



City Council Regular Meeting Agenda

June 18, 2024 at 6:00 PM

Jeni Arndt, Mayor
Emily Francis, District 6, Mayor Pro Tem
Susan Gutowsky, District 1
Julie Pignataro, District 2
Tricia Canonico, District 3
Melanie Potyondy, District 4
Kelly Ohlson, District 5

City Council Chambers
300 Laporte Avenue, Fort Collins
& via Zoom at
<https://zoom.us/j/98241416497>
Cablecast on FCTV
Channel 14 on Connexion
Channel 14 and 881 on Xfinity

Carrie Daggett
City Attorney

Kelly DiMartino
City Manager

Heather Walls
Interim City Clerk

The purpose of the action agenda is to provide a brief overview of the actions taken by the City Council to be available shortly after a Council meeting. Council Proceedings are the complete official record of the meeting and are prepared for approval by the Council generally at its next meeting. They are published following their approval as the minutes of the meeting.

PROCLAMATIONS & PRESENTATIONS 5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

PP 1. Declaring June 17 through 23, 2024, as National Pollinator Week.

Presented Proclamation.

REGULAR MEETING 6:00 PM

B) CALL MEETING TO ORDER

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

6-1.

Absent: Mayor Arndt (Excused).

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

H) PUBLIC COMMENT FOLLOW-UP

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

CONSENT CALENDAR

1. **Consideration and Approval of the Minutes of the May 21, 2024 and June 4, 2024 Regular Meetings.**

The purpose of this item is to approve the minutes of the May 21, 2024 and June 4, 2024 regular meetings.

Action Taken: Approved.

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

A. Second Reading of Ordinance No. 074, 2024, Making Supplemental Appropriations in the Community Development Block Grant Fund.

B. Second Reading of Ordinance No. 075, 2024, Making Supplemental Appropriations in the HOME Investments Partnerships Grant Fund.

These Ordinances, unanimously adopted on First Reading on June 4, 2024, appropriate the City's FY2024 Community Development Block Grant (CDBG) Entitlement Grant and FY2024 Home Investment Partnerships Program (HOME) Participating Jurisdiction Grant from the Department of Housing and Urban Development (HUD), and CDBG program income from FY2022 and FY2023 and HOME Program Income from FY2022 and FY2023.

Action Taken: Adopted on Second Reading.

3. **Second Reading of Ordinance No. 076, 2024, Making Supplemental Appropriation for the Charter Review Council Priority from General Fund Reserves.**

This Ordinance, unanimously adopted on First Reading on June 4, 2024, appropriates funds to allow work to begin on the City Charter review process included in the Council-adopted Council priorities. The amount appropriated, \$25,000, will be used to fund special legal counsel with municipal charter expertise to take the lead on the review and drafting of Charter provisions to update and modernize the City Charter.

Action Taken: Adopted on Second Reading.

4. **Second Reading of Ordinance No. 077, 2024, Appropriating Philanthropic Revenue Received Through City Give for the Cultural Community Program Through Cultural Services.**

This Ordinance, unanimously adopted on First Reading on June 4, 2024, requests an appropriation of \$30,000 in philanthropic revenue received through City Give for Cultural Community Program, a department within the City's Cultural Services area, for live music as designated by the grant award.

In 2019, the City of Fort Collins launched City Give, a formalized enterprise-wide initiative to create a transparent, non-partisan governance structure for accepting and appropriating charitable gifts.

Action Taken: Adopted on Second Reading.

5. **Second Reading of Ordinance No. 078, 2024, Appropriating Prior Year Philanthropic Revenue Reserves Received by City Give for the 9/11 Memorial at Spring Park.**

This Ordinance, unanimously adopted on First Reading on June 4, 2024, requests an appropriation of \$12,500 in philanthropic revenue received by City Give for the construction of the 9/11 Memorial at Spring Park, 2100 Mathews Steet, Fort Collins, CO.

A partnership between the City of Fort Collins and Poudre Fire Authority (PFA), the 9/11 Memorial will be located in midtown Fort Collins, and will honor firefighters, emergency medical technicians, law enforcement officers, and nearly 3,000 others who lost their lives on September 11, 2001.

Action Taken: Adopted on Second Reading.

6. **Second Reading of Ordinance No. 079, 2024, Making a Supplemental Appropriation and Authorizing Transfer of Appropriations for The Gardens on Spring Creek Internship Program.**

This Ordinance, unanimously adopted on First Reading on June 4, 2024, supports The Gardens on Spring Creek internship program by:

- Appropriating \$4,200 of unanticipated grant revenue awarded by the Colorado Department of Agriculture (CDA)) and
- Utilizing matching funds in the amount of \$4,200 from existing 2024 appropriations into to this new grant project.

