



January 7, 2025 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, minutes are posted at this link: [Council Minutes](#).

PROCLAMATIONS & PRESENTATIONS
5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

None scheduled.

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

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.)

H) PUBLIC COMMENT FOLLOW-UP

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

CONSENT CALENDAR

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

Discussion.” Items remaining on the Consent Calendar will be approved by Council with one vote. The Consent Calendar consists of:

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

1. Consideration and Approval of the Minutes of the December 17, 2024 Regular meeting.

The purpose of this item is to approve the minutes of the December 17, 2024 Regular meeting.

Approved.

2. First Reading of Ordinance No. 001, 2025, Amending Chapters 15 and 23 of the Code of the City of Fort Collins Relating to Small Cell Contractors and Provider Bond Requirements for Operating in the Public Right-of-Way.

The purpose of this item is to present a recommendation from the City Planning Development Team to:

1. Increase the bond requirements for all contractors working in the public right-of-way. These bond amounts have not been updated since 1998.
2. Increase the bond requirements for boring contractors stems from damage caused by telecommunication providers to underground facilities.
3. Create a performance bond requirement for all small cell facility installations.

Pulled for Individual Consideration.

3. First Reading of Ordinance No. 002, 2025, Authorizing the Conveyance of a Temporary Construction Easement on Whitewater Park to Public Service Company of Colorado for Construction of Infrastructure Improvements at the Poudre River Regulator Station H-111-A.

The purpose of this item is to authorize the conveyance of a Temporary Construction Easement (the “TCE”) on 0.469 acres (the “TCE Area”) being a portion of City property presently known as Poudre River Whitewater Park and located at 201 East Vine Drive. The TCE will be used by Public Service Company of Colorado d/b/a Xcel Energy (“Xcel”) for required infrastructure improvements at the Poudre River Regulator Station H-111-A.

Pulled for Individual Consideration.

4. Resolution 2025-001 Authorizing the Mayor to Execute an Intergovernmental Agreement with Larimer County concerning the Livermore Conservation Project.

The purpose of this item is to seek authorization to enter into an Intergovernmental Agreement (IGA) with Larimer County for the Livermore Conservation Project. The project will conserve four ranches totaling 4,897 acres within the Laramie Foothills/Mountains to Plains Priority Area. The County would be the lead on this project and hold the conservation easements on the properties.

Adopted.

5. Resolutions 2025-002 Finding Substantial Compliance and Initiating Annexation Proceedings for the Heritage Annexation.

The purpose of this item is to determine substantial compliance and initiate annexation proceedings for the Heritage Annexation, a voluntary annexation located northeast of the intersection of International Boulevard and Mexico Way. The Applicant has submitted a written petition requesting annexation of 24.84 acres and zoning into the Employment (E) zone district, which is consistent with the City of Fort Collins Structure Plan Map and the most recently adopted (December 2023) East Mulberry Plan.

This annexation request is in conformance with the State of Colorado Revised Statutes as they relate to annexations, the City of Fort Collins City Plan, and the Larimer County and City of Fort Collins Intergovernmental Agreement Regarding Growth Management.

Adopted.

6. Resolution 2025-003 Authorizing the Initiation of Exclusion Proceedings of Annexed Properties Within the Territory of the Poudre Valley Fire Protection District and Authorizing an Intergovernmental Agreement with Said District.

The purpose of this item is to authorize the City Attorney to file a petition in Larimer County District Court to exclude the property annexed into the City in 2024 from the Poudre Valley Fire Protection District (the "District") in accordance with state law. The property affected by this Resolution is the I-25 & Mulberry Annexation. Colorado Revised Statutes Section 32-1-502 requires an order of exclusion from the District Court to remove the annexed property from special district territories. The property has been receiving fire protection services from the Poudre Fire Authority and will continue to do so. The City Attorney's Office files the petition in Larimer County District Court each year seeking exclusion for all properties annexed in the previous year that should be removed from the District to avoid double taxation.

Adopted.

END OF CONSENT CALENDAR

J) ADOPTION OF CONSENT CALENDAR

K) CONSENT CALENDAR FOLLOW-UP

L) STAFF REPORTS - None.

M) COUNCILMEMBER REPORTS

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

2. First Reading of Ordinance No. 001, 2025, Amending Chapters 15 and 23 of the Code of the City of Fort Collins Relating to Small Cell Contractors and Provider Bond Requirements for Operating in the Public Right-of-Way.

The purpose of this item is to present a recommendation from the City Planning Development Team to:

1. Increase the bond requirements for all contractors working in the public right-of-way. These bond amounts have not been updated since 1998.

2. Increase the bond requirements for boring contractors stems from damage caused by telecommunication providers to underground facilities.
3. Create a performance bond requirement for all small cell facility installations.

Adopted on First Reading.

3. **First Reading of Ordinance No. 002, 2025, Authorizing the Conveyance of a Temporary Construction Easement on Whitewater Park to Public Service Company of Colorado for Construction of Infrastructure Improvements at the Poudre River Regulator Station H-111-A.**

The purpose of this item is to authorize the conveyance of a Temporary Construction Easement (the "TCE") on 0.469 acres (the "TCE Area") being a portion of City property presently known as Poudre River Whitewater Park and located at 201 East Vine Drive. The TCE will be used by Public Service Company of Colorado d/b/a Xcel Energy ("Xcel") for required infrastructure improvements at the Poudre River Regulator Station H-111-A.

Adopted on First Reading.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

7. **First Reading of Ordinance No. 003, 2025, Repealing and Reenacting Chapter 2, Article II, Division 3 of the Code of the City of Fort Collins Pertaining to Appeals Procedure.**

The purpose of this item is to incorporate process improvements to the procedures for addressing appeals and other questions of final decisions that are appealable to Council. The City Code changes address previously identified concerns with the current Council appeals procedure as discussed among Council, administrative staff, hearing officers, City boards and commissions, and members of the public. The City Code changes also clarify the processes and offer different routes for different types of questions on review.

Adopted on First Reading.

P) RESUMED PUBLIC COMMENT (if applicable)

Q) OTHER BUSINESS

- OB 1. **Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers.**

R) ADJOURNMENT