



City Council Work Session Agenda

July 28, 2026 at 6:00 PM

Emily Francis, Mayor
Julie Pignataro, District 2, Mayor Pro Tem
Chris Conway, District 1
Josh Fudge, District 3
Melanie Potyondy, District 4
Amy Hoeven, District 5
Anne Nelsen, District 6

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

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

Carrie Daggett
City Attorney

Kelly DiMartino
City Manager

Delynn Coldiron
City Clerk

City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol: [Rules of Procedure](#)

ATTENDANCE OPTIONS

- Meetings are open to the public and can be attended by anyone in person by anyone.
- Meetings are televised live on Channels 14 & 881 on cable television.
- Meetings are livestreamed on the City's website, <https://fortcollins.gov/fctv>.

CITY COUNCIL WORK SESSION 6:00 PM

A) CALL MEETING TO ORDER

B) ITEMS FOR DISCUSSION

1. Real Estate Strategic Framework & Portfolio Assessment

The purpose of this item is to provide Council with an overview of the proposed framework, receive feedback on the decision-making approach and evaluation criteria, and discuss how City-owned real estate can be more intentionally leveraged to advance community priorities.

2. Update on Surveillance Technology Governance Policy

The purpose of this item is to seek feedback from Council on a proposed framework designed to guide the development of a comprehensive citywide surveillance technology governance policy.

3. Tobacco Retail Licensing and Age Restricted Products Program

The purpose of this item is to discuss a local licensing program for tobacco, nicotine, and other age-restricted psychoactive products in response to growing concerns about youth access. Staff seeks Council feedback on the scope and provisions of the program.

C) ANNOUNCEMENTS

D) ADJOURNMENT

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.

File Attachments for Item:

1. Real Estate Strategic Framework & Portfolio Assessment

The purpose of this item is to provide Council with an overview of the proposed framework, receive feedback on the decision-making approach and evaluation criteria, and discuss how City-owned real estate can be more intentionally leveraged to advance community priorities.

July 28, 2026

WORK SESSION AGENDA

ITEM SUMMARY

City Council



STAFF

Sylvia Tatman-Burruss, Sr. Policy and Project Manager
Will Flowers, Sr. Specialist, Real Estate Services

SUBJECT FOR DISCUSSION

Real Estate Strategic Framework & Portfolio Assessment

EXECUTIVE SUMMARY

The purpose of this item is to provide Council with an overview of the proposed framework, receive feedback on the decision-making approach and evaluation criteria, and discuss how City-owned real estate can be more intentionally leveraged to advance community priorities.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. Does the proposed Real Estate Strategic Framework appropriately align future property decisions with Council priorities and community outcomes?
2. What feedback do Councilmembers have on the evaluation of City-owned properties for future partnership, redevelopment, or alternative public uses where appropriate?

BACKGROUND / DISCUSSION

The City is developing a comprehensive Real Estate Strategic Framework to guide future property acquisitions, dispositions, partnerships, and long-term real estate asset management. The framework is intended to create a consistent, transparent, and data-driven process for evaluating real estate decisions while aligning City-owned property with adopted policy plans, community outcomes, and Council priorities.

When managed intentionally, City-owned land and facilities can help deliver affordable housing, catalyze economic development, improve municipal service delivery, protect natural resources, advance climate goals, and leverage partnerships that create lasting public value. The proposed framework is designed to help the City move from reactive, transaction-based decisions toward proactive portfolio management that maximizes community benefit.

The City owns a diverse portfolio of land, facilities, and operational properties that support municipal services, parks, natural areas, utilities, affordable housing initiatives, economic development, and other community objectives. While these assets represent a significant public investment, real estate decisions have historically been made on a transaction-by-transaction basis without a standardized framework for evaluating competing & complimentary priorities across departments or consistently aligning decisions with adopted policy goals.

Developing a Citywide Real Estate Strategic Framework will position real estate as a strategic implementation tool rather than simply a collection of individual assets. By establishing common evaluation criteria, governance, and portfolio management practices, the City can ensure that future property decisions support long-term community outcomes while improving coordination, transparency, and fiscal stewardship.

This effort includes:

- Developing standardized acquisition, disposition, and property evaluation criteria.
- Establishing a coordinated interdepartmental governance structure.
- Creating a GIS-based property inventory and decision-support database.
- Evaluating the City's existing real estate portfolio for future opportunities.
- Identifying strategies to leverage City-owned land in support of Council priorities and adopted plans.

The proposed Real Estate Strategic Framework represents a shift in how the City approaches its real estate portfolio. Rather than viewing real estate as a series of individual transactions or department-specific assets, the framework establishes a coordinated, citywide approach to using public land and facilities as strategic tools for implementing Council priorities and delivering long-term community benefit.

Real Estate as a Strategic Policy Tool

Rather than evaluating properties solely based on their current use or transactional value, the framework considers how real estate investments can help achieve broader community outcomes, including:

- Expanding affordable and attainable housing opportunities.
- Supporting infill, redevelopment, and transit-oriented growth.
- Catalyzing economic development and strategic investment.
- Protecting natural resources and supporting municipal infrastructure.
- Strengthening fiscal stewardship and long-term public value.

This framework will provide a consistent, transparent approach to evaluating acquisitions, dispositions, partnerships, and long-term asset management. By shifting from reactive decision-making to proactive portfolio management, the City will be better positioned to align its real estate investments with Council priorities, leverage public assets to achieve multiple community outcomes, improve cross-department collaboration, and maximize long-term public value.

NEXT STEPS

Following Council feedback, staff will:

- Refine the Real Estate Strategic Framework and evaluation criteria.
- Continue the comprehensive portfolio assessment.
- Expand the GIS-based property database and tracking tools.
- Establish ongoing interdepartmental coordination for real estate planning.

ATTACHMENTS / LINKS

1. Presentation



- Property inventory assessment
- Review project structure and “Why”
- Project Outcomes
- Property evaluation criteria
- Review GIS database
- Timeline

- Does the proposed Real Estate Strategic Framework appropriately align future property decisions with Council priorities and community outcomes?
- What feedback do Councilmembers have on the evaluation of City-owned properties for future partnership, redevelopment, or alternative public uses where appropriate?

The City's overall portfolio includes 258 unique properties

The initial evaluation will include properties most feasible for redevelopment and/or repurposing

Note: these numbers do not include our Utility easements or Right-of-Way properties except those described below

General Fund/Facilities

107 Properties

40% of the City's Portfolio

Parks and Recreation

58 Parks Facilities, over 966 acres

20% of the City's Portfolio

Utilities/Stormwater

26 Properties including, 6 Facilities, 8 Current and Future Substations, 12 Major Stormwater Basins (958 acres)

10% of the City's Portfolio

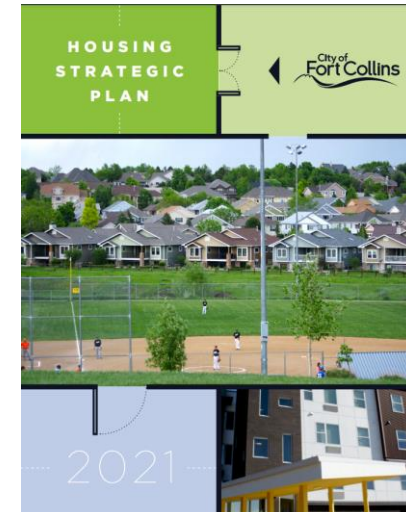
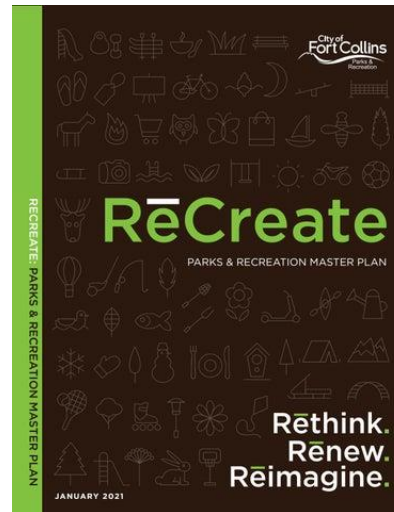
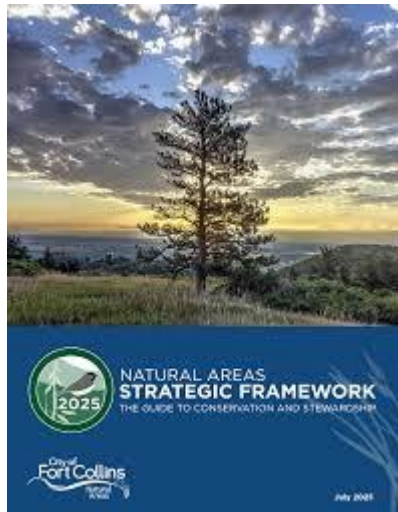
Historic/Cultural Facilities

10-15 Historic & Cultural Facilities

5% of the City's Portfolio

Policy Plans Guiding Real Estate Transactions

The desired outcomes and analysis criteria aims to incorporate existing policy documents and create more collaboration and coordination across departments implementing these plans.



Why We Need a Real Estate Decision-Making Framework

Item 1.

Better decisions. Stronger alignment. Intentional use of our real estate.



Strategic Benefits

- ✓ Creates a consistent, transparent, and data-driven process for real estate decisions
- ✓ Establishes a shared framework for prioritizing competing needs
- ✓ Defines how departments collaborate and align on property decisions



Operational Benefits

- ✓ Reduces time spent on routine transactions and ad hoc requests
- ✓ Replaces inconsistent processes with a repeatable approach
- ✓ Improves efficiency through clear priorities and decision criteria



Data & Planning Benefits

- ✓ Provides visibility into current inventory and future facility needs
- ✓ Enables real-time prioritization and portfolio planning
- ✓ Leverages GIS data to identify opportunities and constraints



A standardized framework enables faster, more transparent, and better-informed real estate decisions across the organization.



THE STATUS QUO

Often Reactionary to
Property Purchase
Requests



“ONE CITY” STRATEGIC APPROACH

Prioritizing Resources & Leveraging Strategic Investment

This delivers:



More intentional transactions, with resources directed where they matter most



More clarity in decision-making, grounded in clear investment priorities



More collaborative, shared use of City-owned property assets



A stronger foundation for bigger, higher-impact investment decisions



Stronger partnerships that leverage outside investment alongside our own



Sustainable Development

Promote infill, redevelopment, and transit-oriented growth.



