement with the Colorado Department of Transportation (CDOT). This agreement will result in the receipt of $200,000 in grant funds through the Statewide Competitive Pool of the FASTER (Funding Advancement for Surface Transportation and Economic Recovery Act of 2009) Transit program for fiscal year (FY) 2019. The City of Fort Collins, Transfort will be required to match the $200,000 in grant funds with a $200,000 local match. Both the grant and local match were appropriated through the 2019/2020 Budgeting for Outcomes cycle and are accounted for in the approved 2019 Transfort budget.

14. **Resolution 2019-010 Supporting the Larimer County Solid Waste Infrastructure Master Plan. (Adopted)**

    The purpose of this item is to formally support the new Larimer County Solid Waste Infrastructure Master Plan (the "Master Plan"). Council requested that this item be included at its regular meeting on January 15, 2019. Adopting this Resolution supporting the Master Plan establishes the Council's support for the next steps laid out in the plan as discussed at three Council work sessions in 2018.

15. **Resolution 2019-011 Making Appointments to Various Boards, Commissions, and Committee of the City of Fort Collins. (Adopted)**

    The purpose of this item is to appoint individuals to fill vacancies that currently exist on various City boards, commissions, and committees due to resignations of board members and vacancies created upon expiration of terms of members. Applications were solicited during the fall into January. Council teams interviewed applicants in January. This Resolution appoints individuals to fill current vacancies and expiring terms. Staff continues to seek applicants for the Building Review Board and the Parking Advisory Board.

16. **Resolution 2019-012 Ratifying the Reappointment of Matt Schild and Becki Schulz to the Poudre River Public Library District Board of Trustees. (Adopted)**

    The purpose of this item is to ratify the reappointment of Matt Schild and Becki Schulz (nee Hartshorn) to the Poudre River Public Library District Board of Trustees. Mr. Schild was appointed to the Board through Resolution 2017-105 on November 21, 2017, to begin immediately and to expire on February 28, 2019, completing the term left vacant by the resignation of Linda Gabel. Ms. Schulz was appointed to the Board through Resolution 2015-029 on March 3, 2015, to begin immediately and to expire on February 28, 2019.

17. **Resolution 2019-013 Making a Reappointment to the Northern Colorado Regional Airport Commission. (Adopted)**

    The purpose of this item is to reappoint Jerry Stooksbury to the Northern Colorado Regional Airport Commission for the remainder of his current term.

- **END CONSENT**

- **CONSENT CALENDAR FOLLOW-UP**

Councilmember Cunniff thanked Ms. Buffington for highlighting the solid waste master plan and stated it is a positive step toward meeting goals.

- **STAFF REPORTS**

Travis Storin, Accounting Director, stated this item will better leverage technology to improve the City's results and enhance service delivery of consistent, predictable, and efficient payments to City vendors and suppliers. He discussed the City's procurement process and detailed the need for this improvement.

Rachel Springlob, Payroll and Payables Manager, discussed the software selection.

Mayor Pro Tem Horak asked if the City makes interest payments if payments are delayed. Storin replied the City states its payment terms are 30 days; however, there is no policy related to renumeration if that threshold is unable to be met. Some vendors do, however, implement interest charges if the City is unable to meet its commitments.

Councilmember Cunniff thanked staff for their work and asked if ensuring all invoices are properly processed will be part of the upcoming audit. Storin replied the system automatically places payments at 30 days.

Mayor Pro Tem Horak asked if analysis on the invoice amount versus the amount of time it takes to pay the invoice has occurred. Storin replied that would be beneficial analysis.

Mayor Troxell thanked staff for their work and requested an analysis of invoices paid versus the durability of the vendor.

- **COUNCILMEMBER REPORTS**

Councilmember Cunniff announced the Poudre Pour event, a fundraiser for the Poudre Heritage Alliance.

Councilmember Stephens reported on the first meeting of the Behavioral Health Policy Council. She noted there will be members of the public appointed to the Council as well as a 25-member technical advisory board.

Councilmember Martinez reported on the Leadership Fort Collins panel discussion.

Mayor Troxell reported on the opening of two redesigned City alleys, the West Mountain Alley and Firehouse East Alley.

- **CONSIDERATION OF COUNCIL-PULLED CONSENT ITEMS**

18. **Public Hearing and First Reading of Ordinance No. 009, 2019, Annexing the Property Known as the Strauss Cabin Enclave Annexation to the City of Fort Collins, Colorado. (Adopted on First Reading)**

    The purpose of this item is to annex an enclave of approximately 35.036 acres located in southeast Fort Collins. The Initiating Resolution 2018-110 was adopted on consent, November 20, 2018. The property abuts Kechter Road to the south and is bisected by Strauss Cabin Road. The parcels consist primarily of single-family residences with related agricultural outbuilding and a place of worship known as Crossroads Church.

John Hatfield opposed the annexation stating it will not benefit the City or current residents of the area. He requested Council oppose the annexation and presented a petition from other neighbors opposed to the annexation.

Mayor Troxell requested staff address this action. Ted Shepard, Chief Planner, replied state statute allows municipalities to conduct enclave annexations per their requirements. He noted these properties have been enclaved since 2009 and the City has made it a practice to annex enclaves as they become eligible. He stated these annexations are a growth management technique in that they allow municipalities to govern with consistent services.

Councilmember Martinez asked why this would benefit the City. Shepard replied City Police would not respond to these properties in the case they do not become annexed and police response times are less than Larimer County Sheriff's Department. Additionally, this will prevent competing regulations from occurring within the same geographic area. City Manager Atteberry noted the annexation is consistent with the City's intergovernmental agreement with Larimer County.

Shepard stated the intergovernmental agreement states properties eligible for annexation should be developed to an urban level of standards.

Councilmember Stephens thanked Mr. Hatfield for his comments and asked if farming uses could be affected by the annexation. Shepard replied whatever use is being conducted on the property that is legal in Larimer County at the time of annexation can be grandfathered in as long as it is not discontinued for 24 consecutive months.

Councilmember Cunniff asked about the status of County Road 7. Shepard replied the full width of the road will be annexed and there will be clear distinction as to who is responsible for long-term maintenance.

Councilmember Cunniff noted road maintenance will likely be improved.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to adopt Ordinance No. 009, 2019, on First Reading.

