

Fort Collins City Council Agenda

Regular Meeting

6:00 p.m., Tuesday, January 6, 2026

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

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

NOTICE:

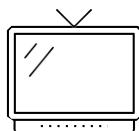
Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in Council Chambers.

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

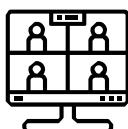
How to view this Meeting:



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, fortcollins.gov/Government/Get-Involved/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.

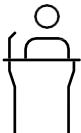
A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione aviso previo. Las solicitudes de interpretación en una reunión deben realizarse antes del mediodía del día anterior.



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

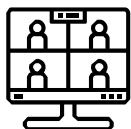
Comment in real time:

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 at fortcollins.gov/Government/City-Council/Council-Meetings.

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 fortcollins.gov/Government/City-Council/Council-Meetings.

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 citiyleaders@fortcollins.gov



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

January 6, 2026 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 - None.

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:

fortcollins.gov/Government/City-Council/Council-Meetings

- 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 fortcollins.gov/Business/Building-and-Development/Development-Review, 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 December 16, 2025, Regular meeting.

The purpose of this item is to approve the minutes of the December 16, 2025, Regular meeting.

2. Second Reading of Ordinance No. 208, 2025, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Salary of the Chief Judge.

This Ordinance, unanimously adopted on First Reading on December 16, 2025, establishes the 2026 compensation of the Chief Judge. Council met in executive session on November 25, 2025, to conduct the performance review of Chief Judge Jill Hueser and to review the salary market analysis for this position.

3. Second Reading of Ordinance No. 209, 2025, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Salary of the City Manager.

This Ordinance, unanimously adopted on First Reading on December 16, 2025, amends City Code to establish the 2026 salary of the City Manager. Council met in executive session on November 25, 2025, to conduct the performance review of City Manager Kelly DiMartino and to review the salary market analysis for this position.

4. Second Reading of Ordinance No. 210, 2025, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Salary of the City Attorney.

This Ordinance, unanimously adopted on First Reading on December 16, 2025, amends City Code to establish the 2026 compensation of the City Attorney. Council met in executive session on November 25, 2025, to conduct the performance review of City Attorney Carrie Daggett and to review the salary market analysis for this position.

5. First Reading of Ordinance No. 001, 2026, Staying the Operation of Ordinances Related to the International Building Codes.

The purpose of this item is to stay the operation of Ordinance No. 201, 2025, Ordinance No. 211, 2025 (Building Code), Ordinance No. 212, 2025 (Energy Conservation Code), Ordinance No. 213, 2025 (Residential Code), Ordinance No. 214, 2025 (Existing Building Code), Ordinance No. 215, 2025 (Swimming Pool & Spa Code), Ordinance No. 216, 2025 (Property Maintenance Code), Ordinance No. 217, 2025 (Mechanical Code), Ordinance No. 218, 2025 (Fuel Gas Code), Ordinance No. 219, 2025 (Plumbing Code), and Ordinance No. 221, 2025 (National Electrical Code), until April 1, 2026 to clarify Council's intent that the previously adopted building codes remain in effect until that time.

6. Resolution 2026-001 Authorizing the City Manager to Execute Two Agreements Regarding Use of the City's Shares in the Water Supply and Storage Company.

The purpose of this item is to approve two agreements regarding the use of the City's shares in the Water Supply and Storage Company ("WSSC"). The City's WSSC shares are needed to provide water service to the City's Water Utility customers.

The "Agreement Between the Water Supply and Storage Company and the Municipal Entity Stockholders" describes the framework for planning, design, construction, operation, maintenance, and funding of modifications to the WSSC system needed to ensure reliable water delivery to all shareholders ("WSSC System Modifications").

The "Cost Allocation Agreement for WSSC System Modifications" describes how the water provider shareholders, including the City, will share the costs related to the WSSC System Modifications. The City's share of such costs is approximately 6%. Both of these agreements are necessary for the City Water Utility to be able to fully utilize its WSSC shares for the benefit of the rate payers of the City Water Utility and the residents of Fort Collins.

7. Resolution 2026-002 Directing Evaluation and Proposed Arrangements for Reorganizing the Administration of Municipal Court.

The purpose of this item is to consider a resolution to direct staff to evaluate and propose arrangements for reorganizing the administration of Municipal Court. The primary objective is to enhance operational efficiency and improve customer service by moving business operations under the City Manager's Office.

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

Staff Report: Demonstration of New Website, FortCollins.Gov.

The purpose of this item is to provide a demonstration of the new City of Fort Collins website, FortCollins.Gov.

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. Items Related to Expressing Gratitude and Appreciation to Outgoing Mayor and Councilmembers for Their Contributions to the Community as City Mayor and Councilmembers.

- A. Resolution 2026-003 Expressing Gratitude and Appreciation to Jeni Arndt for Her Service and Contributions to the Community as Mayor.
- B. Resolution 2026-004 Expressing Gratitude and Appreciation to Susan Gutowsky for Her Service and Contributions to the Community as City Councilmember.
- C. Resolution 2026-005 Expressing Gratitude and Appreciation to Tricia Canonicco for Her Service and Contributions to the Community as City Councilmember.
- D. Resolution 2026-006 Expressing Gratitude and Appreciation to Kelly Ohlson for His Service and Contributions to the Community as City Councilmember.

The purpose of this item is to express gratitude and appreciation to the outgoing Mayor and Councilmembers for their contributions to the community as Mayor and Councilmembers.

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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File Attachments for Item:

1. Consideration and Approval of the Minutes of the December 16, 2025, Regular meeting.

The purpose of this item is to approve the minutes of the December 16, 2025, Regular meeting.

January 6, 2026



AGENDA ITEM SUMMARY

City Council

STAFF

Delynn Coldiron, City Clerk

SUBJECT

Consideration and Approval of the Minutes of the December 16, 2025, Regular meeting.

EXECUTIVE SUMMARY

The purpose of this item is to approve the minutes of the December 16, 2025, Regular meeting.

STAFF RECOMMENDATION

Staff recommends approval of the minutes.

ATTACHMENTS

1. Draft Minutes, December 16, 2025

December 16, 2025

Item 1.

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO
Council-Manager Form of Government
Regular Meeting – 6:00 PM

PROCLAMATIONS AND PRESENTATIONS
5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS – None.

REGULAR MEETING
6:00 PM

B) CALL MEETING TO ORDER

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

C) PLEDGE OF ALLEGIANCE

Mayor Jeni Arndt led the Pledge of Allegiance to the American Flag.

D) ROLL CALL

PRESENT

Mayor Jeni Arndt
Mayor Pro Tem Emily Francis
Councilmember Julie Pignataro
Councilmember Tricia Canonic
Councilmember Melanie Potyondy
Councilmember Kelly Ohlson

ABSENT

Councilmember Susan Gutowsky

STAFF PRESENT

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

E) CITY MANAGER'S AGENDA REVIEW

City Manager Kelly DiMartino provided an overview of the agenda, including:

- No changes to the published agenda.
- Items 1-18 on the Consent Calendar are recommended for adoption.
- Seven discussion items.

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.*)

Heather Hein spoke in opposition to the recreation fee increases that are set to go into place on January 1st. She commented on using the City's recreation facilities to recover from surgeries and train for races. She opposed the elimination of the punch pass and senior social pass. She stated these changes will negatively impact low-income individuals, students, people who cross-train indoors and outdoors, and homeless individuals. She also opposed the non-resident fee and stated there are many private gyms that are less expensive than the City's fees will be.

Evelyn Ritter stated she is starting a new business focused on deconstruction and reclaiming materials. She requested an amendment to the Building Code that would allow re-graded lumber to be used in building construction. She stated this change would lead to increased housing affordability and would help the City meet its sustainability goals.

Amanda Morgan, Disability Advisory Board Member, spoke in opposition to the changes to the snow and ice removal ordinance. She stated the change will adversely impact the disabled community and expressed concern this could isolate her during the winter when there is snow. She stated she already has to call the snow line to get things cleared. She urged Council to consider pausing the ordinance.

Daisy Montgomery, Disability Advisory Board Chair, spoke in opposition to the changes to the snow and ice removal ordinance. She urged Council to pause consideration of the ordinance due to its significant implications for accessibility, safety, and compliance with the Americans with Disabilities Act. She expressed concern that this item involved no outreach to the disabled community or the Disability Advisory Board.

Mike Calhoon expressed his appreciation for Councilmember Ohlson stating his work has left a lasting mark on Fort Collins. He stated he has given his time, energy, and heart to Fort Collins over the past decades. He discussed Councilmember Ohlson's advocacy for Natural Areas, thoughtful growth, and decisions that balance progress and stewardship. He also commented on other stand out projects championed by Councilmember Ohlson, including the West Nile virus program, the Downtown flower project, and the 2050 tax measure. Additionally, Mr. Calhoon commented on Councilmember Ohlson's persistence, passion, and integrity and thanked him for his extraordinary efforts and service.

Liri Sananes spoke in opposition to the snow and ice removal ordinance commenting on the adverse impacts the changes would have on disabled residents and students.

George Grossman spoke in opposition to paid on-street parking in the Downtown area. He provided an update on the increased number of signatures that have been collected as part of an informal petition effort opposed to the change. He stated it appears the Economic Health Office has not been engaged in this process thus far and suggested a feasibility study be conducted regarding the impact of paid on-street parking on sales tax revenue. He also stated the public comments have been ten to one against the change and stated the implementation of paid on-street parking would change the unique character of Old Town. He requested the topic be on the agenda for Council's upcoming

retreat. Additionally, he concurred the topic is complicated and stated there are many people who are willing to work to find solutions. He encouraged people to shop local and support small businesses this holiday season.

Joe Dice spoke in favor of changing marijuana codes stating 2012 was the last time these were examined. He stated existing facilities cannot relocate and commented on the impact of Loveland's new licensing approval. He urged Council to place the topic on an upcoming agenda so changes can be considered and suggested Council enact regulations that would enable marijuana businesses to have more location opportunities.

H) PUBLIC COMMENT FOLLOW-UP

Mayor Arndt requested clarification regarding the snow and ice removal ordinance. Lori Schwarz, Planning, Development, and Transportation Deputy Director, clarified the requirement to remove snow within 24 hours remains; however, the proposed change to two inches relates to those situations wherein the City steps in to abate snow issues.

Mayor Arndt asked if accessibility issues were considered. Schwarz replied in the affirmative and stated two inches seemed to be a reasonable accumulation based off the types of snow received and the amount of sun.

Mayor Arndt asked if the ordinance was taken to the Disability Advisory Board for consideration. Schwarz replied in the negative.

Mayor Arndt asked if other municipalities have similar regulations. Schwarz replied in the affirmative and commented on the current process and the need to balance safety and resources.

Councilmember Ohlson thanked Mike Calhoon for his comments.

Councilmember Potyondy stated the Disability Advisory Board and Senior Advisory Board voices should be taken into consideration regarding the snow removal item. She asked whether it would be possible to modify the Building Code to allow the use of reclaimed lumber. Marcus Coldiron, Chief Building Official, replied re-use of reclaimed building materials is not prohibited in the current Building Code, though it is not explicitly allowed. He stated there is an alternative compliance process that must be undertaken to re-use materials to ensure they are structurally sound and meet other requirements of the Building Code.

Councilmember Canonico asked about the fee increases for recreation facilities. Dean Klingner, Community Services Director, stated there are currently over twenty different recreational passes and the plan is to make that process more customer-friendly. He stated the fees are increasing due to inflation, though noted there are some areas of cost reduction as well. He offered to provide a follow-up memo with additional clarification.

Mayor Pro Tem Francis asked if all punch passes are being eliminated. Klingner replied in the affirmative and stated there will now be monthly, six-month, or yearly passes available.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

None.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the November 25, 2025, Special meeting and December 2, 2025, Regular meeting.

The purpose of this item is to approve the minutes of the November 25, 2025, Special meeting and December 2, 2025, Regular meeting.

Approved.

2. Second Reading of Ordinance No. 196, 2025, Making a Supplemental Appropriation of Unanticipated Revenue for Payment of Contingency Fees.

This Ordinance, unanimously adopted on First Reading on December 2, 2025, appropriates funding authority in the General Fund to make the required fee payment for the recovery of an insurance settlement benefitting the City.

Adopted on Second Reading.

3. Second Reading of Ordinance No. 197, 2025, Appropriating Unanticipated Philanthropic Revenue Received Through City Give.

This Ordinance, unanimously adopted on First Reading on December 2, 2025, requests an appropriation of \$25,023.67 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.

Adopted on Second Reading.

4. Second Reading of Ordinance No. 198, 2025, Making Supplemental Appropriations from the Colorado Division of Criminal Justice for Restorative Justice Services and Approving a Modification to an Intergovernmental Grant Agreement with the Colorado Division of Criminal Justice.

This Ordinance, unanimously adopted on First Reading on December 2, 2025, appropriates \$4,000 of unanticipated grant revenue from the Colorado Division of Criminal Justice Juvenile Diversion Fund awarded for the period of July 1, 2025 – June 30, 2026. This grant supports the Restorative Justice programs in the Housing and Community Vitality Department in Sustainability Services and approves the corresponding modification to the City's intergovernmental agreement with the State of Colorado.

Restorative Justice Programs (Programs) are part of the City's Conflict Transformation Works team, which also provide mediation services. The Programs will provide restorative justice services as an accountability option for 35 youth referred from the 8th Judicial District Attorney's Office.

Adopted on Second Reading.

5. Second Reading of Ordinance No. 199, 2025, Authorizing a Transfer of Appropriated Matching Grant Funds for the Colorado Parks and Wildlife Grant Related to the Soapstone Prairie Headwaters Restoration Project.

This Ordinance, unanimously adopted on First Reading on December 2, 2025, authorizes a transfer of appropriated matching grant funds for the Colorado Parks and Wildlife grant related to

the Soapstone Prairie Headwaters Restoration Project. The original appropriation ordinance omitted the need for authorization to move in kind personnel costs from a lapsing budget within the Natural Areas Fund into a non-lapsing budget within the same fund. The original explanation is as follows:

The purpose of this item is to support the Natural Areas Department (NAD) in stream and wetland protection and restoration work at Soapstone Prairie Natural Area. The Soapstone Prairie Headwaters Stream Restoration Project (Project) aims to improve ecological function and habitat in a one-mile reach of stream and wetland complex at Soapstone Prairie Natural Area. Specifically, the project will:

- Improve hydrological function and biodiversity for a one-mile reach of stream/wetland complex;*
- Create seven pools using beaver dam analog wood structures to support amphibian habitat;*
- Incorporate a rest cycle from livestock grazing through wildlife-friendly fencing; and*
- Include Native and Indigenous community members in restoration planting activities.*

NAD was awarded \$25,500 through the Colorado Parks and Wildlife (CPW) Wetlands for Wildlife grant (**Attachment 1**). This grant funds the final phase of the project – adaptive management and monitoring activities – and follows completion of prior work including design, construction, and community engagement.

This Ordinance will enable the NAD to complete the Project and fulfill final monitoring and reporting obligations under the CPW grant.

Adopted on Second Reading.

6. Second Reading of Ordinance No. 200, 2025, Amending the Code of the City of Fort Collins to Rename the Cultural Services Department as the Arts and Culture Department and Rename the Cultural Services and Facilities Fund as the Arts and Culture Fund.

This Ordinance, unanimously adopted on First Reading on December 2, 2025, amends City Code to officially rename the Cultural Services Department as the Arts and Culture Department and to rename the Cultural Services and Facilities Fund as the Arts and Culture Fund. This update reflects the department's evolving role in supporting community cultural programs, public arts initiatives, facilities, and partnerships, while better aligning the department's name with its mission and the City's broader arts and culture objectives. The name change will also coincide with the department's website transition on December 10, 2025, providing a consistent public-facing identity across all communications and platforms.

Adopted on Second Reading.

7. Second Reading of Ordinance No. 202, 2025, Adopting an Update to Appendix C of the Larimer County Urban Area Street Standards Pertaining to "Streetscape Standards" for the City of Fort Collins.

This Ordinance, unanimously adopted on First Reading on December 2, 2025, seeks Council adoption of Ordinance No. 202, 2025, which replaces the "City of Fort Collins Streetscape Standards" document that is Appendix C to the Larimer County Urban Area Street Standards (LCUASS). The current version was last adopted by City Council on February 26, 2013. The newly adopted version will have the same title.

The Streetscape Standards relate to the treatment of parkways (between the curb and sidewalk), medians, intersections, roundabouts, and key gateway intersections. The update primarily involves addressing requirements of Senate Bill 24-005 (Prohibit Landscaping Practices for Water Conservation), concerns for City maintenance staff and public safety, and concerns about increasing maintenance costs.

Policy revisions to the LCUASS require a public hearing process for their adoption (LCUASS Section 1.6.2.A). Under Section 2(g) of the Council's Rules of Meeting Procedures adopted in Resolution 2024-148, "[i]tems for which a public hearing is required may be considered as part of the Consent Calendar, and if any item is not pulled from the Consent Calendar for individual consideration and is adopted as part of the Consent Calendar, it will be deemed to have been the subject of a public hearing as required by any applicable Code or other legal requirements." Comments on a Public Hearing item on the Consent Calendar may be made during general public comment or the item may be withdrawn for individual consideration by a Councilmember or the City Manager.

Adopted on Second Reading.

8. Second Reading of Ordinance No. 204, 2025, Amending Section 20-42 of the Code of the City of Fort Collins for the Purpose of Adjusting Weed and Grass Removal Requirements.

This Ordinance, unanimously adopted on First Reading on December 2, 2025, updates the maximum height for weeds and unmowed grasses from six inches to nine inches.

Adopted on Second Reading.

9. Second Reading of Ordinance No. 205, 2025, Authorizing an Intergovernmental Agreement with Housing Catalyst to Assign Certain City Property Rights.

This Ordinance, unanimously adopted on First Reading on December 2, 2025, authorizes the City to assign its rights of first refusal and offer under HB24-1175 by entering into an intergovernmental agreement with Housing Catalyst. HB24-1175 gives local governments rights of first refusal and offer to purchase qualifying multifamily properties for the purpose of providing long-term affordable housing or mixed-income development. It also allows local governments to assign those rights to a local housing authority. Assigning the City's rights to Housing Catalyst will create a more streamlined and timely process for Housing Catalyst to respond to opportunities to purchase.

Adopted on Second Reading.

10. Second Reading of Ordinance No. 206, 2025, Making a Supplemental Appropriation from Benefits Fund Prior Year Reserves for Unanticipated Expenditures.

