



# City Council Regular Meeting Agenda

July 1, 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 the Month of July 2025 as Park and Recreation Month.
- PP 2. Declaring the Month of July 2025 as Disability Pride 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 June 17, 2025 Regular meeting.**

The purpose of this item is to approve the minutes of the June 17, 2025 Regular meeting.

#### **2. Items Relating to the Appropriation of Federal Funds in the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program Funds.**

A. Second Reading of Ordinance No. 097, 2025, Making Supplemental Appropriations in the Community Development Block Grant Fund.

B. Second Reading of Ordinance No. 098, 2025, Making Supplemental Appropriations in the HOME Investment Partnerships Grant Fund.

C. Second Reading of Ordinance No. 099, 2025, Making Supplemental Appropriations in the HOME Investment Partnerships Grant American Rescue Plan Act Fund.

These Ordinances, unanimously adopted on First Reading on June 17, 2025, appropriate the City's Fiscal Year (FY) 2025 Community Development Block Grant (CDBG) Entitlement Grant and FY2025 Home Investment Partnerships Program (HOME) Participating Jurisdiction Grant from the Department of Housing and Urban Development (HUD), CDBG program income from FY2023 & FY2024 and HOME Program Income from FY2023 & FY2024, and supplemental funding to the FY21 HOME American Rescue Plan Act (HOME-ARP) Fund.

3. **Second Reading of Ordinance No. 100, 2025, Updating Various Provisions of the Code of the City of Fort Collins Related to Affordable Housing.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, conforms the definitions relating to affordable housing in the City Code to those in the Land Use Code, removes language for a program that was repealed, and removes the requirement of a specific fee amount when requesting affordable housing fee delays.

4. **Second Reading of Ordinance No. 101, 2025, Authorizing the Conveyance of a Permanent Drainage Easement on Fossil Creek Reservoir Natural Area to South Fort Collins Sanitation District.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, authorizes the conveyance of a drainage easement to South Fort Collins Sanitation District ("SFCSD") across the southwest side of Fossil Creek Reservoir Natural Area. The request is tied to an expansion of SFCSD's infrastructure at their headquarters immediately adjacent to the natural area. The proposed easement alignment would cross Highway 392 (north to south) via a culvert into Duck Lake.

5. **Second Reading of Ordinance No. 102, 2025, Authorizing the Conveyance of One Drainage Easement and One Temporary Construction Easement on Golden Meadows Park.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, authorizes the conveyance of one (1) Temporary Construction Easement of 0.0474 acres (the "TCE") and one (1) Drainage Easement of 0.0168 acres (the "DE") (the "Easements"), being a portion of City property presently known as Golden Meadows Park, for the construction and installation of stormwater outfall infrastructure improvements.

6. **Second Reading of Ordinance No. 103, 2025, Vacating Alley Right-of-Way in the Ghent Subdivision Subject to Conditions.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, vacates 16 feet of public right-of-way dedicated by the Ghent subdivision plat. The right-of-way is no longer desirable or necessary to retain for street purposes. The right-of-way vacation will be conditional upon the relocation of an existing Lumen utility line which is currently within the right-of-way.

7. **Second Reading of Ordinance No. 104, 2025, Correcting an Error in Ordinance No. 046, 2023, Regarding Financial Disclosure Requirements by Deleting Obsolete Section 2-638.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, deletes language that was inadvertently left in place with the adoption of Ordinance No. 046, 2023, which enacted updated requirements for financial disclosures.

8. **Second Reading of Ordinance No. 105, 2025, Making a Supplemental Appropriation of Railroad Crossing Elimination Program Grant Funds for the Vine/Timberline Rail Grade Separation Planning Project.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, enables the City to receive and expend Railroad Crossing Elimination (RCE) Program funds through the Federal Railroad Administration (FRA) for the Vine/Timberline Rail Grade Separation Planning project (Project). The funds will be used to conduct planning for the capital project that intends to grade separate Timberline Road over Vine Drive and the BNSF railroad, eliminating the at-grade crossing of the railroad. The grant funding is not eligible for contributions to the Art in Public Places (APP) program. Previously appropriated funding from development contributions to construction will provide the City's cost share obligation under the federal grant, as well as providing additional funds needed for Project completion. The development contributions are subject to APP program transfers that are complete. If approved, the item will appropriate \$765,616 in RCE Program grant funds to the Project.

