





City Manager's Office  
300 LaPorte Avenue  
PO Box 580, Fort Collins, CO 80522

970-221-6684  
rvenkatesh@fcgov.com

## MEMORANDUM

Date: June 6, 2024  
To: Mayor and City Councilmembers  
Through: Kelly DiMartino, City Manager   
From: Rupa Venkatesh, Assistant City Manager   
Subject: **May 28, 2024 Work Session Summary: Council Meeting Rules of Procedure Update**

Mayor Arndt, Mayor Pro Tem Francis and Councilmembers Canonico, Gutowsky, Ohlson, Pignataro, and Potyondy were present. Staff presented several proposed updates to the City Council Meeting Rules of Procedure.

### Discussion included:

- Changing public participation online sign-up deadline requirement to no later than 5:30pm to allow additional time to organize and communicate comment logistics.
- Support for consideration of a set 90-minutes of public comment and/or a set number of sign-ups speaking for 2 minutes at the beginning of the meeting to allow predictability for people that have signed up.
- Look for clarity on how to differentiate between general public comment and the consent calendar in the event that folks that have signed up to speak on a consent item did not have the opportunity to do so under the first block of general public comment and need to speak prior to Council adopting the consent calendar.
- Request to share how many people typically sign up between 5:30-6:00 pm and generally how many people have signed up in the past.
- Some conversation was had to ensure a diversity voices are being heard.
- Clarify that if anyone is not present/available when called that they may speak at the end of the meeting, during the second block of public comment.
- Appreciated the added clarification and definitions of community, staff and Councilmember reports.

**Next steps:**

Staff will bring forward a resolution for consideration by Council during the July 2, 2024, meeting.

**Follow-up:**

Council has had 45 meetings since on-line sign-ups have been required. In that time, comment numbers have ranged from 1-187 in the following ways:

1-35 comments: 27 times

36-70 comments: 9 times

71-100+ comments: 9 times

In looking at the past 10 meetings the average number of sign-ups occurring between 5:30-6 (or later) is 7 (this includes 27 that signed up after 5:30 on the night there were 187 total signed up.)



City Manager's Office  
300 Laporte Avenue  
PO Box 580, Fort Collins, CO 80522

970-221-6684  
rvenkatesh@fcgov.com

## MEMORANDUM

Date: May 28, 2024  
To: Mayor and City Councilmembers <sup>DS</sup>  
Through: Kelly DiMartino, City Manager <sup>DS</sup>  
From: Rupa Venkatesh, Assistant City Manager <sup>DS</sup>  
Subject: May 28, 2024 Work Session Item #1 – Council Meeting Rules of Procedure Update

---

Dependent on feedback from Council to move towards either a set number of minutes or people for general public comment at the beginning of the meeting, one additional proposed public comment change would be to include a section of the agenda to include time set aside for Public Comment on the Consent Calendar to ensure that people who want to make public comment have the opportunity to do so before Council considers the Consent calendar.

Please see attached for the updated PowerPoint presentation which contains the following updates:

- The addition of Slide 5 to provide a visual of the proposed meeting agenda with the addition of "Public Comment on Consent Calendar."

## ATTACHMENT

1. Presentation





05-28-2024

# Council Rules of Procedure

---

**Rupa Venkatesh**

Assistant City Manager

**Ginny Sawyer**

Senior Policy Manager

# Purpose

Organize the business meeting to ensure that people have the opportunity to speak on all agenda items, maintain General Public Comment, and allow Council to effectively execute the business of the City.



# Recent Amendments to Council Meeting Rules and Procedures

## **March 2020:**

- Shift to remote participation by Council and public

## **October 2021:**

- Keep remote option for public participation
- Allow comment on consent and discussion items during General Public Comment
- Consent items pulled only by Councilmembers
- Councilmembers can attend remotely but not vote

## **July 2022 Update:**

- Require on-line sign up for public participation
- Adopt additional guidance around conduct at meetings
- Extend regular meetings from 10:30 to midnight

## **April 2024:**

- Code changed to allow Councilmembers to attend and vote remotely if a meeting is relocated to a remote mode.