This Ordinance, unanimously adopted on First Reading on December 2, 2025, requests supplemental appropriations of \$1,000,000 from the Benefits Fund to cover unanticipated medical claims expenses that could potentially exceed 2025 budgeted appropriations.

The City's Benefits Plan is a self-funded health plan in which premiums from both the employee and employer are recorded as revenue in the Benefits fund to pay for plan administration, medical/dental claims, and insurance premiums.

Adopted on Second Reading.

11. **Second Reading of Ordinance No. 207, 2025, Authorizing an Intergovernmental Agreement with Larimer County Relating to an Exchange of Real Property on East Vine Drive and Real Property on Mountain Avenue and Allow for Construction of a Municipal Court or Payment.**

This Ordinance, unanimously adopted on First Reading on December 2, 2025, authorizes an intergovernmental agreement to exchange real property with Larimer County and allow for construction of a municipal court.

Adopted on Second Reading.

12. **Second Reading of Ordinance No. 224, 2025, Amending Section 2-31 of the Code of the City of Fort Collins Concerning Allowing Executive Sessions to Discuss Any Matter Authorized by Colorado Open Meetings Law.**

This Ordinance, unanimously adopted on First Reading on December 2, 2025, amends City Code that describes the bases for City Council executive sessions to add language approved by Fort Collins voters in the November 4, 2025, election. The additional basis for City Council executive sessions is to discuss any matter authorized by Colorado Open Meetings Law.

Adopted on Second Reading.

13. **Second Reading of Ordinance No. 225, 2025, Making a Supplemental Appropriation for the Poudre Fire Authority Intergovernmental Agreement.**

This Ordinance, unanimously adopted on First Reading on December 2, 2025, appropriates funding authority in the General Fund to enable the completion of contractual payments to the Poudre Fire Authority (PFA) from higher than forecasted Use Tax revenue within Fiscal Year 2025.

Adopted on Second Reading.

14. **Resolution 2025-109 Approving Fort Fund Cross-Sector Impact 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 Cross-Sector Impact Grant – October Deadline category, based upon the recommendations of the Cultural Resources Board.

Adopted.

15. **Resolution 2025-110 Adopting the 2025 Three-Mile Plan Update for the City of Fort Collins.**

The purpose of this item is to adopt the annual update of the Three-Mile Plan for the City. The Three-Mile Plan is a reference document of plans and policies coordinating the general location, character, infrastructure, and land uses for areas of potential annexation within three miles of the municipal boundary.

An annual update of the Three-Mile Plan is required by Colorado Revised Statutes and highlights applicable plans and policies adopted or amended by Council over the preceding year.

Adopted.

16. **Resolution 2025-111 Approving the 2026 Annual Plan, Proposed Budget and Three Directors for the Fort Collins Tourism Improvement District.**

The purpose of this item is to consider a resolution approving the Tourism Improvement District 2026 Budget, Annual Plan, and nominations for three District Directors.

Adopted.

17. **Resolution 2025-112 Making Appointments to the Disability Advisory Board.**

The purpose of this item is to fill vacancies on the Disability Advisory Board.

Adopted.

18. **Resolution 2025-113 Ratifying the Appointments of Alyssa Acevedo and Jaclyn Menendez to the Poudre River Public Library District Board of Trustees.**

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

Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-18 on the Consent Calendar.

The motion carried 6-0.

K) CONSENT CALENDAR FOLLOW-UP *(This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.)*

None.

L) STAFF REPORTS – None.

M) COUNCILMEMBER REPORTS

None.

N) CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR FOR INDIVIDUAL DISCUSSION

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

19. **Items Relating to Tree Policy.**

A. Second Reading of Ordinance No. 172, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Establishing a Three-Year Establishment Period for Street Trees.

B. Second Reading of Ordinance No. 174, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Enhancing Tree Mitigation.

These Ordinances, adopted on First Reading on October 21, 2025, by a vote of 4-2 (Nays: ~~Arlet, Francis~~), amend Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the purpose of establishing a three-year establishment period for street trees, and amend Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the purpose of enhancing tree mitigation.

These items are a part of seven ordinances that provide five tree policies for potential adoption in City Municipal and Land Use Codes, including an ordinance for tree spacing and Code maintenance. The five policies intend to update best management practices around tree preservation and mitigation, thus improving predictability and simplification of the current code.

Staff is suggesting changes based on Council feedback from first reading of these two Ordinances on October 21, 2025. These are provided in alternate versions of each ordinance. A summary of the suggested changes is as follows:

Ordinance No.172, 2025, edits include:

- **Added language for clarity around LUC Landscape and Irrigation Installation Escrow (subsection (l)) to connect code with process/practice with how financial guarantees may be partially or fully released upon completion. Subsection (l) was not initially included in First Reading of the ordinance and is now included per discussions with Hartford Homes to address their concern on the escrow process.**
- **Language added to clarify the phased street tree planting approach during development and how this effort is determined in partnership with the developer. This creates additional flexibility and creates improvements on permit tracking and release of street tree establishment.**
- **The proposed ordinance continues to include a three-year establishment period. While there may be disagreement about the efficacy of this policy between staff and a local developer, staff believe the three-year establishment period will be a substantial improvement from existing code requirements.**

Ordinance No. 174, 2025, edits include:

- **Added language to clarify protection for street trees if not approved for removal through the development review process.**
- **Added clarity around how the payment in lieu fee reduction will work and is based on accepting expenditures for enhanced tree planting measures.**
- **Staff reviewed the concern that had been raised at first reading about conflicts with fire access considerations, and to address this, language has been added to Section 3 of this Ordinance, limiting the use of a double row of street trees to only situations where compatible with emergency access.**

Associated Ordinance Nos.169-171, 173 and 175 were adopted unanimously on November 3, 2025.

PUBLIC COMMENT

Jamie Thorpe, Hartford Homes, stated they are concerned regarding the systems and processes the City currently uses and seeks to amend with this update. She commented on a number of meetings held with staff which resulted in some agreed upon changes which are now part of the ordinance. She stated they were unable to reach agreement on the warranty item and stated they received no clear direction on how to resolve conflicts with other standards and were told there is not time to evaluate some suggestions for offsetting loss of developable area. She

provided two alternatives for the warranty item and requested Council select one of them over the staff recommendation. She also supported an incentive-based approach rather than a regulatory approach.

COUNCIL QUESTIONS/DISCUSSION

Councilmember Pignataro thanked staff for work on this item. She asked about the three-year tree establishment period and what the current Code includes related to that. Kendra Boot, City Forester, replied the current Code states the City will accept the maintenance of trees once they are in good condition and established, though there is no set timeline.

Councilmember Pignataro asked if the trees referenced are on City property. Boot replied in the affirmative.

Councilmember Pignataro asked if there have been issues with the current policy either anecdotally or systematically. Boot replied the current process can be very drawn out and frustrating given the lack of a timeline. She stated there are times when a developer is still replacing trees five or six years later and the goal with the change is to make the process more predictable.

Councilmember Pignataro asked if developers are responsible for replacing trees that may get run over for example. Boot replied developers would be responsible for that if they are still building in the development and it has not reached final acceptance.

Mayor Pro Tem Francis thanked staff for working with Hartford Homes on some of the changes. She requested additional information regarding the City's ability to keep up with tree maintenance. Boot replied trees are being maintained for the most part in terms of pruning; however, the City is behind in terms of tree replacement.

Mayor Pro Tem Francis asked about the budget for taking on the maintenance of the trees being added to the public right-of-way. Dean Klingner, Community Services Director, replied the budget will need to grow proportionally with the number of trees accepted, which is proportional to the rate of development and is therefore hopefully associated with increased sales tax revenue.

Mayor Pro Tem Francis noted the current tax base is not covering existing levels of service. She stated not all communities take on right-of-way trees as the responsibility of the City and instead leave that to the property owners. She questioned how far behind the Forestry Department's budget is currently and what is forecasted. She expressed concern there is a one-size fits all approach to the tree policy and reiterated concerns the City may not have funds to take on care of all right-of-way trees into the future. Boot noted one of the reasons the City has gotten so far behind in tree replacements is because it was taking on many dead trees from new developments.

Mayor Pro Tem Francis requested a follow-up memo regarding maintenance and replacement costs and future projections.

Boot noted the City committed to taking on maintenance of street trees in the 1970's due to insect and disease management and safety concerns.

Councilmember Potyondy requested staff address Hartford Homes' suggestion of a one-year establishment period. Boot replied the current process is quite long and unpredictable. She noted it takes a minimum of three years to get a tree established and stated the three-year proposal allows for a shared cost split between developers and the City. Klingner noted there is noting in the Code that prevents a developer from requiring a homeowner to replace a tree they ran over or failed to water.

Councilmember Canonico asked about the checklists that get turned in at the end of a year after building a home and why homeowners are not being brought into this equation. Boot replied the City is reluctant to bring homeowners into the process as the trees are considered to be public infrastructure and are part of the development agreement. Additionally, that would add an administrative burden on staff.

Councilmember Ohlson thanked staff and stated this process has not been rushed. He stated he does not find the tree policy to be strong enough, but recognized this is a compromise and stated he would support it. He commented on how the change increases predictability and disagreed that the City dismissed feedback stating staff ultimately has to bring their best recommendation forward.

Councilmember Pignataro thanked staff for their work and stated this was exactly what Council requested. She stated she would not be supporting Ordinance No. 172, 2025 and would prefer it be paused until the impacts of the other changes are determined.

Councilmember Potyondy stated she would be supporting this but noted there may be opportunities for ongoing improvements.

Mayor Arndt stated she would be supporting this as well and agreed that this has been worked on for many years. She commended staff work and willingness to accept feedback from the community.

Councilmember Canonico added her thanks to staff for listening to Council and the community and making adjustments.

Councilmember Ohlson moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 172, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Establishing a Three-Year Establishment Period for Street Trees, as amended, on Second Reading.

The motion carried 5-1.

Yea: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Ohlson, and Potyondy.

Nay: Councilmember Pignataro.

Councilmember Ohlson moved, seconded by Councilmember Pignataro, to adopt Ordinance No. 174, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Enhancing Tree Mitigation, as amended, on Second Reading.

The motion carried 6-0.

20. **Second Reading of Ordinance No. 203, 2025, Amending Section 20-102 of the Code of the City of Fort Collins for the Purpose of Adjusting Snow and Ice Removal Requirements.**

This Ordinance, adopted on First Reading on December 2, 2025, by a vote of 5-1 (Nay: Ohlson), updates the requirements for snow removal from sidewalks within the City to allow for up to two inches of snow accumulation.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/DISCUSSION

Councilmember Potyondy supported placing a pause on this item for additional outreach to appropriate Boards and Commissions.

Councilmember Pignataro asked why this item is part of the Code rather than an internal policy. Lori Schwarz, Planning, Development, and Transportation Deputy Director, replied having the language codified helps prioritize services and provide clear expectations for when the City will address things through abatement. She stated staff's practice has not been to go directly to citations, though that is an option and those abilities would provide for progressive fines. She stated staff's hope is that this change will help strike a balance between the citation options and the abatement options, though officer discretion will continue to be allowed.

Councilmember Pignataro reiterated that snow must be cleared within 24 hours regardless of how much falls. Schwarz concurred and stated the difference is in enforcement. She noted proactive enforcement will continue and progressive citations would be used rather than going straight to abatement.

Councilmember Pignataro asked if any data could be provided. Schwarz replied there have been 386 abatements out of 3,532 cases.

Councilmember Pignataro thanked the members of the Disability Advisory Board who spoke and stated she heard the concerns, though she does not believe people will not shovel unless there is a threat of a citation or abatement.

Councilmember Canonico asked about the rates for citations. Schwarz replied the first offense is a \$100 fine, the second offense is a \$300 fine, the third offense is a \$500 fine, and a fourth and any subsequent offense could result in a misdemeanor citation.

Councilmember Canonico asked how many citations are being issued annually. Schwarz replied none have been issued, though this change would allow for going directly to citation as opposed to abatement.

Councilmember Canonico thanked the members of the Disability Advisory Board who spoke and encouraged they be consulted along with other Boards when there is a change like this in the future. She requested staff return to Council with information after the winter to allow for a shift in policy if needed.

Mayor Pro Tem Francis supported the citation ability and stated it will hopefully lead to more immediate compliance with snow removal.

Councilmember Ohlson stated he will be opposing the item, though he understands the reasons this is being brought forward. He also requested a report to Council after the winter season regarding the effectiveness of the changes.

Mayor Arndt commented on concerns related to accessibility and emphasized the necessity of utilizing Boards and Commissions for feedback on policies in the future. She stated she is not comfortable voting for this given the fact that Boards did not have a chance to provide input. She stated it is important to send a message that accessibility matters and stated she would support delaying the item.

Councilmember Canonico also expressed support for delaying the item.

Councilmember Potyondy also expressed support for delaying the item and suggested a possible joint Board meeting be scheduled to discuss the item.

Councilmember Ohlson requested that the Senior Advisory Board and transportation-related Boards be included.

Councilmembers discussed a possible date for consideration of Second Reading. City Manager DiMartino suggested it may be appropriate to give a full eight weeks to ensure meaningful engagement. Schwarz noted the City would still have abatement options available for any storms that may come in the next eight weeks.

Councilmember Canonico asked if there is budget for abatements. Schwarz replied there should be enough funds to cover any abatements prior to the consideration of Second Reading.

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to postpone consideration of the Second Reading of Ordinance No. 203, 2025, Amending Section 20-102 of the Code of the City of Fort Collins for the Purpose of Adjusting Snow and Ice Removal Requirements, to February 17, 2026.

Councilmember Potyondy thanked staff for their willingness to take extra time for outreach.

The motion carried 6-0.

21. First Reading of Ordinance No. 208, 2025, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Salary of the Chief Judge.

The purpose of this item is to amend City Code to establish the 2026 compensation of the Chief Judge. Council met in executive session on November 25, 2025, to conduct the performance review of Chief Judge Jill Hueser and to review the salary market analysis for this position.

STAFF PRESENTATION

Teresa Roche, Human Resources Executive, commented on the market analyses conducted for each of the three Council direct report positions and noted she had meetings with each of the Councilmembers regarding their thoughts on the proposed 2026 salary recommendations.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/COMMENTS

Mayor Arndt complimented Roche on her work, guidance, and expertise.

Roche stated her recommendation is for no salary increase for the Chief Judge in 2026.

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 208, 2025, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Salary of the Chief Judge at \$218,141.00, on First Reading.

The motion carried 6-0.

22. First Reading of Ordinance No. 209, 2025, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Salary of the City Manager.

The purpose of this item is to amend City Code to establish the 2026 salary of the City Manager. Council met in executive session on November 25, 2025, to conduct the performance review of City Manager Kelly DiMartino and to review the salary market analysis for this position.

PUBLIC COMMENT

None.

Roche stated her recommendation is a 2% annual salary increase for the City Manager given significant movement in the regional market, for a total of \$337,351.00.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Ordinance No. 209, 2025, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Salary of the City Manager to \$337,351.00, on First Reading.

Councilmember Ohlson stated the City is fortunate to have a very professional, dedicated, and competent City Manager and stated that while he would have liked a greater increase, the 2% increase is in line with those received by most City employees.

Councilmember Canonico concurred with Councilmember Ohlson's praise of City Manager DiMartino and commended her leadership. She agreed she would have liked for the increase to have been greater.

Councilmember Potyondy concurred with the praise and noted City Manager DiMartino requested a 2% raise in lieu of something higher given her desire to be in line with other employees during a difficult budget year.

The motion carried 6-0.

23. First Reading of Ordinance No. 210, 2025, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Salary of the City Attorney.

The purpose of this item is to amend City Code to establish the 2026 compensation of the City Attorney. Council met in executive session on November 25, 2025, to conduct the performance review of City Attorney Carrie Daggett and to review the salary market analysis for this position.

Clerk's Note: Councilmember Potyondy withdrew from the discussion of this item due to a conflict of interest.

PUBLIC COMMENT

None.

Roche stated there are also some interesting trends related to the City Attorney position regionally and recommended a 2% annual salary increase for a new salary of \$270,676.

Councilmember Ohlson stated the City is fortunate to have a professional, dedicated, and competent City Attorney and stated that while he would have liked a greater increase, the 2% increase is in line with those received by most City employees.

Councilmember Canonico concurred with the positive comments about City Attorney Daggett.

Mayor Pro Tem Francis moved, seconded by Councilmember Pignataro, to adopt Ordinance No. 210, 2025, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Salary of the City Attorney to \$270,676, on First Reading.

The motion carried 5-0.

Clerk's Note: Mayor Arndt called for a break at 7:30 p.m., noting the meeting would resume at 7:40 p.m.

24. Items Related to the Adoption of the 2024 International Codes, the 2023 National Electric Code, and the 2025 Colorado Wildfire Resiliency Code, with local amendments.

- A. Second Reading of Ordinance No. 211, 2025, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Building Code and Adopting the 2024 International Building Code, with Amendments.
- B. Second Reading of Ordinance No. 212, 2025, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Energy Conservation Code and Adopting the 2024 International Energy Conservation Code, with Amendments.
- C. Second Reading of Ordinance No. 213, 2025, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Residential Code and Adopting the 2024 International Residential Code, with Amendments.
- D. Second Reading of Ordinance No. 214, 2025, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Existing Building Code and Adopting the 2024 International Existing Building Code, with Amendments.
- E. Second Reading of Ordinance No. 215, 2025, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Swimming Pool and Spa Code and Adopting the 2024 International Swimming Pool and Spa Code, with Amendments.
- F. Second Reading of Ordinance No. 216, 2025, Amending Chapter 5, Article II, Division 3 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Property Maintenance Code and Adopting the 2024 International Property Maintenance Code, with Amendments.
- G. Second Reading of Ordinance No. 217, 2025, Amending Chapter 5, Article IV of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Mechanical Code and Adopting the 2024 International Mechanical Code, with Amendments.
- H. Second Reading of Ordinance No. 218, 2025, Amending Chapter 5, Article IV of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fuel Gas Code and Adopting the 2024 International Fuel Gas Code, with Amendments.
- I. Second Reading of Ordinance No. 219, 2025, Amending Chapter 5, Article V, Division 1 of the Code of the City of Fort Collins for the Purpose of Repealing the Colorado Plumbing Code and adopting the 2024 International Plumbing Code, with Amendments.
- J. Second Reading of Ordinance No. 220, 2025, Amending Chapter 5 of the Code of the City of Fort Collins for the Purpose of Adopting the 2025 Colorado Wildfire Resiliency Code and Appendices, with Amendments.