Mayor Pro Tem Horak stated not annexing enclaves leads to poor planning; however, it is reasonable to review the process and history of these annexations.

Councilmember Cunniff stated he would support the motion but acknowledged there can be issues around annexations for the residents. However, this annexation fits the policy.

RESULT:	**ORDINANCE NO. 002, 2019, ADOPTED [5 TO 1]**
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Troxell, Cunniff, Horak
NAYS:	Summers

- **DISCUSSION ITEMS**

19. **First Reading of Ordinance No. 004, 2019, Authorizing the Conveyance of a Transmission Line Easement on City Property at Meadow Springs Ranch to Roundhouse Renewable Energy, LLC. (Adopted on First Reading)**

The purpose of this item is to authorize conveyance of a transmission line easement to Roundhouse Renewable Energy, LLC on the City of Fort Collins' Wastewater Utility owned Meadow Springs Ranch and the right of access to the transmission line from County Roads 5 and 92 and private drives. The Roundhouse Renewable Energy Project will include an above ground 230 kilovolt transmission line from a wind energy facility in Wyoming to Platte River Power Authority's Rawhide Energy Station. Platte River Power Authority plans to deliver 150 megawatts (MW) of new wind power to its owner cities of Fort Collins, Loveland, Longmont and Estes Park. The 150-foot wide easement will run across 9.7 miles of Meadow Springs Ranch totaling an approximate 176.4 acres.

Jason Graham, Water Reclamation and Biosolids Manager, stated this item authorizes the conveyance of a transmission line easement on Meadow Springs Ranch to Roundhouse Renewable Energy, LLC. The project connects a wind farm in Wyoming and the Rawhide Energy Station over the Meadow Springs Ranch property on a recommended route deemed to have the least impact on wildlife and vegetation, as it parallels 98% of existing infrastructure. Comments from open houses and boards were supportive of the easement.

Graham noted Council requested more information on the burrowing owls in the area and staff found no studies that address the issue of the presence or avoidance of the owls due to transmission lines. Routes east of I-25 would have more considerable impacts on vegetation as the route would not align with existing infrastructure to the same extent.

Lucia Liley, attorney for Roundhouse Energy, LLC, stated the route selected is the best possible given circumstances and noted there will be appropriate mitigation and restoration provisions. She stated the Fort Collins Partners for Clean Energy has endorsed the project.

Fred Kirsch, Fort Collins Partners for Clean Energy, expressed support for the project as being a key element in achieving the 100% renewable energy by 2030 goal. The chosen alignment minimizes the negative impacts of this project and noted four of the City's boards support the project.

Peggy LaPoint supported the goal of obtaining electricity from renewable sources; however, she expressed concern about the impact of human activities on birds and stated she would rather electricity be generated using solar panels. She acknowledged the wind turbine electricity is cheaper and expressed support for the project.

Pete Eberle, Colorado Renewable Energy Society, supported the project citing its positive impact on renewable energy goals.

Joe Piesman discussed the wildlife and vegetation value of Meadow Springs Ranch and stated that while this project will cause ecological damage, addressing climate change is vital. He stated maximizing mitigation will be an important part of the project.

Councilmember Cunniff suggested staff follow-up with information on the proposed route following 98% of existing infrastructure.

Mayor Pro Tem Horak made a motion, seconded by Councilmember Martinez, to adopt Ordinance No. 004, 2019, on First Reading.

Councilmember Cunniff stated this is a competing values issue and he would like to see additional research on the eastern route prior to expressing support for this route. He complimented staff on the ecological analysis of the property.

Mayor Pro Tem Horak stated he would support the motion and commended the thorough analysis on minimizing impacts without escalating the project cost.

Councilmember Stephens stated she would support the motion but acknowledged there are competing values. She commended the evaluation of alternative routes.

Mayor Troxell stated he would support the motion and thanked all involved in work on the project.

Councilmember Martinez stated he would support the motion citing the economic value and positive effect on quality of life.

Mayor Pro Tem Horak noted one of the biggest limitations to getting renewable energy is the existence of transmission lines.

Councilmember Summers stated negative impacts are being mitigated to the greatest extent possible in order for the project to realize the greatest benefit.

RESULT:	**ORDINANCE NO. 004, 2019, ADOPTED ON FIRST READING [5 TO 1]**
MOVER:	Gerry Horak, District 6
SECONDER:	Ray Martinez, District 2
AYES:	Martinez, Stephens, Summers, Troxell, Horak
NAYS:	Cunniff

(Secretary's Note: The Council took a brief recess at this point in the meeting.)

20. **Resolution 2019-014 Making an Appointment to Fill a Vacancy for Councilmember for District 1. (Adopted)**

The purpose of this item is for Council to make an appointment to fill the vacant District 1 Council seat. Councilmember Bob Overbeck tendered his resignation from the Council effective January 1, 2019, as a result of his recent election to the office of Larimer County Assessor.

City Clerk Coldiron reviewed the appointment process and requirements for filling the District 1 vacancy.

Ann Hutchison supported the appointment of Nate Budd to fill the vacancy as he already ran for the seat and has advocated for affordable housing.

Jason Clarke supported the appointment of John Clarke to fill the vacancy, citing his experience in local politics.

Ed Haynes supported the appointment of John Clarke to fill the vacancy, citing his experience and community affairs engagement.

Carl Davis supported the appointment of Joe Somodi to fill the vacancy, citing his small business experience.

Carolyn Reed supported the appointment of Susan Gutowsky to fill the vacancy, citing her service with the Poudre School District Board of Education and strong work ethic.

Julia Mackewich supported the appointment of Joe Somodi to fill the vacancy, citing his service on the Human Relations Commission.

Alma Vigo-Morales supported the appointment of Joe Somodi to fill the vacancy, citing his interest in equity and inclusion and service on the Board of La Familia.

Sean Dougherty thanked Council for their service. He supported the appointment of an individual who will consider all points of view before rendering a decision, someone who will support the growth of local businesses, who will aim to strike a reasonable balance with conservation efforts, who will consider affordable housing, and someone who is involved in the current affairs of the community.

Beth Jaeger supported the appointment of Joe Somodi to fill the vacancy, citing his service on the La Familia Board and inclusivity.

Caitlin Young supported the appointment of Joe Somodi to fill the vacancy. She questioned why this appointment is occurring just a few months prior to the election.

