

February 18, 2025

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

PROCLAMATIONS AND PRESENTATIONS

5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

PP 1. Declaring February 2025 as Heart Health Month.

Mayor Jeni Arndt presented the above proclamation at 5:00 p.m.

REGULAR MEETING

6:00 PM

B) CALL MEETING TO ORDER

Mayor Jeni Arndt called the regular meeting to order at 6:00 p.m. in the City Council Chambers at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City's Zoom platform.

C) PLEDGE OF ALLEGIANCE

Mayor Jeni Arndt led the Pledge of Allegiance to the American Flag.

D) ROLL CALL

PRESENT

Mayor Jeni Arndt

Mayor Pro Tem Emily Francis

Councilmember Susan Gutowsky

Councilmember Julie Pignataro

Councilmember Tricia Canonico

Councilmember Melanie Potyondy

Councilmember Kelly Ohlson

Councilmember Julie Pignataro

STAFF PRESENT

City Manager Kelly DiMartino

City Attorney Carrie Daggett

Sr. Deputy City Clerk Cecilia Good

E) CITY MANAGER'S AGENDA REVIEW

City Manager Kelly DiMartino provided an overview of the agenda, including:

- Item No. 16, *First Reading of Ordinance No. 026, 2025, Declaring Certain City-Owned Property at Pelican Marsh Natural Areas as Public Right-of-Way*, withdrawn from consideration to add information related to input from the Land Conservation and Stewardship Board.
- Items 1-20, less Item No. 16, recommended for adoption.
- One Discussion Item related to updates to the Election Code.

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.)

Roxanne Griffin reiterated comments from the previous meeting about the negative impacts of single-use plastics on health and the environment. Griffin spoke in support of 'Refills not Landfills' and expressed support for the current City practice of not utilizing grant funds for the purchase of single-use plastic water bottles. Griffin encouraged Council to adopt Ordinance No. 013, 2025.

Gabrielle Friesen asked Council to direct City Manager DiMartino to recognize the Connexion Workers' Coalition, specifically citing concerns about federal attempts to limit worker protections and safety measures. Friesen also encouraged the placement of a ballot measure similar to Denver's 2U.

Margit Hentschel, We The People, urged Council to keep write-in candidates as part of the local election process. Hentschel stated there are over 1,000 municipalities Fort Collins could use as benchmarks to maintain an efficient write-in option.

Phoebe McWilliams expressed concern about being billed for trash services that were not ordered or received. McWilliams stated she has refused to pay the opt out fee and is not being sent to collections for \$66.

Rich Stave commented on Item No. 5, *Second Reading of Ordinance No. 013, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Adopt Requirements to Reduce Plastic Pollution and to Update and Reenact the City's Disposable Bag Ordinance*, and stated the original idea was for bag fees to be eliminated and asked why that has not occurred. He asked when the public vote occurred to expand the ordinance. Stave also asked questions about Item No. 19, *Resolution 2025-012 Adopting Amendments to the City's Financial Management Policies*, and stated funds were pulled from Utility reserves to complete the Connexion installation process, therefore there is no longer oversight and transparency for the people who funded the system.

Paul Searles opposed the trash service opt out fee despite the acknowledgement that the state law allows for such fees to be charged.

Adam Hirschhorn spoke about poverty being policy and encouraged the recognition of the Connexion Workers' Coalition.

Kathleen Schmidt, League of Women Voters, commented on the need for independent election oversight in Fort Collins and read a letter from the League President calling for an independent quasi-judicial authority to oversee Fort Collins elections.

Jonesy Winchell spoke in support of recognizing the Connexion Workers' Union and in support of placing an item on the ballot similar to Denver's 2U measure.

Patricia Babbitt thanked Council for considering eliminating the sale of single-use plastics. Additionally, she opposed a proposal for a large bike park on the former Hughes Stadium site and stated voters approved the site to remain as open space. Babbitt also questioned why the Election Code Committee is supportive of eliminating write-in candidates and of changing ranked choice voting, which was approved by voters, to ranked voting for the upcoming election.

Greg Zoda urged City leaders to recognize the Connexion Workers' Coalition.

Jonah Salehi urged City leaders to recognize the Connexion Workers' Coalition and spoke in support of placing an item on the ballot similar to Denver's 2U measure.

Public comment concluded at 6:36 p.m.