# Proposed General Public Comment Changes

- Change sign-up cut-off time to 5:30 (currently 6pm)
- Allow 60 to 90 minutes at the beginning of the meeting (Mayor would have the discretion to allow 3 minutes or less based on numbers); **OR**
- Determine a set number of people for a determined amount of time (i.e. 20 people for 3 minutes, 35 people for 2 minutes)
- Resume General Public Comment at the end of the meeting if necessary

## Items NOT Changing:

- Online sign-up required
- Comments on consent and discussion items allowed
- Can only speak to an item once

# Proposed Meeting Agenda

- A. Proclamations and Presentations
- B. Call Meeting to Order
- C. Pledge of Allegiance
- D. Roll Call
- E. City Manager's Agenda Review
- F. Community Reports
- G. Public Comment on Any Topic (60-90 mins or set # of people to speak)
- H. Public Comment on Consent Calendar
- I. Public Comment Follow Up
- J. Councilmember Removal of Items From Consent Calendar For Discussion
- K. Adoption of Consent Calendar
- L. Consent Calendar Follow-Up
- M. Staff Reports
- N. Councilmember Reports
- O. Consideration of Items Removed from the Consent Calendar for Individual Discussion
- P. Consideration of Items Planned for Discussion
- Q. Resumed Public Comment (if applicable)
- R. Other Business
- S. Adjournment



# Clarifying Reports

## **Community Reports:**

The purpose of the Community Report is to provide an opportunity for organizations affiliated with the City (or partnering with the City in specific ways) to update Council and the general public on activities and accomplishments within its organization of interest to the City. Examples include County Health department, Library District, Platt River Power Authority.) Reports are provided at the request of Council or City Leadership.

## **Staff Reports:**

The purpose of the staff report is to provide City Council with information on specific City projects or issues of concern to City Council. Reports may be requested by either Council or staff.

## **Councilmember Reports:**

The purpose of Councilmembers reports is to allow Councilmembers to update one another and the community of any outside activities, meetings, or learning opportunities relevant to the business of the City.

# Questions for Council



1. What questions and feedback do Councilmembers have regarding the proposed changes?
2. Are there any other changes Councilmembers wish to consider in the Meeting Rules of Procedure?

# Research from other cities

City	Allow for general comment?	Is there an allotment of time for general comment?	Other
Aurora	Yes	60 minutes total, 3 minutes each	May be modified without notice
Boulder	Yes	40 minutes - 20 people for 2 minutes each	Random selection if more than 20 people sign up
Broomfield	Yes	90 minutes; first 15 have 3 minutes, next 10 have 2 minutes; remainder 1 minute	Residents may be given priority. May alternate between opposing groups. Additional modifications as needed
Denver	Yes	30 minutes total, 3 minutes each	Youth pilot program; new people prioritized first
Laramie, WY	Yes	30 minutes	
Longmont	Yes	No - 3 minutes each. First call (beginning of meeting) and last call (end of meeting)	First call restricted to Longmont residents and employees.
Loveland	Yes	60 minutes total; 3 minutes each	Up to 10 minutes to speak if speaking for at least 5 others
Northglenn	Yes	No	Comments about agenda items are heard at the beginning; general at the end
Pueblo	Yes	30 minutes; 5 minutes each, maximum of 6 speakers	Must draw for spots if more than 6 sign up
Thornton	Yes	60 minutes; 3 minutes each	
Weld County	No – email only		







## MEMORANDUM

**DATE:** June 6, 2024

**TO:** Mayor and City Council

**THROUGH:** Kelly DiMartino, City Manager <sup>DS</sup>  
 Tyler Marr, Deputy City Manager <sup>DS</sup>

**FROM:** Ginny Sawyer, Lead Project Manager <sup>DS</sup>

**RE:** **Work Session Summary – May 28, 2024, Legislative Overview**

---

Mayor Arndt, Mayor Pro Tem Francis and Councilmembers Canonico, Pignataro, Potyondy, Gutowsky, and Ohlson were present. Staff was joined by lobbyists, Jenn Cassel and Ed Bowditch, and presented a high-level review of bills that passed that will have an impact on or require action by the City.