9. **Second Reading of Ordinance No. 106, 2025, Amending the Land Use Code to Remove Non-Primary Short Term Rentals from the Community Commercial - North College District.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, amends the Land Use Code to remove Non-Primary Short Term Rentals from the list of licensed uses in the Community Commercial-North College (CCN) zone district.

**Ordinance No. 106, 2025 and Ordinance No. 107, 2025 were presented together on first reading. However, Ordinance No. 106, 2025, will be considered under the Consent Calendar section of the Agenda, and Ordinance No. 107, 2025, due to a split vote on first reading, is to be considered under the Discussion section of the Agenda.**

10. **Second Reading of Ordinance No. 108, 2025, Submitting to a Vote of the Registered Electors of the City of Fort Collins a Proposed Charter Amendment Amending Sections 1 and 18 of Article II of the City Charter Related to Vacancies and Application of Term Limits to Partial Terms.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, sets ballot language regarding a proposed amendment to the City Charter resulting from the Charter Update Project and submits the question to the voters at the November 4, 2025, election. The Council has considered and taken action on five amendments, and this item completes action on the Charter amendments that have been identified as part of the Charter Update Project. **Updates were made on First Reading to clarify that any person, whether appointed or elected to fill a vacancy on the Council, is considered to have served a term in that office for purposes of applying the term limit if they serve in total more than one-half of the term of office, unless the partial term was served before 2026.**

The Ordinance does not include an amendment number for the proposed ballot question. The Council will establish the order of the amendments to be presented on the ballot by separate action.

11. **Second Reading of Ordinance No. 109, 2025, Establishing the Charter Amendments to Appear on the November 4, 2025, Municipal Election Ballot and the Related Ballot Order.**

This Ordinance, unanimously adopted on First Reading on June 17, 2025, finalizes the Charter Amendments to be placed on the November 4, 2025, ballot and sets the preferred order for them.

**12. First Reading of Ordinance No. 110, 2025, Appropriating Unanticipated Philanthropic Revenue Received Through City Give for Various Programs and Services.**

The purpose of this item is to request an appropriation of \$134,447 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.

**13. First Reading of Ordinance No. 111, 2025, Appropriating Prior Year Reserves to Support the Gardens on Spring Creek Master Plan, Strategic Plan, and Interpretive Plan.**

The purpose of this item is to consider an appropriation of \$150,000 from Gardens on Spring Creek reserves to engage consultant(s) who will facilitate development of a Master Plan, Strategic Plan, and Interpretive Plan.

**14. First Reading of Ordinance No. 112, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Safe Routes to School Zach Elementary School Project.**

The purpose of this item is to provide a supplemental appropriation to the Safe Routes to School (SRTS) Zach Elementary School Project (Project). Poudre School District (PSD) contributed \$25,000 to the Project and this contribution was incorrectly appropriated in Ordinance No. 144, 2023. If approved, this item will correct this error and correctly appropriate the \$25,000 PSD contribution to the Project. No new funding will be appropriated to the Project. As no new funding is being appropriated, there is no proposed additional contribution to the Art in Public Places (APP) program.

**15. First Reading of Ordinance No. 113, 2025, Approving a Collateral Assignment of a Lease at the Northern Colorado Regional Airport.**

The purpose of this item is to request Council approval of a Collateral Assignment of Lease ("Assignment") involving CO Fire Aviation Leasing, Inc., the cities of Loveland and Fort Collins (the "Cities"), and FMS Bank. The Assignment allows CO Fire Aviation Leasing, Inc. (the "Sublessee") to assign its leasehold interest as security for a \$920,000 loan from FMS Bank (the "Lender").

The underlying ground lease permits such assignments with the consent of the Cities. The Assignment, attached to proposed Ordinance No. 113, 2025, will serve as the Cities' acknowledgement of the assignment and provide the Lender rights to receive notice of any Sublessee default, to cure such defaults, and request a new lease of the Sublease is terminated.