Housing Access & Variety

Expand affordable and varied housing options.



Economic Vitality

Catalyze economic vitality and strategic investment.



Conservation & Infrastructure

Advance conservation and public infrastructure.

Enhanced Data & Tracking



Real-Time Visibility Across Departments

Gives every department live visibility into property interests — surfacing overlaps before they become problems.



One Source of Information

Creates a single source for property inquiries, cutting duplicate work across teams.



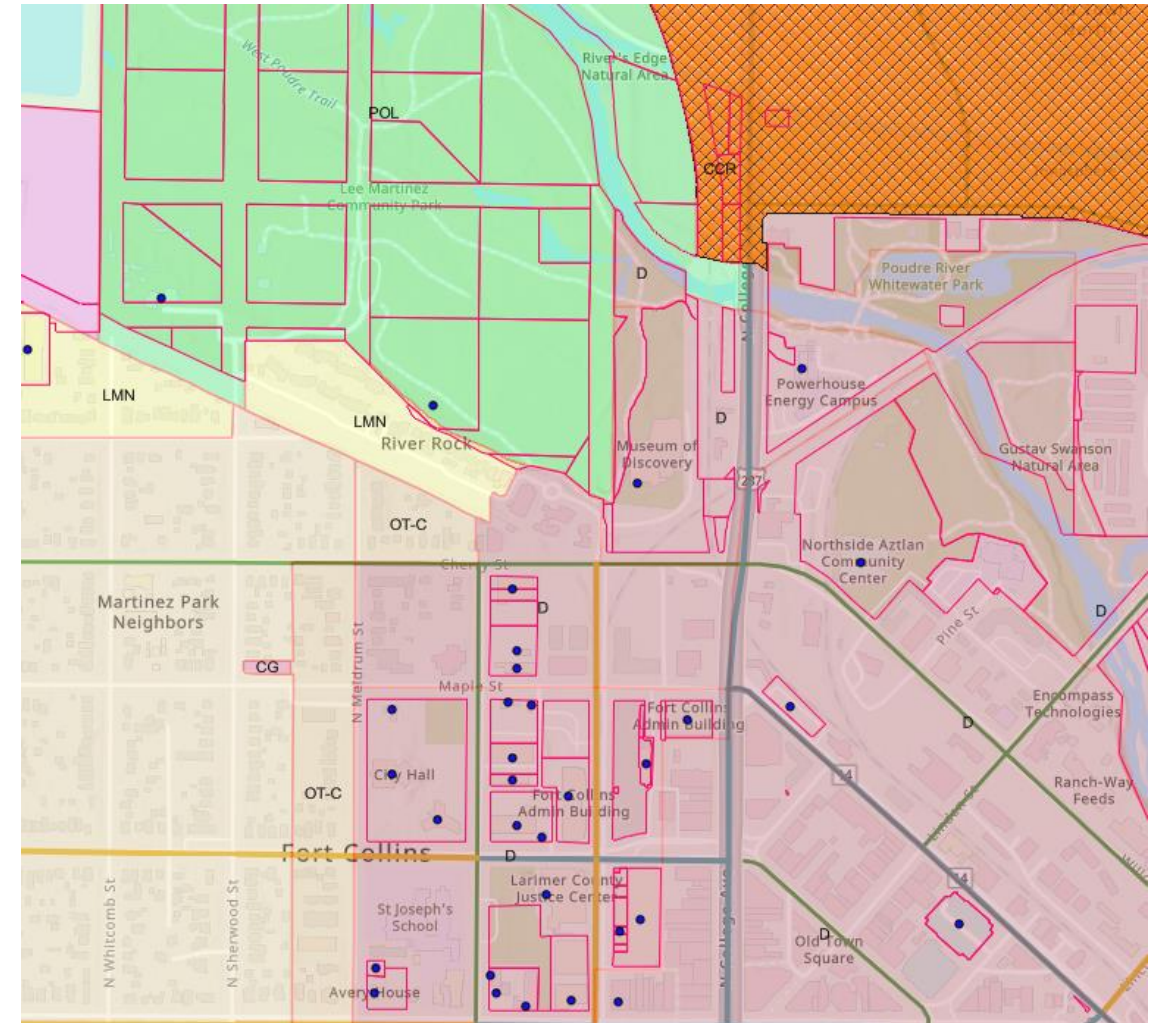
Stronger Collaboration by Design

The more departments use it, the more coordinated the city becomes.



Faster, Smarter Decisions

Standard layers — zoning, Master Street Plan, bike networks, and public investments — help staff spot the right opportunities faster.





JULY 2026 – Q1 2027

Property Evaluation & Policy Refinement

- Evaluating strategic properties for reinvestment or redevelopment
- Finish full property analysis
- Continue to refine internal real estate policies with participating departments

Q3 2026 – Q4 2027

Civic Center Masterplan Reimagined

- Reimagining the Civic Center Masterplan, including timeline and financing options



Property Examples

The following slides include examples of how properties within our inventory will be analyzed for future potential use(s).

Laporte Avenue – City Hall Block (block 42)

EXAMPLE: Currently used by the City of Fort Collins for staff offices, meeting space, and recreation

(City Hall, Operations Services, Washington Park, and staff parking)

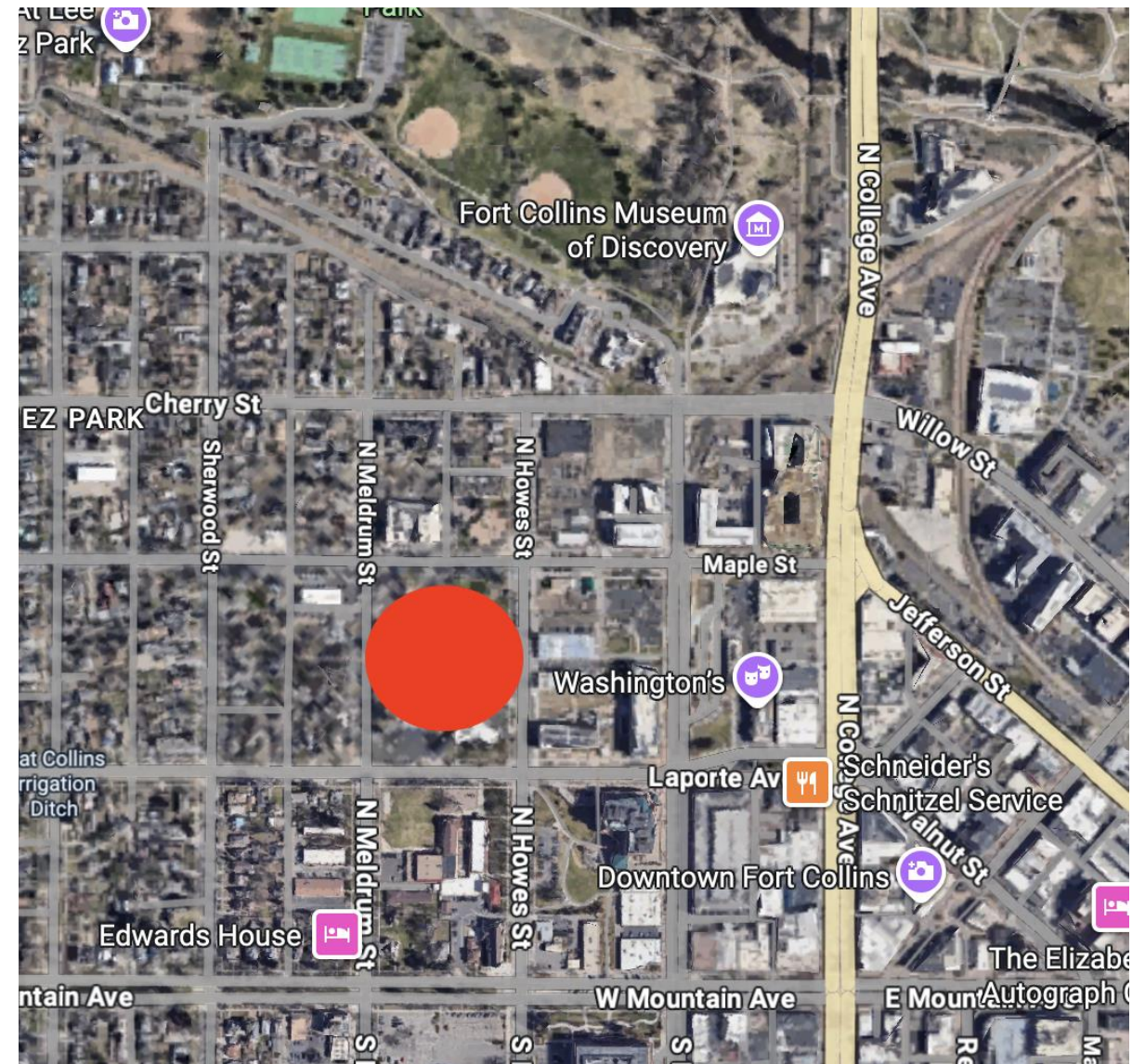
Land is 5.19 Acres

Combined Buildings measure 57,455 sf

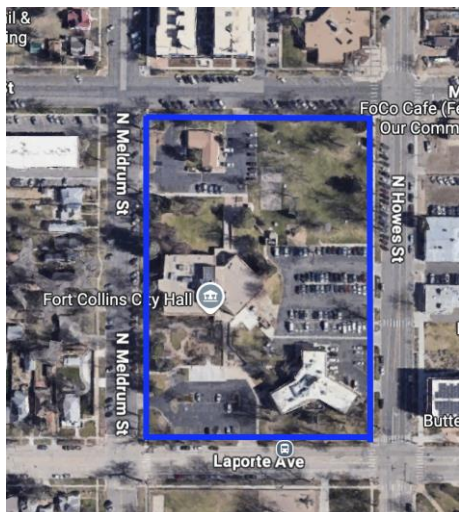
Future Use Considerations:

City Owned Mixed Use Municipal Campus
or

Partner with private developers including housing providers, developers, and recreation



Laporte Avenue – City Hall Block (block 42)



- **Currently occupied by City staff offices & Washington Park**
- **Property is 5.19 Acres**
- **Buildings is 57,455 square feet**
- **Considerations:**
 - Renovate for continued City use
 - Partner with private sector for mixed-use