The Governor has until June 7, 2024 to veto bills. Staff throughout the organization are in the early stages of full bill analysis and understanding of items that may need to come to Council.

### **Discussion included:**

The discussion was high-level with some bill specific questions throughout. There was also a call to the City as a whole to consider recommendations for our representatives. The City has had success in this space in the past including the Rolling Coal bill and modifications to state law that enhance the use of speed corridor/camera use.

Below is a summary of follow-up that will come as staff does further analysis and prepares for necessary implementation.

### **SB 131 Prohibiting Carrying Firearms in Sensitive Spaces**

The bill prohibits a person from knowingly carrying a firearm, both openly and concealed, in a building of a local government's governing body, including adjacent parking areas. City administrative policy currently does not prohibit carrying a firearm in City Hall or other meeting spaces where City Council meets. If desired, City Council may enact an ordinance or regulation or other law that permits a person to carry a firearm in a building where it conducts its business.



### **SB 079 Motorcycle Lane Filtering and Passing**

The bill authorizes a 2-wheeled motorcycle to overtake or pass another motor vehicle in the same lane if:

- The other motor vehicle is stopped or moving in the same direction of travel as the motorcycle;
- The road has lanes wide enough to pass safely;
- The motorcycle is moving at 20 miles per hour or less; and
- Conditions permit prudent operation of the motorcycle while overtaking or passing;
- A motorcycle rider overtaking or passing under the bill must not overtake or pass;
  - On the right shoulder;
  - To the right of a vehicle in the farthest right-hand lane if the highway is not limited access; or
  - In a lane of traffic moving in the opposite direction.
- Staff will evaluate whether local governments have the option enact local amendments or variances from the bill.

Follow-up: Additional information was requested on the following:

#### **Air Quality bills HB 1330, SB 165, SB 166 (all postponed indefinitely).**

- SB 165, 166 and HB 1330, none of which passed, had included a number of increased controls and limitations on sources that contribute to ozone (including oil and gas production), and included more prescriptive permitting processes, and more stringent penalties for violators.
- SB 229 and 230, which were adopted, were negotiated by industrial and environmental groups and introduced with only a few days remaining in the 2024 legislative session. These bills contain targeted emission reduction requirements for oil and gas, some improvements to the permitting and penalty processes, and a new oil and gas production fee intended to support transit, rail and remediation of former oil and gas production sites.

#### **SB 150 Processing of Municipal Waste (Vetoed)**

- The initial draft of SB 150 would have prohibited incineration, pyrolysis, gasification and other waste to energy facilities in Colorado. Anaerobic digestion (which is commonly used in wastewater treatment facilities and sometimes considered a waste to energy technology) was excluded from this bill.
- During the session, the bill was negotiated to no longer prevent waste to energy facilities in Colorado but would prevent state funding and incentives from being provided to these types of facilities.



- The bill was passed, but then was vetoed by the governor due to concerns it could restrain innovation.

#### **HB 1235 Reduce Aviation Impacts on Communities (signed by Governor)**

- The bill has specific requirements for airports that are located in densely populated residential areas or have a significant number of flights over such areas. The Northern Colorado Regional Airport fits those criteria. The bill restricts the Airport's access to grant funds unless the Airport: (1) by Jan. 1, 2026, creates a plan to phase out leaded aviation gas sales consistent with state requirements; and (2) has established and enforces a voluntary noise mitigation plan consistent with state requirements, including limitations on when flights may depart and the frequency of touch-and-go flights.
- Staff will work with City of Loveland staff and other responsible parties to determine what more can be done to mitigate airport noise.