- K. Second Reading of Ordinance No. 221, 2025, Amending Chapter 5, Article III of the Code of the City of Fort Collins for the Purpose of Repealing the 2020 National Electrical Code and adopting the 2023 National Electrical Code, with Amendments.
- L. Second Reading of Ordinance No. 222, 2025, Amending the Land Use Code of the City of Fort Collins to Add Wildfire Resiliency Landscaping Requirements.

If desired, the following motion language can be used to amend the enforcement date of Ordinances A through I and K above:

I move that Ordinance No. __, 2025 be amended to add a new Section __ at the end to read as follows:

“Violations of the City Code provisions set forth above, on or after [DATE], shall be subject to enforcement.”

These Ordinances, unanimously adopted on First Reading on December 2, 2025, adopts the 2024 International Codes (2024 I-Codes) and the 2023 National Electric Code, which represent the most up-to-date, comprehensive, and fully integrated body of codes regulating building construction and systems using prescriptive and performance-related provisions. The purpose of the 2024 I-Codes is to establish minimum construction requirements to safeguard the public health, safety, and general welfare by regulating structural strength and stability, sanitation, light and ventilation, energy conservation, and property protection from hazards attributed to the built environment within the City of Fort Collins.

The 2024 I-Codes will replace the 2021 editions which were adopted by the City on April 5, 2022 (2021 I-Codes). The I-Codes are reviewed and voted on by code officials and construction industry professionals from across the country and published every three years under the oversight of the International Code Council (ICC). These core 2024 I-Codes represent the latest construction publications from the ICC.

This item also includes ordinances to adopt the 2025 Colorado Wildfire Resiliency Code, which is an adaptation of the 2024 International Wildland-Urban Interface Code published by the ICC.

A minor rewording of Section 4 of Ordinance No. 220, 2025, has been made to increase the clarity of (but not change) the enforcement date.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/COMMENTS

Mayor Pro Tem supported the recommendation to align all of the Code updates with Wildfire Resiliency updates for an effective date of April 1, 2026 for all Codes.

Mayor Pro Tem Francis moved, seconded by Councilmember Pignataro, to adopt Ordinance No. 211, 2025, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Building Code and Adopting the 2024 International Building Code, with Amendments and an additional amendment to add a new Section 7 at the end of the Ordinance, on Second Reading.

Councilmember Ohlson stated he agreed with staff's original recommendation; however, in the spirit of collaboration, he stated he will be supporting this and the remaining motions that are part of this item.

The motion carried 6-0.

Councilmember Ohlson moved, seconded by Councilmember Canonico, to adopt Ordinance No. 212, 2025, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Energy Conservation Code and Adopting the 2024 International Energy Conservation Code, with Amendments and an additional amendment to add a new Section 6 at the end of the Ordinance, on Second Reading.

The motion carried 6-0.

Councilmember Potyondy moved, seconded by Councilmember Canonico, to adopt Ordinance No. 213, 2025, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Residential Code and Adopting the 2024 International Residential Code, with Amendments and an additional amendment to add a new Section 6 at the end of the Ordinance, on Second Reading.

The motion carried 6-0.

Councilmember Canonico moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 214, 2025, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Existing Building Code and Adopting the 2024 International Existing Building Code, with Amendments and an additional amendment to add a new Section 6 at the end of the Ordinance, on Second Reading.

The motion carried 6-0.

Councilmember Pignataro moved, seconded by Mayor Pro Tem Francis, to adopt Ordinance No. 215, 2025, Amending Chapter 5, Article II, Division 2 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Swimming Pool and Spa Code and Adopting the 2024 International Swimming Pool and Spa Code, with Amendments and an additional amendment to add a new Section 6 at the end of the Ordinance, on Second Reading.

The motion carried 6-0.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Ordinance No. 216, 2025, Amending Chapter 5, Article II, Division 3 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Property Maintenance Code and Adopting the 2024 International Property Maintenance Code, with Amendments and an additional amendment to add a new Section 6 at the end of the Ordinance, on Second Reading.

The motion carried 6-0.

Councilmember Ohlson moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 217, 2025, Amending Chapter 5, Article IV of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Mechanical Code and Adopting the 2024 International Mechanical Code, with Amendments and an additional amendment to add a new Section 6 at the end of the Ordinance, on Second Reading.

The motion carried 6-0.

Councilmember Potyondy moved, seconded by Councilmember Canonico, to adopt Ordinance No. 218, 2025, Amending Chapter 5, Article IV of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fuel Gas Code and Adopting the 2024 International Fuel Gas Code, with Amendments and an additional amendment to add a new Section 6 at the end of the Ordinance, on Second Reading.

The motion carried 6-0.

Councilmember Canonico moved, seconded by Councilmember Pignataro, to adopt Ordinance No. 219, 2025, Amending Chapter 5, Article V, Division 1 of the Code of the City of Fort Collins for the Purpose of Repealing the Colorado Plumbing Code and adopting the 2024 International Plumbing Code, with Amendments and an additional amendment to add a new Section 6 at the end of the Ordinance, on Second Reading.

The motion carried 6-0.

Councilmember Pignataro moved, seconded by Mayor Pro Tem Francis, to adopt Ordinance No. 220, 2025, Amending Chapter 5 of the Code of the City of Fort Collins for the Purpose of Adopting the 2025 Colorado Wildfire Resiliency Code and Appendices, with Amendments, on Second Reading.

The motion carried 6-0.

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 221, 2025, Amending Chapter 5, Article III of the Code of the City of Fort Collins for the Purpose of Repealing the 2020 National Electrical Code and adopting the 2023 National Electrical Code, with Amendments and an additional amendment to add a new Section 6 at the end of the Ordinance, on Second Reading.

The motion carried 6-0.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Ordinance No. 222, 2025, Amending the Land Use Code of the City of Fort Collins to Add Wildfire Resiliency Landscaping Requirements, on Second Reading.

The motion carried 6-0.

25. Second Reading of Ordinance No. 201, 2025, Amending Chapter 9, Article I of the Code of the City of Fort Collins for the Purpose of Updating Local Amendments to the 2024 International Fire Code.

This Ordinance, unanimously adopted on First Reading on December 2, 2025, modifies the City's local amendments to the 2024 International Fire Code (IFC), adopted earlier this year.

If desired, the following motion language can be used to amend the enforcement date of this Ordinance:

I move that Ordinance No. 201, 2025 be amended to add a new Section 5 at the end to read as follows:

"Violations of the City Code provisions set forth above, on or after [DATE], shall be subject to enforcement."

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/DISCUSSION

Councilmember Potyondy moved, seconded by Councilmember Canonico, to adopt Ordinance No. 201, 2025, Amending Chapter 9, Article I of the Code of the City of Fort Collins for the Purpose of Updating Local Amendments to the 2024 International Fire Code, on Second Reading.

Mayor Pro Tem Francis requested an amendment to add a new Section 5 at the end of the Ordinance. Councilmembers Potyondy and Canonico accepted the amendment as friendly.

The motion carried 6-0.

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

There being no further business before the Council, the meeting was adjourned at 7:52 p.m.

Mayor

ATTEST:

City Clerk

File Attachments for Item:

2. Second Reading of Ordinance No. 208, 2025, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Salary of the Chief Judge.

This Ordinance, unanimously adopted on First Reading on December 16, 2025, establishes the 2026 compensation of the Chief Judge. Council met in executive session on November 25, 2025, to conduct the performance review of Chief Judge Jill Hueser and to review the salary market analysis for this position.

January 6, 2026

AGENDA ITEM SUMMARY

City Council



STAFF

Teresa Roche, Human Resources Executive

SUBJECT

Second Reading of Ordinance No. 208, 2025, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Salary of the Chief Judge.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on December 16, 2025, establishes the 2026 compensation of the Chief Judge. Council met in executive session on November 25, 2025, to conduct the performance review of Chief Judge Jill Hueser and to review the salary market analysis for this position.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

Council is committed to compensating employees in a manner that is market-based, competitive, and tied to performance. The goal as an employer is to attract, retain, engage, develop, and reward a diverse and competitive workforce to meet the needs of the community now and in the future. To accomplish this goal, Council and the Chief Judge meet twice a year to discuss performance and set goals for the coming year.

The 2025 salary of the Chief Judge is \$218,141.

Based on the market analysis for this position and guided by the City's compensation principles and Council's discussion during recent performance review, staff has recommended the 2026 salary for this position.

Resolution 2019-099 establishes the process for evaluating the performance of the City Manager, City Attorney, and Chief Judge. It states that any change in compensation for these employees will be adopted by Council by Ordinance. This Ordinance will amend City Code to establish the 2026 compensation for the Chief Judge.

CITY FINANCIAL IMPACTS

The City financial impact will be the base salary for the Chief Judge as approved by Council.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments available in December 16, 2025, agenda materials at the following link:
<https://fortcollins-co.municodemeeetings.com/>.

1. Ordinance No. 208, 2025

ORDINANCE NO. 208, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 2-606 OF THE CODE OF THE CITY OF
FORT COLLINS AND SETTING THE SALARY OF
THE CHIEF JUDGE

A. Pursuant to Article VII, Section 1 of the City Charter, the City Council is responsible for fixing the compensation of the Chief Judge.

B. The City is committed to compensating its employees in a manner which is fair, competitive and understandable.

C. The City's pay philosophy is based on total compensation, which includes not only base salary but also deferred compensation payments, vacation and holiday leave, and amounts paid by the City for medical, dental, life and long-term disability insurance.

D. The City Council supports a compensation philosophy of paying employees a competitive salary and sets the salary of the Chief Judge based on established market data.

E. The City Council met with the Chief Judge on November 25, 2025, to conduct a review and establish goals for her performance.

F. The City Council believes the annual base salary of the Chief Judge for 2026 should be established at the amount of \$218,141 effective January 5, 2026.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows

Section 1. Section 2-606 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-606. - Salary of the Chief Judge.

The base salary to be paid to the Chief Judge shall be two hundred eighteen thousand one hundred forty-one dollars (\$218,141) per annum, payable in biweekly installments, which sum shall be charged to general government expense.

Section 2. The effective date of the salary adjustment shall be January 5, 2026.

Introduced, considered favorably on first reading on December 16, 2025, and approved on second reading for final passage on January 6, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: January 16, 2026
Approving Attorney: Jenny Lopez Filkins

Exhibit: None

File Attachments for Item:

3. Second Reading of Ordinance No. 209, 2025, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Salary of the City Manager.

This Ordinance, unanimously adopted on First Reading on December 16, 2025, amends City Code to establish the 2026 salary of the City Manager. Council met in executive session on November 25, 2025, to conduct the performance review of City Manager Kelly DiMartino and to review the salary market analysis for this position.

January 6, 2026

AGENDA ITEM SUMMARY

City Council



STAFF

Teresa Roche, Human Resources Executive

SUBJECT

Second Reading of Ordinance No. 209, 2025, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Salary of the City Manager.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on December 16, 2025, amends City Code to establish the 2026 salary of the City Manager. Council met in executive session on November 25, 2025, to conduct the performance review of City Manager Kelly DiMartino and to review the salary market analysis for this position.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

Council is committed to compensating employees in a manner which is market based, competitive and based on performance. The goal as an employer is to attract, retain, engage, develop and reward a diverse and competitive workforce to meet the needs of the community now and in the future. To accomplish this goal, Council and the City Manager meet twice a year to discuss performance and set goals for the coming year.

The 2025 salary for the City Manager is \$330,736.

Based on the market analysis for this position and guided by the City's compensation principles and Council's discussion during recent performance review, staff has recommended the 2026 salary for this position.

Resolution 2019-099 establishes the process for evaluating the performance of the City Manager, City Attorney, and Chief Judge. It states that any change in compensation for these employees will be adopted by Council by Ordinance. This Ordinance will amend City Code to establish the 2026 compensation for the City Manager.

CITY FINANCIAL IMPACTS

The City financial impact will be the new base salary for the City Manager as approved by Council.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments available in December 16, 2025, agenda materials at the following link:
<https://fortcollins-co.municodemeeetings.com/>.

1. Ordinance No. 209, 2025

ORDINANCE NO. 209, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 2-596 OF THE CODE OF THE
CITY OF FORT COLLINS AND SETTING THE SALARY
OF THE CITY MANAGER

A. Pursuant to Article III, Section 1 of the City Charter, the City Council is responsible for fixing the compensation of the City Manager.

B. The City is committed to compensating its employees in a manner that is fair, competitive and understandable.

C. The City Council supports a compensation philosophy of paying employees a competitive salary based on established market data and performance and may adjust the salary of the City Manager to bring that salary more in line with the approved market data.

D. The City Council met with the City Manager on November 25, 2025, to conduct a review and establish next year's goals.

E. The City Council believes that the base salary of the City Manager should be established at the amount of \$337,351 effective January 5, 2026.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. Section 2-596 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-596. - Salary of the City Manager.

The base salary to be paid the City Manager shall be three hundred thirty-seven thousand three hundred fifty-one dollars (\$337,351) per annum, payable in biweekly installments. Forty (40) percent of such sum shall be charged to the city electric utility, twenty (20) percent to the city water utility and forty (40) percent to general government expense.

Section 2. The effective date of the salary adjustment shall be January 5, 2026.

Introduced, considered favorably on first reading on December 16, 2025, and approved on second reading for final passage on January 6, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: January 16, 2026
Approving Attorney: Jenny Lopez Filkins

Exhibit: None

File Attachments for Item:

4. Second Reading of Ordinance No. 210, 2025, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Salary of the City Attorney.

This Ordinance, unanimously adopted on First Reading on December 16, 2025, amends City Code to establish the 2026 compensation of the City Attorney. Council met in executive session on November 25, 2025, to conduct the performance review of City Attorney Carrie Daggett and to review the salary market analysis for this position.

January 6, 2026

AGENDA ITEM SUMMARY

City Council



STAFF

Teresa Roche, Human Resources Executive

SUBJECT

Second Reading of Ordinance No. 210, 2025, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Salary of the City Attorney.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on December 16, 2025, amends City Code to establish the 2026 compensation of the City Attorney. Council met in executive session on November 25, 2025, to conduct the performance review of City Attorney Carrie Daggett and to review the salary market analysis for this position.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

Council is committed to compensating employees in a manner which is market-based, competitive, and tied to performance. The goal as an employer is to attract, retain, engage, develop, and reward a diverse and competitive workforce to meet the needs of the community now and in the future. To accomplish this goal, Council and the City Attorney meet twice a year to discuss performance and set goals for the coming year.

The 2025 salary of the City Attorney is \$265,369.

Based on the market analysis for this position and guided by the City's compensation principles and Council's discussion during recent performance review, staff has recommended the 2026 salary for this position.

Resolution 2019-099 establishes the process for evaluating the performance of the City Manager, City Attorney, and Chief Judge. It states that any change in compensation for these employees will be adopted by Council by Ordinance. This Ordinance will amend City Code to establish the 2026 compensation for the City Attorney.

CITY FINANCIAL IMPACTS

The City financial impact will be the new base salary of the City Attorney as approved by Council.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments available in December 16, 2025, agenda materials at the following link:
<https://fortcollins-co.municodemeeetings.com/>.

1. Ordinance No. 210, 2025

ORDINANCE NO. 210, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 2-581 OF THE CODE OF THE CITY OF
FORT COLLINS AND SETTING THE SALARY OF THE CITY
ATTORNEY

A. Pursuant to Article VI, Section 1 of the City Charter, the City Council is responsible for fixing the compensation of the City Attorney.

B. The City is committed to compensating its employees in a manner that is fair, competitive and understandable.

C. The City Council supports a compensation philosophy of paying employees a competitive salary based on established market data and performance and may adjust the salary of the City Attorney to bring that salary more in line with the approved market data.

D. The City Council met with the City Attorney on November 25, 2025, to conduct a review and establish goals for her performance.

E. The City Council believes the base salary of the City Attorney for 2026 should be established at the amount of \$270,676 effective January 5, 2026.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. Section 2-581 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 2-581. Salary of the City Attorney.

The base salary to be paid the City Attorney shall be two hundred seventy thousand six hundred seventy-six dollars (\$270,676) per annum, payable in biweekly installments. Sixty (60) percent of such sum shall be charged to general government expense, twenty (20) percent to the City water utility and twenty (20) percent to the City electric utility.

Section 2. The effective date of the salary adjustment shall be January 5, 2026.

Introduced, considered favorably on first reading on December 16, 2025, and approved on second reading for final passage on January 6, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: January 16, 2026
Approving Attorney: Jenny Lopez Filkins

Exhibit: None

File Attachments for Item:

5. First Reading of Ordinance No. 001, 2026, Staying the Operation of Ordinances Related to the International Building Codes.

The purpose of this item is to stay the operation of Ordinance No. 201, 2025, Ordinance No. 211, 2025 (Building Code), Ordinance No. 212, 2025 (Energy Conservation Code), Ordinance No. 213, 2025 (Residential Code), Ordinance No. 214, 2025 (Existing Building Code), Ordinance No. 215, 2025 (Swimming Pool & Spa Code), Ordinance No. 216, 2025 (Property Maintenance Code), Ordinance No. 217, 2025 (Mechanical Code), Ordinance No. 218, 2025 (Fuel Gas Code), Ordinance No. 219, 2025 (Plumbing Code), and Ordinance No. 221, 2025 (National Electrical Code), until April 1, 2026 to clarify Council's intent that the previously adopted building codes remain in effect until that time.

January 6, 2026

AGENDA ITEM SUMMARY

City Council



STAFF

Carrie Daggett, City Attorney
Stefanie Boster, Deputy City Attorney
Marcus Coldiron, Chief Building Official

SUBJECT

First Reading of Ordinance No. 001, 2026, Staying the Operation of Ordinances Related to the International Building Codes.

EXECUTIVE SUMMARY

The purpose of this item is to stay the operation of Ordinance No. 201, 2025, Ordinance No. 211, 2025 (Building Code), Ordinance No. 212, 2025 (Energy Conservation Code), Ordinance No. 213, 2025 (Residential Code), Ordinance No. 214, 2025 (Existing Building Code), Ordinance No. 215, 2025 (Swimming Pool & Spa Code), Ordinance No. 216, 2025 (Property Maintenance Code), Ordinance No. 217, 2025 (Mechanical Code), Ordinance No. 218, 2025 (Fuel Gas Code), Ordinance No. 219, 2025 (Plumbing Code), and Ordinance No. 221, 2025 (National Electrical Code), until April 1, 2026 to clarify Council's intent that the previously adopted building codes remain in effect until that time.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

On December 16, 2025, Council approved on second reading the following ordinances:

- Ordinance No. 211, 2025 (Building Code);
- Ordinance No. 212, 2025 (Energy Conservation Code);
- Ordinance No. 213, 2025 (Residential Code);
- Ordinance No. 214, 2025 (Existing Building Code);
- Ordinance No. 215, 2025 (Swimming Pool & Spa Code);
- Ordinance No. 216, 2025 (Property Maintenance Code);
- Ordinance No. 217, 2025 (Mechanical Code);
- Ordinance No. 218, 2025 (Fuel Gas Code);
- Ordinance No. 219, 2025 (Plumbing Code); and
- Ordinance No. 221, 2025 (National Electrical Code).