Option 1: Continued City Use



Overview

Maintain workspace for City staff, preserves staff and public parking, continued park space

Pros:

- Already City owned
- Potential to expand existing facilities vs. building new
- Maintains an existing City park

Cons:

- Does not create “all-day” district
- Renovation/reconstruction would require temporary relocation of City staff
- Perhaps not the most effective use of City property to address future needs

Option 2: Sell Portion to or Partner with Private Sector



Overview

Sell portion to private sector or partner with developer(s) to reimagine the site

Pros:

- Potentially provides for immediate and/or long-term financial return
- Demonstrates the City's commitment to utilizing assets to address community needs
- Potential for “district” feel with housing and commercial

Cons:

- Potential full or partial loss of control
- Market dependent
- Costly construction and relocation of City staff and resources

North College Avenue – Planning/Development/Engineering

EXAMPLE: Currently used by the City of Fort Collins for Staff Offices and minimal parking
(Planning & Development Services and Engineering)
Land is 0.65 Acres

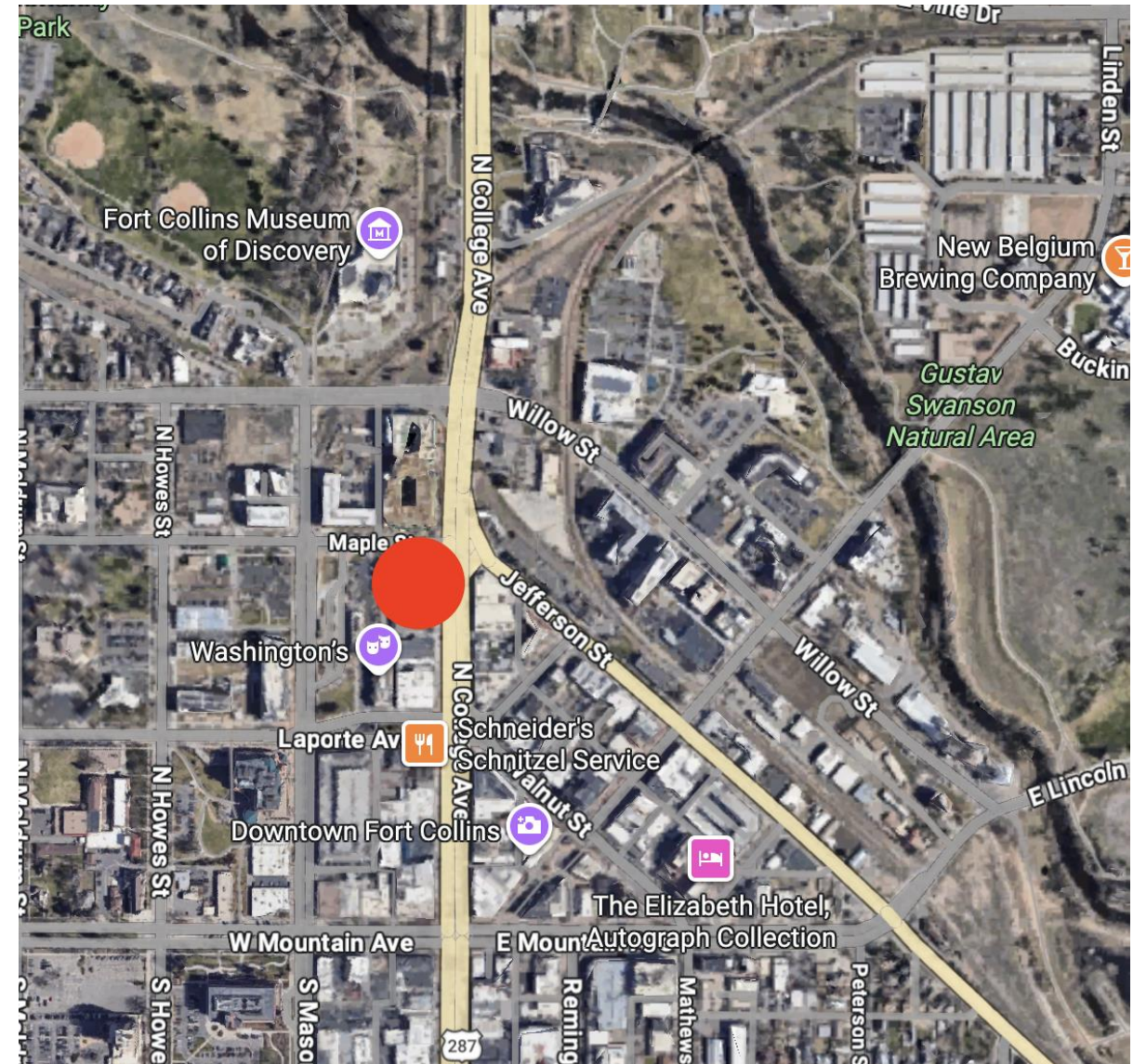
Building Measures 26,030 sf

Future Use Considerations:

List the property for sale to the public

or

Partner with private development, such as housing providers or commercial developer for mixed-use



North College Avenue – Planning/Development/Engineering



- **Currently occupied by City staff w/ limited parking**
- **Property is 0.65 Acres**
- **Building is 26,030 square feet**
- **Considerations:**
 - Renovate for continued City use
 - Sell to or partner with private sector developer

Option 1: Continued City Use



Overview

Maintain work space for City staff, and familiar presence for the public in Old Town.

Pros:

- Already City owned
- Could provide a link to the future Municipal Campus
- Maintains and potentially enhances community engagement opportunities

Cons:

- High renovation cost
- Renovation/reconstruction would require temporary relocation of City staff
- Perhaps not the most impactful use of the site

Option 2: Sell to or Partner with Private Sector



Overview

Sell to private sector or partner with developer(s) to reimagine the site

Pros:

- Potentially provides for immediate financial return
- Generates potential for housing, business/innovation, City resources

Cons:

- City loss of control
- Market depended uses
- Costly relocation of City staff and resources

North Howes Street – Historic Car Barn

Currently used for storage and City of Fort Collins Fleet Parking

Land is 0.86 Acres

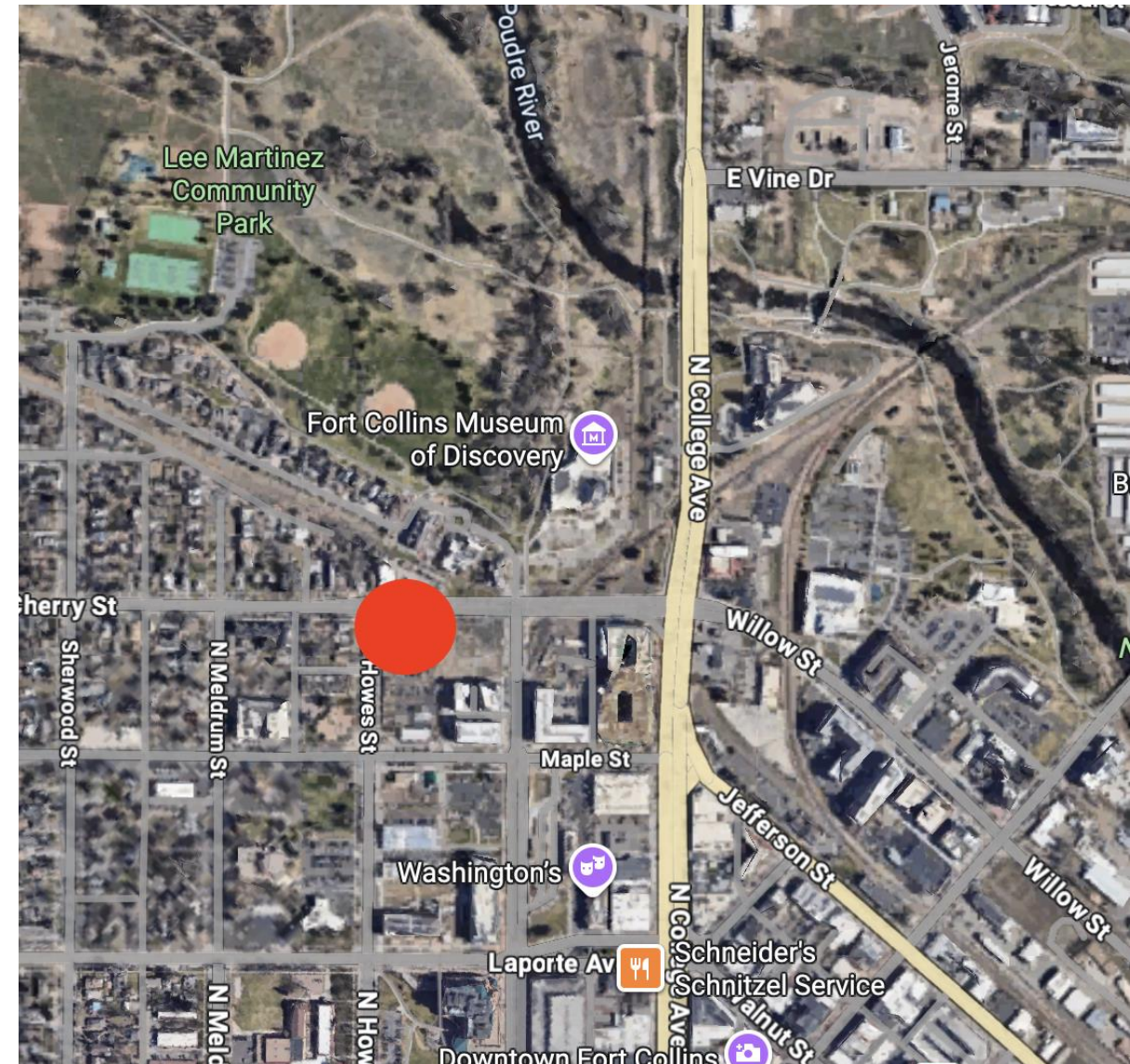
Building Measures 13,900 sf

Future Use Considerations:

City owned museum archive with a public use element
or

Partnership with private sector for preservation by providing opportunities for small business and event spaces

- **Note:** stabilization of the building is in the CCIP (1/4 cent capital tax)



North Howes Street – Historic Car Barn



- **Currently used for storage and City fleet parking**
- **Property is 0.86 Acres**
- **Building 13,900 square feet**
- **Considerations:**
 - Renovate for continued City use
 - Sell to or partner with private sector developer

Option 1: Continued City Use



Overview

Maintain work space for City staff, and familiar presence for the public in Old Town.