Nick Maydew supported the appointment of Joe Somodi to fill the vacancy, stating he would provide a fresh viewpoint on Council.

Nick Haas supported the appointment of a thoughtful, balanced individual at this time, prior to the election. He supported the appointment of someone who is business minded, can deal with infrastructure challenges and provide creative solutions to transportation issues. He supported the appointment of Nate Budd to fill the vacancy.

Amanda Hitpas supported the appointment of Joe Somodi to fill the vacancy, citing his community involvement and small business ownership.

Adam Crowe supported the appointment of Joe Somodi to fill the vacancy citing his dedication to the community and thoughtful decision-making processes.

Melanie Lighthauser supported the appointment of Joe Somodi to fill the vacancy, citing the number of individuals who have spoken on his behalf and his dedication to the community.

Julie Moraine thanked Council for their service and supported the appointment of John Clarke to fill the vacancy, citing his devotion to public service.

Mayor Troxell thanked the speakers.

Councilmember Summers thanked the speakers and applicants.

City Attorney Daggett clarified the Charter gives the Council until February 15 to make the appointment, and if no appointment is made by that time, the newly-elected Council would make the appointment after the election.

Councilmember Summers supported the ability of District 1 residents to make the decision at the election. He made a motion, seconded by Councilmember Martinez, to nominate John Clarke as the temporary District 1 Councilmember.

Councilmember Cunniff thanked the applicants and stated this process is required by the Charter based on Councilmember Overbeck's resignation date. It also allows voters to weigh in at the April election.

Mayor Pro Tem Horak stated he would not support the motion, not because Mr. Clarke is not qualified, but because District 1 needs a representative that holds the values of that district.

Councilmember Cunniff agreed with Mayor Pro Tem Horak stating the philosophies of how growth, development, and the environment should be approached lead him to a different candidate preference.

Councilmember Stephens stated she would not support the motion and stated she would like to have a representative who is willing to serve long-term.

Mayor Troxell stated he would support the motion to fill the gap temporarily and allow for a robust April election.

The vote on the motion was as follows: Yeas: Summers, Martinez, and Troxell. Nays: Cunniff, Stephens, and Horak.

THE MOTION FAILED.

Councilmember Cunniff made a motion, seconded by Councilmember Martinez, to nominate Susan Gutowsky as the temporary District 1 Councilmember citing her spirit of compromise and collegiality.

Councilmember Stephens supported the motion, citing Ms. Gutowsky's commitment to bringing the community together. She stated Council received many written comments commending Ms. Gutowsky's thoughtful leadership, willingness to work with others, and ability to build consensus.

Councilmember Martinez supported the nomination of Susan Gutowsky citing her balanced approach and work in the community.

Mayor Troxell stated he would support the nomination.

Councilmember Martinez stated this appointment should not discourage the other candidates from running in April.

The vote on the motion was as follows: Yeas: Stephens, Summers, Martinez, Horak, Troxell and Cunniff. Nays: none.

THE MOTION CARRIED.

Councilmember Cunniff made a motion, seconded by Councilmember Martinez, to adopt Resolution 2019-014 appointing Susan Gutowsky to fill the vacancy for the District 1 Council seat.

Mayor Pro Tem Horak stated this is not an endorsement of a candidate, but the filling of a vacancy. He stated there were many qualified applicants and he encouraged them to run for the April election.

Councilmember Cunniff agreed this is not an endorsement and encouraged District 1 residents to vote in April.

RESULT:	**RESOLUTION 2019-014 ADOPTED [UNANIMOUS]**
MOVER:	Ross Cunniff, District 5
SECONDER:	Ray Martinez, District 2
AYES:	Martinez, Stephens, Summers, Troxell, Cunniff, Horak

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

- **OTHER BUSINESS**

Mayor Pro Tem Horak made a motion, seconded by Councilmember Cunniff, to adjourn to 6:00 PM, Tuesday, January 22, 2019, for such business as may come before the Council.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Gerry Horak, District 6
SECONDER:	Ross Cunniff, District 5
AYES:	Martinez, Stephens, Summers, Troxell, Cunniff, Horak

- **ADJOURNMENT**

The meeting adjourned at 8:11 PM.

Mayor

ATTEST:

City Clerk

CITY OF FORT COLLINS SEAL COLORADO

RESOLUTION 2018-129
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ESTABLISHING A PROCESS FOR CITY COUNCIL
SELECTION AND APPOINTMENT OF A DISTRICT 1 COUNCILMEMBER
TO FILL A VACANCY DUE TO THE RESIGNATION OF
COUNCILMEMBER BOB OVERBECK

WHEREAS, on December 7, 2018, District 1 Councilmember Bob Overbeck submitted his resignation from the City Council, effective January 1, 2019; and

WHEREAS, Section 18 of Article II of the Charter of the City of Fort Collins provides for the appointment by the City Council to fill a vacancy on Council, to serve until the next regular election; and

WHEREAS, in the interest of timely carrying out its duty to so appoint a District 1 Councilmember in an efficient, fair and effective manner, the City Council at its Work Session on December 11, and in connection with this Resolution has considered various options and schedules for proceeding; and

WHEREAS, in light of those discussions, the Council desires to proceed with the selection and appointment process as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the selection and appointment process to fill the impending District 1 Council vacancy shall be as follows:

Section 1. Public information and application process:

A. The City Clerk posted and distributed to various media information regarding the vacancy and the application process, beginning on Wednesday, December 12.

B. The form of application includes a notarized affidavit and financial disclosure statement. Per City Charter, applicants must meet the following qualifications:

1. United States citizen;
2. Registered voter in the city for one year immediately prior to the appointment;
3. At least 21 years of age;
4. Resident of Council District 1; and
5. Never convicted of a felony.

C. Applications may be emailed to the City Clerk's Office at cityclerk@fcgov.com, hand-delivered to the City Clerk's Office, 300 LaPorte Avenue, or mailed to the City Clerk's Office at PO Box 580, Fort Collins, CO 80522, and must be received by the City Clerk by 5:00 p.m. on Wednesday, December 26, 2018, in order to be considered.

D. All application materials will be posted for public review as a part of the January 2, 2019 Council Agenda and will be provided to the City Council on Thursday, December 27, 2018.