These ordinances repeal the previously adopted suite of interconnected construction codes ("2021 Building Codes") and adopt the most recent editions of each code with local amendments ("2024 Building Codes"). Also on December 16, 2025, Council approved on second reading Ordinance No. 201, 2025, which updates the previously adopted local amendments to the 2024 International Fire Code to ensure consistency with the 2024 Building Codes.

At the same time each of the above-referenced ordinances was adopted, Council approved an additional amendment to delay enforcement of the new code provisions until April 1, 2026, so the building community would have enough time to learn about and adjust to the new requirements.

However, the amended ordinances were ambiguous regarding which building codes would govern in the interim until April 1, 2026. To avoid any confusion, the proposed Ordinance clarifies that the amendments were meant to pause the application of the above-referenced ordinances until April 1, 2026, and that the 2021 Building Codes and the previously adopted 2024 International Fire Code shall remain in full force and effect until then.

By putting the above-referenced ordinances on hold until April 1, 2026, Council can achieve its intended goal of keeping the 2021 Building Codes in place until that date, when enforcement of the newly adopted 2024 Building Codes will begin. In the meantime, any actions taken by the Chief Building Official and Building Services will continue as appropriate.

Further, adoption of this Ordinance will ensure continuity, provide certainty to the building community, and allow adequate time for stakeholders to become familiar with the new building code requirements. It also confirms that actions taken by the Chief Building Official and Building Services during the interim period are appropriate and consistent with Council's intent.

Ordinance No. 220, 2025, amended Chapter 5 of the Code of the City of Fort Collins to adopt the 2025 Colorado Wildfire Resiliency Code and its appendices, with amendments. Because this Code was newly adopted, no clarification is needed.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance No. 001, 2026

ORDINANCE NO. 001, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
STAYING THE OPERATION OF ORDINANCES RELATED TO
THE INTERNATIONAL BUILDING CODES

A. On December 16, 2025, Council approved on second reading the following ordinances, repealing the previously adopted suite of interconnected construction codes ("2021 Building Codes") and adopting the most recent editions of each code with local amendments ("2024 Building Codes"): Ordinance No. 211, 2025 (Building Code); Ordinance No. 212, 2025 (Energy Conservation Code); Ordinance No. 213, 2025 (Residential Code); Ordinance No. 214, 2025 (Existing Building Code); Ordinance No. 215, 2025 (Swimming Pool & Spa Code); Ordinance No. 216, 2025 (Property Maintenance Code); Ordinance No. 217, 2025 (Mechanical Code); Ordinance No. 218, 2025 (Fuel Gas Code); Ordinance No. 219, 2025 (Plumbing Code); and Ordinance No. 221, 2025 (National Electrical Code).

B. Additionally, on December 16, 2025, Council approved on second reading Ordinance No. 201, 2025, which updates the previously adopted local amendments to the *2024 International Fire Code* to ensure consistency with the 2024 Building Codes.

C. At the time of adoption of each of the above-referenced ordinances, Council amended each ordinance to delay enforcement of the new code provisions until April 1, 2026, in order to provide the building community sufficient time to become familiar with and adapt to the new requirements.

D. The amendments to delay enforcement may have created ambiguity as to which building codes shall govern until April 1, 2026. Out of an abundance of caution, this Ordinance is intended to confirm and clarify that Council's intent was for the amendments to stay the application of the above-referenced ordinances until April 1, 2026, and that the 2021 Building Codes shall remain in full force and effect until that date.

E. Holding the above-referenced ordinances in abeyance and staying their operation until April 1, 2026, confirms and clarifies the Council's desire and intent to keep the 2021 Building Codes in effect until April 1, 2026, when enforcement of the newly adopted 2024 Building Codes begins.

F. This Ordinance also ratifies any actions undertaken by the Chief Building Official and Building Services office under the 2021 Building Codes between December 26, 2025, and the effective date of this Ordinance.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. Operation of Ordinance No. 201, 2025 (International Fire Code) is hereby stayed until April 1, 2026.

Section 2. Operation of Ordinance No. 211, 2025 (Building Code) is hereby stayed until April 1, 2026.

Section 3. Operation of Ordinance No. 212, 2025 (Energy Conservation Code) is hereby stayed until April 1, 2026.

Section 4. Operation of Ordinance No. 213, 2025 (Residential Code) is hereby stayed until April 1, 2026.

Section 5. Operation of Ordinance No. 214, 2025 (Existing Building Code) is hereby stayed until April 1, 2026.

Section 6. Operation of Ordinance No. 215, 2025 (Swimming Pool & Spa Code) is hereby stayed until April 1, 2026.

Section 7. Operation of Ordinance No. 216, 2025 (Property Maintenance Code) is hereby stayed until April 1, 2026.

Section 8. Operation of Ordinance No. 217, 2025 (Mechanical Code) is hereby stayed under April 1, 2026.

Section 9. Operation of Ordinance No. 218, 2025 (Fuel Gas Code) is hereby stayed until April 1, 2026.

Section 10. Operation of Ordinance No. 219, 2025 (Plumbing Code) is hereby stayed until April 1, 2026.

Section 11. Operation of Ordinance No. 221, 2025 (National Electrical Code) is hereby stayed until April 1, 2026.

Section 12. Any actions undertaken by the Chief Building Official and Building Services consistent with the intent stated in this Ordinance are hereby ratified.

Introduced, considered favorably on first reading on January 6, 2026, and approved on second reading for final passage on January 20, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: January 30, 2026
Approving Attorney: Stefanie Boster

Exhibit: None

File Attachments for Item:

6. Resolution 2026-001 Authorizing the City Manager to Execute Two Agreements Regarding Use of the City's Shares in the Water Supply and Storage Company.

The purpose of this item is to approve two agreements regarding the use of the City's shares in the Water Supply and Storage Company ("WSSC"). The City's WSSC shares are needed to provide water service to the City's Water Utility customers.

The "Agreement Between the Water Supply and Storage Company and the Municipal Entity Stockholders" describes the framework for planning, design, construction, operation, maintenance, and funding of modifications to the WSSC system needed to ensure reliable water delivery to all shareholders ("WSSC System Modifications").

The "Cost Allocation Agreement for WSSC System Modifications" describes how the water provider shareholders, including the City, will share the costs related to the WSSC System Modifications. The City's share of such costs is approximately 6%. Both of these agreements are necessary for the City Water Utility to be able to fully utilize its WSSC shares for the benefit of the rate payers of the City Water Utility and the residents of Fort Collins.

January 6, 2026

AGENDA ITEM SUMMARY

City Council



STAFF

Jen Dial, Water Resources Manager

SUBJECT

Resolution 2026-001 Authorizing the City Manager to Execute Two Agreements Regarding Use of the City's Shares in the Water Supply and Storage Company.

EXECUTIVE SUMMARY

The purpose of this item is to approve two agreements regarding the use of the City's shares in the Water Supply and Storage Company ("WSSC"). The City's WSSC shares are needed to provide water service to the City's Water Utility customers.

The "Agreement Between the Water Supply and Storage Company and the Municipal Entity Stockholders" describes the framework for planning, design, construction, operation, maintenance, and funding of modifications to the WSSC system needed to ensure reliable water delivery to all shareholders ("WSSC System Modifications").

The "Cost Allocation Agreement for WSSC System Modifications" describes how the water provider shareholders, including the City, will share the costs related to the WSSC System Modifications. The City's share of such costs is approximately 6%. Both of these agreements are necessary for the City Water Utility to be able to fully utilize its WSSC shares for the benefit of the rate payers of the City Water Utility and the residents of Fort Collins.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

In order to meet the water needs of the City's Water Utility customers, the City has acquired various water supplies, including shares in the Water Supply and Storage Company ("WSSC"). WSSC is a mutual ditch and reservoir company that operates a system of ditches and reservoirs on behalf of its shareholders ("WSSC System").

WSSC's main canal, the Larimer County Canal, diverts water off the Poudre River near the town of Bellvue and runs roughly 58 miles through Larimer and Weld Counties. Historically, WSSC's shareholders used this water for irrigation. Over time, the City and other shareholders that provide treated water service, including the City of Thornton, the City of Greeley, the East Larimer County Water District, the Fort Collins-Loveland Water District, and the North Weld County Water District ("Water Provider Shareholders") have acquired WSSC shares to meet water demands in their respective service areas.

The Water Provider Shareholders' use of their WSSC water for municipal use generally results in less water being delivered through the ditches in the WSSC System. This is because the WSSC water that was historically delivered through the WSSC System to shareholders for irrigation is instead delivered into the Water Provider Shareholders' treatment systems and pipes. This reduced amount of water being delivered through the ditches in the WSSC System has the potential to injure WSSC Shareholders still using their WSSC water for irrigation ("Irrigation Shareholders") because the WSSC System was not designed to operate with current day water volumes.

In order for the Water Provider Shareholders' to use their WSSC water for municipal use, they are generally required to both enter an agreement(s) with WSSC and obtain a decree from the District Court for Water Division 1 ("Water Court"). Both processes generally require that the new municipal use does not injure other water rights owners, including Irrigation Shareholders.

Pursuant to agreements with WSSC and Water Court decrees, each Water Provider Shareholder's use is conditioned on WSSC's ability to continue to deliver water to other shareholders. The Water Provider Shareholders, including the City, have entered into various agreements with WSSC for the Municipal Use of their WSSC Water ("Municipal Use Agreements"). The City's Municipal Use Agreements with WSSC include agreements dated June 18, 1985, April 22, 1988, July 6, 2015, and June 28, 2015. These various Municipal Use Agreements generally condition the Water Provider Shareholders' use of their WSSC water for municipal use on the Irrigation Shareholders not being injured.

Beginning in 2018, the Water Provider Shareholders began meeting to discuss modifications and upgrades to the WSSC System that are needed to protect other shareholders as Water Provider Shareholder's shares were removed from the system for municipal use. The City of Thornton led this effort, funding a hydraulic model and the design and construction of initial key structures.

Through these meetings and negotiations, the Water Provider Shareholders and WSSC have come to agreement on how to implement the Municipal Use Agreements, particularly through physical modifications to the WSSC System ("WSSC System Modifications"). These WSSC System Modifications primarily entail check structures in the ditches, which locally raise water levels in the ditch so water can be delivered from the ditch to irrigation shareholders but could include other potential solutions.

The Water Provider Shareholders and WSSC negotiated two draft agreements described below. Both of these agreements are necessary for the City Water Utility to be able to fully utilize its WSSC shares for the benefit of the rate payers of the City Water Utility and the residents of Fort Collins.

Agreement Between the Water Supply and Storage Company and the Municipal Entity Stockholders

This agreement establishes the framework for planning, design, construction, operation, maintenance, and funding of WSSC System Modifications needed to ensure reliable water delivery while accommodating the Water Provider Shareholders use of their water for water service.

It is unknown exactly how many System Modifications will be needed to ensure no injury to other shareholders. System Modifications needed will depend on field data, observational information, modeling, and the number of Water Provider Shareholders shares being removed from the WSSC System for municipal use. Thus, the agreement requires annual engineering reviews, advance scheduling of modifications, and limits construction to three structures per season unless otherwise agreed.

WSSC retains ownership and operational authority over the modifications, while the Water Provider Shareholders are responsible for reimbursing costs. Initial funding will be provided through a cash reserve and Colorado Water Conservation Board Loan repayment of \$2.59 million by January 31, 2031, with future costs covered by annual and special assessments on Water Provider Shareholders' shares beginning in 2027 to 2028. Operationally, WSSC will manage maintenance, repair, and permitting, with Water Provider Shareholders covering all related expenses.

Cost Allocation Agreement for WSSC System Modifications

This agreement is between the Water Provider Shareholders regarding how the Water Provider Shareholders will share the costs related to the WSSC System Modifications pursuant to the “Agreement Between the Water Supply and Storage Company and the Municipal Entity Stockholders.” The agreement establishes the Municipal Entities Committee, composed of one representative from each Water Provider Shareholder to oversee cost allocations, design reviews, and financial recordkeeping. Costs are distributed based on each Water Provider Shareholder’s percentage of share ownership. The City’s percent ownership is approximately 6%.

A key provision includes crediting the City of Thornton for approximately \$7,000,000 in prior expenditures, with reimbursement from the other Water Provider Shareholders beginning January 1, 2028. The agreement also accommodates new Water Provider Shareholders or changes in share ownership, requiring proportional contributions to past expenditures.

Our anticipated estimated costs under this agreement through 2033 are below. This includes the City’s obligation to repay Thornton and the estimated costs for construction of three structures per year.

2027	\$46,940
2028	\$33,170
2029	\$696,470
2030	\$193,180
2031	\$197,140
2032	\$171,640
2033	\$176,790
Total	\$1,515,330

CITY FINANCIAL IMPACTS

Fort Collins Utilities incorporates the City’s share of reimbursements and future system modifications into Utilities capital improvement plan (CIP) process and rate setting activities. Fort Collins Utilities’ share of repayments to the City of Thornton, as detailed above, will be included in the proposed 2027-2028 biennial budget from the Water Fund.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Resolution 2026-001

RESOLUTION 2026-001
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CITY MANAGER TO EXECUTE TWO
AGREEMENTS REGARDING USE OF THE CITY'S SHARES IN
THE WATER SUPPLY AND STORAGE COMPANY

A. The City owns and operates a Water Utility that provides water service to customers in its service area. The water supplies of the City Water Utility include shares in the Water Supply and Storage Company ("WSSC").

B. WSSC is a Colorado mutual ditch and reservoir company that operates a system of ditches and reservoirs on behalf of its shareholders ("WSSC System"). Historically, WSSC's shareholders used water from the WSSC System ("WSSC Water") for irrigation.

C. Over time, the City and others shareholders that provide treated water service, including the City of Thornton, the City of Greeley, the East Larimer County Water District, the Fort Collins-Loveland Water District, and the North Weld County Water District (collectively, "Water Provider Shareholders") have acquired WSSC shares to use the WSSC Water to provide water service to customers in their respective service areas ("Municipal Use").

D. The Water Provider Shareholders' use of their WSSC Water for Municipal Use generally results in less water being delivered through the ditches in the WSSC System. This is because the WSSC Water that was historically delivered down the WSSC System ditches to shareholders for irrigation is instead delivered into the Water Provider Shareholders' treatment systems and pipes. This reduced amount of water being delivered through the ditches in the WSSC System has the potential to injure WSSC Shareholders still using their WSSC Water for irrigation ("Irrigation Shareholders") because the WSSC System was not designed to operate with less water.

E. The Water Provider Shareholders' use of their WSSC Water for Municipal Use generally requires agreement(s) with WSSC and a decree from the District Court for Water Division 1 ("Water Court"). Both processes generally require that the new Municipal Use not injure other water rights owners, including the Irrigation Shareholders.

F. The Water Provider Shareholders, including the City, have entered into various agreements with WSSC for the Municipal Use of their WSSC Water ("Municipal Use Agreements"). The City's Municipal Use Agreements with WSSC include agreements dated June 18, 1985, April 22, 1988, July 6, 2015, and June 28, 2015. These various Municipal Use Agreements generally condition the Water Provider Shareholders' use of their WSSC Water for Municipal Use on the Irrigation Shareholders not being injured.

G. The Water Provider Shareholders and WSSC have negotiated how to implement the Municipal Use Agreements, particularly through physical modifications to

the WSSC System (“WSSC System Modifications”). These WSSC System Modifications primarily entail check structures in the ditches, which locally raise water levels in the ditch so water can be delivered from the ditch to Irrigation Shareholders. The Water Provider Shareholders and WSSC thus negotiated two agreements: one regarding the design and construction of the WSSC System Modifications; and another regarding how the Water Provider Shareholders will pay for the WSSC System Modifications.

H. The first agreement is an agreement between WSSC and the Water Provider Shareholders, including the City, regarding the design and construction of the WSSC System Modifications, entitled “Agreement Between the Water Supply and Storage Company and the Municipal Entity Stockholders,” a copy of which is attached hereto and incorporated herein by reference, as Exhibit A (“Structures Agreement”).

I. The second agreement is an agreement between the Water Provider Shareholder regarding how the Water Provider Shareholders will pay for the WSSC System Modifications, entitled “Cost Allocation Agreement for WSSC System Modifications,” a copy of which is attached hereto and incorporated herein by reference, as Exhibit B (“Cost Allocation Agreement”). As set forth in the Cost Allocation Agreement, costs for the WSSC System Modifications are generally allocated among the Water Provider Shareholders pro rata based on how many shares each entity owns.

J. The Structures Agreement and the Cost Allocation Agreement are necessary for the City Water Utility to be able to fully utilize its WSSC shares for the benefit of the ratepayers of the City Water Utility and the residents of Fort Collins.

K. The City’s financial obligations under the Structures Agreement and the Cost Allocation Agreement are subject to the appropriation of funds.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Manager is hereby authorized to execute the *Structures Agreement* in the form of Exhibit A, attached hereto and incorporated by this reference, with such modifications and additional terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution.

Section 2. The City Manager is hereby authorized to execute the *Cost Allocation Agreement* in the form of Exhibit B, attached hereto and incorporated by this reference, with such modifications and additional terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution.