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4 East Vine Drive – Former Larimer County Fleet Services

Currently this Property is Vacant
Land Size is 8.74 Acres

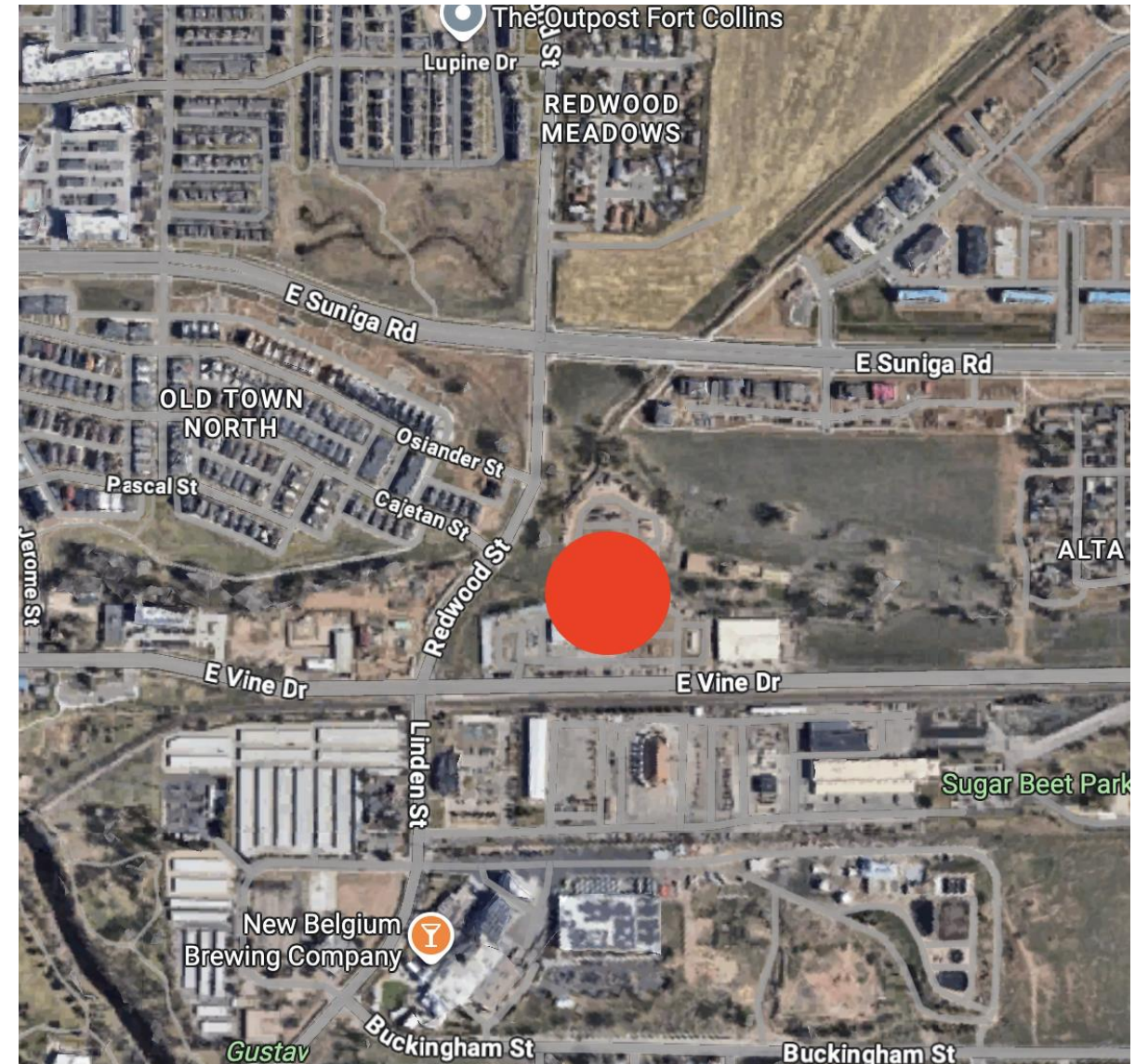
The Building Measure 16,800 sf

Future Use Considerations:

City use as a temporary downtown parks shop, and future City facilities

or

Partner with private developers such as housing providers, innovation/tech companies, and City transportation for a north Fort Collins maintenance facility



2 North Shields Street – Residential Property (privately leased)

Currently occupied by a private party tenant

Land Size is 3.15 Acres

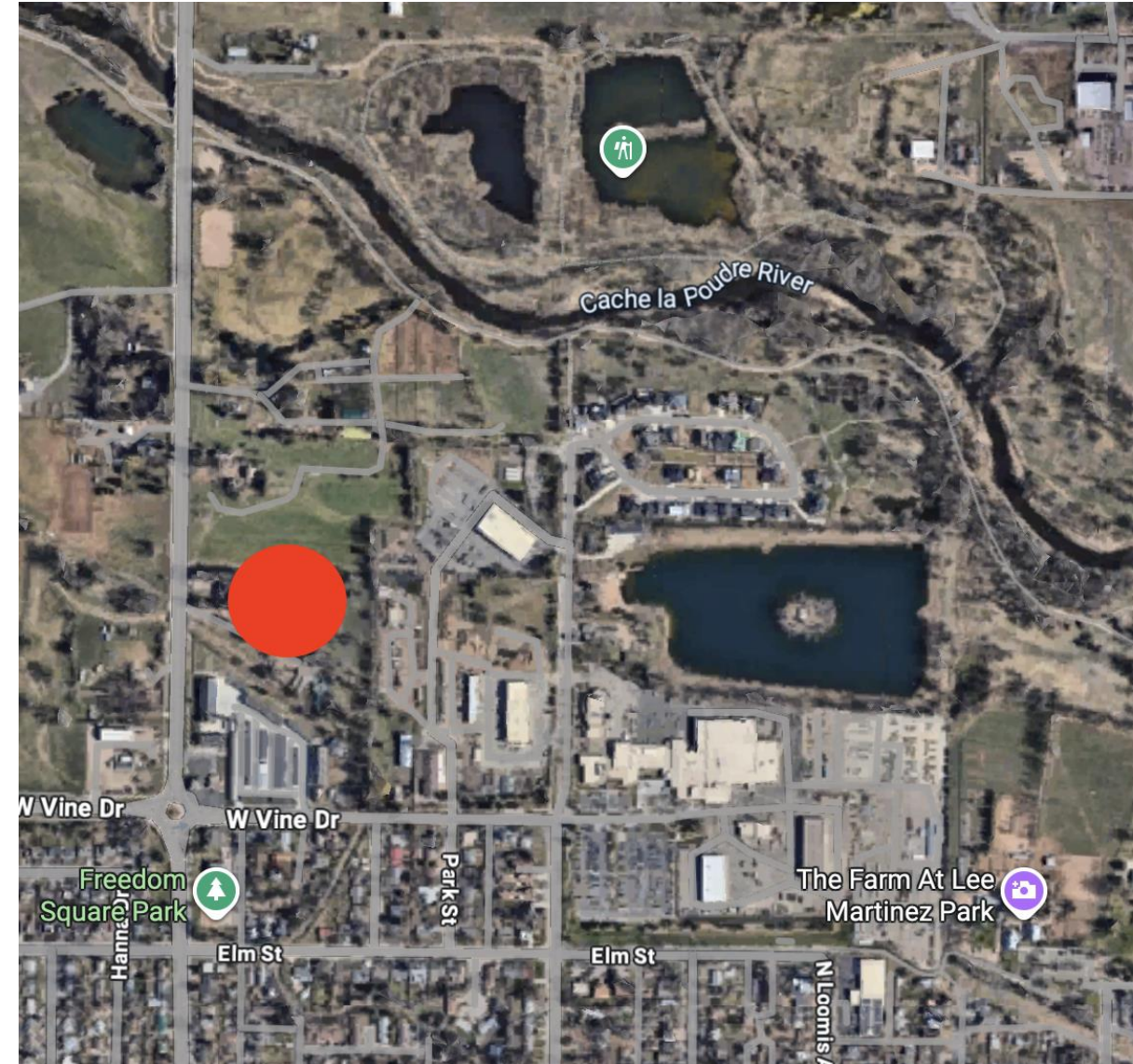
Building (house) Measures 1,568 sf

Future Use Considerations:

Consider for future expansion of Fleet Services and Utilities, to allow for access from the Shields Street