E. Upon the closure of the application period, staff will confer with the Mayor to determine, based on the number of applicants, whether to include on the agenda for the January 2 regular meeting, either:

1. a vote to determine the pool of applicants to be interviewed, or, alternatively,
2. an adjournment of the regular meeting to after the Work Session for a vote on finalists to be considered at the January 15 meeting.

Section 2. Initial interview process:

A. The Council will conduct initial interviews with all applicants at a Work Session in the Council Information Center in City Hall at 300 LaPorte Avenue, to begin after or during a break from the regular Council meeting that will begin at 6:00 p.m. that evening. As noted above, in the event that the number of applications received makes interviewing all applicants impracticable, Council may consider determining which applicants will move forward to the interview stage at its regular meeting on January 2 prior to the Work Session.

B. Applicants will be interviewed individually in random order determined by the City Clerk. Applicants will not be sequestered or required to leave the room during questioning of other applicants.

C. The Mayor will set a time limit for discussion with each applicant, likely twenty (20) minutes for each, depending upon the number of applicants to be interviewed.

D. Questioning of each applicant will proceed based on the information and responses provided in that applicant's application, and may include follow up questions.

E. Each applicant will have a time-limited opportunity to respond to an open-ended question to be provided in advance as part of the agenda materials for the Work Session.

F. If a large number of applicants is interviewed, Council may choose to adjourn its regular meeting until after the Work Session and then reconvene in order to vote to narrow the field to a number of finalists, otherwise, Council will make no decisions at its Wednesday, January 2, 2019, Work Session regarding the applicants moving forward to the next step of the process.

Section 3. Input and Selection Process:

A. Members of the public will be invited to provide comments to the City Council at CityLeaders@fcgov.com or in care of the City Clerk at the address above, regarding the applicants and the Council's selection of an appointee.

B. Council will take action to select an appointee at its regular meeting on Tuesday, January 15, 2019. The public will have an opportunity to comment at the beginning of the discussion, as on all discussion items, with the time limit for comment set by the Mayor based on the number of speakers.

C. After completion of public comment, Council will discuss the applicants.

D. The City Clerk will provide a resolution with a blank for the name of the appointee as part of the Council's agenda materials. After discussing the applicants, Council will then, using motions (and seconds of the motions) proposed appointees until the resolution with a proposed appointee receives a majority vote.

Section 4. Swearing In of Appointee:

A. Legal swearing in of the appointed Councilmember may take place in the office of the City Clerk at a mutually convenient time after the January 15 appointment.

B. Formal swearing in of the appointed Councilmember will take place at an adjourned Council meeting on Tuesday, January 22, 2019.

Section 5. Council may make modifications to the procedures or schedule set forth above as it determines appropriate in light of the circumstances of the process as it proceeds.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 18th day of December, A.D. 2018.

Mayor

ATTEST:

City Clerk

CITY OF FORT COLLINS
SEAL
COLORADO

June 11, 2002

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Adjourned Meeting - 6:00 p.m.

An adjourned meeting of the Council of the City of Fort Collins was held on Tuesday, June 11, 2002, at 6:00 p.m. in the Council Chambers of the City of Fort Collins City Hall. Roll Call was answered by the following Councilmembers: Bertschy, Hamrick, Kastein, Martinez, Tharp and Weitkunat.

Staff Members Present: Fischbach, Krajicek, Roy.

Resolution 2002-063
Making an Appointment to Fill a Vacancy for
Councilmember for District 6 on the Fort Collins City Council, Adopted.

The following is staff's memorandum on this item.

"Executive Summary

A vacancy exists on the City Council due to the resignation of District 6 Councilmember Chuck Wanner. Applications were solicited, and ten individuals applied for the District 6 Council vacancy prior to the May 31 deadline. The applicants are: William M. Benton, David L. Edwards, Remi Frazier, Lance L. Freeman, Gerry Horak, Eric Levine, William H. Miller, David Roy, William P. Walters, and Nancy York.

At this meeting, the City Council will follow the selection process outlined on Attachment 1. After completion of the interview process, Council will decide which applicant should be appointed and then adopt this Resolution to formalize the appointment to fill the vacancy created by the May 31 resignation of Councilmember Charles Wanner. The person appointed will serve until the District 6 voters elect a representative at the April 8, 2003 election, and the elected individual has taken office.

The City Charter requires Council to make the appointment within 45 days of the effective date of resignation. An appointment must be made on or before July 15, 2002."

The ten candidates were each allowed a two-minute timed introductory statement in the following random order determined by lot:

1. Nancy York
2. William P. Walters

3. Eric Levine
4. Lance L. Freeman
5. Gerry Horak
6. David Roy
7. William M. Benton
8. Remi Frazier
9. David L. Edwards
10. William H. Miller

Mayor Martinez stated that public input would have a two-minute time limit to speak per individual. The citizens who commented with regard to candidates were as follows:

Jan Harrison, District 6 resident, spoke in support of William Walters.

Jim Ringenberg, attorney, encouraged the Council to appoint someone who would exhibit the character of civility.

Ana Idios-Terry, 2820 West Elizabeth, supported William Walters.

Lucinda Carr, a Fort Collins resident, spoke in support of David Roy.

Flora Seinz, 1713 Concord Drive, supported David Roy.

Howard Alden, 800 East County Road 58, spoke in support of David Roy.

Allison Mason, 918 Wild Cherry Lane, supported William Walters.

Rita Bavaco, 426 Laporte Avenue, spoke in support of William Walters.

Steven Church, 721 West Myrtle, supported David Roy.

Don Flick, 520 North Sherwood, spoke in support of William Walters.

Nancy Duteau, 520 North Sherwood, supported William Walters.

Kate Forgach, 322 North Loomis, spoke in support of Gerry Horak.

Kathryn Hollady, 604 Duke Lane, supported Remi Frazier.

William Dan Terry, 2820 W. Elizabeth Street, spoke in support of William Walters.

Andrew Stewart, CSU student, supported Remi Frazier.

John Gascoyne, 718 West Mountain Avenue, spoke in support of David Roy.

Ed Caffrey, County resident, supported David Roy.

Victor Seinz, 1713 Concord Drive, spoke in support of Eric Levine and David Roy.

Dr. Bill Black, 520 North Sherwood, supported William Walters.

Jack Gellt, 520 North Sherwood, spoke in support of William Walters.

Darrell Frank, 1526 Whedbee, supported David Roy.

Dr. Judy Menshall, CSU, spoke in support of Lance Freeman.

