

Fort Collins City Council Agenda

Regular Meeting

6:00 p.m., Tuesday, October 1, 2024

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

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

Se dispone de interpretación en español para esta reunión.

NOTICE:

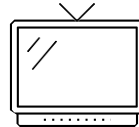
Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in Council Chambers.

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

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.
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.

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

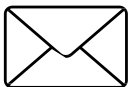
Meeting ID: 982 4141 6497

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



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

October 1, 2024 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 October 9th as The Hand That Feeds Day.**
- PP 2. **Declaring October as Fire Prevention Week.**
- PP 3. **Declaring October as Conflict Resolution Month.**
- PP 4. **Declaring National Disability Employment Awareness 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

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/
- 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 September 17, 2024, Regular Meeting.

The purpose of this item is to approve the minutes of the September 17, 2024, regular meeting.

2. **Items Pertaining to the Annual Adjustment Ordinance.**

A. Second Reading of Ordinance No. 134, 2024, Making Supplemental Appropriations in Various City Funds.

B. Second Reading of Ordinance No. 135, 2024, Appropriating Prior Year Reserves in Various City Funds.

C. Second Reading of Ordinance No. 136, 2024, Authorizing Transfers of Appropriations in Various City Funds.

D. Second Reading of Ordinance No. 137, 2024, Authorizing Transfer of Appropriations for the Fossil Creek Trail Spur Project.

These Ordinances, unanimously adopted on First Reading on September 17, 2024, appropriate additional revenues for prior year reserves that need to be appropriated before the end of the year to cover related expenses that were not anticipated, and therefore, not included in the 2024 annual budget appropriation. The additional revenue is primarily from fees, charges for service, rents, contributions, donations, and grants that have been paid to City departments to offset specific expenses.

3. **Second Reading of Ordinance No. 138, 2024, Appropriating Unanticipated Philanthropic Revenue Received by City Give for the Parks Department Designated Toward Improvements at Veterans Plaza of NoCo, Spring Canyon Community Park.**

This Ordinance, unanimously adopted on First Reading on September 17, 2024, requests an appropriation of \$25,050 in philanthropic revenue received by City Give to be used for improvements at the Veterans Plaza in Spring Canyon Community Park.

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.

4. **First Reading of Ordinance No. 139, 2024, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Safe Routes to School Zach Elementary School Crossings Project and Related Art in Public Places.**

The purpose of this item is to provide supplemental appropriations to the Safe Routes to School (SRTS) Zach Elementary School Crossings Project (Project). If approved this item will appropriate:

1. \$176,760 from Transportation Capital Expansion Fee (TCEF) reserves to the Project;

2. \$277,750 from Transportation Services Fund reserves to the Project;

3. \$4,410 (0.8% of TCEF and Transportation Services Fund reserves contribution) from TCEF reserves (\$1,750) and Transportation Services Fund reserves (\$2,660) to the Art in Public Places (APP) program;

4. \$90 (0.2% of TCEF and Transportation Services Funds contribution) for maintenance of art from the Transportation Services Fund reserves to the APP program.

5. **First Reading of Ordinance No. 140, 2024, Making Supplemental Appropriations from the State of Colorado for the Universal Pre-School Program at the Northside Aztlan Community Center.**

The purpose of this item is to consider an appropriation of unanticipated revenue of \$30,469 from the State of Colorado in 2024 to help fund the Universal Pre-school (UPK) program at the Northside Aztlan Community Center through the Recreation Fund.

6. **Items Relating to the US 287 and Triangle Drive Signal Installation Project.**

A. Resolution 2024-120 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins, Colorado, and the Colorado Department of Transportation for the US 287 and Triangle Drive Signal Installation Project.

B. First Reading of Ordinance No. 141, 2024, Appropriating Revenue from a Funding Advancements for Surface Transportation and Economic Recovery Grant and the Colorado Department of Transportation Americans with Disabilities Act Grant and Appropriating Prior Year Reserves and Authorizing Transfers for the US 287 and Triangle Drive Signal Installation Project and Related Art in Public Places.

The purpose of this item is to receive award grant funds and provide appropriations to the US 287 and Triangle Drive Signal Installation Project (Project). If approved this item will:

1. Authorize the Mayor to execute an intergovernmental agreement (IGA) for the Project with the Colorado Department of Transportation (CDOT);
2. Receive and appropriate \$682,211 in Funding Advancements for Surface Transportation and Economic Recovery (FASTER) funds to the Project;
3. Receive and appropriate \$183,843 in CDOT Americans with Disabilities Act (ADA) funds;
4. Appropriate \$688,897 from Transportation Capital Expansion Fee (TCEF) reserves to the Project;
5. Appropriate \$6,686 (0.8% of TCEF contribution) from TCEF reserves to the Art in Public Places (APP) program;
6. Appropriate (0.2% of TCEF contribution) for maintenance of art from the Transportation Services Fund reserves to the APP program.

The funds will be used to design and install a new traffic signal as well as bicycle and pedestrian improvements connecting Triangle Drive to the northeast towards the Lakeview on the Rise development. There is severe crash history at this intersection and in 2023 CDOT committed FASTER funding to the City for signal improvements. CDOT has also committed funding for pedestrian improvements to bring the intersection into compliance with ADA requirements.

7. **Resolution 2024-121 Ratifying the Appointment of Rick Rivera to the Poudre River Public Library District Board of Trustees.**

The purpose of this item is to fill an existing vacancy on the Poudre River Public Library District Board of Trustees.

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**
- 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.

8. Public Hearing #2 on the 2025-26 Recommended Budget for the City of Fort Collins.

This is the second public hearing on the City Manager's 2025-26 Recommended Budget for the City of Fort Collins. The purpose of this public hearing is to gather public input on the 2025-26 budget. Both hearings were set by Council adoption of Resolution 2024-116 at its September 3, 2024, meeting. The City Manager's 2025-26 Recommended Budget can be reviewed at the City Clerk's Office by appointment only and online at fcgov.com/budget.

Spanish interpretation will be available at all 2025-2026 budget related meetings.

9. College and Trilby Multifamily Community Development Plan Appeal.

The purpose of this quasi-judicial item is to consider an appeal of the Administrative Hearing Officer's decision on August 6, 2024, approving the College and Trilby Multifamily Community Project Development Plan (PDP) #PDP220009.

The Appellants filed a Notice of Appeal on August 20, 2024, alleging:

The Hearing Officer **failed to properly interpret and apply relevant provisions of the City Code, Land Use Code, and Charter**. The appeal alleges that the Larimer County Urban Area Street Standards and the City's Transportation Master Plan were not properly interpreted and applied.

Neither of these two documents is specifically discussed anywhere in the record, however several Land Use Code Sections invoke the *Larimer County Urban Area Street Standards* by reference; and a standard in that document mentions the Transportation Master Plan.

Thus, the Staff Report in the record may be considered to incorporate the two documents into the record indirectly because it includes findings on a Land Use Code Section that invokes the street standards.

P) COUNCILMEMBER REPORTS

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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