



City Council Regular Meeting Agenda

September 17, 2024 at 6:00 PM

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

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

Carrie Daggett
City Attorney

Kelly DiMartino
City Manager

Delynn Coldiron
City Clerk

The action agenda provides a brief overview of actions taken by Council shortly after a Council meeting. Council minutes are the official record of the meeting and are prepared to be approved by Council generally at its next meeting. Following approval, they are posted at this link: [Council Minutes](#).

PROCLAMATIONS & PRESENTATIONS 5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

- PP 1. **Declaring the Week of September 15-21 as Fort Collins Co-Responders Week.**
- PP 2. **Declaring the Week of September 17-23 as Constitution Week.**
- PP 3. **Declaring the Week Leading up to the Games on Saturday, September 27, 2024 as Canvas Community Classic Week.**
- PP 4. **Declaring the Month of September 2024 as National Preparedness Month.**

Proclamations read.

REGULAR MEETING 6:00 PM

B) CALL MEETING TO ORDER

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

7-0

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 www.fcgov.com/council-meeting-participation-signup/*
- *Each speaker will be allowed to speak one time during public comment. If a speaker comments on a particular agenda item during general public comment, that speaker will not also be entitled to speak during discussion on the same agenda item.*
- *All speakers will be called to speak by the presiding officer from the list of those signed up. After everyone signed up is called on, the presiding officer may ask others wishing to speak to identify themselves by raising their hand (in person or using the Raise Hand option on Zoom), and if in person then will be asked to move to one of the two lines of speakers (or to a seat nearby, for those who are not able to stand while waiting).*
- *The presiding officer will determine and announce the length of time allowed for each speaker.*
- *Each speaker will be asked to state their name and general address for the record, and, if their comments relate to a particular agenda item, to identify the agenda item number. Any written comments or materials intended for the Council should be provided to the City Clerk.*
- *A timer will beep one time and turn yellow to indicate that 30 seconds of speaking time remain and will beep again and turn red when a speaker's time has ended.*

*[**For questions about the development review process or the status of any particular development, consult the City's Development Review Center page at <https://www.fcgov.com/developmentreview>, or contact the Development Review Center at 970.221.6760.]*

H) PUBLIC COMMENT FOLLOW-UP

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

CONSENT CALENDAR

The Consent Calendar is intended to allow Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Agenda items pulled from the Consent Calendar by either Council or the City Manager will be considered separately under their own Section, titled "Consideration of Items Removed from Consent Calendar for Individual Discussion." Items remaining on the Consent Calendar will be approved by Council with one vote. The Consent Calendar consists of:

- *Ordinances on First Reading that are routine;*
- *Ordinances on Second Reading that are routine;*
- *Those of no perceived controversy;*
- *Routine administrative actions.*

1. **Consideration and Approval of the Minutes of the August 20, 2024, and September 3, 2024, Regular Meetings.**

The purpose of this item is to approve the minutes of the August 20, 2024, and September 3, 2024, regular meetings.

Action Taken: Approved.

2. **Second Reading of Ordinance No. 124, 2024, Appropriating Prior Year Reserves in the General Fund and Authorizing Transfer of Appropriations to the Recreation Fund for the Purchase of a Bus for Use by the Recreation Department’s Childcare Programs.**

This Ordinance, unanimously adopted on First Reading on September 3, 2024, appropriates funds designated for childcare projects to purchase a full-size bus committed to Recreation Department’s childcare programs.

Action Taken: Adopted on Second Reading.

3. **Second Reading of Ordinance No. 125, 2024, Making Supplemental Appropriation from the Colorado Auto Theft Prevention Authority Grant for the Fort Collins Police Services Property Crimes Unit.**

This Ordinance, unanimously adopted on First Reading on September 3, 2024, supports the Fort Collins Police Services’ Property Crimes Unit by appropriating \$50,000 of unanticipated grant revenue awarded by the Colorado State Patrol.

In July 2024 the Colorado State Patrol awarded Fort Collins Police Services \$50,000 in capacity as a partner agency of the Beat Auto Theft Through Law Enforcement (BATTLE) Task Force. The \$50,000 award is under the BATTLE program’s FY25 cycle. These state funds will be used for overtime pay for Fort Collins Police Services personnel to support multiagency and multijurisdictional BATTLE operations to identify, interdict, investigate, enforce, and prosecute motor vehicle theft-related crimes.