#### **HB 1379 Regulate Dredge & Fill Activities in State Waters (Governor signed)**

- The State of Colorado historically relied on U.S. Army Corps of Engineers implementing the federal Clean Water Act to regulate the discharge of fill materials into state waters. However, the 2023, the U.S. Supreme Court issued an opinion in a case called *Sackett v. Environmental Protection Agency* that greatly reduced the scope the federal Clean Water Act. This left many state waters unprotected, such as ephemeral streams and wetlands.
- This bill establishes a new statewide permitting program to regulate the discharge of fill materials into state waters that are not covered by the federal Clean Water Act.
  - The City will need to utilize this new permitting program in various activities.
  - The permitting program will be housed in the Colorado Department of Public Health and Environment (CDPHE).
  - This long, complex bill resulted from substantial negotiations between numerous groups. Staff and others statewide will be working with CDPHE on implementation.

#### **SB 233 Property Tax**

- Staff will work with Bowditch and Cassel to provide an overview.



## MEMORANDUM

Date: June 13, 2024

To: Mayor and City Councilmembers <sup>DS</sup>

Through: Kelly DiMartino, City Manager <sup>DS</sup> <sup>LD</sup>  
Jeff Swoboda, Chief of Police <sup>JS</sup>

From: Jerrod Kinsman, Police Lieutenant, Special Operations Division <sup>DS</sup> <sup>JK</sup>

Subject: **May 28, 2024 Work Session Summary: Traffic Safety Initiative**

---

### BOTTOM LINE

1. Given the costs and program approach, what is Council's feedback on what level of enforcement it would like to see staff pursue?
2. What next steps would Council like to see?
3. What feedback does Council have on timing of implementation and whether to move this initiative forward quickly or consider resources as part of 2025-2026 budget process?
4. After covering the costs of the program, would Council like to see additional funds designated for enforcement, education, and engineering?

### BACKGROUND

Traffic speed is a concerning problem facing the City. Last year, the City experienced a record-high number of fatal and injury collisions, many of which were associated with people driving beyond posted speed limits.

In 2023, the State passed legislation to allow local governments to conduct unmanned speed enforcement with AVIS (Automated Vehicle Identification System). With this change in State law, the City of Fort Collins has the opportunity to impact traffic speed compliance through the expanded use of automated speed enforcement to reduce the number of injury crashes and traffic-related fatalities on our roadways.

As part of the City's current traffic enforcement program, six intersections are outfitted with red-light cameras (two cameras per intersection) that detect red stop-light violations. Those twelve red-light-camera approaches have the capability to also detect, validate, and generate speeding violations where vehicle speed exceeds the posted limit of more than eleven miles per hour, if those intersections are designated within a speed corridor. Additionally, this initiative adds the



contracted use of two transportable units that can be placed temporarily in problematic locations to address speed compliance between intersections.

This proposal is also to recommend funding full-time equivalents (FTEs) in Municipal Court, the City Attorney's Office and PDT. The expansion of the AVIS program and traffic safety related FTEs would be funded through fines collected by AVIS, both red-light and speed cameras if this request is adopted by Council.

Below are links to media related to this recommendation:

<https://www.cpr.org/2023/06/06/police-signs-bill-allowing-more-speed-cameras-across-colorado/>

<https://www.cochranelibrary.com/cdsr/doi/10.1002/14651858.CD004607.pub4/abstract>

## **NEXT STEPS**

Present changes to ordinances 1106 and 615 to council for first reading.

Present ordinance adopting speed corridors within the City.

Appropriate funding from RLCR funds for recommended FTEs.

CC: Carrie Daggett, City Attorney  
Travis Storin, Chief Financial Officer  
Dawn Downs, Managing Attorney