H) PUBLIC COMMENT FOLLOW-UP

Councilmember Pignataro stated the Election Code Committee has been discussing ranked choice voting versus ranked voting, though they are essentially the same. Additionally, she discussed the election oversight review board that had been requested several times by the public and noted this will be discussed at a future Election Code Committee meeting. She also stated Item No. 5, *Second Reading of Ordinance No. 013, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Adopt Requirements to Reduce Plastic Pollution and to Update and Reenact the City's Disposable Bag Ordinance*, simply places Fort Collins in alignment with the State regulations.

Councilmember Pignataro stated the opt out trash fee is not a kickback to the City but pays for the administration of the program at the City.

Councilmember Potyondy asked the City Manager to clarify the ballot initiative related to the Hughes Stadium property. City Manager DiMartino confirmed the initiative labeled the site as Public Open Lands, not open space, and many uses would be allowed.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

None.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the February 4, 2025 Regular meeting.

The purpose of this item is to approve the minutes of the February 4, 2025 Regular meeting.

Approved.

2. Second Reading of Ordinance No. 010, 2025, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund for Eligible Reimbursement to the Mulberry Metropolitan Districts No. 1– 6, Bloom Filing One Development for Construction of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road Improvements.

This Ordinance, unanimously adopted on First Reading on February 4, 2025, appropriates \$2,069,417 of Transportation Capital Expansion Fee (TCEF) Funds for expenditure from the Transportation Capital Expansion Fee Program Budget to reimburse the Bloom Filing One developer's combined metro district, Mulberry Metropolitan District Nos. 1-6 (Developer), for its funding of the oversizing construction of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road. As part of the Bloom Filing One development plans and development agreement and permitted for construction under the Development Construction Permit, the Developer has constructed to City standards Greenfields Drive and International

Boulevard, each as a two-lane arterial street, and Sykes Drive, Donella Drive, and Delozier Road as collector streets. Per Section 24-112 of the City Code, the Developer is eligible for reimbursement from TCEF funds for the oversized, non-local portion of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road, not attributed to the local portion obligation.

Adopted on Second Reading.

3. **Second Reading of Ordinance No. 011, 2025, Making a 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 February 4, 2025, supports the Fort Collins Police Services' Property Crimes Unit by appropriating \$80,790 of unanticipated grant revenue awarded by the Colorado State Patrol.

In December 2024 the Colorado State Patrol awarded Fort Collins Police Services \$80,790 in capacity as a partner agency of the Beat Auto Theft Through Law Enforcement (BATTLE) Task Force. The \$80,790 award is under the BATTLE program's FY25 cycle as provided in the BATTLE Grant Award Letter. These state funds will be used for purchase of a vehicle and equipment to support multiagency and multijurisdictional BATTLE operations to identify, interdict, investigate, enforce, and prosecute motor vehicle theft-related crimes.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 012, 2025, Making Supplemental Appropriations from the Colorado Department of Transportation Congestion Mitigation and Air Quality Grant and Authorizing Transfers from the Conservation Trust Fund for the Power Trail and Harmony Grade Separated Crossing Project.**

This Ordinance, unanimously adopted on First Reading on February 4, 2025, enables the City to receive and expend federal pass-thru funds for the Power Trail and Harmony Grade Separated Crossing Project (the Project). The funds will be used for construction of a pedestrian and bicycle underpass located approximately 500 feet west of the intersection of Harmony Road and Union Pacific Railroad. If approved this item will appropriate \$3,239,300 of Congestion Mitigation and Air Quality (CMAQ) grant funds for the Project. Additionally, this item will transfer \$1,600,000 in Conservation Trust Funds to the Capital Project Fund for the Project

Previously appropriated funds will be used for local match requirements.

Adopted on Second Reading.

5. **Second Reading of Ordinance No. 013, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Adopt Requirements to Reduce Plastic Pollution and to Update and Reenact the City's Disposable Bag Ordinance.**

This Ordinance, unanimously adopted on First Reading on February 4, 2025, amends municipal code to be consistent with the state's Plastic Pollution Reduction Act (PPRA), in effect on January 1, 2024, that prohibits stores from providing single-use plastic carryout bags and retail food establishments from distributing expanded polystyrene containers. Updating the code to include a new Article XIV, Regulation of Disposable Bags and Mitigation of Other Sources of Single Use Plastic Pollution, and sunsetting the City's existing Disposable Bag Ordinance will expand enforcement against the distribution of plastic carryout bags and establishes enforcement on the ban of expanded polystyrene foam cups and food containers. Additionally, the Code revisions will

provide the City Council with the opportunity to enact more stringent policies aimed at reducing single-use plastics within Fort Collins.