**16. First Reading of Ordinance No. 114, 2025 Authorizing the Conveyance of a Permanent Access Easement to Josh and Dusti Sanger Across City Property on Trilby Road.**

The purpose of this item is to authorize conveyance of a permanent access easement to Josh and Dusti Sanger on approximately 0.5 acres of Coyote Ridge Natural Area. The Sangers own a 5-acre residential inholding (2887 W. Trilby Road) within the natural area. Domestic water infrastructure (a cistern and electric pump) that exists on the adjacent natural area pre-dates the City's ownership and provides water to the Sangers' residence. The access easement is intended to formally document the Sangers' access to the existing cistern and electric pump on the Natural Area and require the Sangers to use the easement in accordance with City parameters.

**17. First Reading of Ordinance No. 115, 2025, Vacating the City's Property Rights in a Railroad Easement at 3842 Redman Drive, Fort Collins.**

The purpose of this item is to review and potentially recommend the vacation of the City's rights in an unused and unusable railroad easement on the Super Vacuum Manufacturing Inc./Bonfire, LLC (Super Vac) property at 3842 Redman Drive.

**18. First Reading of Ordinance No. 116, 2025, Extending the Terms of a Non-Exclusive Franchise by the City of Fort Collins to Comcast of California/Colorado LLC and its Successors and Assigns for the Right to Make Reasonable Use of, and Erect, Construct, Operate and Maintain Through, the Public Rights-of-Way, Easements and other Public Property any Equipment Necessary and Appurtenant to the Operation and Maintenance of a Cable System and the Provision of Cable Services to City Residents.**

The purpose of this item is to request an extension to the terms of the current cable franchise agreement which expires on July 31, 2025. Staff is in current negotiations with Comcast representatives and in the best interests of both parties, recommend this extension so that negotiations can continue. The extension will run through October 31, 2025.

**19. Resolution 2025-067 Updating the 2013 Paved Recreational Trails Master Plan and Renaming it the 2025 Strategic Trails Plan.**

The purpose of this item is to approve the 2025 Strategic Trails Plan (STP). The completion of this plan involved a 14-month planning process comprised of three distinct project phases.

This Agenda Item Summary shares the following high-level details of plan development and provides an overview of next steps as the project team moves into the implementation phase.

1. Plan purpose, overarching goals, and council priority alignment
2. Key community engagement themes
3. The proposed trails map and related items:
  - Guiding principles used to develop 60 miles of proposed trails
  - Project prioritization criteria
  - Trail development timeline and costs
  - Trail safety strategy
4. Additional completed deliverables
5. Next Steps – STP Implementation

Since the January 14, 2025, Work Session, staff has been working to finalize the Strategic Trails Plan incorporating community feedback from on-line and in-person engagement, draft plan review and input from City boards, including the Parks and Recreation Advisory Board, Senior Advisory Board, Active Modes Advisory Board, and the Land Conservation and Stewardship Board.

Collectively, this input as part of the third and final phase of community engagement has resulted in several refinements to the Strategic Trails Plan, including proposed trail and plan language adjustments and further development of discrete recommendations.

Beginning July 2025, staff will move forward on initiating the predevelopment phases for northeast and western trail alignments, including two spur trail projects. Staff will also pursue several near-



term plan recommendations, including the development of a FoCo Trails Program and administrative environmental review policy for trail development.

**20. Resolution 2025-068 Approving the 2025 Certification to the Larimer County Assessor Pursuant to Colorado Revised Statutes Section 31-25-807(3)(a)(IV)(B) for the Downtown Development Authority Property Tax Increment.**

The purpose of this item is to certify to the Larimer County Assessor the percentages of property tax distributions to be allocated for the Downtown Development Authority by the Assessor as tax increment from the 2025 property taxes payable in 2026 to the City and to all other affected taxing entities.

**21. Resolution 2025-069 Making Appointments to the Downtown Development Authority Board.**

The purpose of this item is to fill vacancies that will exist as of June 30, 2025.

**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.*

**22. Public Hearing and Resolution 2025-059 Approving a First Amendment to the Amended and Restated Service Plan for Foothills Metropolitan District.**

**Staff is requesting that Council make the following motion to continue the public hearing and postpone consideration of this Resolution to allow the applicant additional time to draft and finalize details concerning the dedication of affordable housing in the related**

**item Resolution 2025-060, Approving the Development Agreement to Secure Public Benefits for the Foothills Mall Redevelopment.**

**Motion:** “I move to continue the public hearing and postpone consideration of Resolution 2025-059, Approving a First Amendment to the Amended and Restated Service Plan for Foothills Metropolitan District, to July 15, 2025.”