Al Baccili, 520 Galaxy Court, supported Gerry Horak.

Gina Janett, 730 West Oak Street, spoke regarding the character and political values of District 6.

Council conducted a written ballot to determine the five finalists.

Mayor Martinez stated that the Council would select five finalists by written ballot and that the public would see how each Councilmember voted. After the written ballots were tabulated, City Clerk Krajicek summarized the results:

Bill Benton - 3 votes
Dave Edwards - 3 votes
Remi Frazier - 3 votes
Lance Freeman - 3 votes
Gerry Horak - 3 votes
Eric Levine - 2 votes
Bill Miller - 3 votes
David Roy - 4 votes
William Walters - 4 votes
Nancy York - 2 votes

Mayor Martinez stated that the options were to vote to break the tie among the candidates receiving three votes to narrow the field, or to expand the number of finalists to accommodate the tie vote. City Attorney Roy stated that other options would be to proceed with the field of two candidates that received four votes, proceed with a field of eight candidates, or select five finalists by narrowing the field of six candidates that each received three votes to three candidates.

The consensus of the Council was to conduct another written ballot to break the tie among the candidates that each received three votes. After the written ballots were tabulated, City Clerk

Krajicek summarized the results:

Bill Benton - 4 votes
Dave Edwards - 3 votes
Lance Freeman - 5 votes
Gerry Horak - 3 votes
Bill Miller - 3 votes

The consensus of the Council was to conduct another written ballot to break the tie among the candidates that each received three votes. After the written ballots were tabulated, City Clerk Krajicek announced a tie between Dave Edwards and Gerry Horak with 3 votes each.

The consensus of the Council was to expand the field of finalists to six. City Clerk Krajicek stated that the six finalists would be Benton, Edwards, Freeman, Horak, Roy, and Walters.

Mayor Martinez stated that the candidates would be sequestered and that Council would conduct separate interviews of each of the six finalists in random order. He thanked all of the candidates for their willingness to serve.

(**Secretary's Note: The Council took a brief recess before proceeding with the interviews.)

Council conducted interviews of the six finalists. Each candidate had a limit of one minute for each answer to six separate questions. Interviews were conducted in the following order:

1. Bill Benton
2. David Roy
3. David Edwards
4. William Walters
5. Gerry Horak
6. Lance Freeman

Mayor Martinez stated that he would entertain a motion to appoint one of the six finalists.

Councilmember Kastein requested time for the Councilmembers to review their notes.

Councilmember Weitkunat made a motion, seconded by Councilmember Kastein, to appoint Dave Edwards.

Councilmembers Weitkunat, Kastein and Martinez spoke in support of appointing Dave Edwards.

Councilmember Tharp commented that there were 10 outstanding candidates and that this would be a tough decision.

The vote on the motion was as follows: Yeas: Councilmembers Kastein, Martinez and Weitkunat. Nays: Councilmembers Bertschy, Hamrick and Tharp.

THE MOTION FAILED TO PASS

Councilmember Hamrick made a motion, seconded by Councilmember Tharp, to appoint Gerry Horak.

Councilmembers Hamrick, Tharp and Bertschy spoke in support of appointing Gerry Horak.

Councilmembers Kastein and Weitkunat spoke against appointing Gerry Horak.

The vote on the motion was as follows: Yeas: Councilmembers Bertschy, Hamrick and Tharp. Nays: Councilmembers Kastein, Martinez and Weitkunat.

THE MOTION FAILED TO PASS

Councilmember Bertschy made a motion, seconded by Councilmember Hamrick, to appoint David Roy.

Councilmembers Bertschy, Hamrick and Tharp spoke in support of appointing David Roy.

The vote on the motion was as follows: Yeas: Councilmembers Bertschy, Hamrick and Tharp. Nays: Councilmembers Kastein, Martinez and Weitkunat.

THE MOTION FAILED TO PASS

Councilmember Tharp made a motion, seconded by Councilmember Hamrick, to appoint Will Walters.

Councilmembers Tharp, Hamrick and Bertschy spoke in support of appointing Will Walters.

The vote on the motion was as follows: Yeas: Councilmembers Bertschy, Hamrick and Tharp. Nays: Councilmembers Kastein, Martinez and Weitkunat.

THE MOTION FAILED TO PASS

Councilmember Weitkunat made a motion, seconded by Councilmember Kastein, to appoint Lance Freeman.

Councilmembers Weitkunat, Kastein and Martinez spoke in support of appointing Lance Freeman.

The vote on the motion was as follows: Yeas: Councilmembers Kastein, Martinez and Weitkunat.

Nays: Councilmembers Bertschy, Hamrick and Tharp.

THE MOTION FAILED TO PASS

Councilmember Kastein made a motion, seconded by Councilmember Weitkunat, to appoint Bill Benton.

Councilmembers Kastein, Weitkunat and Martinez spoke in support of appointing Bill Benton.

The vote on the motion was as follows: Yeas: Councilmembers Kastein, Martinez and Weitkunat. Nays: Councilmembers Bertschy, Hamrick and Tharp.

THE MOTION FAILED TO PASS

Mayor Martinez encouraged compromise to allow a decision to be made.

Councilmember Bertschy asked that Council reconsider appointing David Roy.

City Attorney Roy stated that a motion to reconsider should be made by one who voted against the motion previously.

Mayor Martinez asked that Council reconsider appointing David Edwards.

City Attorney Roy stated that four affirmative votes are needed to authorize the appointment.

Mayor Martinez asked if there was a motion from a Councilmember who previously voted against one of the candidates to reconsider.

Councilmember Bertschy asked that a Councilmember on the opposing side make a motion to reconsider the appointment of David Roy.

Councilmember Weitkunat noted that this would be a ten-month appointment and spoke regarding the importance of appointing someone who would be knowledgeable and experienced. She spoke in support of appointing David Edwards.

Councilmember Kastein made a motion, seconded by Councilmember Weitkunat, to alter the process to narrow by motion the number of candidates to a field of two.

Councilmember Hamrick stated that he would not support the motion.

The vote on the motion was as follows: Yeas: Councilmembers Kastein and Martinez. Nays: Councilmembers Bertschy, Hamrick, Tharp and Weitkunat.

THE MOTION FAILED TO PASS

Mayor Martinez suggested a process for each Councilmember to vote for two candidates.