Adopted on Second Reading.

6. Items Relating to the 2025 City Classified Employee Pay Plan as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

A. Second Reading of Ordinance No. 014, 2025, Adopting the 2025 Amended City Classified Employee Pay Plan to Update Classified Positions as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

B. Second Reading of Ordinance No. 015, 2025, Appropriating Prior Year Reserves in the General Fund for the Cost of Police Services Salary and Benefit Increases as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

These Ordinances, unanimously adopted on First Reading on February 4, 2025, adopt changes to the 2025 City Classified Employee Pay Plan based on an annual market analysis conducted as agreed upon through the 2025-2027 Collective Bargaining Agreement (the "Agreement") with the Northern Colorado Lodge #3 of the Fraternal Order of Police ("FOP"). The Agreement was approved by Council by Resolution on December 3, 2024. The Agreement specifies a salary data collection method and evaluation process that includes market data as of early January. This data has been collected and analyzed, resulting in the revised 2025 City Classified Employee Pay Plan.

After First Reading, Exhibit A to the Ordinance has been amended to reflect a new salary for Police Sergeant Step 1 to mitigate compression. An updated version with the salary highlighted is attached to this AIS. A clean version of the Exhibit is attached to the Ordinance for Second Reading.

Adopted on Second Reading.

7. Second Reading of Ordinance No. 016, 2025, Authorizing the Conveyance of a Permanent Non-Exclusive Utility Easement on Property Jointly Owned by the City of Fort Collins and the City of Loveland at the Northern Colorado Regional Airport to the Fort Collins-Loveland Water District.

This Ordinance, unanimously adopted on First Reading on February 4, 2025, authorizes a permanent, non-exclusive utility easement over a portion of Northern Colorado Regional Airport property to allow for the installation and maintenance of a waterline to serve the Fort Collins-Loveland Water District's (the "District") public water system. The project will improve reliability and redundancy of the water system that serves the Airport and surrounding area. The Airport will receive fair market value compensation for the easement.

Adopted on Second Reading.

8. First Reading of Ordinance No. 018, 2025, Appropriating Prior Year Reserves and Unanticipated Philanthropic Revenue Received by City Give for Various Programs and Services as Designated by the Donors.

The purpose of this item is to request an appropriation of \$88,371.82 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.

Adopted on First Reading.

9. **First Reading of Ordinance No. 019, 2025, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Fort Collins Public Safety Services as Designated by the Donor.**

The purpose of this item is to request an appropriation of \$450,000 in philanthropic revenue received by City Give from the Woodward Charitable Trust per the donor's designated purpose.

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.

Adopted on First Reading.

10. **First Reading of Ordinance No. 020, 2025, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Immigration Legal Fund, Neighborhood Services as Designated by the Donor.**

The purpose of this item is to request an appropriation of \$100,000 in philanthropic revenue received by City Give from the Colorado Health Foundation for the designated purpose of the Immigration Legal Fund.

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.

Adopted on First Reading.

11. **First Reading of Ordinance No. 021, 2025, Appropriating Prior Year Reserves of a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Pedestrian Intersection Improvements Project and Related Art in Public Places.**

The purpose of this item is to appropriate a development contribution to construction from the developer of The Standard at Fort Collins to the Pedestrian Intersection Improvements project (Project). The funds will be used for design and construction of pedestrian crossing improvements at West Prospect Road and Prospect Lane. If approved, this item will 1) appropriate \$20,000 received in 2018 as a development contribution to construction by an adjacent development and 2) appropriate \$200 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

Adopted on First Reading.

12. **First Reading of Ordinance No. 022, 2025, Making a Supplemental Appropriation of a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Willow Street Improvements – Linden Street to Lincoln Avenue Project and Related Art in Public Places.**

The purpose of this item is to appropriate a development contribution to construction from the developer of the Bas Bleu Development to the Willow Street Improvements – Linden Street to Lincoln Avenue capital project (Project). The funds will be used for design services. If approved, this item will 1) appropriate \$29,545 received in 2025 as a development contribution to construction by an adjacent development and 2) appropriate \$295 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

Adopted on First Reading.