or

List the property publicly for sale



3 North Loomis – Operations Services Warehouse

Currently used as the Warehouse and Storage for Operations Services

Land Size is 1.01 Acres

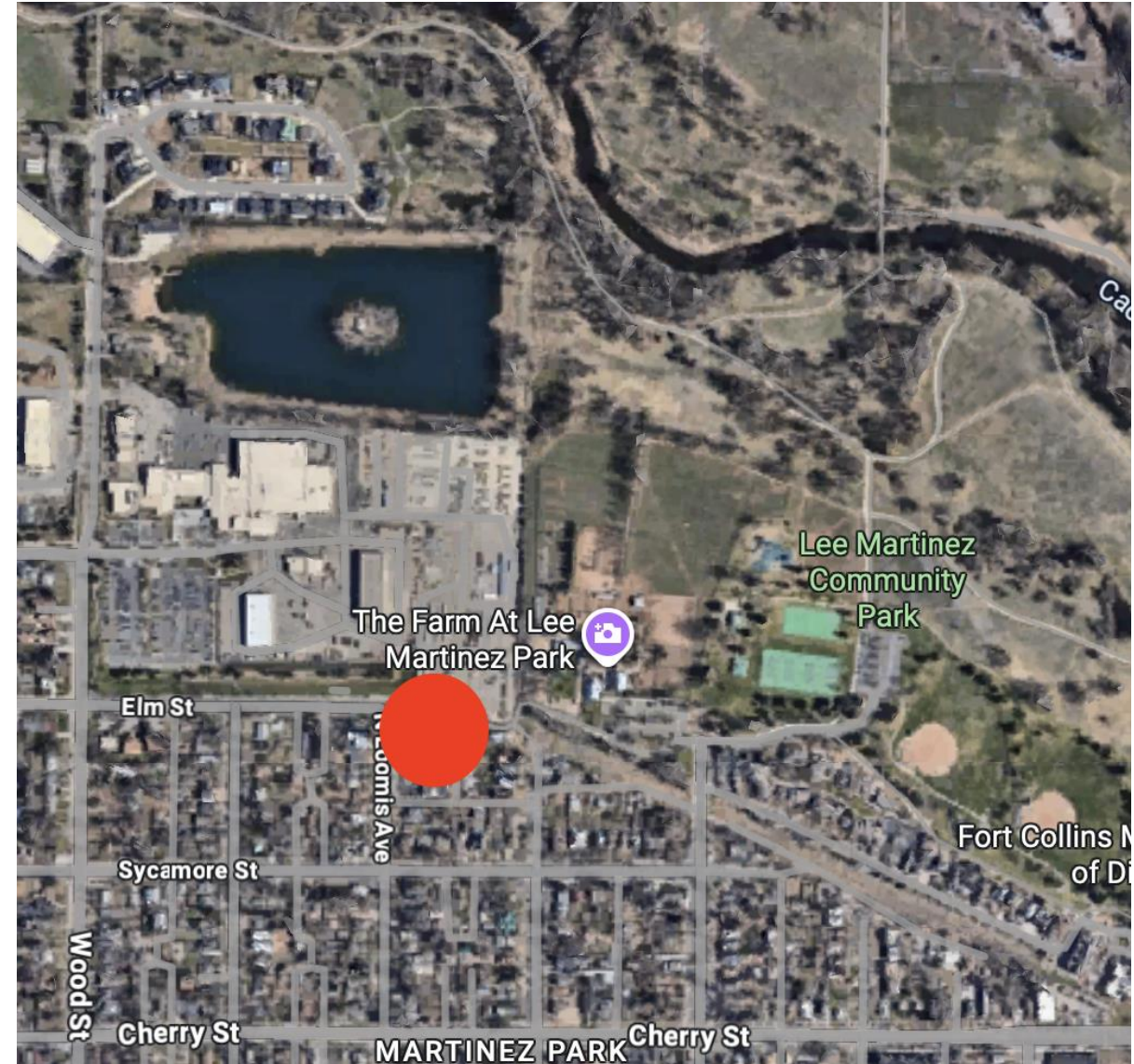
Building Measures 9,450 sf

Future Use Considerations:

Continued use as warehouse and storage for Operations Services

or

Align with future plans for 700 Wood Street (to the north)



- Does the proposed Real Estate Strategic Framework appropriately align future property decisions with Council priorities and community outcomes?
- What feedback do Councilmembers have on the evaluation of City-owned properties for future partnership, redevelopment, or alternative public uses where appropriate?



File Attachments for Item:

2. Update on Surveillance Technology Governance Policy

The purpose of this item is to seek feedback from Council on a proposed framework designed to guide the development of a comprehensive citywide surveillance technology governance policy.

July 28, 2026

WORK SESSION AGENDA

ITEM SUMMARY

City Council



STAFF

Rupa Venkatesh, Assistant City Manager
Kevin Wilkins, Chief Information Officer
Heather Young, Senior Community Engagement Manager

SUBJECT FOR DISCUSSION

Update on Surveillance Technology Governance Policy

EXECUTIVE SUMMARY

The purpose of this item is to seek feedback from Council on a proposed framework designed to guide the development of a comprehensive citywide surveillance technology governance policy.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What feedback does Council have regarding the policy framework?
2. What feedback does Council have regarding the community engagement plan?

BACKGROUND / DISCUSSION

As technology related to surveillance has changed in recent years, community member questions and concerns have arisen over how the City uses this technology. As it continues to evolve, the City requires a structured approach to ensure we protect community privacy, civil rights, and public trust while still allowing for the responsible, efficient use of technology to support municipal operations.

Modern municipal operations rely on various technologies to manage traffic, support public safety, secure public facilities, and improve service delivery. However, without a unifying policy, the procurement and deployment of these technologies can create community concerns regarding privacy, data retention, and equity. By centering the policy on how technology is actually used, the City can avoid over-regulating routine municipal operations (e.g., standard traffic management, facility security) while maintaining robust, accountable governance over other uses that garner more community concern such as surveillance.

Rather than implementing a rigid ban on specific technologies, staff is proposing a proactive surveillance technology governance policy framework. The cornerstone of this framework is a use-based approach:

- Routine Operational Use: Technologies deployed for standard administrative or safety functions (e.g., utility metering, standard facility access control, basic traffic flow sensors) will not be in scope of this policy.

- Use-Based: Technologies or deployments that involve collection of personally identifiable information (PII) or public monitoring will be in scope of this policy.

To ensure the final policy is reflective of community values, the community engagement plan will include the following:

- Our City Digital Platform & Survey: Launching an interactive project webpage and community-wide survey to gather broad feedback
- Colorado Humanities Community Listening Sessions: Convening 25 community members representing diverse perspectives
- Public Safety Technology Showcase: Hosting an in-person event to demonstrate existing City technologies, answer technical questions, and gather direct resident feedback
- Boards and Commissions Presentations: Gather input at the Citizen Review Board and the September Super Issues Meeting

NEXT STEPS

Next steps are to conduct community engagement to gather public feedback and incorporate that feedback into a draft policy to be shared on Our City page in late October. Staff anticipate an additional Council Work Session on November 10, 2026, to share the final draft of the policy and incorporate any feedback for Council consideration of policy adoption on December 1, 2026.

ATTACHMENTS / LINKS

1. Presentation

Surveillance Technology Governance Policy Update

Rupa Venkatesh

Assistant City Manager

Kevin Wilkins

Chief Information Officer

Heather Young

Senior Community Engagement Manager



What feedback does Council have regarding the policy framework?



What feedback does Council have regarding the community engagement plan?

This session is not a review of final policy language. It is for Council questions, concerns, and direction on the policy framework.

Scope of Work	Staff Focus	Work Session
Developing a Citywide framework for responsible governance of surveillance-related technologies.	Researching peer cities, legal considerations, operational needs, privacy risks, and community engagement design.	Council feedback on the framework before staff continues policy development and community engagement.

is Framework Should Balance Public Benefit and Privacy



Technology can help the community with:

- Safer buses, parks, trails and public spaces
- Emergency response and situational awareness
- Traffic safety, crashes and congestion
- Utility outages, leaks and infrastructure issues
- Operational efficiencies and innovation in service delivery
- Cybersecurity and protection of public records

Technology can also create concerns regarding:

- Privacy intrusion or feeling watched
- Tracking movement or behavior
- Constitutional questions
- Mission and scope creep and broader future use
- Unauthorized data sharing, vendor misuse
- Cybersecurity and automation risks

Safety

Support public safety,
emergency response
and essential
services

Privacy

Use only the
information needed
for the approved
purpose

Rights and Fairness

Protect civil rights,
civil liberties, and
Constitutional
protections

Transparency

Share what can be
shared without
compromising safety
or security

Accountability

Audit, review and
correct use over time

Public Trust

Earn confidence
through clear rules
and responsible
stewardship

Staff is currently reviewing peer-city approaches, broader national models, and Colorado-specific comparables.

Fort Collins Design Goal:
Learn from others to inform our development of the framework to Fort Collins operations, values, and community expectations

Peer Cities

Austin, Boulder, Boston, Cambridge, Davis, Denver, Palo Alto, Seattle, San Diego, Somerville

Additional Cities Referenced

Oakland, Berkeley, San Francisco, Lawrence, St. Louis, and other CCOPS-influenced jurisdictions

Key National Framework

ACLU Community Control Over Police Surveillance (CCOPS) model bill, a common lineage behind many local ordinances

Colorado Comparables

Denver and Boulder were reviewed closely because they share state context, vendor history, and similar political dynamics

- Procurement Policies and Procedures Manual
- Retention & Access to Surveillance Recordings
- Technology Acquisition Policy
- Technology Acceptable Use Policy
- System and Information Integrity Policy
- IT Asset Management
- IT Access Control
- Data Sensitivity Policy
- Records Management Policy
- Artificial Intelligence Governance and Responsible Use

May be others!

The City should acquire, deploy, use, modify, and manage surveillance-related technology only when it is lawful, accountable, proportionate, and tied to a clear public purpose.

Before use

Define the purpose, review legal and privacy considerations, evaluate cybersecurity and procurement, and identify the approval path.

During use

Limit access to authorized users, follow approved procedures, protect data, and prevent use beyond the approved purpose.

After approval

Audit use, review compliance, report publicly where appropriate, update safeguards, and correct problems.



Surveillance

Intentional observation, monitoring, tracking, analysis, or recording of the movements, activities, communications, or behavior of identifiable individuals or groups.



Surveillance Data

Information collected, generated, derived, accessed, or retained through the City's use of Surveillance Technology that relates to Identifiable Individuals or Groups.



Surveillance Technology

A technology whose City use is to conduct surveillance. A tool is not covered solely because it is technically capable of collecting, storing, logging, recording, or analyzing information.