Action Taken: Adopted on Second Reading.

4. **Second Reading of Ordinance No. 126, 2024, Appropriating Prior Year Reserves in the General Fund for the Grocery Tax Rebate Program.**

This Ordinance, unanimously adopted on First Reading on September 3, 2024, appropriates \$442,460 from General Fund reserves to fulfill the FY2024 Grocery Tax Rebate Program rebate and personnel budget obligations.

Action Taken: Adopted on Second Reading.

5. **Second Reading of Ordinance No. 127, 2024, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Various Programs and Services as Designated by the Donors.**

This Ordinance, unanimously adopted on First Reading on September 3, 2024, appropriates \$189,390 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.

Action Taken: Adopted on Second Reading.

6. Second Reading of Ordinance No. 128, 2024, Amending the City Plan Structure Plan Map in Conformance with the East Mulberry Plan Update.

This Ordinance, unanimously adopted on First Reading on September 3, 2024, updates the Structure Plan Map following the recommended Place Type changes outlined in the East Mulberry Plan. The proposed changes encompass approximately 500 acres and reflect the changes previously presented and discussed with the Planning and Zoning Commission leading up to the adoption of the East Mulberry Plan in December 2023. Proposed changes are summarized in the following sections of this report and do not deviate from what was included within the adopted version of the 2023 East Mulberry Plan.

Action Taken: Adopted on Second Reading.

7. Second Reading of Ordinance No 129, 2024, Making Supplemental Appropriations and Authorizing Transfers of Appropriations for the William Neal and Ziegler Intersection Improvements Project and Related Art in Public Places.

This Ordinance, unanimously adopted on First Reading on September 3, 2024, enables the City to receive and expend federal Transportation Alternatives Program (“TAP”) funds and local funds for the William Neal and Ziegler Intersection Improvements Project (the “Project”). The funds will be used to design and install an at-grade bicycle and pedestrian crossing at the intersection of William Neal Parkway and Ziegler Road. It is anticipated that a new at-grade crossing at this intersection will provide a safe crossing point between the Rendezvous Trail and Rigden Farm to the west and the Poudre River Trail extension and the future East Community Park to the east.

If approved, the item will: 1) authorize the Mayor to execute an intergovernmental agreement (“IGA”) for the Project with the Colorado Department of Transportation (“CDOT”); 2) appropriate \$603,624 of TAP grant funds for the Project; 3) move previously appropriated matching funds from the Sustainable Funding 2050 Tax and Community Capital Improvement Program (CCIP) Bicycle Program for the Project; and 4) appropriate funds to the Art in Public Places (APP) program.

Action Taken: Adopted on Second Reading.

8. Second Reading of Ordinance No. 130, 2024, Making Supplemental Appropriations of Prior Year Reserves and Highway Safety Improvement Program Grant Funds and Authorizing Transfers for the Signal Upgrades Project and Related Art in Public Places.

This Ordinance, unanimously adopted on First Reading on September 3, 2024, enables the City to receive and expend federal Highway Safety Improvement Program (“HSIP”) funds and local funds for the Signal Upgrades Project (the “Project”). The funds will be used to enhance and upgrade traffic signals at up to thirty-one locations throughout the City. It is anticipated that the traffic signal upgrades will increase safety and reduce crashes and injuries at these locations.

If approved, the item will: 1) authorize the Mayor to execute an intergovernmental agreement (“IGA”) for the Project with the Colorado Department of Transportation (“CDOT”); 2) appropriate \$606,410 of HSIP grant funds for the Project; 3) appropriate matching funds from the Transportation Services funds reserves, 4) move previously appropriated matching funds from the Transportation Services fund for the Project; and 5) appropriate funds to the Art in Public Places (“APP”) program.

Action Taken: Adopted on Second Reading.

9. **Second Reading of Ordinance No. 131, 2024, Authorizing the Conveyance of Property Rights Relating to the Acquisition of Property in the Loveland Community Separator.**

This Ordinance, unanimously adopted on First Reading on September 3, 2024, authorizes an Intergovernmental Agreement (IGA) with Larimer County and the City of Loveland for the Prairie Ridge Addition. The Project will conserve 142-acres in fee adjacent to Prairie Ridge Natural Area in the Loveland Community Separator. The Ordinance will authorize the conveyance of a conservation easement on the property and a farming lease over the Prairie Ridge property.

Action Taken: Adopted on Second Reading.