Passed and adopted on January 6, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: January 6, 2026

Approving Attorney: Eric Potyondy

Exhibit: Exhibit A – Agreement Between the Water Supply and Storage Company and the Municipal Entity Stockholders

 Exhibit B – Cost Allocation Agreement for WSSC System Modifications

AGREEMENT BETWEEN THE WATER SUPPLY AND STORAGE COMPANY AND MUNICIPAL ENTITY STOCKHOLDERS

THIS AGREEMENT (“Agreement”) made this _____ day of _____, 2026 (the “Effective Date”), by and between the City of Thornton (“Thornton”), City of Greeley (“Greeley”), City of Fort Collins (“Fort Collins”), East Larimer County Water District (“ELCO”), Fort Collins-Loveland Water District (“FCLWD”) and North Weld County Water District (“North Weld”), (collectively, the “Municipal Entities”) and the Water Supply and Storage Company (“WSSC”). WSSC and the Municipal Entities may be referred to collectively in this Agreement as the “Parties” and individually as a “Party”)

RECITALS

- A. WHEREAS**, WSSC is a Colorado non-profit mutual ditch company that owns and operates a water storage and delivery system including, without limitation, various ditches, canals and reservoirs for delivery of water from the Cache la Poudre River via the Larimer County Canal (“LCC”) to lands in Larimer and Weld counties (“LCC System”); and
- B. WHEREAS**, WSSC delivers water from the LCC to lateral ditches not owned or operated by WSSC (“Laterals”); and
- C. WHEREAS**, the Municipal Entities have obtained or intend to obtain in the future approval from the Water Court for the use of the water rights represented by their WSSC Shares for municipal and other beneficial uses (“Municipal Shares”) and will continue, over time, to remove water attributable to the Municipal Shares from the LCC system for use in their respective service areas; and
- D. WHEREAS**, pursuant to agreements with WSSC and water court decrees, each of the Municipal Entities’ use of their Municipal Shares is conditioned on WSSC’s ability to continue to deliver water to other stockholders who continue to receive water via the LCC, including, without limitation, along the Laterals (“Other Stockholders”), and on the Municipal Entities’ use and or removal of water associated with the Municipal Shares not increasing expenses, deliveries not altered in time or quantity, or other rights adversely affected for WSSC or the Other Stockholders; and
- E. WHEREAS**, in order for WSSC to continue delivery of water to Other Shareholders as the Municipal Entities increase the Municipal Shares removed from the LCC System, which will result in less water flowing in the LCC System, modifications to the LCC System are and will in the future be necessary. The Parties have initially identified check structures as a feasible modification to the LCC System to ensure that water may continue to be delivered to Other Stockholders even as the amount of water in the LCC System decreases; and
- F. WHEREAS**, the Parties intend to, on an ongoing basis, evaluate the effectiveness of installing check structures to ensure continued delivery of water to Other Stockholders and agree to work in good faith to identify whether other, more effective modifications or

solutions are feasible. Check structures, other modifications, or other solutions that are needed to ensure delivery of water to Other Stockholders are hereinafter called “System Modifications”; and

- G. WHEREAS**, the Municipal Entities acknowledge that, while it is their and WSSC’s collective intent to work together in good faith and to provide collaborative input on possible modifications, WSSC will make all determinations related to operation of the LCC System and System Modifications, in its sole discretion; and
- H. WHEREAS**, engineering, legal, staff, construction, maintenance, operation, and administrative costs and expenses have been and will be incurred by WSSC to identify, install, maintain, and repair the System Modifications, and the Municipal Entities will provide WSSC with funding for such costs for the same pursuant to the terms outlined herein; and
- I. WHEREAS**, the Municipal Entities intend to enter into a Cost Allocation Agreement, which, in addition to providing for the reimbursement to WSSC of costs and expenses and other items required by this Agreement, creates a Municipal Entities Committee, intended to represent the Municipal Entities and work with WSSC under this Agreement; and
- J. WHEREAS**, the Parties anticipate that other parties may be added, by amendment, to this Agreement, and that any such addition of a party to this Agreement must also be added by amendment to the Cost Allocation Agreement; and
- K. WHEREAS**, the Parties intend, with this Agreement, to set forth the terms and conditions for designing, constructing, operating, repairing, maintaining and replacing the System Modifications under this Agreement, as well as how costs and fees associated with the same shall be paid.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants of the Parties, it is agreed as follows:

1. Incorporation of Recitals. The Recitals set forth above are incorporated into this Agreement.
2. Annual Review and Analysis. The Parties acknowledge that the need to install System Modifications on an annual basis will depend on the realities of operations, water sources, and fluctuations in the number of Municipal Shares being removed from the LCC System at any given time. Also, while check structures have been initially identified by the Parties as the currently preferred solution to ensure delivery of water to Other Stockholders, the Parties may be able to identify better solutions. To that end, the Parties agree that WSSC will engage, at the Municipal

Entities' expense unless otherwise agreed to in advance in writing by the Parties, a professional engineer to conduct annual updates to modeling or other engineering to accurately evaluate System Modifications to protect deliveries to Other Shareholders. The Parties will use such modeling as one type of information, in addition to field data and observational information, in working to find feasible solutions, whether those solutions are check structures or other structural or operational modifications. The Parties acknowledge that in seeking to find solutions, WSSC's priority will be identifying the most efficient, long-term solutions. WSSC will make all determinations as to any solutions, but WSSC will consult with the Municipal Entities on an annual basis to gather input and discuss potential solutions prior to making final determinations on the necessary modifications to take place during any subsequent fall/winter season. The Parties recognize, however, that there may be urgent issues related to System Modifications that WSSC may need to resolve in its sole discretion. Under such scenario, WSSC shall provide a written summary to the Municipal Entities describing its response to such urgent issues in a timely manner. In the event that such costs related to actions taken to address urgent issues are too high for the Municipal Entities to immediately reimburse WSSC, and in the event that WSSC is financially able to carry such costs, WSSC will carry such costs subject to WSSC's bank's prime interest rate plus 2% ("Interest Rate") until a subsequent Annual System Modification Assessment (defined below in paragraph 6.2) as reasonably agreed upon by the Parties. The Parties will work in good faith to find a solution to any financial barriers including the Municipal Entities' budgeting cycles and WSSC's ability to carry such costs.

3. General Schedule. By April 1st of each year, the Municipal Entities shall in writing to WSSC identify the Municipal Shares that the Municipal Entities intend to utilize for Changed Uses during the next four subsequent irrigation seasons (e.g. Municipal Shares identified by approximately April 1, 2026, for Municipal Shares to be utilized for Changed Uses during the 2026, 2027, 2028, 2029 irrigation seasons). With input from the Municipal Entities, WSSC will identify by approximately October 30th of each year the System Modifications that are appropriate for construction during the third subsequent fall/winter season (e.g., WSSC to determine by approximately October 30, 2026, the System Modifications to be constructed during the fall/winter season of 2028-2029). The Parties recognize that, practically, these deadlines may fluctuate based on annual circumstances, and as such, such deadlines may be altered by written notice to the other Parties.

4. Check Structures. Based on a preliminary engineering analysis, the Parties have identified certain check structures, shown on the map attached as **Exhibit A** ("Check Structures"), as likely being the most immediately necessary modifications for maintaining delivery of water to stockholders under the LCC System. The specific locations identified in **Exhibit A** are intended by the Parties to be guidance on future check structure locations and are not intended to be limitations on actual System Modifications to be installed pursuant to this Agreement.

4.1. Design and Construction of System Modifications. WSSC shall provide to the Municipal Entities the information that it uses to identify the next System Modifications to be constructed, including without limitation any modeling, engineering, and field observations or data. WSSC's Board shall review the System Modifications to be constructed. Unless otherwise agreed to in writing signed by WSSC and all the Municipal Entities, the number of System Modifications to be constructed during any fall/winter

season shall not exceed three structures. However, in the event that, with input from the Municipal Entities, WSSC determines that more than three System Modifications should be installed during any given fall/winter season in order to ensure delivery of water to Other Stockholders, and the Municipal Entities do not agree to those additional System Modifications, WSSC may reduce or limit the amount of water delivered under the Municipal Shares for changed purposes as identified in each respective change decree to ensure that Other Stockholders do not suffer a shortage of water, unless the Parties are able to mutually agree in writing on another solution to any shortage, including but not limited to in-system exchanges of Municipal Entities' water.

4.2. Design and Engineering Plans. With input from the Municipal Entities, WSSC will select engineering consultants, manage, oversee, and have final approval over the design and construction of any System Modifications. WSSC will provide the Municipal Entities with a reasonable opportunity to review and comment on the identification of and design and engineering specifications for any System Modifications before such specifications are finalized. WSSC agrees to make decisions related to any System Modifications in good faith and not to engage consultants, adopt design decisions, or take other related actions that would unreasonably increase the costs, obligations or liabilities of the Municipal Entities. With input from the Municipal Entities, WSSC will select the contractor(s) to construct any System Modifications in accordance with the plans and specifications approved by WSSC.

5. Lateral Company Agreements. The Parties acknowledge that the Parties must work collaboratively to negotiate and execute agreements with the companies that own and operate the Laterals ("Lateral Companies") prior to the design and construction of any System Modifications on the Laterals. WSSC reserves the right to require that it be a party to such agreements with the Lateral Companies.

6. Payment and Reimbursement for System Modifications Installation Costs. The Parties acknowledge that, while WSSC may incur some ongoing expenses for minor costs, like internal WSSC expenses, WSSC cannot provide any significant amount of funding for the up-front costs of any project under this Agreement, and therefore the Municipal Entities will provide a funding solution for WSSC with the intent of preventing WSSC from incurring any significant costs.

6.1. The Parties intend that the costs associated with the System Modifications constructed under this Agreement during the fall/winter seasons of 2025-2026 and 2026-2027 will initially be funded by cash paid up-front to the Company ("Cash Reserve") (pursuant to that certain Municipal Cash Reserve Funding Agreement Between the Water Supply and Storage Company and Fort Collins-Loveland Water District dated September 10, 2025). The Parties intend that, after the Effective Date of this Agreement, WSSC will enter into a loan contract with the Colorado Water Conservation Board ("CWCB") for loan funding approved by the CWCB for the System Modifications to be constructed during the fall/winter season of 2025-2026

(“CWCB Loan”). Such CWCB Loan funds will be utilized to reimburse funds expended from the Cash Reserve, and the Cash Reserve will then be used to pay for costs associated with System Modifications to be constructed during the fall/winter season of 2026-2027. Regardless of the repayment terms under the CWCB Loan, the Municipal Entities shall provide funds to the Company to repay the full loan amount of Two Million, Five Hundred Ninety Thousand, Six Hundred and Fifty Dollars (\$2,590,650.00) on an accelerated timeframe that will allow WSSC to pay the full amount of the CWCB Loan no later than January 31, 2031. At minimum, the Municipal Entities shall provide to the Company all funds to pay any annual principal and/or interest amounts required to be paid under the CWCB Loan.

6.2. The Parties intend that the costs associated with the System Modifications under this Agreement, including, without limitation, any loan repayment amounts but less any grant money received by WSSC will, beginning with the System Modification Structures to be constructed in the fall/winter season of 2027-2028, be covered by assessments on stock held by the Municipal Entities, unless the Municipal Entities and WSSC agree in writing to another funding option. Any assessments levied pursuant to this agreement would be set and approved by the WSSC Board based on anticipated costs and expenses under this Agreement or expenses and costs actually incurred. The Municipal Entities hereby agree to be bound by such assessments without further action or approval. These assessments are separate and apart from the stockholder assessment determined by WSSC under its Bylaws. WSSC may levy an up-front assessment to cover anticipated costs for the coming year (“Annual System Modification Assessment”). WSSC may also specially assess the stock held by the Municipal Entities more frequently throughout the year, but no more frequently than quarterly, to cover additional costs (“Special System Modification Assessment”).

6.2.1. In order to determine the amount to be assessed as an Annual System Modification Assessment on each of the Municipal Entities, WSSC will provide the total amount of anticipated costs as determined through the WSSC annual budgeting process to the Municipal Entities Committee by approximately January 31 each year. The Municipal Entities Committee will then provide to WSSC the breakdown of costs to be assessed to each Municipal Entity by approximately March 31 each year.

6.2.2. In order to determine the amount to be assessed as a Special System Modification Assessment on each of the Municipal Entities, WSSC will provide the total amount of anticipated costs to be reimbursed to the Municipal Entities Committee approximately ninety (90) days before such special assessment is to be issued. The Municipal Entities Committee will provide to WSSC the breakdown of costs to be assessed to each Municipal Entity approximately sixty (60) days thereafter. In the event that such Special System Modification Assessments are too high for the Municipal Entities to meet the above

schedule, and in the event that WSSC is financially able to carry such costs, WSSC will carry such costs subject to the Interest Rate until a subsequent Annual System Modification Assessment as reasonably agreed upon by the Parties. The Parties will work in good faith to find a solution to any financial barriers including the Municipal Entities' budgeting cycles and WSSC's ability to carry such costs.

6.2.3. In addition to any other remedies WSSC may have in law or equity, failure by one or more Municipal Entities to pay any assessments levied by WSSC under paragraph 6 may result in a reduction of water delivered for changed uses under the Municipal Shares for that Municipal Entity (or Entities), assessment of interest, and/or sale of stock for nonpayment of assessments, pursuant to WSSC's Bylaws and Policies and the Municipal Entity's (ies') respective agreement(s) with WSSC, as may be applicable.

6.3. Advanced Funding. Notwithstanding the foregoing, any Municipal Entity or group of Municipal Entities may fund any System Modification(s) or Check Structures on their own accord, by providing adequate funding as determined by WSSC to WSSC in advance of the construction of any System Modification(s). The cost allocation by the Municipal Entities for any such advanced funding may be the subject of a separate agreement by and among themselves.

6.4. Grant Funding. The Parties acknowledge that grant funding may be available to cover costs associated with any System Modification. However, the Parties agree that pursuing such funding should be beneficial to and protective of all Parties. In the event the Parties agree that grant funding is mutually beneficial, and in the event the Parties agree that WSSC is the most appropriate entity to seek such grant funding, WSSC will undertake or hire a third-party specialist to conduct the feasibility analysis, application, management, and any associated tasks for such grant funding at the Municipal Entities' expense and shall timely communicate all such expenses to the Municipal Entities Committee. In submitting any application for a grant pursuant to this paragraph, WSSC will comply with all application requirements, including, without limitation, any necessary WSSC Board or stockholder approvals related to the application. WSSC will, with reasonable diligence, prioritize the pursuit of such identified grant funding, and the Municipal Entities shall undertake any efforts reasonably necessary to support WSSC in the pursuit of such grant funding and in any post-award compliance. The Municipal Entities shall be responsible for any costs related to any grant.

6.5. Costs to Be Covered/Reimbursed. Regardless of whether such costs are covered by assessment or other up-front funding by the Municipal Entities or are reimbursed to WSSC, such costs to be covered, in addition to loan repayments, include, generally, but are not limited to:

- 6.5.1. Annual modeling updates and other engineering analyses determined by the Parties to be necessary in evaluating solutions;
- 6.5.2. Engineering, legal, and other work on the requisite feasibility study/analysis and application for grant and/or loan funding;
- 6.5.3. Plans and specifications for any System Modifications, which must be drawn and stamped by an engineer certified to complete such plans in the state of Colorado, which costs will include WSSC's review of and revisions to the same;
- 6.5.4. Surveying and property inspections;
- 6.5.5. Costs related to easements, including, without limitation, confirmation of easements and any necessary temporary construction easements;
- 6.5.6. Requisite permits;
- 6.5.7. Construction, material, structure, and related costs; and
- 6.5.8. WSSC's employee and equipment time spent in relation to its obligations in this Agreement, including, without limitation, WSSC's oversight of construction.

7. Operation, Maintenance, and Repair of System Modifications. WSSC shall own the System Modifications and shall be responsible for the operation, maintenance, and repair of the same, the costs for which shall be reimbursed by the Municipal Entities pursuant to the terms and conditions of this Agreement. Notwithstanding the foregoing, and outside of urgent circumstances, and for any project anticipated to cost more than \$50,000 (as reasonably adjusted from time to time to account for inflation), WSSC shall provide the Municipal Entities with the total amount of anticipated costs and a reasonable opportunity to review and comment on any necessary maintenance and repair costs for the System Modifications before such costs are incurred. WSSC shall coordinate in good faith and provide the Municipal Entities with a reasonable opportunity to review and comment on design and engineering specifications for operation, maintenance, and repair of the System Modifications. To the extent such costs can be anticipated, they will be included in Annual System Modification Assessments. Any other costs incurred will be reimbursed through Special System Modification Assessments, and such costs will include carrying costs of the Interest Rate.

8. System Modification Operational Information. At the end of the first season in which each System Modification is operational, WSSC will provide a summary of each new structure's operation and the operation of the relevant headgates. WSSC will provide as-built drawings of any System Modification to the Municipal Entities.

9. Permits and Approvals. WSSC shall undertake applications for any permits or approvals necessary for the installation and operation of the System Modifications and will maintain the same, all at the Municipal Entities' expense pursuant to the terms and conditions of

this Agreement. Such approvals shall include any jurisdictional determinations by the United States Army Corps of Engineers pursuant to Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act, or any related federal, state, county, or municipal permit.

10. No Waiver of Governmental Immunity. Nothing in this Agreement is intended or shall be construed as a waiver by any of the Municipal Entities of the monetary limitations or any other rights, immunities, and protections to which they are entitled as public entities under applicable law, including, without limitation, under the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, et seq., as exists now or is hereafter amended.

11. No General Multiple-Year Fiscal Obligation or Indebtedness by Municipal Entities. Notwithstanding any provision of this Agreement to the contrary, the obligations of any Municipal Entity in fiscal years after the fiscal year in which this Agreement is executed shall be expressly contingent on the appropriation by that Municipal Entity of funds sufficient and intended for such purpose in the fiscal year in which the obligation is incurred. Nothing in this Agreement is intended or shall be construed to constitute a general obligation or other indebtedness of that Municipal Entity, or a multiple fiscal year direct or indirect debt or other financial obligation of that Municipal Entity, whether under the Constitution and laws of the State of Colorado or the respective charters and ordinances of the Municipal Entities. The determination of whether funds have been appropriated in sufficient amounts and intended for the purposes of this Agreement by any Municipal Entity shall be made in the sole discretion of that Municipal Entity.

12. Notices. Any notices allowed or required by this Agreement must be in writing and provided by email, with electronic confirmation the email has been delivered and read by the recipient with service deemed completed upon the electronic confirmation of delivery. Such notices shall be sent to the email addresses below. The Parties shall update their respective email addresses as necessary.

