

# Fort Collins City Council Agenda

## Regular Meeting

6:00 p.m., Tuesday, February 18, 2025

City Council Chambers at City Hall, 300 Laporte Avenue, Fort Collins, CO 80521

Zoom Webinar link: <https://zoom.us/j/98241416497>

### NOTICE:

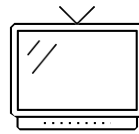
Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in Council Chambers.

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 available through the Zoom platform, electronically or by phone.



Meetings are livestreamed on the City's website, [fcgov.com/fctv](http://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 advance notice. Requests for interpretation at a meeting should be made by noon the day before.*

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## There are in person and remote options for members of the public who would like to participate in Council meetings:

### Comment in real time:

*During the public comment portion of the meeting and discussion items:*



In person attendees can address the Council in the Chambers. The public can join the Zoom webinar and comment from the remote meeting, joining online or via phone.



All speakers are required to sign up to speak using the online sign up system available at [www.fcgov.com/agendas](http://www.fcgov.com/agendas). Staff is also available outside of Chambers prior to meetings to assist with the sign up process for in person attendees.

Full instructions for online participation are available at [fcgov.com/councilcomments](http://fcgov.com/councilcomments).

Join the online meeting using the link in this agenda to log in on an internet-enabled smartphone, laptop or computer with a speaker and microphone. Using earphones with a microphone will greatly improve audio experience.

To be recognized to speak during public participation portions of the meeting, click the 'Raise Hand' button.

Participate via phone using this call in number and meeting ID:

Call in number: 720 928 9299

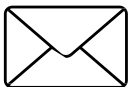
Meeting ID: 982 4141 6497

During public participation opportunities in the meeting, press \*9 to indicate a desire to speak.

### Submit written comments:



Email comments about any item on the agenda to [cityleaders@fcgov.com](mailto:cityleaders@fcgov.com)



Written comments can be mailed or dropped off at the City Manager's Office at City Hall, at 300 Laporte Ave, Fort Collins, CO 80521

***Documents to Share during public participation:*** Persons wishing to display presentation materials using the City's display equipment under the Public Participation portion of a meeting or during discussion of any Council item must provide any such materials to the City Clerk in a form or format readily usable on the City's display technology no later than two (2) hours prior to the beginning of the meeting at which the materials are to be presented.

***NOTE:*** All presentation materials for appeals, addition of permitted use applications or protests related to election matters must be provided to the City Clerk no later than noon on the day of the meeting at which the item will be considered. See Council Rules of Conduct in Meetings for details.



# City Council Regular Meeting Agenda

February 18, 2025 at 6:00 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

City Council Chambers  
300 Laporte Avenue, Fort Collins  
& via Zoom at  
<https://zoom.us/j/98241416497>  
Cablecast on FCTV  
Channel 14 on Connexion  
Channel 14 and 881 on Xfinity

Carrie Daggett  
City Attorney

Kelly DiMartino  
City Manager

Delynn Coldiron  
City Clerk

## PROCLAMATIONS & PRESENTATIONS 5:00 PM

### A) PROCLAMATIONS AND PRESENTATIONS

PP 1. **Declaring February 2025 as Heart Health Month.**

## REGULAR MEETING 6:00 PM

### B) CALL MEETING TO ORDER

### C) PLEDGE OF ALLEGIANCE

### D) ROLL CALL

### E) CITY MANAGER'S AGENDA REVIEW

- City Manager Review of Agenda
- Consent Calendar Review, including removal of items from Consent Calendar for individual discussion.

### F) COMMUNITY REPORTS - None.

### G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS (Including requests for removal of items from Consent Calendar for individual discussion.)

*Individuals may comment regarding any topics of concern, whether or not included on this agenda. Comments regarding land use projects for which a development application has been filed should be submitted in the development review process\*\* and not to Council.*

- *Those who wish to speak are required to sign up using the online sign-up system available at [www.fcgov.com/council-meeting-participation-signup/](http://www.fcgov.com/council-meeting-participation-signup/)*