What This Policy Is Not Intended to Govern

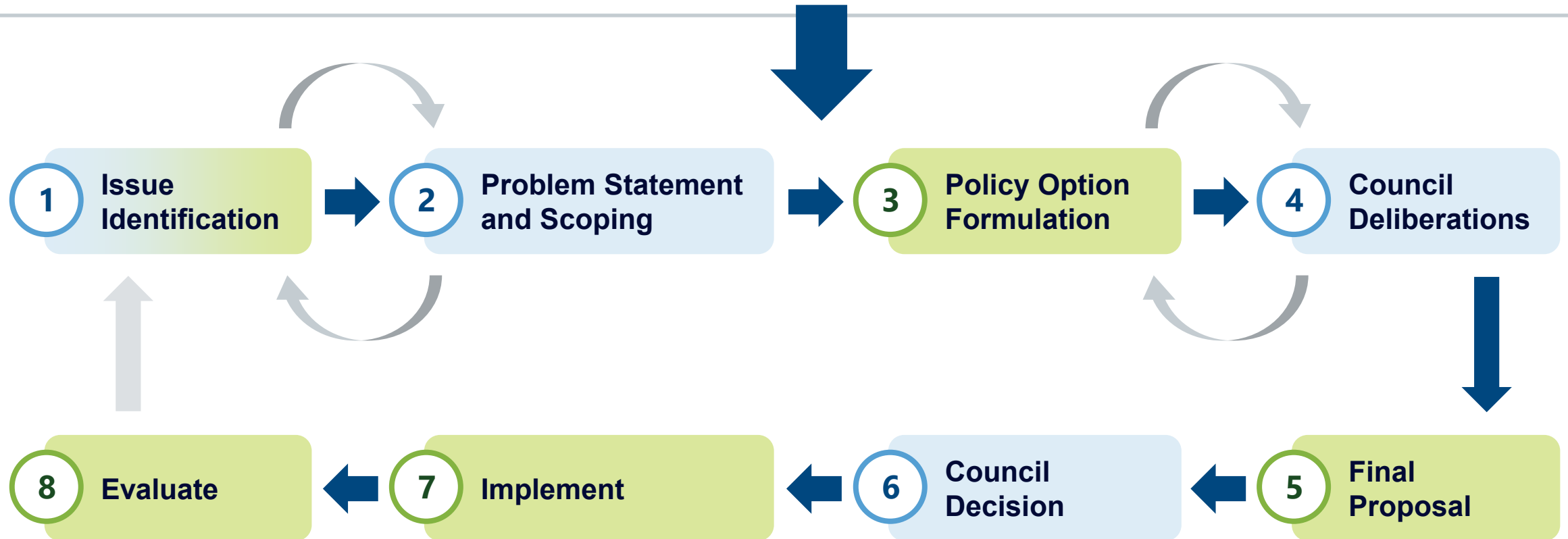
Category	Examples
Private Sector	Privately owned security cameras, businesses, homeowner systems, and commercial technologies not owned, operated, or controlled by the City.
Other Government Agencies	Technologies owned or operated by federal, state, county, school district, or other agencies that are not under the City's ownership or operational control.
Routine City Operations	Using technology to inspect infrastructure, manage assets, monitor environmental or operational conditions, maintain public facilities, support utility and transportation operations, or perform other authorized City functions where the primary purpose is not the surveillance of individuals or groups.
Emergency Response	Temporary use of technology during declared emergencies when necessary to protect life, public safety, or critical infrastructure, consistent with applicable law.

Technologies required by federal, state, or local law are not exempt from this policy solely because they are legally required. They remain subject to this policy to the extent permitted by law. Nothing in this policy framework is intended to conflict with or supersede applicable legal requirements.

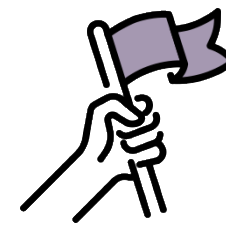
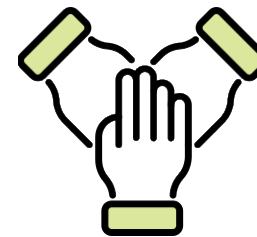
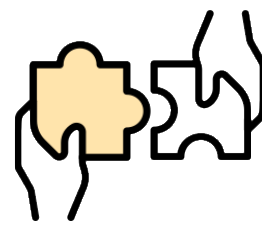
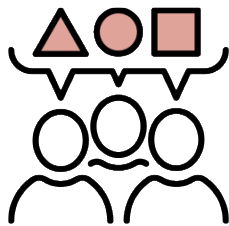
Sample Uses Subject to Surveillance Policy

Technology Area	Routine Operational Use	Potential Trigger for Review
Cybersecurity	Detecting threats, attributing activity to accounts or devices, investigating unauthorized access, and protecting City systems.	Information is used for personnel, disciplinary, or other non-cybersecurity monitoring.
Transportation	Managing signals, congestion, roadway performance, safety, and transportation operations.	Data is used to reconstruct the movements of specific vehicles or people.
Utilities	Metering, outage management, leak detection, infrastructure monitoring, and service operations.	Customer or usage data is analyzed to infer personal behavior unrelated to utility service.
Facilities Security	Managing access, alarms, investigations, and the safety and security of City facilities.	Access or camera records are used to build a broader history of an individual's activities.
City Operations	Work orders, permitting, inspections, GIS, fleet, asset management, and service delivery.	Operational data is combined across systems to profile or monitor individuals or groups.
Parking Enforcement	Enforcing parking regulations, permits, time limits, and related violations.	Plate data is retained or analyzed to establish broader individual travel or location patterns.
Code Enforcement	Conducting inspections, documenting conditions, responding to complaints, and enforcing municipal code.	Technology is repurposed to systematically monitor properties or occupants beyond routine code enforcement activities.
Law Enforcement	Dispatch, records, evidence management, body-worn cameras, investigations, and other authorized policing activities.	An evidence management system is expanded to include AI-powered facial recognition or automated identification capabilities.

City staff manages process



P2: The Public Participation Spectrum



Level	Inform	Consult	Involve	Collaborate	Empower
Promise	Keep you informed	+ listen to and show how input considered	+ include input directly in alternatives	+ your advice and recommendations in solutions	+ we will implement what you decide



Desired outcome of engagement: Community feedback is reflected in the surveillance policy

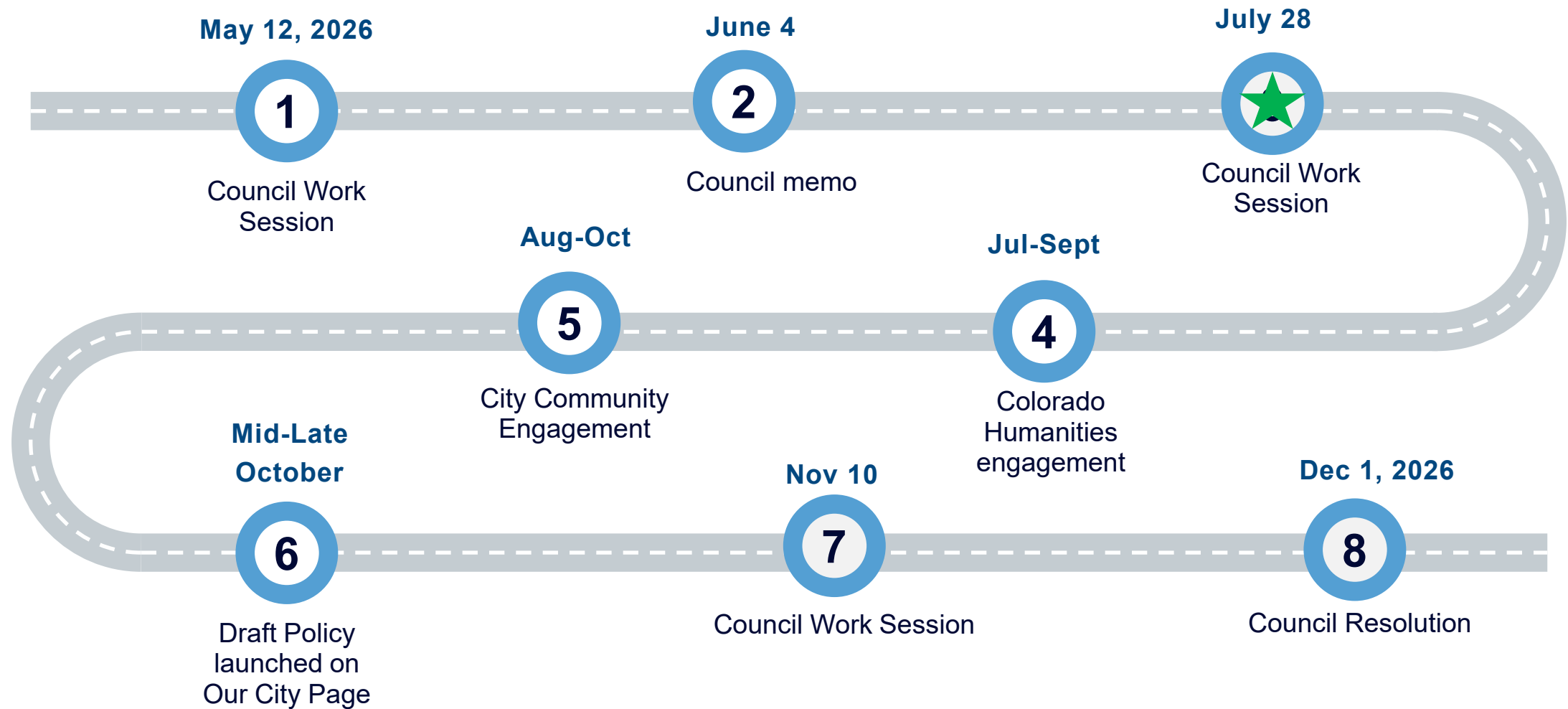
Audiences:

- Community members
- Businesses
- Community and business groups

Tactics:

- Include what we've already heard from community
- Our City Page and Survey
- Community Listening Sessions – 25 community members with diverse perspectives
- Public Safety Technology Open House
- Boards and Commissions presentations – Citizen Review Board, Super Issues Meeting
- Draft policy review

26 Timeline





What feedback does Council have regarding the policy framework?



What feedback does Council have regarding the community engagement plan?

File Attachments for Item:

3. Tobacco Retail Licensing and Age Restricted Products Program

The purpose of this item is to discuss a local licensing program for tobacco, nicotine, and other age-restricted psychoactive products in response to growing concerns about youth access. Staff seeks Council feedback on the scope and provisions of the program.

July 28, 2026

WORK SESSION AGENDA ITEM SUMMARY

City Council



STAFF

Cecilia Good, Sr Deputy City Clerk
Jim Lenderts, Marijuana Compliance Officer
Max Rader, Alcohol Compliance Officer
Christopher Spoto, Assistant City Attorney

SUBJECT FOR DISCUSSION

Tobacco Retail Licensing and Age Restricted Products Program

EXECUTIVE SUMMARY

The purpose of this item is to discuss a local licensing program for tobacco, nicotine, and other age-restricted psychoactive products in response to growing concerns about youth access. Staff seeks Council feedback on the scope and provisions of the program.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. Does Council support developing a licensing framework including age-restricted products?
2. What feedback does Council have on the scope of the licensing program?

BACKGROUND / DISCUSSION

The City is seeing growing concern around youth access to nicotine products, highlighted by recent data from the 2025 Healthy Kids Colorado Survey showing that 80.3% of Larimer County youth who attempted to purchase nicotine products were not refused due to their age. This finding illustrates how easily minors can access nicotine products and points to clear gaps in prevention and enforcement at the state level.