10. **Second Reading of Ordinance No. 132, 2024, Making Supplemental Appropriations and Authorizing Transfers of Appropriations for the Pedestrian Intersection Improvements Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on September 3, 2024, enables the City to receive and expend federal Highway Safety Improvement Program (“HSIP”) funds and local funds for the Pedestrian Intersection Improvements Project (the “Project”). The funds will be used to design and install pedestrian improvements at five locations. It is anticipated that these improvements will improve bicycle and pedestrian safety by reducing crashes.

If approved, the item will: 1) authorize the Mayor to execute an intergovernmental agreement (“IGA”) for the Project with the Colorado Department of Transportation (“CDOT”); 2) appropriate \$1,250,326 of HSIP grant funds for the Project; 3) move previously appropriated matching funds from the Community Capital Improvement Program (“CCIP”) Bicycle Program and Transportation Services Fund for the Project; and 4) appropriate funds to the Art in Public Places (“APP”) program.

Action Taken: Adopted on Second Reading.

11. **Second Reading of Ordinance No. 133, 2024, Making Supplemental Appropriations and Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Mulberry Street Traffic Signal Synchronization Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on September 3, 2024, enables the City to receive and expend federal Congestion Mitigation and Air Quality (“CMAQ”) Improvement Program funds and local funds for the Mulberry Street Traffic Signal Synchronization Project (the “Project”). The funds will be used to gather and evaluate data for existing conditions and install adaptive signal system equipment at appropriate intersections on East Mulberry Street between College Avenue and Greenfields Court. It is anticipated that the synchronization of traffic signals along this corridor will reduce congestion and improve air quality.

If approved, the item will: 1) authorize the Mayor to execute an intergovernmental agreement (“IGA”) for the Project with the Colorado Department of Transportation (“CDOT”); 2) appropriate \$440,000 of CMAQ grant funds for the Project; 3) appropriate matching funds from the Transportation Services Funds Reserves for the Project; and 4) appropriate funds to the Art in Public Places (APP) program.

Action Taken: Adopted on Second Reading.

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

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

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

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

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

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

Action Taken: All Ordinances Adopted on First Reading.

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

The purpose of this item is to request an appropriation of \$25,050 in philanthropic revenue received by City Give to be used for improvements at the Veterans Plaza in Spring Canyon Community Park.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

Action Taken: Adopted on First Reading.

14. **Resolution 2024-118 Authorizing an Intergovernmental Agreement Between the Alternative Sentencing Department of Larimer County, Colorado, for use of Alternative Sentencing in Municipal Court.**

The purpose of this item is to authorize an intergovernmental agreement (the "IGA") with the Alternative Sentencing Department of Larimer County so that prosecutors have the option to use these programs in plea agreements and municipal judges have the option of sentencing defendants to work release, mid-week, and weekender programs.

Action Taken: Adopted.

END OF CONSENT CALENDAR

J) ADOPTION OF CONSENT CALENDAR

Consent Calendar Adopted 7-0.

- 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

No items pulled.

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.

15. Public Hearing #1 on the 2025-26 Recommended Budget for the City of Fort Collins.

This is the first public hearing on the City Manager's 2025-26 Recommended Budget for the City of Fort Collins. The purpose of this public hearing is to gather public input on the 2025-26 budget. To receive further public input, a second public hearing is scheduled for Council's Tuesday, October 1, 2024, regular meeting at 6:00 p.m. in Council Chambers with the option for remote participation through the online Zoom meeting platform. Both hearings were set by Council adoption of Resolution 2024-116 at its September 3, 2024, meeting. The City Manager's 2025-26 Recommended Budget can be reviewed at the City Clerk's Office by appointment only and online at fcgov.com/budget.

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

No Action Taken.

16. Resolution 2024-119 Approving the Second Amended and Restated Intergovernmental Agreement Establishing the Poudre Fire Authority.

The purpose of this item is to seek approval of an amended and restated Intergovernmental Agreement ("IGA") establishing the Poudre Fire Authority (the "Authority") between the City of Fort Collins (the "City") and the Poudre Valley Fire Protection District (the "District"). This includes the Funding Formula and Revenue Allocation Formula, and Support Services provided by the City to the Authority and by the Authority to the City.

Action Taken: Adopted 6-1 (Nay:Ohlson)

P) RESUMED PUBLIC COMMENT (if necessary)

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

Meeting adjourned at 7:55 p.m.