12.1. General Communications. General communications shall be directed to:

Municipal Entities Committee:

Thornton: Water Resources Division, Infrastructure Department
Water@Thorntonwater.com

With copy to: City Attorney, Legal Department
attorney@thorntonco.gov

Greeley: City of Greeley Water & Sewer Department, Water Resources Division
wsadmin@greeleygov

With copy to: City Attorney's Office, Environmental and Water Resources
cityattorney@greeleygov.com

Fort Collins: Fort Collins Utilities, Water Resources Division
jdial@fcgov.com

With copy to: City Attorney's Office
epotyondy@fcgov.com

ELCO: Mike Scheid, General Manager
Mikes@elcowater.org

With copy to: Bradley C. Grasmick, Esq., Lawrence Custer Grasmick
Jones & Donovan, LLP
Brad@lcwaterlaw.com

North Weld: Eric Reckentine, General Manager
ericr@nwcwd.org

With copy to: Scott E. Holwick, Esq., Lyons Gaddis, P.C.
sholwick@lyonsgaddis.com

WSSC:

With copy to:

FCLWD: Chris Pletcher, General Manager
cletcher@fclwd.com

With a copy to: Scott E. Holwick, Esq., Lyons Gaddis, P.C.
sholwick@lyonsgaddis.com

12.2. Emergency Communications. Any emergency communications requiring a response within seventy-two (72) hours shall be directed to:

Thornton: Matt Stockton, Water Resources Division
matt.stockton@thorntonco.gov

Greeley: Cole Gustafson, Source Water Supply Manager
cole.gustafson@greeleygov.com

Fort Collins: Jen Dial, Water Resources Manager, jdial@fcgov.com

ELCO: Richard Raines, Water Resources Manager, rtraines@scwtp.org

North Weld: Richard Raines, Water Resources Manager, rtraines@scwtp.org

WSSC: Eric Westlind, General Manager, ewestlind@wtrsupply.com

FCLWD: Richard Raines, Water Resources Manager, rtraines@scwtp.org

13. Term. The term of this Agreement is perpetual, unless terminated or modified by a duly authorized and executed written amendment signed by all Parties.
14. WSSC's Obligations. For all of its obligations under the Agreement, WSSC shall, in good faith, and with reasonable discretion, make decisions and selections of the engineers, contractors, materials and structures necessary to install, operate, maintain, and repair the System Modifications with the goal of achieving the most cost-effective solutions for accomplishing the tasks set forth in this Agreement.
15. Amendment and Waiver. This Agreement may only be amended in a writing duly authorized and executed by the Parties. Any waiver of a term, condition, or potential breach of this Agreement must be made in a writing duly authorized and executed by the waiving Party or Parties.
16. New Entities. In the event any entity that is not a party to this Agreement (“New Entity”) enters into an agreement with WSSC whereby the use of that entity’s WSSC shares is conditioned on the WSSC Board’s approval by written agreement pursuant to Article VIII(3) of the WSSC Bylaws, WSSC shall include a term and condition in such agreement that the New Entity become a party to both this Agreement and the Cost Allocation Agreement. In such an event, the Parties consent to amending this Agreement and the Cost Allocation Agreement to add that municipal entity as a Party on terms and conditions that the existing Parties to those agreements at the time of amendment determine are equitable to past, current, and future financial costs and expense obligations of each Municipal Entity.
17. Restriction on Assignment. Neither WSSC nor the Municipal Entities may assign, delegate, or transfer their respective rights or obligations under this Agreement without the prior written consent of all other Parties. Such consent may be given or withheld in the sole discretion of the other Parties.
18. No Third-Party Beneficiaries. This Agreement is entered into between the Parties for the purposes set forth herein. It is the intent of the Parties that they are the only beneficiaries of this Agreement and the Parties are only benefitted to the extent provided under the express

terms and conditions of this Agreement. Any other party that realizes a benefit pursuant to this Agreement shall be deemed an incidental beneficiary only.

19. Successors and Assigns. The provisions of this Agreement are binding on the Parties and their respective successors and permitted assigns.
20. Governing Law. This Agreement is governed by and shall be construed in accordance with Colorado law, with proper venue in the District Court of the county in which the primary office of the defendant is located.
21. Severability. The invalidity or unenforceability of any provision of this Agreement, if found by a court of competent jurisdiction, shall not affect the validity or enforceability of any other provision of this Agreement unless the exclusion of such provision would frustrate the purpose of this Agreement.
22. Cumulative Remedies. The rights, remedies, powers, and privileges provided in this Agreement shall not exclude any other rights, remedies, powers, and privileges to which any Party may be entitled by law or in equity.
23. Entire Agreement. This Agreement constitutes the entire agreement among the Parties.
24. Headings. The headings in this Agreement are intended by the Parties for reference purposes only and shall not affect the meaning or interpretation of this Agreement.
25. Counterparts and Electronic Signatures. This Agreement may be executed in counterparts, which when combined shall constitute one and the same agreement. The Parties agree to be bound by electronic signatures.
26. Signatory Authority. The Parties represent that the individuals executing this Agreement below have the authority to bind the Party they are signing on behalf of to this Agreement.
27. Recording. This Agreement and all exhibits shall be recorded in the real property records of Weld and Larimer Counties, Colorado Clerk and Recorder's office at the Municipal Entities' expense. A copy of the recorded Agreement will be provided to each of the Parties.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the Parties have executed this Agreement, effective as of the date first set forth above.

CITY OF THORNTON

By: _____

CITY OF FORT COLLINS

By: _____

Date:

Kelly DiMartino, City Manager

ATTEST:

By: _____

City Clerk

APPROVED AS TO LEGAL FORM:

By: _____

Eric Potyondy

Senior Assistant City Attorney

NORTH WELD COUNTY WATER DISTRICT

By: _____

CITY OF GREELEY

By: _____

EAST LARIMER COUNTY WATER DISTRICT

By: _____

WATER SUPPLY AND STORAGE COMPANY

By: _____

COST ALLOCATION AGREEMENT FOR WSSC SYSTEM MODIFICATIONS

This Cost Allocation Agreement for WSSC System Modifications (“Agreement”) is made effective this _____ day of _____ 2026, by and among the City of Thornton (“Thornton”), the City of Greeley (“Greeley”), the City of Fort Collins (“Fort Collins”), East Larimer County Water District (“ELCO”), Fort Collins-Loveland Water District (“FCLWD”), and North Weld County Water District (“North Weld”) (each a “Municipal Entity” or “Party” and collectively the “Municipal Entities” or the “Parties”).

RECITALS

WHEREAS, the Water Supply and Storage Company (“WSSC”) is a Colorado non-profit mutual ditch company that owns and operates a water storage and delivery system including various ditches, canals, and reservoirs for delivery of water from the Cache la Poudre River via the Larimer County Canal (“LCC”) to lands in Larimer and Weld counties (“LCC System”); and

WHEREAS, WSSC also delivers water from the LCC to lateral ditches not owned or operated by WSSC (“Laterals”); and

WHEREAS, as of the time of execution of this Agreement, each of the Municipal Entities owns shares in WSSC as described in paragraph 2 below and in the amounts set forth on Exhibit A (“Municipal Shares”); and

WHEREAS, the Municipal Entities have obtained or are in the process of obtaining approval from the Water Court for the use of all or a portion of the water rights represented by their WSSC shares for municipal and other beneficial uses (“Changed Uses”); and

WHEREAS, pursuant to their respective agreements with WSSC, use of Municipal Shares by the Municipal Entities for Changed Uses is conditioned on the ability of WSSC to continue delivering water to its other shareholders, including to laterals that receive water from the LCC. In order to facilitate that continued delivery to other WSSC shareholders, the Parties must fund certain System Modifications in the LCC System; and

WHEREAS, the Parties agree that it is impractical to precisely attribute which System Modifications are necessary based on the Municipal Shares owned by the individual Parties and therefore, a general allocation of the costs for all System Modifications based on each Municipal Entities’ pro rata ownership of Municipal Shares is appropriate and equitable for all Parties; and

WHEREAS, simultaneously with the execution of this Agreement, the Municipal Entities have entered into the Agreement Between the Water Supply and Storage Company and Municipal Entity Stockholders (the “System Modifications Agreement”) with WSSC, setting forth the terms and conditions for designing, constructing, operating, repairing, maintaining and replacing certain System Modifications (as defined therein) to the LCC System; and

WHEREAS, the Municipal Entities desire to define the terms under which they will allocate their respective portions of the design, engineering, construction, maintenance, repair, and replacement costs for the necessary System Modifications in the LCC System; and

WHEREAS, in order to apportion the costs of the System Modifications, the Parties desire to create a committee to, in concert with WSSC, guide the planning, constructing, and allocation of costs among the Parties for System Modifications.

NOW THEREFORE, in consideration of the foregoing and the mutual promises and covenants of the Parties set forth below, the Parties agree as follows.

AGREEMENT

1. Incorporation of Recitals. The above Recitals are incorporated into and made a part of this Agreement as though fully restated.

2. The Committee. The Parties hereby establish the Municipal Entities Committee (the “Committee”) for the purposes of administering this Agreement and performing the obligations identified in the System Modifications Agreement (attached hereto as **Exhibit B**).

3.1 Purpose. The Committee’s primary purpose shall be to allocate the Annual System Modification Assessments and Special System Modification Assessments (as such terms are defined in the System Modifications Agreement) among the Parties based on the terms of this agreement and provide notice to WSSC of such allocation pursuant to this Agreement and the System Modifications Agreement. The Committee shall also review and comment on design and engineering specifications for the System Modifications, communicate with WSSC regarding costs, amend exhibits to this Agreement as appropriate, take any other action as required of the Committee herein or in the System Modifications Agreement, and maintain financial records of the cost allocations.

3.2 Members. The Committee shall consist of one (1) representative or one (1) alternate from each of the Municipal Entities. Municipal Entities may replace their representatives and alternates at any time by providing written notice to the other members of the Committee.

3.3 Meeting Schedule and Notices. The Committee shall meet at such frequency and times deemed necessary by the Committee members. Notice of Committee meetings shall be circulated by email or other written notice to all Committee members.

3.4 Committee Governance. All decisions or actions of any kind to be made by the Committee shall be made by the express unanimous consent of the Committee members.

3. **Municipal Shares Ownership.** The first table set forth on **Exhibit A** lists the total number of Municipal Shares, both changed and unchanged, that are owned by each of the Municipal Entities as of the effective date of this Agreement (“Municipal Shares Ownership”) and the percentage of the total Municipal Shares owned by each of the Municipal Entities as of the effective date of this Agreement (“Percentage Municipal Share Ownership”). The Percentage Municipal Share Ownership may change based upon the acquisition or divestiture of WSSC Shares or the addition of any new Municipal Entity during the term of this Agreement as described in paragraph 5 below. Any Municipal Entity that acquires or divests any Municipal Shares after the effective date of this Agreement shall notify the Committee no later than the last day of the month in which WSSC formally approves the transfer of such shares. The Municipal Shares Ownership and Percentage Municipal Share Ownership Tables on **Exhibit A** shall be updated accordingly and may be revised by the express unanimous vote of the Committee members without formally amending this Agreement. Upon approval by Committee vote of any revisions to **Exhibit A**, the revised Exhibit shall be circulated by the Committee to all Parties.

4. **Allocation of System Modification Costs.** System Modification costs, as identified in the System Modifications Agreement, are to be allocated among the Municipal Entities in accordance with each Municipal Entity’s Percentage Municipal Share Ownership, as described in paragraph 3 above and shown on **Exhibit A**, as the same may be updated. Cost allocations shall be determined based on the most recently approved **Exhibit A** at the time any notice of Annual System Modification Assessment or Special System Modification Assessment is issued by WSSC to the Committee, pursuant to paragraphs 6.2.1 and 6.2.2 of the System Modifications Agreement.

4.1 **Allocation of Costs.** Pursuant to the System Modifications Agreement, WSSC is to provide the total Annual System Modification Assessment to the Committee for the anticipated and accrued System Modification costs, including loan payment amounts and schedules by approximately January 31st of each year. WSSC may also provide an estimate of a total Special System Modification Assessment to cover any costs not covered by Annual System Modification Assessments approximately ninety (90) days before such special assessment is to be issued. By approximately March 31st for Annual System Modification Assessments or within approximately sixty (60) days after the Committee receives an estimate of a total Special System Modification Assessment, the Committee shall determine the portion of the total relevant Assessment that each Party is responsible for and provide an Assessment Allocation Summary to WSSC. The Assessment Allocation Summary shall indicate with particularity the portion of the total amount each Municipal Entity is responsible for, which portions when summed shall equal the total amount of the Assessment provided by WSSC.

4.2 **Credit to Thornton for Costs Expended.** The Parties acknowledge that Thornton has expended and/or anticipates expending approximately Six Million Dollars (\$6,000,000.00) toward System Modification costs, exclusive of any Assessments. Thornton shall confirm the total amount of such expenditures and provide supporting documentation to the Committee. Based on the confirmed amount, Thornton shall be entitled to a credit toward future Assessments for System Modifications in the amount of the other Municipal Entities’ pro rata portions of such Thornton expenditures (“Thornton’s Credit”). Thornton shall remain responsible for its own pro rata share portion of such

Thornton expenditures and shall not receive a credit for that portion. By way of example, if Thornton's total expenditures are \$6,000,000.00 and Thornton owns 66% of the total shares owned by Municipal Entities, then the other Municipal Entities would own 34% of the total shares owned by Municipal Entities, resulting in a Thornton Credit of \$2,040,000.00.

4.3 Commencing January 1, 2028, and continuing until Thornton's Credit is exhausted, the other Municipal Entities shall pay Thornton's portion of Assessments for System Modifications, in addition to their own respective shares. The other Municipal Entities responsibility for such payments shall be allocated in accordance with the second table set forth on **Exhibit A**. Such table shall be updated to reflect any changes in share ownership in the same manner as described in paragraph 3 above.

4.4 The Parties acknowledge that any Municipal Entity may elect to prepay its proportional share of Thornton's Credit by submitting such payment to WSSC in advance of the assessment schedule, with corresponding notice provided to Thornton and the Committee. The prepaying Municipal Entity shall identify in writing to WSSC that the payment is for and to the Thornton Reimbursement Fund. The Committee shall account for all such advance payments when determining future Assessment allocations, ensuring that the prepaying Municipal Entity's pro rata obligations for subsequent Thornton-owed System Modification Assessments are reduced in proportion to the amount prepaid toward Thornton's Credit. The Committee, at Thornton's direction, shall instruct WSSC to disburse funds from the Thornton Reimbursement Fund to satisfy any System Modification Assessment, or portion thereof, owed by Thornton.

4.5 In the event any Municipal Entity expends funds toward System Modifications exclusive of Assessments, the Municipal Entity shall be entitled to reimbursement from the other Municipal Entities in the same manner as Thornton is entitled to reimbursement as set forth paragraphs 4.2 through 4.4, above. The commencement date of payments for a Municipal Entity's credit shall be determined by mutual agreement of the Parties.

5. Incorporation of Additional Municipal Entities or Increases in Municipal Entity Shares. Pursuant to the System Modifications Agreement, in the event any entity that is not a Party to this Agreement enters into an agreement with WSSC whereby the use of that entity's WSSC shares is conditioned on WSSC's ability to continue to deliver water to other shareholders from the LCC, including laterals receiving water from the LCC, and upon that entity's use of its shares not increasing expenses for WSSC or its other shareholders, WSSC will include a term and condition in such agreement that the subject entity become a party to both this Agreement and the System Modifications Agreement. In order to integrate additional Parties into this Agreement and account for increases in Municipal Entity Shares, the Committee shall maintain a running total of all expenditures paid by the Municipal Entities towards System Modifications, including all Assessments-both Annual and Special System Modification Assessments-as well as Thornton's expended funds described in Paragraph 4.2 above. Upon any entity being added as a Party to this Agreement or any current Party increasing its shares in WSSC, such Party shall be obligated to pay its proportional share of the then-current running total of expenditures. For example, if a new

Party owns or current Party acquires 10 shares when 500 shares are owned by the Municipal Entities collectively (including the new shares) and a total of \$10 million has been paid for System Modifications by the Parties, that Party shall be obligated to pay the next \$200,000 in total amounts in System Modification Assessments owed to WSSC, with each existing Party's obligation reduced on a pro rata basis.

6. Remedies. The remedies available under this Agreement shall be limited to those provided by Colorado law, and shall expressly exclude any claim for consequential, punitive or exemplary damages.

7. No Waiver of Governmental Immunity. Nothing in this Agreement is intended or shall be construed as a waiver by any of the Municipal Entities of the monetary limitations or any other rights, immunities, and protections to which they are entitled as public entities under applicable law, including, without limitation, under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq., as exists now or is hereafter amended.

8. No General Fiscal Obligation or Indebtedness by Municipal Entities. Notwithstanding any provision of this Agreement to the contrary, the obligations of any Municipal Entity in fiscal years after the fiscal year in which this Agreement is executed shall be expressly contingent on the appropriation by that Municipal Entity of funds sufficient and intended for such purpose in the fiscal year in which the obligation is incurred. Nothing in this Agreement is intended or shall be construed to constitute a general obligation or other indebtedness of that Municipal Entity, or a multiple fiscal year direct or indirect debt or other financial obligation of that Municipal Entity, whether under the Constitution and laws of the State of Colorado or the respective charters and ordinances of the Municipal Entities. The determination of whether funds have been appropriated in sufficient amounts and intended for the purposes of this Agreement by any Municipal Entity shall be made in the sole discretion of that Municipal Entity.

9. Notices. Any notices allowed or required by this Agreement must be in writing and provided by email, with electronic confirmation the email has been delivered and read by the recipient with service deemed completed upon the electronic confirmation of delivery. Such notices shall be sent to the email addresses below. The Parties shall update their respective email addresses as necessary. General communications shall be directed to:

Thornton: Water Resources Division, Infrastructure Department
Water@Thorntonwater.com

With copy to: City Attorney, Legal Department
attorney@thorntonco.gov

Greeley: City of Greeley Water & Sewer Department, Water Resources
Division
wsadmin@greeleygov

With copy to: City Attorney's Office, Environmental and Water
Resources

cityattorney@greeleygov.com

Fort Collins: Fort Collins Utilities, Water Resources Division
jdial@fcgov.com

With copy to: City Attorney's Office
epotyondy@fcgov.com

ELCO: Mike Scheid, General Manager
Mikes@elcowater.org

With copy to:
Bradley C. Grasmick, Esq., Lawrence Custer Grasmick Jones &
Donovan, LLP
Brad@lcwaterlaw.com

North Weld: Eric Reckentine, General Manager
ericr@nwcwd.org

With copy to: Scott E. Holwick, Esq., Lyons Gaddis, P.C.
holwick@lyonsgaddis.com

FCLWD: Chris Pletcher, General Manager
cletcher@fclwd.com

With copy to: Scott E. Holwick, Esq., Lyons Gaddis, P.C.
holwick@lyonsgaddis.com

10. Term. The term of this Agreement is perpetual, unless terminated or modified by a duly authorized and executed amendment by all Parties.

11. Amendment and Waiver. Except for the modification of Exhibit A as provided herein, this Agreement may only be amended in a writing duly authorized and executed by the Parties. Any waiver of a term, condition, or potential breach of this Agreement must be made in a writing duly authorized and executed by the waiving party or parties. Updates to Exhibit A shall be voted on by Committee members, and upon approval, circulated to all Committee Members.