- *Each speaker will be allowed to speak one time during public comment. If a speaker comments on a particular agenda item during general public comment, that speaker will not also be entitled to speak during discussion on the same agenda item.*
- *All speakers will be called to speak by the presiding officer from the list of those signed up. After everyone signed up is called on, the presiding officer may ask others wishing to speak to identify themselves by raising their hand (in person or using the Raise Hand option on Zoom), and if in person then will be asked to move to one of the two lines of speakers (or to a seat nearby, for those who are not able to stand while waiting).*
- *The presiding officer will determine and announce the length of time allowed for each speaker.*
- *Each speaker will be asked to state their name and general address for the record, and, if their comments relate to a particular agenda item, to identify the agenda item number. Any written comments or materials intended for the Council should be provided to the City Clerk.*
- *A timer will beep one time and turn yellow to indicate that 30 seconds of speaking time remain and will beep again and turn red when a speaker's time has ended.*

*[\*\*For questions about the development review process or the status of any particular development, consult the City's Development Review Center page at <https://www.fcgov.com/developmentreview>, or contact the Development Review Center at 970.221.6760.]*

## **H) PUBLIC COMMENT FOLLOW-UP**

## **I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION**

### **CONSENT CALENDAR**

*The Consent Calendar is intended to allow Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Agenda items pulled from the Consent Calendar by either Council or the City Manager will be considered separately under their own Section, titled "Consideration of Items Removed from Consent Calendar for Individual Discussion." Items remaining on the Consent Calendar will be approved by Council with one vote. The Consent Calendar consists of:*

- *Ordinances on First Reading that are routine;*
  - *Ordinances on Second Reading that are routine;*
  - *Those of no perceived controversy;*
  - *Routine administrative actions.*
- 1. Consideration and Approval of the Minutes of the February 4, 2025 Regular meeting.**  
The purpose of this item is to approve the minutes of the February 4, 2025 Regular meeting.
  - 2. Second Reading of Ordinance No. 010, 2025, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund for Eligible Reimbursement to the Mulberry Metropolitan Districts No. 1– 6, Bloom Filing One Development for Construction of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road Improvements.**

This Ordinance, unanimously adopted on First Reading on February 4, 2025, appropriates \$2,069,417 of Transportation Capital Expansion Fee (TCEF) Funds for expenditure from the Transportation Capital Expansion Fee Program Budget to reimburse the Bloom Filing One

developer's combined metro district, Mulberry Metropolitan District Nos. 1-6 (Developer), for its funding of the oversizing construction of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road. As part of the Bloom Filing One development plans and development agreement and permitted for construction under the Development Construction Permit, the Developer has constructed to City standards Greenfields Drive and International Boulevard, each as a two-lane arterial street, and Sykes Drive, Donella Drive, and Delozier Road as collector streets. Per Section 24-112 of the City Code, the Developer is eligible for reimbursement from TCEF funds for the oversized, non-local portion of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road, not attributed to the local portion obligation.

3. **Second Reading of Ordinance No. 011, 2025, Making a Supplemental Appropriation from the Colorado Auto Theft Prevention Authority Grant for the Fort Collins Police Services Property Crimes Unit.**

This Ordinance, unanimously adopted on First Reading on February 4, 2025, supports the Fort Collins Police Services' Property Crimes Unit by appropriating \$80,790 of unanticipated grant revenue awarded by the Colorado State Patrol.

In December 2024 the Colorado State Patrol awarded Fort Collins Police Services \$80,790 in capacity as a partner agency of the Beat Auto Theft Through Law Enforcement (BATTLE) Task Force. The \$80,790 award is under the BATTLE program's FY25 cycle as provided in the BATTLE Grant Award Letter. These state funds will be used for purchase of a vehicle and equipment to support multiagency and multijurisdictional BATTLE operations to identify, interdict, investigate, enforce, and prosecute motor vehicle theft-related crimes.

4. **Second Reading of Ordinance No. 012, 2025, Making Supplemental Appropriations from the Colorado Department of Transportation Congestion Mitigation and Air Quality Grant and Authorizing Transfers from the Conservation Trust Fund for the Power Trail and Harmony Grade Separated Crossing Project.**

This Ordinance, unanimously adopted on First Reading on February 4, 2025, enables the City to receive and expend federal pass-thru funds for the Power Trail and Harmony Grade Separated Crossing Project (the Project). The funds will be used for construction of a pedestrian and bicycle underpass located approximately 500 feet west of the intersection of Harmony Road and Union Pacific Railroad. If approved this item will appropriate \$3,239,300 of Congestion Mitigation and Air Quality (CMAQ) grant funds for the Project. Additionally, this item will transfer \$1,600,000 in Conservation Trust Funds to the Capital Project Fund for the Project

Previously appropriated funds will be used for local match requirements.