13. **First Reading of Ordinance No. 023, 2025, Making Supplemental Appropriations and Appropriating Prior Year Reserves and Authorizing Transfers for the College Avenue - Trilby Road Intersection Improvements Project and Related Art in Public Places.**

The purpose of this item is to provide supplemental appropriations for the College Avenue - Trilby Road Intersection Improvements Project (Project). The funds will be used for construction of improvements at the intersection of South College Avenue and Trilby Road. If approved this item will: 1) appropriate \$1,294,934 from the Stormwater Reserves fund; 2) appropriate \$1,139,824 from Fort Collins-Loveland Water District (FCLWD) funds; 3) appropriate \$28,838 South Fort Collins Sanitation District (SFCSD) funds; 4) appropriate the unanticipated revenues from the sale of real property at 945 East Prospect Road; 5) transfer \$1,600,000 in Community Capital Improvement Program (CCIP) Arterial Intersection Improvements funds; 6) transfer \$246,503 from the Suniga Improvements project; 7) appropriate \$265,393 in Transportation Capital Expansion Fee (TCEF) reserve funds; and 8) appropriate \$30,789 (1% of additional funding) from the Project to the Art in Public Places (APP) program.

Adopted on First Reading.

14. **First Reading of Ordinance No. 024, 2025, Authorizing Transfers of Appropriations from the Laporte Avenue Bridges Project to the Laporte Avenue Multimodal Improvements Project.**

The purpose of this item is to transfer funding from the Laporte Avenue Bridges project (Bridges) to the Laporte Avenue Multimodal Improvements project (Project). If approved this item will transfer the remaining \$165,075 from the Bridges to the Project.

Adopted on First Reading.

15. **First Reading of Ordinance No. 025, 2025, Removing a Condition on the Zoning Classification and Amending the Zoning Map of the City of Fort Collins for that Certain Property Known as the Second Fischer Rezoning.**

The purpose of this item is to remove the condition on the zoning of these two parcels, which condition was part of a 2020 rezoning into the current zone district.

This is a request to rezone 1185 and 1201 Westward Drive to remain in the current zone district, but to remove a previously approved condition for a specific parking requirement in potential future development. Such a condition is currently in place upon the zoning.

Adopted on First Reading.

16. **First Reading of Ordinance No. 026, 2025, Declaring Certain City-Owned Property at Pelican Marsh Natural Areas as Public Right-of-Way.**

The purpose of this item is to declare approximately 0.073 acres of Pelican Marsh Natural Area as road right of way (ROW).

The City would construct road and intersection improvements, utility relocations, and fully signalize the intersection of U.S. 287 and Triangle Drive. The project would also install northbound left and southbound right turn lanes on Triangle Drive, and Americans with Disabilities Act (ADA) accessible sidewalk connections to provide multimodal connectivity for bicyclists and pedestrians linking the Ridgewood Hills and Shenandoah neighborhoods west of U.S. 287 to the Lakeview on the Rise Subdivision east of U.S. 287.

Withdrawn from Consideration.

17. Items Relating to the Heritage Annexation.

A. Resolution 2025-011 Setting Forth Findings of Fact and Determinations Regarding the Heritage Annexation.

B. Public Hearing and First Reading of Ordinance No. 027, 2025, Annexing the Property Known as the Heritage Annexation to the City of Fort Collins, Colorado.

The purpose of this item is to annex a 24.84-acre property located northeast of the intersection of International Boulevard and Mexico Way. The Initiating Resolution was adopted on January 7, 2025. A related item to zone the annexed property is presented as the next item on this Agenda.

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

Resolution Adopted.

Ordinance Adopted on First Reading.

18. Public Hearing and First Reading of Ordinance No. 028, 2025, Amending the Zoning Map of the City of Fort Collins, Classifying for Zoning Purposes the Property Included in the Heritage Annexation to the City of Fort Collins, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and the Lighting Context Area Map.

The purpose of this item is to zone the property included in the Heritage Annexation into the Employment (E) zone district and place the property into the appropriate Non-residential Sign District and the LC1 Lighting Context Area.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 2(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2024-148.

Adopted on First Reading.