The number of standalone tobacco licenses within City limits continues to rise, expanding the locations where youth exposure and access can occur. As of July 2026, there are 129 licensed tobacco retailers within City limits, 37 of which are within 1,500 feet of a school. Colorado Department of Public Health and Environment data shows that, in Fort Collins, retailers located within 1500 feet of a school serving grades 6-12 are almost twice as likely to sell to youth under 21 as retailers located farther away. Together, these factors create a growing public health and community safety concern that increased local control could significantly help mitigate.

Under current state law, C.R.S. § 44-7-104.5, all Colorado retailers that sell cigarettes, tobacco products, or nicotine products must obtain a Cigarette, Tobacco Product, or Nicotine Product Retailer License from the Colorado Liquor and Tobacco Enforcement Division (LED). Municipalities are authorized, but not required, to implement their own licensing programs. A local licensing framework would provide additional oversight, data tracking, and compliance monitoring to complement the State's enforcement efforts.

The State does not enforce municipal-specific requirements, such as keeping tobacco products out of customers' direct reach, or other provisions Council may adopt for harm reduction going forward. Its fine schedule is also modest for early violations: a first underage-sale offense carries a fine of \$250 to \$500 with no license suspension (1 CCR 203-1-7-601), with penalties escalating only after repeated violations within a 24-month period.

LED staff are also responsible for tobacco licenses across all of Colorado, which limits the attention any single retailer receives. Local enforcement, by comparison, has established relationships and a strong educational foundation with retailers in the community, allowing staff to work through compliance issues directly.

Considerations for a Local Program

To further address youth access to harmful products, a local licensing program would extend the City's regulatory framework beyond tobacco and nicotine to the broader range of age-restricted psychoactive products increasingly available at smoke shops and gas stations, including:

1. Intoxicating hemp products
2. Kratom
3. Inhalable nitrous oxide cartridges
4. Psilocybin-lookalike products
5. Paraphernalia and accessories used to consume and/or conceal these products

Kratom illustrates the scale of the problem. A Center for Disease Control analysis of National Poison Data System records (MMWR, March 2026) found that kratom-related exposure reports to U.S. poison control centers rose approximately 1,200% from 2015 to 2025. Kratom-only hospitalizations rose from 43 to 538 over the same period, an increase of roughly 1,150%, and hospitalizations involving kratom combined with other substances rose from 40 to 549, an increase of roughly 1,300%. Other psychoactive products sold at tobacco retailers carry similar risks. These products create dependency, contribute to other drug use, and currently have inadequate regulatory oversight.

LED enforces tobacco and nicotine compliance and will not act on hemp, synthetic marijuana, kratom, or psilocybin analogs. The Marijuana Enforcement Division's authority is limited to licensed marijuana retailers, not smoke shops or gas stations. As a result, most of the age-restricted psychoactive products currently have little to no state-level oversight.

A local licensing framework would give the City direct oversight through retailer background checks, routine inspections, and compliance checks. Recommended provisions include minimum distance requirements from schools, other youth-populated areas, and existing licensed retailers, along with escalating penalties for owners and licensees that scale with repeated violations.

Staff also recommends prohibiting the sale of inhalant gases, such as nitrous oxide cartridges, for recreational use, since these products are increasingly marketed in smoke shops despite not being intended for human consumption. Retailers that sell these gases incidentally for their intended purpose, such as a cooking supply store selling whipped cream chargers, would be exempt from the licensing requirement, provided that the sale remains subject to a minimum purchase age of 21.

Strengthening provisions could include limiting the exterior promotion of age-restricted psychoactive products and tobacco products, setting a minimum employee age of 21 at licensed retailers to mirror the product age restriction, and requiring licensed retailers to remain compliant with other City codes, including building, sign, and sales tax requirements.

A local licensing program offers a practical, evidence-based tool to close existing gaps in youth access prevention and to address the growing range of age-restricted products entering the market through the same retail channels.

NEXT STEPS

Following this July Work Session, staff will engage with affected businesses and other stakeholders on the proposed licensing program. That input, together with feedback from the session and a review of comparator municipal programs, will be reflected in a draft ordinance that will be brought back for discussion with Council at an October Work Session.

ATTACHMENTS / LINKS

1. Presentation

Tobacco Retail Licensing / Age Restricted Products Program

Cecilia Good, Sr Deputy City Clerk
Jim Lenderts, Marijuana Enforcement
Officer

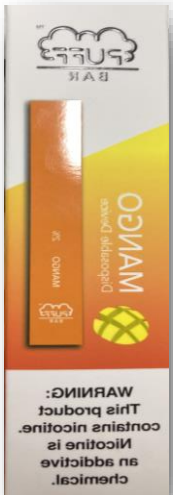


Does Council support developing a licensing framework including age-restricted products?

What feedback does Council have on the scope of the licensing program?

Item 3. Why a Licensing Program

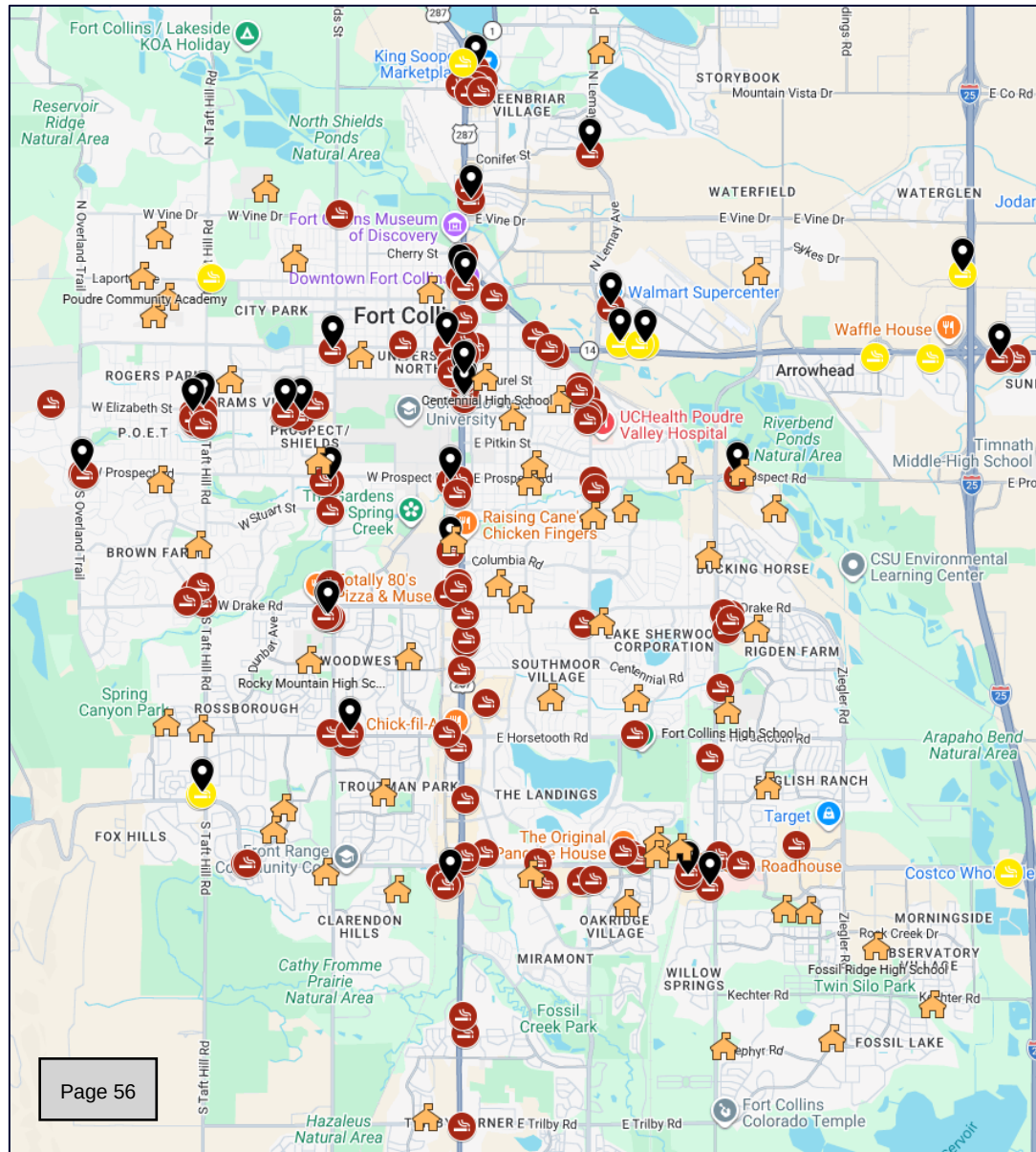
- Minors continue to have access to age-restricted products.
- Police Services faces legal hurdles prosecuting hemp cases, with limited enforcement impact on tobacco licensees.
- Data shows **80.3%** of Larimer County youth who tried to buy tobacco or vaping products in a store were **NOT** turned away due to age.
- New psychoactive products continue to show up at smoke shops and gas stations.
- No existing licensing structure or enforcement, locally or at the State level for psychoactive products.

		
2023	High School Student Electronic Vape Use Rates	2025
9.0%	Larimer County	10.7%
8.7%	Colorado State	10.3%
7.7%	National	7.1%

- In 2020, parents began calling Police Services asking how their kids were getting "marijuana."
- Investigations traced the source to smoke shops, not licensed marijuana retailers, selling hemp-derived products outside the marijuana licensing framework.
- Police Services faces legal hurdles prosecuting hemp cases, with limited enforcement impact on tobacco licensees.
- Council began receiving calls from concerned parents and requested that staff identify solutions to address underage tobacco sales.

- Tobacco sales only require a State license; liquor and marijuana require both state and local licenses
- Tobacco currently enforced by the CO Department of Revenue Liquor & Tobacco Enforcement Division (LED)
- LED must complete two compliance checks annually per establishment
- Graduated penalty structure, lower than local liquor/marijuana penalties
- Minimum age for tobacco sellers is only 18, despite a 21+ purchase age
- 23% of current Fort Collins businesses have had at least 1 sale-to-minor violation between 2023-2025.
- Data shows that State enforcement has not been enough to prevent youth access to tobacco

Current State Tobacco Retail Licensing



The City of Fort Collins has 129 tobacco retail locations.