5. **Second Reading of Ordinance No. 013, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Adopt Requirements to Reduce Plastic Pollution and to Update and Reenact the City's Disposable Bag Ordinance.**

This Ordinance, unanimously adopted on First Reading on February 4, 2025, amends municipal code to be consistent with the state's Plastic Pollution Reduction Act (PPRA), in effect on January 1, 2024, that prohibits stores from providing single-use plastic carryout bags and retail food establishments from distributing expanded polystyrene containers. Updating the code to include a new Article XIV, Regulation of Disposable Bags and Mitigation of Other Sources of Single Use Plastic Pollution, and sunseting the City's existing Disposable Bag Ordinance will expand enforcement against the distribution of plastic carryout bags and establishes enforcement on the ban of expanded polystyrene foam cups and food containers. Additionally, the Code revisions will

provide the City Council with the opportunity to enact more stringent policies aimed at reducing single-use plastics within Fort Collins.

**6. Items Relating to the 2025 City Classified Employee Pay Plan as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.**

A. Second Reading of Ordinance No. 014, 2025, Adopting the 2025 Amended City Classified Employee Pay Plan to Update Classified Positions as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

B. Second Reading of Ordinance No. 015, 2025, Appropriating Prior Year Reserves in the General Fund for the Cost of Police Services Salary and Benefit Increases as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

These Ordinances, unanimously adopted on First Reading on February 4, 2025, adopt changes to the 2025 City Classified Employee Pay Plan based on an annual market analysis conducted as agreed upon through the 2025-2027 Collective Bargaining Agreement (the “Agreement”) with the Northern Colorado Lodge #3 of the Fraternal Order of Police (“FOP”). The Agreement was approved by Council by Resolution on December 3, 2024. The Agreement specifies a salary data collection method and evaluation process that includes market data as of early January. This data has been collected and analyzed, resulting in the revised 2025 City Classified Employee Pay Plan.

*After First Reading, Exhibit A to the Ordinance has been amended to reflect a new salary for Police Sergeant Step 1 to mitigate compression. An updated version with the salary highlighted is attached to this AIS. A clean version of the Exhibit is attached to the Ordinance for Second Reading.*

**7. Second Reading of Ordinance No. 016, 2025, Authorizing the Conveyance of a Permanent Non-Exclusive Utility Easement on Property Jointly Owned by the City of Fort Collins and the City of Loveland at the Northern Colorado Regional Airport to the Fort Collins-Loveland Water District.**

This Ordinance, unanimously adopted on First Reading on February 4, 2025, authorizes a permanent, non-exclusive utility easement over a portion of Northern Colorado Regional Airport property to allow for the installation and maintenance of a waterline to serve the Fort Collins-Loveland Water District’s (the “District”) public water system. The project will improve reliability and redundancy of the water system that serves the Airport and surrounding area. The Airport will receive fair market value compensation for the easement.

**8. First Reading of Ordinance No. 018, 2025, Appropriating Prior Year Reserves and Unanticipated Philanthropic Revenue Received by City Give for Various Programs and Services as Designated by the Donors.**

The purpose of this item is to request an appropriation of \$88,371.82 in philanthropic revenue received through City Give. These miscellaneous gifts to various City departments support a variety of programs and services and are aligned with both the City’s strategic priorities and the respective donors’ designation.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.



9. **First Reading of Ordinance No. 019, 2025, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Fort Collins Public Safety Services as Designated by the Donor.**

The purpose of this item is to request an appropriation of \$450,000 in philanthropic revenue received by City Give from the Woodward Charitable Trust per the donor's designated purpose.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

10. **First Reading of Ordinance No. 020, 2025, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Immigration Legal Fund, Neighborhood Services as Designated by the Donor.**

The purpose of this item is to request an appropriation of \$100,000 in philanthropic revenue received by City Give from the Colorado Health Foundation for the designated purpose of the Immigration Legal Fund.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

11. **First Reading of Ordinance No. 021, 2025, Appropriating Prior Year Reserves of a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Pedestrian Intersection Improvements Project and Related Art in Public Places.**

The purpose of this item is to appropriate a development contribution to construction from the developer of The Standard at Fort Collins to the Pedestrian Intersection Improvements project (Project). The funds will be used for design and construction of pedestrian crossing improvements at West Prospect Road and Prospect Lane. If approved, this item will 1) appropriate \$20,000 received in 2018 as a development contribution to construction by an adjacent development and 2) appropriate \$200 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