Councilmember Weitkunat made a motion, seconded by Councilmember Bertschy, to vote for two candidates by written ballot to narrow the field. The vote on the motion was as follows: Yeas: Councilmembers Bertschy, Kastein, Martinez, Tharp and Weitkunat. Nays: Councilmember Hamrick.

THE MOTION CARRIED

Councilmember Tharp asked if it would be possible to have a special election for District 6 if the Council does not come to an agreement on the appointment. City Attorney Roy stated that this could be discussed in an Executive Session if it becomes necessary.

After the written ballots were tabulated, City Clerk Krajicek summarized the results:

Edwards - 3 votes
Freeman - 3 votes
Roy - 3 votes
Walters - 3 votes

Councilmember Hamrick asked that Council reconsider appointing Will Walters.

Councilmember Weitkunat spoke in support of appointing David Edwards.

Mayor Martinez spoke in support of appointing David Edwards.

Councilmember Hamrick spoke in support of reconsidering Gerry Horak.

Mayor Martinez stated that this reconsideration would depart from the approved process.

Councilmember Tharp spoke in favor of appointing David Roy.

Councilmember Kastein spoke against appointing David Roy.

Councilmember Bertschy spoke in support of appointing David Roy.

Councilmember Tharp stated that she could support either David Roy or Will Walters.

Councilmember Weitkunat spoke in favor of appointing David Edwards or Lance Freeman.

Councilmember Kastein spoke in favor of appointing David Edwards or Lance Freeman.

(**Secretary's Note: The Council took a five-minute recess at this point.)

Councilmember Weitkunat stated that she would like to hear from the four remaining applicants.

Councilmember Weitkunat made a motion, seconded by Councilmember Tharp, to allow a two-minute statement from each of the remaining four candidates on anything they would like to discuss. The vote on the motion was as follows: Yeas: Councilmembers Bertschy, Hamrick, Kastein, Martinez, Tharp and Weitkunat. Nays: None.

THE MOTION CARRIED

The remaining four candidates gave two-minute statements in the following order:

David Edwards
David Roy
Lance Freeman
William Walters

Councilmember Weitkunat spoke in favor of appointing Lance Freeman.

Councilmember Hamrick spoke in favor of appointing David Roy or Will Walters.

Councilmember Tharp stated that her first choice would be David Roy.

Councilmember Weitkunat spoke in favor of Lance Freeman.

Councilmember Kastein spoke in favor of Lance Freeman.

Councilmember Tharp spoke in support of appointing David Roy.

Councilmember Weitkunat suggested focusing on which candidate would be the best to deal with the issues that will be coming before Council in the next ten months.

Councilmember Tharp suggested that the choice should be made on the basis of the ability to think and sort out the information that comes to the Council.

Councilmember Hamrick asked if it would be an option to look at candidates that have been previously eliminated.

Councilmember Bertschy spoke regarding the option of a weighted vote.

Councilmember Weitkunat made a motion, seconded by Councilmember Kastein, to narrow the field of candidates to David Edwards and David Roy. The vote on the motion was as follows: Yeas: Councilmembers Kastein, Martinez, Tharp and Weitkunat. Nays: Councilmembers Bertschy and Hamrick.

THE MOTION CARRIED

(**Secretary's Note: The Council took a brief recess and reconvened at 11:25 p.m.)

Mayor Martinez spoke in support of appointing David Edwards.

After a discussion regarding the procedures for placing a motion on the table, the consensus was to allow any Councilmember to make a motion regarding the appointment regardless of whether or not they were on the prevailing side.

Councilmember Weitkunat made a motion, seconded by Councilmember Kastein, to appoint Dave Edwards.

Councilmember Weitkunat spoke in favor of appointing Dave Edwards.

The vote on the motion was as follows: Yeas: Councilmembers Kastein, Martinez and Weitkunat. Nays: Councilmembers Bertschy, Hamrick and Tharp.

THE MOTION FAILED TO PASS

Councilmember Bertschy made a motion, seconded by Councilmember Tharp, to appoint David Roy. The vote on the motion was as follows: Yeas: Councilmembers Bertschy, Hamrick, Martinez and Tharp. Nays: Councilmembers Kastein and Weitkunat.

THE MOTION CARRIED

Councilmember Bertschy made a motion, seconded by Councilmember Hamrick, to adopt Resolution 2002-063 with the insertion of the name David Roy. The vote on the motion was as follows: Yeas: Councilmembers Bertschy, Hamrick, Kastein, Martinez and Tharp. Nays: Councilmember Weitkunat.

THE MOTION CARRIED

Other Business

Resolution 2002-064
Consenting to the Transfer of Control of the City's Cable Television System Franchisee to AT&T Comcast Corporation, Adopted.

The following is staff's memorandum on this item.

"Executive Summary

Heritage Cablevision of Delaware, Inc., now known as AT&T Broadband HC of Delaware, LLC and doing business as AT&T Broadband, is the City's cable television franchisee, and is a subsidiary of and is controlled by AT&T Corporation ("AT&T"). On March 6, 2002, the City of Fort Collins received formal notification of the proposed merger between AT&T and Comcast Corporation. The proposed merger is governed by the 1992 Cable Act, which requires that the City approve or reject the merger request within 120 days of receipt of notice. Under Federal Communications Commission regulations and the City's cable television Franchise Agreement, if no action is taken, the merger is deemed accepted.

Generally there are two kinds of cable system transfers that cities are asked to approve. The first is when the company holding the franchise is sold to a completely separate entity. The second is when the corporate entity holding the franchise remains the same, but the parent company of the franchisee is either sold or merges with another entity, amounting to a "change in control" of the parent entity. The AT&T and Comcast merger falls within this second category.

During a transfer consideration, cities have limited jurisdiction. In this "change of control" transaction, the review is limited to whether the new entity has the legal, technical and financial ability to manage its subsidiary in such a way that the subsidiary will comply with the terms of the franchise agreements. Evaluation of "financial ability" can include the transaction's impacts on rates and programming. In addition, a transfer can be denied if the proposed transaction will negatively impact competition in the delivery of cable services.

The City hired the firm of Kissinger and Fellman, P.C., to assist with the review process. Within 30 days of receipt of notice from AT&T, a letter was sent by the City to AT&T Broadband identifying areas of concern related to current service under the Franchise Agreement, and requesting additional information needed to determine the legal, financial and technical qualifications of the new company.