19. Resolution 2025-012 Adopting Amendments to the City's Financial Management Policies.

The purpose of this item is to update six of the internal Financial Management Policies:

Financial Management Policy 1 – Budget

Financial Management Policy 2 – Revenue

Financial Management Policy 3 – General

Financial Management Policy 5 – Fund Balance

Financial Management Policy 7 – Debt

Financial Management Policy 8 – Investments

Once a year a portion of Financial Policies are reviewed and updated as needed. Policies were reviewed in Council Finance Committee and accepted with minor edits as notated as redlines in attached policies and summarized in attached presentation. Staff is committed to reviewing each policy no less than every 3 years.

Adopted.

20. Resolution 2025-013 Approving Fort Fund Special Event Grant Disbursements.

The purpose of this item is to approve Fort Fund grants from the Cultural Development and Programming Account and the Tourism Programming Account for the selected community events in the Special Event Grant – January Deadline category, based upon the recommendations of the Cultural Resources Board.

Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-20, minus 16, on the Consent Calendar.

The motion carried 7-0.

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

Councilmember Potyondy stated she is excited for the Triangle Drive and College Avenue signal coming forward.

Councilmember Ohlson asked if Item No. 12, *First Reading of Ordinance No. 022, 2025, Making a Supplemental Appropriation of a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Willow Street Improvements – Linden Street to Lincoln Avenue Project and Related Art in Public Places*, is the same project that was not placed near the top of the priority list for the 2025 capital projects ballot measure. Dana Hornkohl, Engineering Capital Projects Manager, replied in the affirmative. Councilmember Ohlson requested some additional information regarding the prioritization effort prior to Second Reading.

Councilmember Ohlson expressed concern about the way the ordinance for Item No. 15, *First Reading of Ordinance No. 025, 2025, Removing a Condition on the Zoning Classification and Amending the Zoning Map of the City of Fort Collins for that Certain Property Known as the Second Fischer Rezoning*, is written related to parking and stated the original parking condition was not voluntary, but was a requirement.

L) STAFF REPORTS

None.

M) COUNCILMEMBER REPORTS

Councilmember Susan Gutowsky

- Thanked the Lions Club for decades of work in the community and commented on attending the Years of Service Luncheon during which awards were presented to members.

Mayor Jeni Arndt

- Commended Bike to Work Day efforts.

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

None.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

21. Items Relating to Election Code Changes.

A. First Reading of Ordinance No. 029, 2025, Amending 7-145 of the Code of the City of Fort Collins to Clarify and Revise the Process for Enforcement of Campaign Violations.

B. First Reading of Ordinance No. 030, 2025, Amending Article V of Chapter 7 of the Code of the City of Fort Collins to Clarify and Revise the Restrictions and Requirements Related to Campaign Contributions in City Elections.

C. First Reading of Ordinance No. 031, 2025, Amending Section 7-103 of the Code of the City of Fort Collins to Remove Write-In Candidates in City Elections.

D. First Reading of Ordinance No. 032, 2025, Amending Section 7-165 of the Code of the City of Fort Collins to Clarify and Revise the Requirements for Petition Circulators.

E. First Reading of Ordinance No. 033, 2025, Amending Chapter 7 of the Code of the City of Fort Collins to Update Various Sections Related to City Elections for Consistency with the City Charter and Within Chapter 7.

In 2015, Council formed an ad hoc committee (Election Code Committee) to review, discuss and recommend the most beneficial changes to the Code and City Charter regarding elections and other related matters. The ad hoc committee was changed to a standing committee in January 2017 for the purpose of identifying and evaluating ideas for improvements to City election laws and practices and anticipating adjustments that may be needed to adapt to a changing legal and technological environment. These items are coming forward for Council consideration based on recommendations by that Committee.

STAFF PRESENTATION

Cecilia Good, Senior Deputy City Clerk, stated the Election Code Committee outlined several priorities during its meetings since March of 2024, and this item provides the Committee's ultimate recommendations for certain Code changes. Good and Sara Arfmann, Assistant City Attorney, outlined the ordinances and proposed associated changes, including changes related to the enforcement of campaign violations, clarifications and revisions to the restrictions and requirements related to campaign contributions, the removal of write-in candidates, clarifications and revisions to the requirements for petition circulators to remove the requirement for circulators to read an entire petition upon request while still ensuring reasonable accommodations, and changes related to ensuring consistency with the City Charter.

PUBLIC COMMENT

Rich Stave questioned why the removal of write-in candidates is necessary and stated the democratic process should allow more flexibility than is being created with some of the changes. He also questioned why the City Clerk is not an elected position given the level of responsibility associated with it.