12. **First Reading of Ordinance No. 022, 2025, Making a Supplemental Appropriation of a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Willow Street Improvements – Linden Street to Lincoln Avenue Project and Related Art in Public Places.**

The purpose of this item is to appropriate a development contribution to construction from the developer of the Bas Bleu Development to the Willow Street Improvements – Linden Street to Lincoln Avenue capital project (Project). The funds will be used for design services. If approved, this item will 1) appropriate \$29,545 received in 2025 as a development contribution to construction by an adjacent development and 2) appropriate \$295 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

13. **First Reading of Ordinance No. 023, 2025, Making Supplemental Appropriations and Appropriating Prior Year Reserves and Authorizing Transfers for the College Avenue - Trilby Road Intersection Improvements Project and Related Art in Public Places.**

The purpose of this item is to provide supplemental appropriations for the College Avenue - Trilby Road Intersection Improvements Project (Project). The funds will be used for construction of improvements at the intersection of South College Avenue and Trilby Road. If approved this item will: 1) appropriate \$1,294,934 from the Stormwater Reserves fund; 2) appropriate \$1,139,824 from Fort Collins-Loveland Water District (FCLWD) funds; 3) appropriate \$28,838 South Fort

Collins Sanitation District (SFCSD) funds; 4) appropriate the unanticipated revenues from the sale of real property at 945 East Prospect Road; 5) transfer \$1,600,000 in Community Capital Improvement Program (CCIP) Arterial Intersection Improvements funds; 6) transfer \$246,503 from the Suniga Improvements project; 7) appropriate \$265,393 in Transportation Capital Expansion Fee (TCEF) reserve funds; and 8) appropriate \$30,789 (1% of additional funding) from the Project to the Art in Public Places (APP) program.

**14. First Reading of Ordinance No. 024, 2025, Authorizing Transfers of Appropriations from the Laporte Avenue Bridges Project to the Laporte Avenue Multimodal Improvements Project.**

The purpose of this item is to transfer funding from the Laporte Avenue Bridges project (Bridges) to the Laporte Avenue Multimodal Improvements project (Project). If approved this item will transfer the remaining \$165,075 from the Bridges to the Project.

**15. First Reading of Ordinance No. 025, 2025, Removing a Condition on the Zoning Classification and Amending the Zoning Map of the City of Fort Collins for that Certain Property Known as the Second Fischer Rezoning.**

The purpose of this item is to remove the condition on the zoning of these two parcels, which condition was part of a 2020 rezoning into the current zone district.

This is a request to rezone 1185 and 1201 Westward Drive to remain in the current zone district, but to remove a previously approved condition for a specific parking requirement in potential future development. Such a condition is currently in place upon the zoning.

**16. First Reading of Ordinance No. 026, 2025, Declaring Certain City-Owned Property at Pelican Marsh Natural Areas as Public Right-of-Way.**

The purpose of this item is to declare approximately 0.073 acres of Pelican Marsh Natural Area as road right of way (ROW).

The City would construct road and intersection improvements, utility relocations, and fully signalize the intersection of U.S. 287 and Triangle Drive. The project would also install northbound left and southbound right turn lanes on Triangle Drive, and Americans with Disabilities Act (ADA) accessible sidewalk connections to provide multimodal connectivity for bicyclists and pedestrians linking the Ridgewood Hills and Shenandoah neighborhoods west of U.S. 287 to the Lakeview on the Rise Subdivision east of U.S. 287.

**17. Items Relating to the Heritage Annexation.**

A. Resolution 2025-011 Setting Forth Findings of Fact and Determinations Regarding the Heritage Annexation.

B. Public Hearing and First Reading of Ordinance No. 027, 2025, Annexing the Property Known as the Heritage Annexation to the City of Fort Collins, Colorado.

The purpose of this item is to annex a 24.84-acre property located northeast of the intersection of International Boulevard and Mexico Way. The Initiating Resolution was adopted on January 7, 2025. A related item to zone the annexed property is presented as the next item on this Agenda.