12. Restriction on Assignment. The Municipal Entities shall not assign, delegate, or transfer their respective rights or obligations under this Agreement without the prior written consent of all other Parties. Such consent may be given or withheld in the sole discretion of the other Parties.

13. No Third-Party Beneficiaries. This Agreement is entered into among the Parties for the purposes set forth herein. It is the intent of the Parties that they are the only beneficiaries

of this Agreement and the Parties are only benefitted to the extent provided under the express terms and conditions of this Agreement. Any other person or entity that realizes a benefit pursuant to this Agreement shall be deemed an incidental beneficiary only.

14. Successors and Assigns. The provisions of this Agreement are binding on the Parties and their respective successors and permitted assigns.

15. Governing Law. This Agreement is governed by and shall be construed in accordance with Colorado law, with proper venue in the District Court of the county in which the primary office of the defendant is located.

16. Severability. The invalidity or unenforceability of any provision of this Agreement, if found by a court of competent jurisdiction, shall not affect the validity or enforceability of any other provision of this Agreement unless the exclusion of such provision would frustrate the purpose of this Agreement.

17. Cumulative Remedies. The rights, remedies, powers, and privileges provided in this Agreement shall not exclude any other rights, remedies, powers, and privileges to which any party may be entitled by law or in equity.

18. Entire Agreement. This Agreement constitutes the entire agreement among the Parties.

19. Headings. The headings in this Agreement are intended by the Parties for reference purposes only and shall not affect the meaning or interpretation of this Agreement.

20. Counterparts and Electronic Signatures. This Agreement may be executed in counterparts, which when combined shall constitute one and the same agreement. The Parties agree to be bound by electronic signatures.

21. Signatory Authority. The Parties represent that the individuals executing this Agreement below have the authority to bind the party they are signing on behalf of to this Agreement.

22. Recording. This Agreement and all exhibits shall be recorded in the real property records of the Larimer and Weld Counties, Colorado Clerk and Recorder's office at Thornton's expense. Thornton will provide a copy of the recorded Agreement to each of the other Parties.

IN WITNESS WHEREOF, the Parties have executed this Cost Allocation Agreement for WSSC System Modifications to the Water Supply and Storage Company Delivery System, effective as of the date first set forth above.

[signature page to follow]

CITY OF THORNTON

Tansy Hayward, City Manager

ATTEST:

Kristen N. Rosenbaum, City Clerk

APPROVED AS TO FORM:

Tami Yellico, City Attorney

CITY OF FORT COLLINS

By: _____
Kelly DiMartino, City Manager

Date:

ATTEST:

By: _____
City Clerk

APPROVED AS TO LEGAL FORM:

By: _____
Eric Potyondy
Senior Assistant City Attorney

NORTH WELD COUNTY WATER DISTRICT

By: _____

CITY OF GREELEY

By: _____
City Manager

As to Availability of Funds:

By: _____
Director of Finance

As to Legal Form:

By: _____
City Attorney's Office

EAST LARIMER COUNTY WATER DISTRICT

By: _____

FORT COLLINS-LOVELAND WATER DISTRICT

By: _____

EXHIBIT A

COST-SHARING AGREEMENT FOR MODIFICATIONS
TO THE WATER SUPPLY AND STORAGE COMPANY DELIVERY SYSTEM

Municipal Shares Ownership and Percentage Municipal Share Ownership Table

Municipal Entities	Number of Municipal Shares	Percentage (%)
Thornton	289.1045	66.57
Greeley	47.417	10.92
Fort Collins	26.667	6.14
ELCO	41.825	9.63
North Weld	18.0	4.14
FCLWD	11.25	2.59
Total Shares (Municipal Entities)	434.2635	100

Municipal Shares Ownership and Percentage Municipal Share Ownership Table
(Credit to Thornton for Costs Previously Expended – Paragraph 4.2)

Entities	Number of Shares	Percentage (%)
Greeley	47.417	32.67
Fort Collins	26.667	18.37
ELCO	41.825	28.81
North Weld	18.0	12.40
FCLWD	11.25	7.75
Total Shares	145.159	100

EXHIBIT B

SYSTEM MODIFICATIONS AGREEMENT

(Exhibit A to Resolution 2026-001)

File Attachments for Item:

7. Resolution 2026-002 Directing Evaluation and Proposed Arrangements for Reorganizing the Administration of Municipal Court.

The purpose of this item is to consider a resolution to direct staff to evaluate and propose arrangements for reorganizing the administration of Municipal Court. The primary objective is to enhance operational efficiency and improve customer service by moving business operations under the City Manager's Office.

January 6, 2026

AGENDA ITEM SUMMARY

City Council



STAFF

Kelly DiMartino, City Manager

SUBJECT

Resolution 2026-002 Directing Evaluation and Proposed Arrangements for Reorganizing the Administration of Municipal Court.

EXECUTIVE SUMMARY

The purpose of this item is to consider a resolution to direct staff to evaluate and propose arrangements for reorganizing the administration of Municipal Court. The primary objective is to enhance operational efficiency and improve customer service by moving business operations under the City Manager's Office.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

With increasing service and technology demands of Municipal Court, there is a need for strategic realignment of the Municipal Court's administrative functions to better meet those demands and improve customer service.

While the City Manager's Office would oversee the logistical and financial "business" of the court, the Judge would retain autonomy over all legal rulings, sentencing decisions, and courtroom procedures. This model would provide the necessary administrative support to the Court while protecting the independence of the bench from executive interference.

Should this Resolution be adopted, staff would bring back necessary Code changes for Council's consideration to begin the process in Q1 2026.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Resolution 2026-002

RESOLUTION 2026-002
OF THE COUNCIL OF THE CITY OF FORT COLLINS
DIRECTING EVALUATION AND PROPOSED ARRANGEMENTS
FOR REORGANIZING THE ADMINISTRATION
OF MUNICIPAL COURT

A. The City of Fort Collins Municipal Court provides essential judicial services to the community.

B. Increasing operational, customer service, and technology demands of Municipal Court require a review of how administrative and business functions are organized and supported.

C. The City Council seeks to ensure that Municipal Court operations are efficient, accessible, and responsive to the public while preserving the independence of the judicial function.

D. Administrative models exist that place non-judicial business operations of municipal courts within a city's executive administration while maintaining the judge's exclusive authority over legal rulings, sentencing, and courtroom procedures.

E. Evaluating alternative administrative arrangements may improve service delivery, financial oversight, and operational coordination without compromising judicial independence.

F. Reorganization of Municipal Court administration may require amendments to the Fort Collins Municipal Code and further Council action.

G. This Resolution directs staff to explore and evaluate changes to the organization and administration of Municipal Court but does not affect such change.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The Council directs the City Manager to evaluate potential arrangements for reorganizing the administrative and business operations of Municipal Court, including the feasibility of placing those functions under the City Manager's Office.

Section 2. Any evaluated or proposed arrangement must preserve the independence of the Municipal Judge, including exclusive authority over legal rulings, sentencing decisions, and courtroom procedures, and must not permit executive interference with judicial decision-making.

Section 3. The scope of evaluation may include, but is not limited to, impacts on customer service, operational efficiency, staffing, budgeting, technology, compliance, and alignment with best practices for municipal court administration.

Section 4. The Council directs the City Manager to report findings and proposed arrangements to City Council, including any recommended Municipal Code amendments, for Council consideration.

Passed and adopted on January 6, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: January 6, 2026
Approving Attorney: April Silva

Exhibit: None

Resolution 2026-002

File Attachments for Item:

Staff Report: Demonstration of New Website, FortCollins.Gov.

The purpose of this item is to provide a demonstration of the new City of Fort Collins website, FortCollins.Gov.

AGENDA ITEM SUMMARY

City Council



STAFF

Amanda King, Chief Communications and Engagement Officer

SUBJECT

Staff Report: Demonstration of New Website, FortCollins.Gov.

EXECUTIVE SUMMARY

The purpose of this item is to provide a demonstration of the new City of Fort Collins website, FortCollins.Gov.

ATTACHMENTS

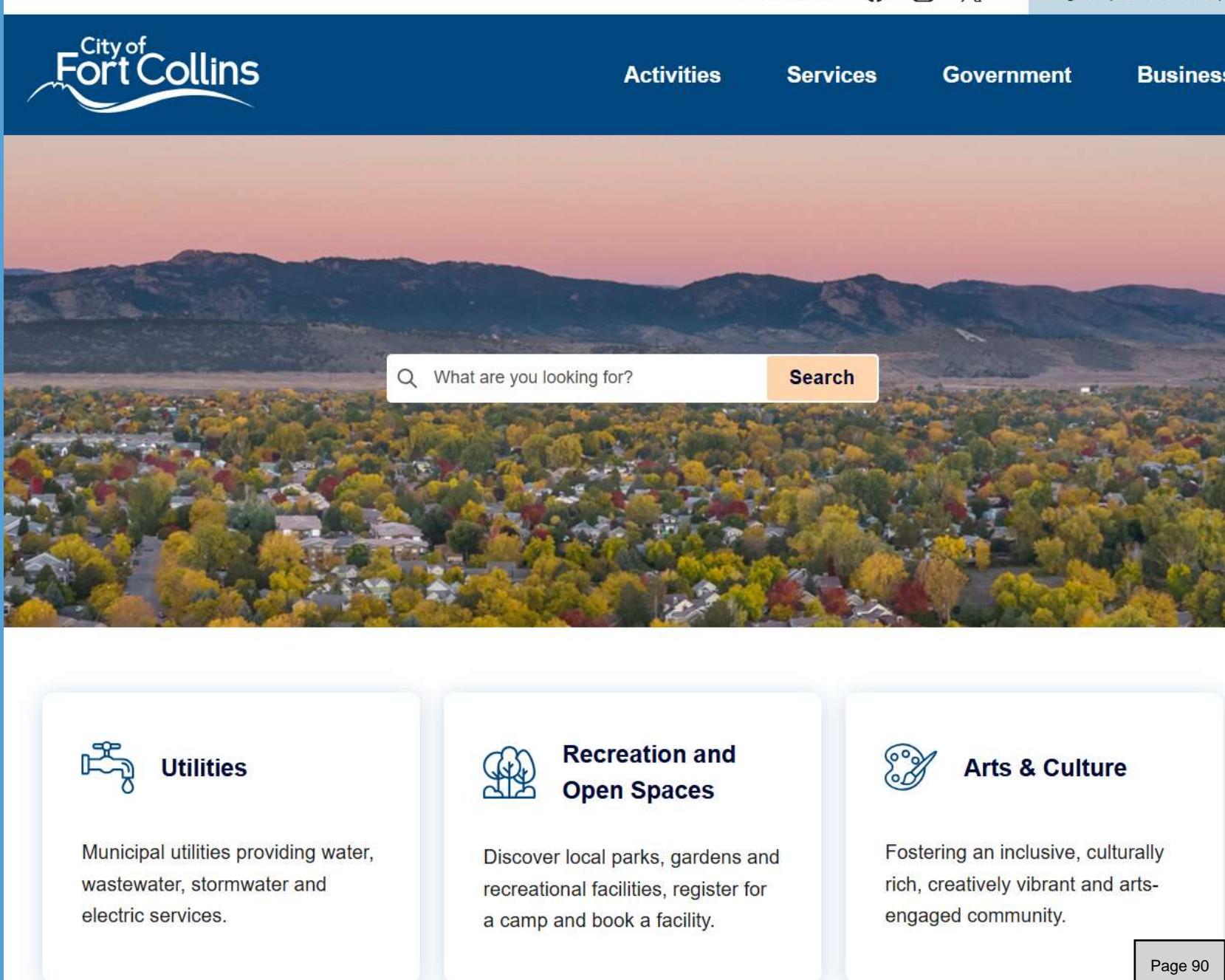
1. Presentation



New Website – FortCollins.Gov

Amanda King

Chief Communications &
Engagement Officer



City of Fort Collins

Activities Services Government Business

What are you looking for? **Search**

 **Utilities**

Municipal utilities providing water, wastewater, stormwater and electric services.

 **Recreation and Open Spaces**

Discover local parks, gardens and recreational facilities, register for a camp and book a facility.

 **Arts & Culture**

Fostering an inclusive, culturally rich, creatively vibrant and arts-engaged community.

Page 90

History/Background

- Custom-built website
- Over 1.6M active users and 443,000 returning users (2025)
- Over 6M views (2025)
- Top source of info for community (Community Survey)
- Over 5,000 pages & 6,000 PDF's
- Nearly 300 content editors
- Several custom-built applications

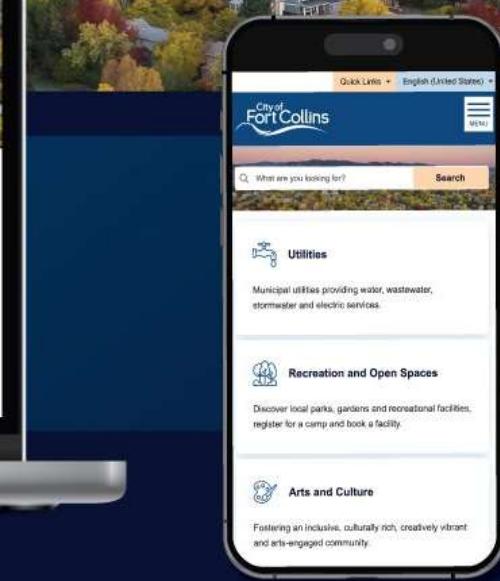
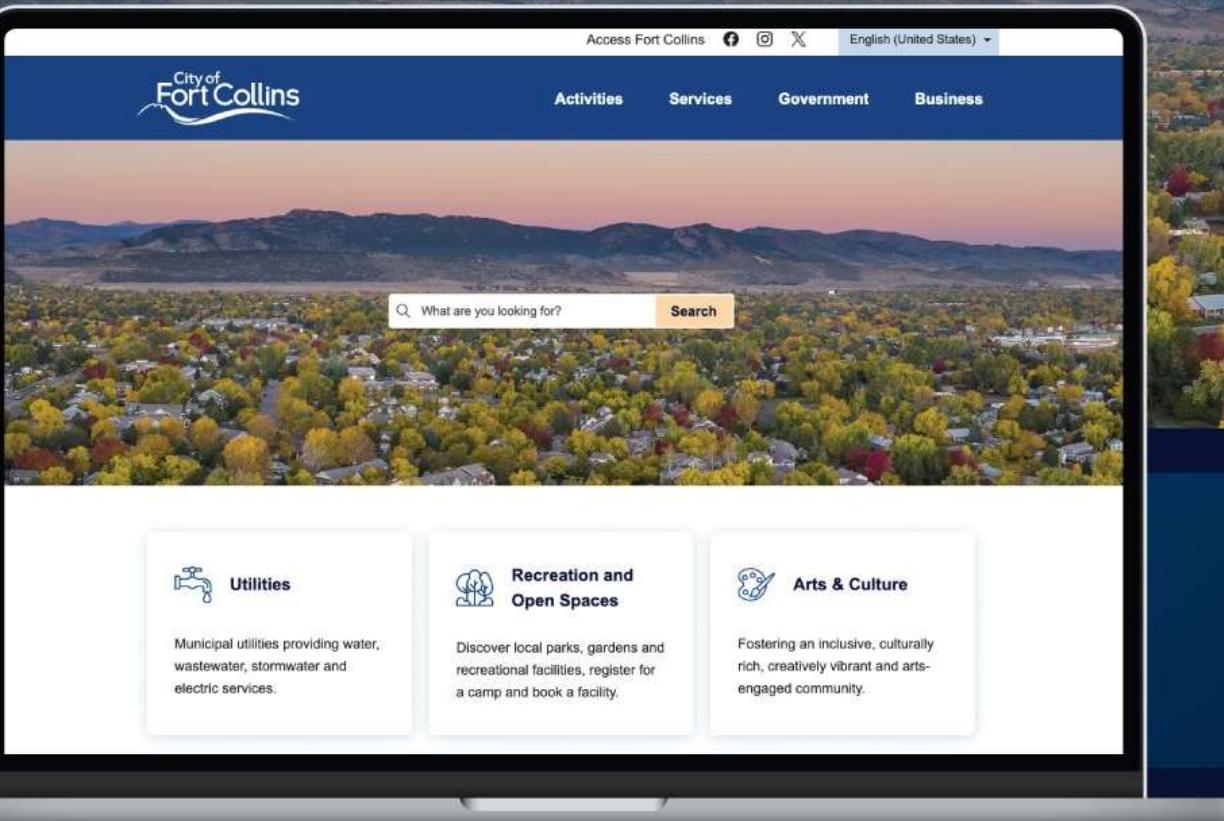
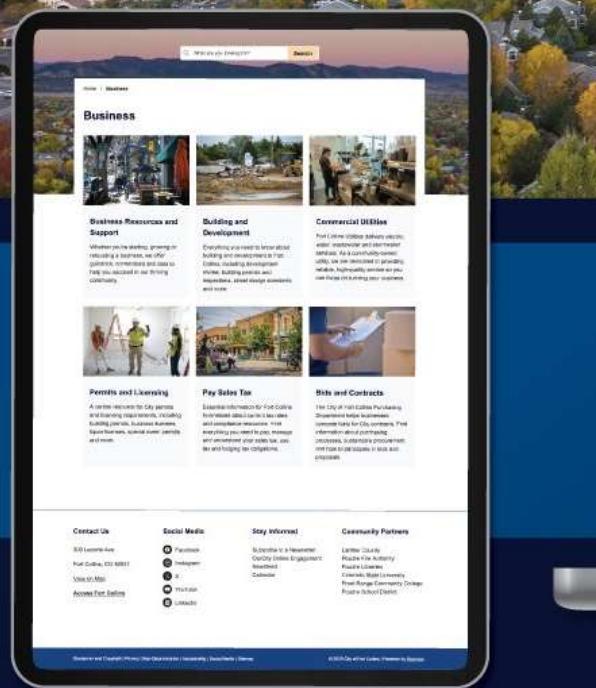


Why a New Website?



- Complexity > simplicity
- New URL: FortCollins.Gov!
- Simple organization of content – not sprawling or overwhelming & journey-based
- Digital accessibility and ease-of-use
- Changing use of websites
- Cloud-based solution for easier ongoing management & maintenance

FortCollins.GOV just entered the chat...



File Attachments for Item:

8. Items Related to Expressing Gratitude and Appreciation to Outgoing Mayor and Councilmembers for Their Contributions to the Community as City Mayor and Councilmembers.

Resolution 2026-003 Expressing Gratitude and Appreciation to Jeni Arndt for Her Service and Contributions to the Community as Mayor.

Resolution 2026-004 Expressing Gratitude and Appreciation to Susan Gutowsky for Her Service and Contributions to the Community as City Councilmember.