Per the City’s Financial Management Policy 10 – Metro Districts (the “Policy”), authorized by Resolution 2021-045, the procedures for conducting a hearing on metropolitan district service plan or plan amendment will be in accordance with the Council’s adopted procedures and Section 3.K. of the Policy, which sets the order of the proceedings on such a public hearing as follows:

1. Announcement of item;
2. Consideration of any procedural issues;
3. Explanation of the application by City staff;
4. Presentation by the applicant;
5. Public testimony regarding the application;
6. Rebuttal testimony by the applicant;
7. Councilmember questions of City staff and the applicant; and
8. Motion, discussion and vote by City Council.

In 2012, the District was organized to redevelop the then existing Foothills Mall (approval of the formation of the District and its original Service Plan by City Council was by Resolution 2012-084). Council approved the current Amended and Restated Service Plan for the Foothills Metropolitan District (the “District”) on May 7, 2013 (Resolution 2013-044).

Since the District’s formation and redevelopment, some of the planned activation has been successful. However, several factors have affected the commercial leasing of all property, which has impacted the revenues dedicated for debt service payment. To address the underperforming aspects, MXD Fort Collins, LLC (the “Current Developer”) is currently designing a new redevelopment plan. The First Amendment supports this new approach to redevelopment by:

1. Increasing the maximum amount of debt the District can have outstanding.
2. Extending the length of the debt the District is allowed to incur and clarifying refunding.
3. Making other changes to ensure consistency with the new redevelopment plan.

The First Amendment expands the list of eligible improvements but does not expand the list of eligible improvements for which the City or the Fort Collins Urban Renewal Authority (the “Authority”) are obligated to participate in or contribute revenues to finance. This item is related to another item on the agenda, Resolution 2025-060, Approving a Development Agreement to Secure Public Benefits for Foothills Mall Redevelopment, which, if adopted, would approve a Public Benefits Agreement that would be effective upon the effective date of this Resolution 2025-059.



23. **Resolution 2025-060 Approving the Development Agreement to Secure Public Benefits for the Foothills Mall Redevelopment.**

**Staff is requesting that Council make the following motion to postpone consideration of this Resolution to allow the applicant additional time to draft and finalize details relating to the dedication of affordable housing in the Public Benefits Agreement.**

**Motion:** "I move to postpone consideration of Resolution 2025-060, Approving the Development Agreement to Secure Public Benefits for the Foothills Mall Redevelopment, to July 15, 2025."

The purpose of this item is to seek approval of a Development Agreement to Secure Public Benefits for Foothills Mall Redevelopment. This item is related to another item on the agenda, Resolution 2025-059 Approving a First Amendment to the Amended and Restated Service Plan for Foothills Metropolitan District.

24. **Second Reading of Ordinance No. 107, 2025, Amending the Code of the City of Fort Collins to Clarify the Conditions of Renewal of Existing Non-Primary Short Term Rental Licenses.**

This Ordinance, adopted on First Reading on June 17, 2025 by 4-3 (Nays: Ohlson, Gutowsky, Potyondy), amends the City Code to allow existing Non-Primary Short Term Rentals licenses to be renewed.

On second reading, Council will have two options. The first option is the original language which allows for transfer of license upon sale. The second option removes the ability to transfer upon sale.

To most effectively address the unintended concentration of Non-Primary Short-Term Rentals in this zone, staff recommends adoption of the second option.

Beyond Council action, staff will continue to review and update policies and fee structures related to STRs. Any actions or recommendations will be provided through memo update.

**Ordinance No. 106, 2025 and Ordinance No. 107, 2025 were presented together on first reading. However, Ordinance No. 106, 2025, will be considered under the Consent Calendar section of the Agenda, and Ordinance No. 107, 2025, due to a split vote on first reading, is to be considered under the Discussion section of the Agenda.**

**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.)*

**OB 2. Consideration of a motion to cancel the Tuesday, August 5, 2025, Regular Council meeting:**

"I move, pursuant to City Code Section 2-28(a), that Council cancel its regular meeting on Tuesday, August 5, 2025, due to Neighborhood Night Out."

## **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.*

*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.*

*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 aviso previo cuando sea posible. Las solicitudes de interpretación en una reunión deben realizarse antes del mediodía del día anterior.*