In connection with his work for other cities in the Denver area, Ken Fellman of Kissinger and Fellman worked with Dr. Ron Rizzuto, an expert in evaluating cable franchise finances, to review the requested information. Based on the review of that information, and the information that has been provided in that regard, staff believes that the new company, AT&T Comcast Corporation, is capable of meeting the terms of the current franchise. The Telecommunications Board has been *polled and has no concerns regarding approval of the resolution. The City has received assurance from AT&T Broadband that the areas of concern that the City has raised will be addressed by the franchisee in the coming months (see attached letter from AT&T Broadband). The 120-day deadline occurs on July 8, 2002.*

The Franchise Agreement was originally entered into with Columbine Cablevision in November 1993. The length of the Agreement was 15 years, to be reduced to 12 years if the franchise were sold. In December 1995, the City Council approved the sale of the Columbine Cablevision Franchise to TCI Communications, Inc. In 1999, TCI became a subsidiary of AT&T, changed its name to AT&T Broadband HC of Delaware, LLC, and began doing business as AT&T Broadband."

Darrin Atteberry, Assistant City Manager, presented background information regarding this Other Business item.

Councilmember Bertschy made a motion, seconded by Councilmember Weitkunat, to adopt Resolution 2002-064. The vote on the motion was as follows: Yeas: Councilmembers Bertschy, Hamrick, Kastein, Martinez, Tharp and Weitkunat.

THE MOTION CARRIED

Adjournment

The meeting adjourned at 11:55 p.m.

Mayor

ATTEST:

City Clerk

City of Fort Collins

APPLICATION FOR COUNCILMEMBER – DISTRICT 6

APPLICATION DEADLINE: 5:00 p.m. on December 31, 2025
(late applications will not be accepted/considered)

[PLEASE NOTE: THIS APPLICATION WILL BE A PUBLIC DOCUMENT]
PLEASE TYPE OR USE BLACK INK. ATTACHMENTS TO APPLICATION MUST BE LIMITED TO TWO PAGES.
INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED FOR APPOINTMENT.

Return completed application:

In person:
City Clerk's Office
300 LaPorte Avenue

Mail:
City Clerk's Office
PO Box 580
Fort Collins, CO 80522

Email:
cityclerk@fcgov.com

Eligibility Requirements:
United States citizen
Registered voter in the city for one year immediately prior to appointment
At least 21 years of age
A resident of Council District 6 at the time of application forward
Never convicted of a felony prohibited for elective office in the Colorado Constitution

If you have questions or need more information, contact the City Clerk's Office at 970.221.6515

NAME: ____

RESIDENCE ADDRESS: ____ ZIP: ______________

PHONE: ____________________ EMAIL: ____

ARE YOU 21 YEARS OF AGE OR OLDER? Yes No

HAVE YOU BEEN A REGISTERED VOTER IN FORT COLLINS FOR AT LEAST A YEAR? Yes No

DO YOU RESIDE IN DISTRICT 4? Yes No

HAVE YOU EVER BEEN CONVICTED OF THE FELONY OF EMBEZZLEMENT OF PUBLIC MONEYS, BRIBERY, PERJURY, SOLICITATION OF BRIBERY OR SUBORNATION OF PERJURY? Yes No

CURRENT OCCUPATION/EMPLOYER:

RECENT AND/OR RELEVANT EXPERIENCE (Work, Volunteer, Community, Personal or Other; please include dates):

COMMUNITY ACTIVITIES/VOLUNTEER EXPERIENCE (PLEASE INCLUDE DATES):

HOW WOULD YOU DESCRIBE THE VISION OF THE CITY OF FORT COLLINS?

BRIEFLY EXPLAIN WHAT YOU BELIEVE ARE THE THREE MOST IMPORTANT ISSUES FACING THE FORT COLLINS COMMUNITY AT THIS TIME, AND HOW YOU BELIEVE THE CITY COUNCIL CAN PLAY A ROLE IN ADDRESSING EACH.

1.

2.

3.

SPECIAL QUALIFICATIONS APPLICABLE TO CITY COUNCIL:

WHY DO YOU WANT TO SERVE ON CITY COUNCIL?

PLEASE SPECIFY ANY ACTIVITIES THAT MIGHT CREATE A SERIOUS CONFLICT OF INTEREST IF YOU SHOULD BE APPOINTED TO THE CITY COUNCIL:

OTHER COMMENTS:

By signing and submitting my application to the City of Fort Collins, I swear or affirm under penalty of perjury pursuant to the laws of the *State of Colorado:*