Resolution 2026-005 Expressing Gratitude and Appreciation to Tricia Canonicco for Her Service and Contributions to the Community as City Councilmember.

Resolution 2026-006 Expressing Gratitude and Appreciation to Kelly Ohlson for His Service and Contributions to the Community as City Councilmember.

The purpose of this item is to express gratitude and appreciation to the outgoing Mayor and Councilmembers for their contributions to the community as Mayor and Councilmembers.

January 6, 2026

AGENDA ITEM SUMMARY

City Council



STAFF

Davina Lau, Public Engagement Specialist
Delynn Coldiron, City Clerk

SUBJECT

Items Related to Expressing Gratitude and Appreciation to Outgoing Mayor and Councilmembers for Their Contributions to the Community as City Mayor and Councilmembers.

EXECUTIVE SUMMARY

- A. Resolution 2026-003 Expressing Gratitude and Appreciation to Jeni Arndt for Her Service and Contributions to the Community as Mayor.
- B. Resolution 2026-004 Expressing Gratitude and Appreciation to Susan Gutowsky for Her Service and Contributions to the Community as City Councilmember.
- C. Resolution 2026-005 Expressing Gratitude and Appreciation to Tricia Canonico for Her Service and Contributions to the Community as City Councilmember.
- D. Resolution 2026-006 Expressing Gratitude and Appreciation to Kelly Ohlson for His Service and Contributions to the Community as City Councilmember.

The purpose of this item is to express gratitude and appreciation to the outgoing Mayor and Councilmembers for their contributions to the community as Mayor and Councilmembers.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolutions.

BACKGROUND / DISCUSSION

Jeni Arndt has served on Council as Mayor since being elected April 6, 2021, and then re-elected on November 7, 2023. The City expresses its sincere appreciation and gratitude to Jeni Arndt for her service and contributions to the community as Mayor, and in the many roles she has served in during her time on Council.

Susan Gutowsky was appointed as a Councilmember to District 1 on January 15, 2019, and was elected on April 2, 2019. The City expresses its sincere appreciation and gratitude to Susan Gutowsky for her service and contributions to the community as District 1 Councilmember, and in the many roles she has served in during her time on Council.

Tricia Canonico was elected as a Councilmember to District 3 on April 6, 2021. The City expresses its sincere appreciation and gratitude to Tricia Canonico for her service and contributions to the community as District 3 Councilmember, and in the many roles she has served in during her time on Council.

Kelly Ohlson started serving the City of Fort Collins in 1983, serving as Mayor Pro Tem from 1985-1986, as Mayor from 1986-1987, taking office for a second time on April 19, 2005, and serving as Mayor Pro Tem for three terms from 2007 through 2013, and then elected as a Councilmember for District 5 on April 6, 2021. The City expresses its sincere appreciation and gratitude to Kelly Ohlson for his service and contributions to the community as District 5 Councilmember, and in the many roles he has served in during his time on Council.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

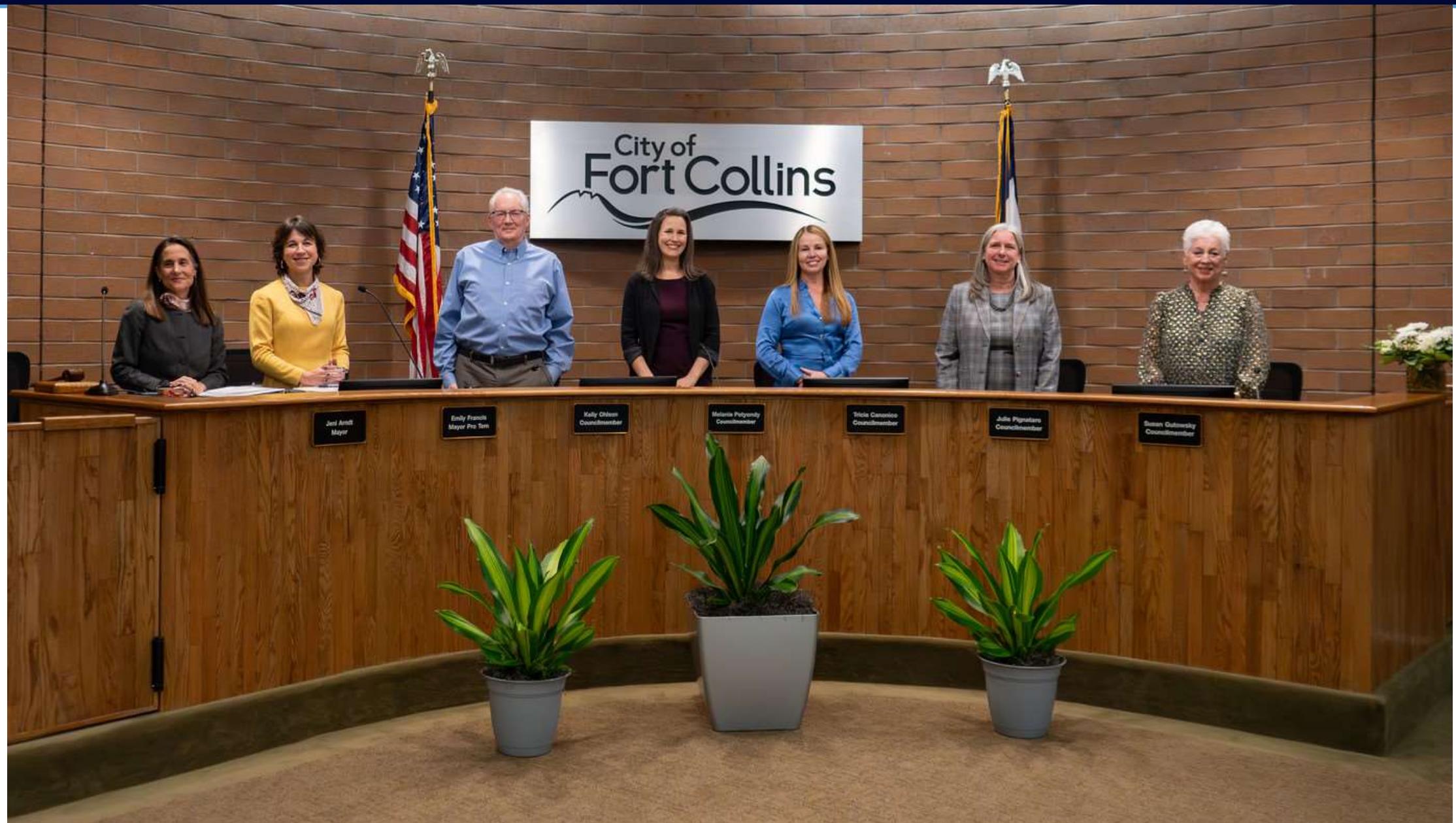
1. Presentation
2. Resolution 2026-003
3. Resolution 2026-004
4. Resolution 2026-005
5. Resolution 2026-006



Item 8.



Council Appreciation and Recognition



Committees and Boards

- Platte River Power Authority
- Northern Colorado Regional Airport Commission
- ICLEI Global Executive Committee
- Water Quality Control Commission
- Urban Renewal Authority Board, Chair
- Regional Transportation Coordination Task Force Policy Advisory Committee

Has set a tone of calm and civility, led with kindness and respect, and promoted inclusion, pragmatic, common-sense approaches, and transparency in City processes for the betterment of Fort Collins residents.



Committees and Boards

- Downtown Development Authority
- Larimer County Behavioral Health Policy Council
- Family Housing Network Board of Directors
- Poudre Fire Authority Board, Chair
- Poudre School District Liaison Committee
- National League of Cities on the Human Development Committee

Has diligently advocated for open space and the health of the Poudre River and has shown her strong and continued commitment to our community by being a presence in the community, representing the City at events and regularly engaging with constituents.



Committees and Boards

- Legislative Review Committee, Chair
- Colorado Municipal League Policy Committee
- National League of Cities University Communities Council
- Vice President of Colorado Communities for Climate Action
- Member on the Front Range Passenger Rail District Board
- Member of the Environmental Protection Agency's Local Government Advisory Committee

Has served with dedication to the Fort Collins community today and into the future by advocating for policies related to infrastructure, sustainability, neighborhoods, safety, smart growth and modernization and with positivity and a community focus on accessibility and engagement.



Councilmember Ohlson – 2021-2025

Has served the City of Fort Collins longer than any other elected official: started in 1983, took office for a second time in 2005 and was elected as a City Councilmember for District 5 in 2021.

Committees and Boards

- Finance Committee
- Legislative Review Committee
- North Front Range Wasteshed Policy Group
- Land Conservation and Stewardship Board
- Natural Resources Advisory Board
- General Employees Retirement Committee

Has exemplified strong policy-making skills, thoughtful leadership and principled decision-making and has demonstrated his commitment to this community through his many years of public service.



RESOLUTION 2026-003
OF THE COUNCIL OF THE CITY OF FORT COLLINS
EXPRESSING GRATITUDE AND APPRECIATION TO JENI ARNDT FOR HER
SERVICE AND CONTRIBUTIONS TO THE COMMUNITY AS MAYOR

A. Jeni Arndt was first elected as Mayor of Fort Collins on April 6, 2021, and then re-elected on November 7, 2023.

B. Mayor Arndt has served as Council Liaison to the Economic Advisory Board, Energy Board, Water Commission, Disability Advisory Board, Golf Board, and the Parks and Recreation Board.

C. During her tenure Mayor Arndt served on the Council Election Code Committee, Council Finance Committee, Council Ethics Review Board, Council Futures Committee, Council Legislative Review Committee, Downtown Development Authority Board of Directors, Disaster Council, Emergency Management Policy Group, Forfeited Property Disposition Committee, the North Front Range Metropolitan Planning Council, the North I-25 Coalition, the North I-25 Coalition Working Group: I-25 Funding Committee, the Northern Colorado Regional Airport Commission, the Northern Colorado Airport Selection Committee, Platte River Power Authority Board of Directors, as a Commissioner appointed to the Board of the Fort Collins Urban Renewal Authority, the Poudre School District Liaison Committee, and the Regional Transportation Coordination Task Force Policy Advisory Committee.

D. Mayor Arndt was also appointed to the Local Governments for Sustainability USA (ICLEI USA) Board and was one of just three U.S. Mayors chosen to serve a 3-year term, and then appointed by RexCom to represent North America on the ICLEI Global Executive Committee.

E. In 2021 Mayor Arndt served as an Urban Renewal Authority Commissioner, as a Representative on the state Water Quality Control Commission 2022-2025, as well as represented the City on the Colorado Attorney General's Local Government Opioid Settlement Funds Stakeholder Working Group.

F. In 2024, Mayor Arndt was awarded the Visionary for the Future Award by the Common Sense Institute in recognition of the innovation, bridgebuilding, and common sense it takes to solve some of Colorado's greatest public policy challenges.

G. In 2025, Mayor Arndt was awarded Congressman Joe Neguse's Congressional Service Award for the Josie Heath Community Service Award.

H. Mayor Arndt set a tone of calm and civility, led with kindness and respect, and promoted inclusion, pragmatic, common-sense approaches, and transparency in City processes for the betterment of Fort Collins residents.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City expresses its sincere appreciation and gratitude to Jeni Arndt for her service and contributions to the community as Mayor, and in the many roles she has served in during her time on the City Council.

Passed and adopted on January 6, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: January 6, 2026
Approving Attorney: Carrie Daggett

Exhibit: None

Resolution 2026-003

RESOLUTION 2026-004
OF THE COUNCIL OF THE CITY OF FORT COLLINS
EXPRESSING GRATITUDE AND APPRECIATION TO SUSAN GUTOWSKY FOR HER
SERVICE AND CONTRIBUTIONS TO THE COMMUNITY AS CITY
COUNCILMEMBER

A. Susan Gutowsky was appointed as a City Councilmember for District 1 on January 15, 2019, was elected on April 2, 2019, and has served on City Council since.

B. Councilmember Gutowsky has served as the Council Liaison to the Art in Public Places Board, Citizen Review Board, Parks and Recreation Board, Historic Preservation Commission, Senior Advisory Board and Transportation Board.

C. During her tenure Councilmember Gutowsky served on the Council Ethics Review Board, Council Futures Committee and Council Legislative Review Committee.

D. Councilmember Gutowsky has also served on the Downtown Development Authority Board of Directors and has been a representative on the Larimer County Behavioral Health Policy Council, Larimer County Community Services Block Grant Advisory Tripartite Board, North Front Range Wasteshed Policy Group, Poudre Fire Authority Board of Directors and Poudre School District Liaison Committee.

E. Councilmember Gutowsky has been a strong proponent of collaboration and problem solving through many complex issues including behavioral health and affordable housing advocacy, homelessness solutions, support and advocacy for small and local businesses.

F. Councilmember Gutowsky has shown further dedication through her work on the Family Housing Network Board of Directors from March 2023 through June 2025, as a Commissioner appointed to the Board of the Fort Collins Urban Renewal Authority in February 2019, and through her involvement in the National League of Cities on the Human Development Committee in 2022.

G. Councilmember Gutowsky has diligently advocated for open space and the health of the Poudre River.

H. Councilmember Gutowsky has shown her strong and continued commitment to our community by being a presence in the community, representing the City at events and regularly engaging with constituents.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City expresses its sincere appreciation and gratitude to Susan Gutowsky for her service and contributions to the community as District 1 Councilmember, and in the many roles she has served in during her time on the City Council.

Passed and adopted on January 6, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: January 6, 2026

Approving Attorney: Carrie Daggett

Exhibit: None

Resolution 2026-004

RESOLUTION 2026-005
OF THE COUNCIL OF THE CITY OF FORT COLLINS
EXPRESSING GRATITUDE AND APPRECIATION TO TRICIA CANONICO
FOR HER SERVICE AND CONTRIBUTIONS TO THE COMMUNITY AS CITY
COUNCILMEMBER

A. Tricia Canonico was elected to Council on April 6, 2021, as the representative of District 3.

B. Councilmember Canonico has served as Council Liaison to the Art in Public Places Board, Energy Board, Human Services and Housing Funding Board, and the Historic Preservation Commission.

C. During her tenure Councilmember Canonico served on the Council Election Code Committee, Council Ethics Review Board, Council Finance Committee, Council Futures Committee, Council Legislative Review Committee, as a Commissioner appointed to the Board of the Fort Collins Urban Renewal Authority, the Colorado Municipal League Policy Committee, the North Front Range Metropolitan Planning Council, North I-25 Coalition, and the National League of Cities University Communities Council.

D. Councilmember Canonico was also appointed to the National League of Cities Transportation and Infrastructure Services Committee and was one of their designated Women in Municipal Government.

E. Councilmember Canonico has also served as Vice President on the Board of Directors of Colorado Communities for Climate Action (CC4CA), as a member on the Front Range Passenger Rail District Board and as a member of the Environmental Protection Agency's (EPA) Local Government Advisory Committee.

F. Councilmember Canonico has demonstrated her dedication to the Fort Collins community today and into the future by advocating for policies related to infrastructure, sustainability, neighborhoods, safety, smart growth and modernization.

G. Councilmember Canonico served with positivity and a community focus on accessibility and engagement.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City expresses its sincere appreciation and gratitude to Tricia Canonico for her service and contributions to the community as District 3 Councilmember, and in the many roles she has served in during her time on the City Council.

Passed and adopted on January 6, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: January 6, 2026
Approving Attorney: Carrie Daggett

Exhibit: None

Resolution 2026-005

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RESOLUTION 2026-006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
EXPRESSING GRATITUDE AND APPRECIATION TO KELLY OHLSON
FOR HIS SERVICE AND CONTRIBUTIONS TO THE COMMUNITY AS CITY
COUNCILMEMBER

A. Kelly Ohlson has served the City of Fort Collins longer than any other elected official, having started in 1983 and served as Mayor Pro Tem from 1985-1986 and as Mayor from 1986-1987, then took office for a second time on April 19, 2005 and served as Mayor Pro Tem of the City for three terms from 2007 through 2013, and was elected as a City Councilmember for District 5 on April 6, 2021, and has served on City Council since.

B. During his tenure Councilmember Ohlson served on many Committees, including the Council Finance Committee, Council Legislative Review Committee, Election Code Committee, and North Front Range Wasteshed Policy Group, and was an Urban Renewal Authority Commissioner, and has Chaired the North Front Range Metropolitan Planning Council and Poudre Fire Authority Board of Directors.

C. Councilmember Ohlson also served eight years on the Natural Resources Advisory Board and eight years on the Land Conservation and Stewardship Board, and was a member of the first City Plan Citizens Committee, the Citizen Budget Advisory Board, the Parks and Recreation Master Plan Committee, and the West Central Neighborhood Plan Steering Committee.

D. During his time in office, Councilmember Ohlson was active in the Colorado Municipal League and served on committees in the National League of Cities, and has served on the Downtown Development Authority Board of Directors, Poudre Landmarks Foundation Board of Directors and the CDC Animal Care Committee.

E. Councilmember Ohlson has served as Council Liaison to the Air Quality Advisory Board, the Land Conservation and Stewardship Board, the Natural Resources Advisory Board, the General Employees Retirement Committee, the Parks and Recreation Board, the Senior Advisory Board, the Commission on Disability, the Zoning Board of Appeals and the Building Review Board.

F. Councilmember Ohlson has been a strong proponent of land conservation and protection of natural areas and wildlife, especially through his work as a leader of nine open space and natural areas measures that have protected over 75,000 acres in Fort Collins and Larimer County, and was awarded the inaugural Kelly Ohlson Natural Areas Conservation Award for these efforts.

G. Councilmember Ohlson has been broadly acknowledged for his work in Open Space and Natural Areas by receiving Etown's National E-chievement Award, the

Larimer County Environmental Stewardship Award, and the Colorado Conservation Voters Award. In addition, Ohlson has received the Colorado Association for Recycling Lifetime Achievement Award, the Friends of Historic Preservation Award, and the Founders Award from Fort Collins Convention and Visitors Bureau (Visit Fort Collins).

H. Councilmember Ohlson has shown further dedication through his work as leading proponent for the founding of the City's Natural Areas Department, the Natural Resources Advisory Board, and the Land Conservation and Stewardship Board.

I. Councilmember Ohlson has exemplified strong policy-making skills, thoughtful leadership and principled decision-making and has demonstrated his commitment to this community through his many years of public service.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City expresses its sincere appreciation and gratitude to Kelly Ohlson for his service and contributions to the community as District 5 Councilmember, and in the many roles he has served in during his time on the City Council.

Passed and adopted on January 6, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: January 6, 2026
Approving Attorney: Carrie Daggett

Exhibit: None

Resolution 2026-006