6 of those locations are within 500 ft of a school.

Map Key



Licensed Tobacco Retailer – City



Licensed Tobacco Retailer - County



Sales-to-Minor Since 2023



School (K-12)

State Compliance Check:

- After a violation occurs, the employee receives a low-level criminal summons, owner/licensee receives administrative hearing, low fine.

Police Services Compliance Check:

- After a violation occurs, the employee receives a low-level criminal summons (no local license so no administrative hearing.)
- State won't prosecute on FCPS violations so no owner/licensee accountability.

Retailers focused primarily on these products (smoke shops)

- Raise minimum age for salesclerks to 21 (mirror age restrictions)
- Prohibit sales of accessories/paraphernalia to minors
- Prohibit sales of Kratom to minors (already in CRS)
- Prohibit sales of legal hemp products to minors (already in CRS)
- Prohibit sales of synthetic cannabinoids (already in CRS)
- Prohibit sales of psilocybin analogs/other products (already in CRS)
- Prohibit sales of gases not intended for human consumption

Retailers where these products are a small part of overall sales

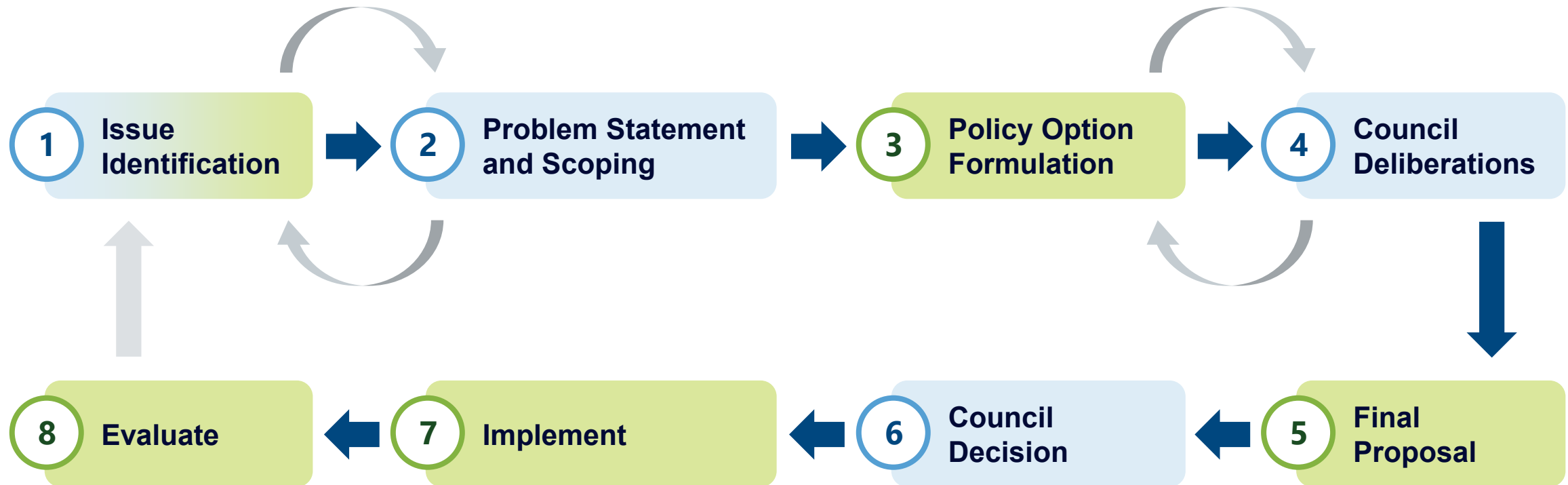
- No license required
- Based upon % of sales and % square footage of displays
- Jax, Cupboard, Dick's Sporting Goods are local examples
- Limit sales of gases to 21+

- Graduated penalty structure including fines, suspensions, and revocations
- Distance restrictions
 - From schools
 - Between incidental product sellers
 - Between vape / smoke shops
 - Grandfather existing businesses with allowance to transfer ownership

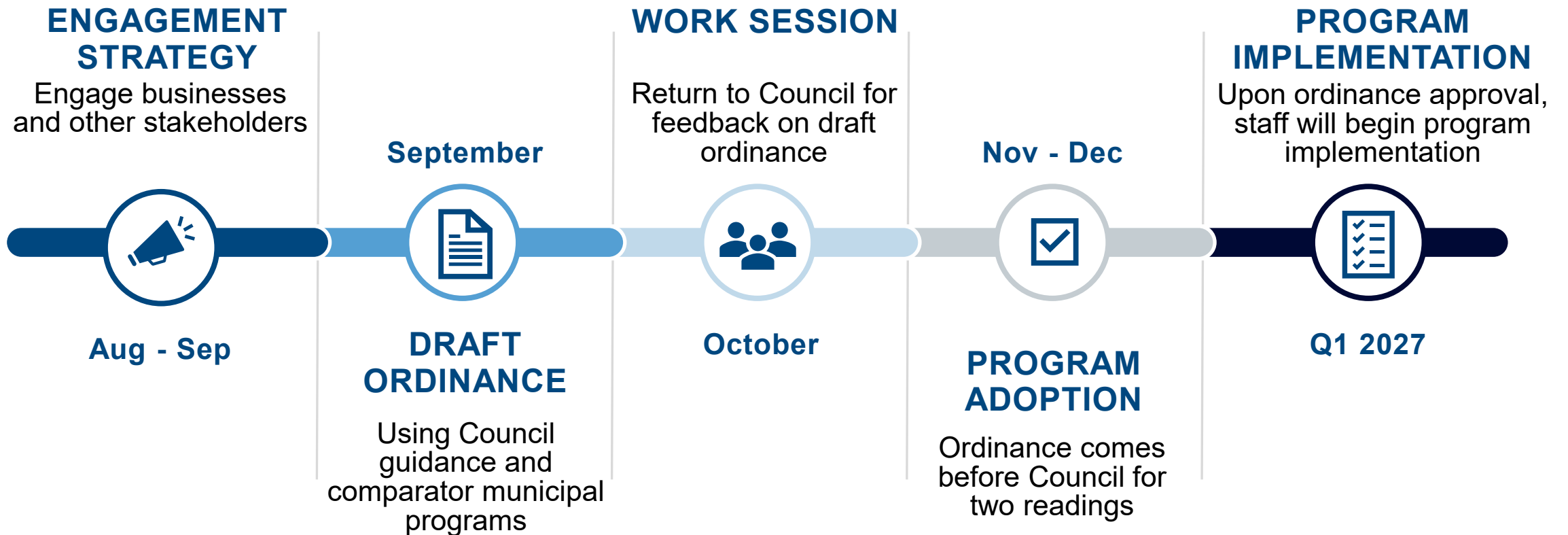
Tobacco Retail Licensing Fee Comparison

Licensing Entity	Application Fee	Annual Renewal Fee
State of Colorado	\$400	\$400
Aurora*	\$500	\$500
Boulder	\$400	\$300
Broomfield	\$300	\$300
Denver	\$750	\$500
Loveland	\$300	\$300
Lone Tree	\$250	\$200

City staff manages process



2026



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Examples of Products Seen in Fort Collins

- Hemp purchased in Ft Collins (should have less than 0.3% Delta-9 THC)



3% THC



9.7% THC



4.2% THC

- Synthetic Cannabinoids - Delta-8, Delta-10, HHC



- Psilocybin has a regulatory framework but not is available for retail sale
- Analogs on the market sold as shrooms and other names



Potency/labeling restrictions

Sales to a minor are civil infractions



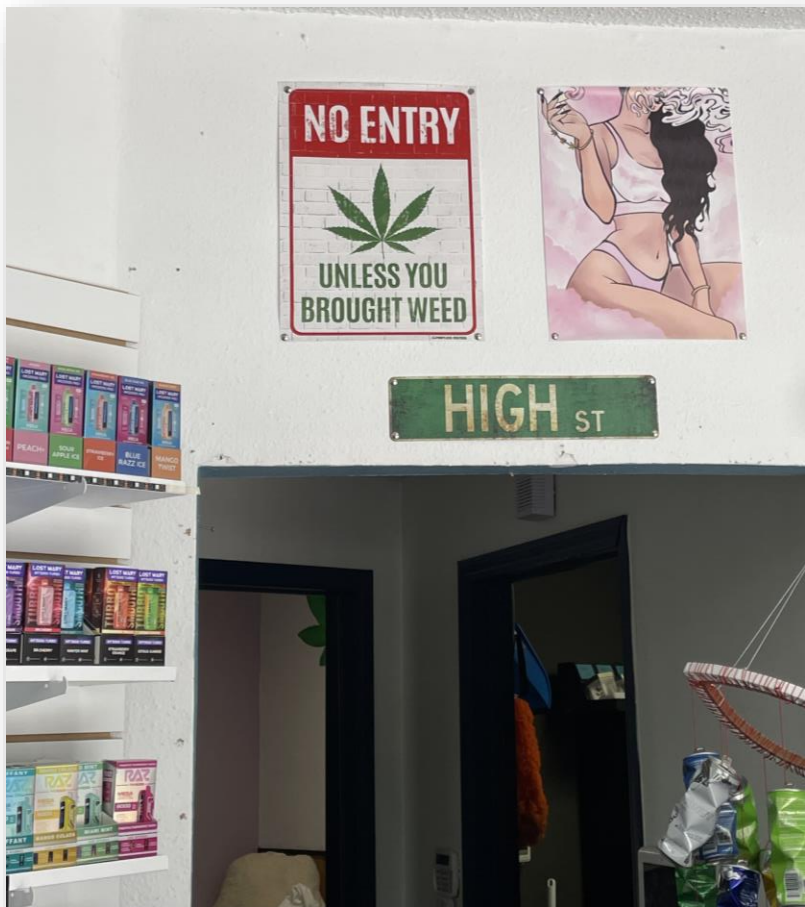
- Dangerous inhalants (nitrous oxide, alkyl nitrate and butyl nitrate)
- Intended for cooking but sold at smoke shops for human consumption



- Drug "accessories" (pipes/paraphernalia/concealment containers) not regulated



- Aurora model: incidental if sales are under 50% of revenue and under 15% of floor space





Questions?