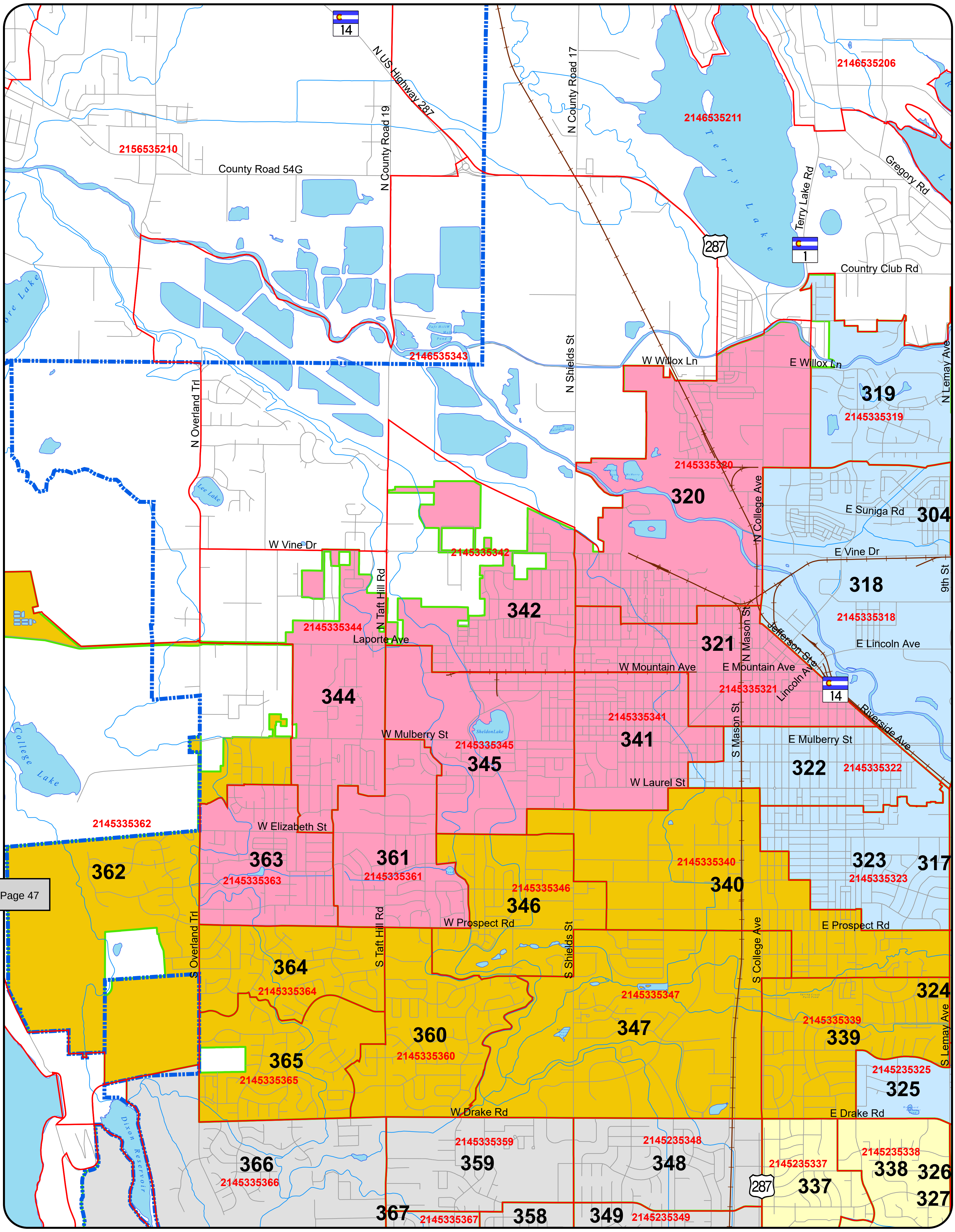
- *that I meet the eligibility requirements of the position sought and*
- *that the information provided in this application is true and correct to the best of my knowledge.*

Signature: ____ Date______________________

Item 1.

City of Fort Collins

District 6



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Scale 1:32,000

0 0.25 0.5 0.75 1 Miles

CITY OF FORT COLLINS
GEOGRAPHIC INFORMATION SYSTEM MAP PRODUCTS

Council Districts

DIST_LEGEND

- District 1 - Susan Gutowsky
- District 2 - Julie Pignataro
- District 3 - Tricia Canonico
- District 4 - Melanie Potyondy
- District 5 - Kelly Ohlson
- District 6 - Emily Francis
- County Precincts

- Water Features
- Growth Management Area
- Railroad Lines
- 77 City Precinct Numbers
- 2145235205 Larimer County Precinct Numbers

County Precinct Number
County Number
State Representative Number
State Senatorial Number
Congressional District

N W E S

City of Fort Collins GIS

Effective: January 9, 2024

Printed: November 04, 2025

Item 1.

City of Fort Collins

11-18-2025

Council Vacancy

Delynn Coldiron, City Clerk
Carrie Daggett, City Attorney

neral Direction/Questions

1. What feedback do Councilmembers have regarding the process for filling the District 6 vacancy?

2. Do Councilmembers have any concerns with the proposed timeline?

3. What feedback do Councilmembers have about the process for selecting a new Mayor Pro Tem?

arter Requirements

- Vacancy publicly and promptly announced on the City's website
- 35 business days to fill vacancy
  - Starts when Mayor Pro Tem Francis assumes the role of Mayor on January 13
  - Deadline is March 5, 2026
    - Recognizes two City Holidays that occur during this timeframe
- Vacated office must appear on the next regular municipal election ballot.

Proposed Timeline

Dec 2
- Motion directing City Clerk to advertise for vacancy

Dec 3
- Begin advertising (on December 3 or as soon thereafter as possible)

Dec 16
- Motion calling a Special Meeting for January 13

Dec 31
- Deadline for applications
- Candidate information emailed to Council and posted on webpage

Jan 8
- Candidate information will be provided in Thursday agenda packets

Proposed Timeline

Jan 13

- Public comment for outgoing Councilmembers
- Outgoing Councilmember comments
- Swearing in and seating of new Councilmembers
- Consideration of Resolutions for outgoing Councilmembers
- Public comment on candidates interested in filling the District 6 vacancy
- **Opportunity for newly seated Council to determine pool of applicants**
  - **Option 1 – All applicants**
  - **Option 2 – A reduced number of applicants**
- Opportunity for Council to make adjustments to the process
- Set date and call for special meeting to conduct interviews
- Reception

Proposed Timeline

Jan 14-17

- Special meeting to conduct interviews (need to call during the January 13 special meeting)

Jan 20

- Selection process and consideration of a Resolution making an appointment
- Swear in new Councilmember

Jan 24

- Possible Council Retreat Date (and January 31)

erviewing and Selection

Setting

- Formal
- Informal
- Remote

Questions

- Mayor + Set Number of Councilors
- 1 question/ Councilor
- Other?

Sequestering

- Sequester those not being interviewed
- Do not sequester those not being interviewed

Timing

- Interviews and selection on same day?
- Interview and narrow field (if needed) on same day then select on another?

erviewing and Selection

Public Comment

- Beginning of item only?
- After each motion to consider a candidate?
- Both at the beginning and after each motion?

Finalists

- All applicants?
- Narrow the number of finalists to consider?
- Other?

Voting

- Roll call?
- Raising hands?
- Written ballot?

Tiebreakers

- Same voting method?
- Something different?

lection of Mayor Pro Tem

- City Charter requires the Council to elect a Mayor Pro Tem
  - Acts as Mayor during absence or disability of Mayor
  - Choose from among members of Council

- Advisable to do this at first regular or special meeting after the vacancy occurs.

- Past process:
  - Indication of interest
  - Nominating motions and votes

neral Direction/Questions

1. What feedback do Councilmembers have regarding the process for filling the District 6 vacancy?

2. Do Councilmembers have any concerns with the proposed timeline?

3. What feedback do Councilmembers have about the process for selecting a new Mayor Pro Tem?