*This annexation request is in conformance with the State of Colorado Revised Statutes as they relate to annexation, the City of Fort Collins City Plan, and the Larimer County and City of Fort Collins Intergovernmental Agreement Regarding Growth Management.*



**18. Public Hearing and First Reading of Ordinance No. 028, 2025, Amending the Zoning Map of the City of Fort Collins, Classifying for Zoning Purposes the Property Included in the Heritage Annexation to the City of Fort Collins, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and the Lighting Context Area Map.**

The purpose of this item is to zone the property included in the Heritage Annexation into the Employment (E) zone district and place the property into the appropriate Non-residential Sign District and the LC1 Lighting Context Area.

*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 2(d) of the Council’s Rules of Meeting Procedures adopted in Resolution 2024-148.*

**19. Resolution 2025-012 Adopting Amendments to the City’s Financial Management Policies.**

The purpose of this item is to update six of the internal Financial Management Policies:

- Financial Management Policy 1 – Budget
- Financial Management Policy 2 – Revenue
- Financial Management Policy 3 – General
- Financial Management Policy 5 – Fund Balance
- Financial Management Policy 7 – Debt
- Financial Management Policy 8 – Investments

Once a year a portion of Financial Policies are reviewed and updated as needed. Policies were reviewed in Council Finance Committee and accepted with minor edits as notated as redlines in attached policies and summarized in attached presentation. Staff is committed to reviewing each policy no less than every 3 years.

**20. Resolution 2025-013 Approving Fort Fund Special Event Grant Disbursements.**

The purpose of this item is to approve Fort Fund grants from the Cultural Development and Programming Account and the Tourism Programming Account for the selected community events in the Special Event Grant – January Deadline category, based upon the recommendations of the Cultural Resources Board.

**END OF CONSENT CALENDAR**

- J) ADOPTION OF CONSENT CALENDAR**
- K) CONSENT CALENDAR FOLLOW-UP** *(This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.)*
- L) STAFF REPORTS - None.**
- M) COUNCILMEMBER REPORTS**
- N) CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR FOR INDIVIDUAL DISCUSSION**

## O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

*The method of debate for discussion items is as follows:*

- *Mayor introduced the item number and subject; asks if formal presentation will be made by staff*
- *Staff presentation (optional)*
- *Mayor requests public comment on the item (three minute limit for each person)*
- *Council questions of staff on the item*
- *Council motion on the item*
- *Council discussion*
- *Final Council comments*
- *Council vote on the item*

*Note: Time limits for individual agenda items may be revised, at the discretion of the Mayor, to ensure all have an opportunity to speak. The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.*

### 21. Items Relating to Election Code Changes.

A. First Reading of Ordinance No. 029, 2025, Amending 7-145 of the Code of the City of Fort Collins to Clarify and Revise the Process for Enforcement of Campaign Violations.

B. First Reading of Ordinance No. 030, 2025, Amending Article V of Chapter 7 of the Code of the City of Fort Collins to Clarify and Revise the Restrictions and Requirements Related to Campaign Contributions in City Elections.

C. First Reading of Ordinance No. 031, 2025, Amending Section 7-103 of the Code of the City of Fort Collins to Remove Write-In Candidates in City Elections.

D. First Reading of Ordinance No. 032, 2025, Amending Section 7-165 of the Code of the City of Fort Collins to Clarify and Revise the Requirements for Petition Circulators.

E. First Reading of Ordinance No. 033, 2025, Amending Chapter 7 of the Code of the City of Fort Collins to Update Various Sections Related to City Elections for Consistency with the City Charter and Within Chapter 7.

In 2015, Council formed an ad hoc committee (Election Code Committee) to review, discuss and recommend the most beneficial changes to the Code and City Charter regarding elections and other related matters. The ad hoc committee was changed to a standing committee in January 2017 for the purpose of identifying and evaluating ideas for improvements to City election laws and practices and anticipating adjustments that may be needed to adapt to a changing legal and technological environment. These items are coming forward for Council consideration based on recommendations by that Committee.

## P) RESUMED PUBLIC COMMENT (if applicable)

## Q) OTHER BUSINESS

- OB 1. **Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers.**

*(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)*

## **R) ADJOURNMENT**

*Every regular Council meeting will end no later than midnight, except that: (1) any item of business commenced before midnight may be concluded before the meeting is adjourned and (2) the Council may, at any time prior to adjournment, by majority vote, extend a meeting beyond midnight for the purpose of considering additional items of business. Any matter that has been commenced and is still pending at the conclusion of the Council meeting, and all matters for consideration at the meeting that have not yet been considered by the Council, will be deemed continued to the next regular Council meeting, unless Council determines otherwise.*

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