In May 2024 the Colorado Department of Agriculture (CDA) awarded the City of Fort Collins (City) \$4,200 under the CDA's Agricultural Workforce Development Grant Program (Attachment 2). The City will be providing an additional \$4,200 in required matching funds. The award funds and City's matching funds will support hiring an intern for The Gardens' summer 2024 internship program.

The \$4,200 in funds through the CDA's Agricultural Workforce Development Grant Program are federal pass-through funds.

As presented per Attachment 2, the \$4,200 is provided pursuant to a State of Colorado Purchase Order, with corresponding terms and conditions. There is no requirement that the City sign an agreement. Rather upon the City submitting the first request for reimbursement to CDA, the City agrees to all terms and conditions of the award.

Action Taken: Adopted on Second Reading.

7. **First Reading of Ordinance No. 080, 2024, Amending Ordinance No. 107, 2023, and Appropriating Prior Year Reserves Designated for Fire Services in the Fire Protection Capital Expansion Fund for Payment to the Poudre Fire Authority to be Used to Pay for a New Headquarters Building.**

The purpose of this item is to appropriate and reappropriate funds from the Fire Protection Capital Expansion Fund and transfer funds to Poudre Fire Authority (PFA) for purchase of a new Headquarters Building.

Action Taken: Adopted on First Reading.

8. **Public Hearing and Resolution 2024-077 Approving the Programs and Projects that will Receive Funds from the Federal Community Development Block Grant Program, the HOME Investment Partnerships Program, the City’s Affordable Housing Fund, and the City’s Human Services Program.**

The purpose of this item is to approve funding recommendations of the 2024 Spring Cycle of the Competitive Process. This Resolution will complete the 2024 Spring Cycle of the Competitive Process for allocating \$3,772,510 in City financial resources to affordable housing and public facility projects, human service programs, and administration of the programs.

Action Taken: Adopted.

9. **Resolution 2024-078 Approving the Appointment of Delynn Coldiron as City Clerk Effective June 24, 2024.**

The purpose of this item is to approve the appointment of Delynn Coldiron as City Clerk.

Action Taken: Adopted.

10. **Resolution 2024-079 Adopting Findings of Fact in Support of the City Council’s Decision to Overturn on Appeal the Historic Preservation Commission Determination that 2601 South College Avenue is Eligible for Fort Collins Landmark Designation.**

The purpose of this item is to make findings of fact and conclusions regarding Council’s decision at the June 4, 2024, appeal hearing about the historic landmark eligibility of 2601 South College Avenue (the "Property") that the Historic Preservation Commission (HPC "Commission") failed to properly interpret and apply City Code Section 14-22 and thereby overturned the HPC’s April 17, 2024, determination that the Property was eligible for designation as a Fort Collins Landmark.

Action Taken: Adopted.

11. **Resolution 2024-080 Making Appointments to the Downtown Development Authority Board.**

The purpose of this item is to fill vacancies that will exist as of June 30, 2024.

Action Taken: Adopted.

END OF CONSENT CALENDAR

J) ADOPTION OF CONSENT CALENDAR

Action Taken: Adopted Consent Calendar Items 1-11. 6-0.

Absent: Mayor Arndt (Excused).

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

L) STAFF REPORTS - None.

M) COUNCILMEMBER REPORTS

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

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

12. Items Relating to Residential Occupancy Ordinance.

A. First Reading of Ordinance No. 081, 2024, Amending the Land Use Code of the City of Fort Collins to Remove Residential Occupancy Limitations.

B. First Reading of Ordinance No. 082, 2024, Amending the Code of the City of Fort Collins to Conform with the Removal of Residential Occupancy Limitations from the Land Use Code.

The purpose of this item is to consider adoption of changes to the City's Land Used Code and Municipal Code to comply with House Bill 24-1007, which prohibits residential occupancy limits based on familial relationship.

Action Taken: Ordinance No. 081, 2024, Adopted on First Reading, 5-1.

Ayes: Mayor Pro Tem Francis, Councilmembers Potyondy, Canonico, Pignataro, and Gutowsky.

Nays: Councilmember Ohlson.

Absent: Mayor Arndt (Excused).

Action Taken: Ordinance No. 082, 2024, Adopted on First Reading, 5-1.

Ayes: Mayor Pro Tem Francis, Councilmembers Potyondy, Canonico, Pignataro, and Gutowsky.

Nays: Councilmember Ohlson.

Absent: Mayor Arndt (Excused).

P) 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.)

Q) ADJOURNMENT

Meeting adjourned at 7:15 p.m.