Robbie Moreland questioned the absence of the formation of an election oversight function that operates independent of the City Clerk's Office, City Attorney's Office, and Council, stating the topic has been raised in Election Code Committee meetings back as far as 2017. She stated the only option for individuals who believe there are accounting errors in a candidate's campaign is to file a complaint, and the majority of the time, the explanation given for dismissal of an election complaint does not clearly explain why it was dismissed.

Marge Norskog stated the proposed changes need to be amended to include expert independent election oversight rather than continuing to rely on citizen complaints.

Greg Zoda suggested the City begin looking into partial public funding for elections.

COUNCIL DISCUSSION

Mayor Arndt suggested Council address each Ordinance separately.

A. First Reading of Ordinance No. 029, 2025, Amending 7-145 of the Code of the City of Fort Collins to Clarify and Revise the Process for Enforcement of Campaign Violations.

Councilmember Pignataro noted there will be a new type of sensical statement as to why a violation was dismissed.

Councilmember Ohlson asked if there are penalties for more egregious violations beyond fines. Arfmann replied this process is focused on civil infractions, which are relatively minor; however, criminal complaints are possible and those would be processed in the court system. City Attorney Daggett noted there is a Charter provision that provides that any person convicted of an election-related criminal offense is disqualified from their office and is restricted from running again for a two-year period.

Councilmember Pignataro noted the Election Code Committee is still discussing options for an election oversight committee.

Councilmember Gutowsky requested clarification regarding the steps in the campaign complaint process. Arfmann outlined the steps in the process and options for the person in violation to pay fines and provide evidence of a cure.

Mayor Pro Tem Francis thanked the Election Code Committee for working through this issue and providing a clearer process for addressing violations.

Mayor Arndt spoke in support of the proposed changes for this ordinance and noted the election oversight function will continue to be discussed and could be brought up under Other Business.

Councilmember Ohlson expressed support for expert election oversight.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Ordinance No. 029, 2025, Amending 7-145 of the Code of the City of Fort Collins to Clarify and Revise the Process for Enforcement of Campaign Violations.

The motion carried 7-0.

B. First Reading of Ordinance No. 030, 2025, Amending Article V of Chapter 7 of the Code of the City of Fort Collins to Clarify and Revise the Restrictions and Requirements Related to Campaign Contributions in City Elections.

Councilmember Potyondy asked when the current campaign contribution limits were established. Good replied they were established in 2000.

Councilmember Potyondy stated the proposed increase is appropriate, particularly given inflation and the cost of running a campaign.

Mayor Arndt noted the proposed increase is actually less than inflation.

Councilmember Ohlson stated he would support the change and stated it is fair and logical to update the amount based on inflation. He also encouraged the future examination of public funding of elections.

Councilmember Canonico thanked the Committee members for their support of this change and stated the members were very thoughtful in the amounts and proposal to maintain increases based on inflation.

Councilmember Pignataro noted public funding remains a topic for the Election Code Committee and requested additional staff input regarding ranked choice versus ranked voting. Arfmann replied the two are the same.

Mayor Pro Tem Francis made a motion, seconded by Councilmember Gutowsky, to adopt Ordinance No. 030, 2025, Amending Article V of Chapter 7 of the Code of the City of Fort Collins to Clarify and Revise the Restrictions and Requirements Related to Campaign Contributions in City Elections with an amendment substituting in Section 2 of the Ordinance which amends Code Section 7-135(a) for Denver/Aurora/Lakewood in the place of Denver/Boulder/Greeley, on First Reading.

The motion carried 7-0.

C. First Reading of Ordinance No. 031, 2025, Amending Section 7-103 of the Code of the City of Fort Collins to Remove Write-In Candidates in City Elections.

Mayor Pro Tem Francis asked whether there has been a write-in blank option in all previous elections. Arfmann replied that would only occur if someone had filed an affidavit to be a write-in candidate.

Councilmember Pignataro noted Code changes can be voted upon by Council; however, Charter changes must go to a ballot. She expressed concern that if a write-in candidate ever won, that could be challenged in Court based on the Charter language, thereby forcing that winning candidate to step down.

Mayor Arndt noted the institution of ranked choice voting would also make the implementation of write-in candidates on blank lines very difficult. She noted there is a low bar to become an actual candidate.

Councilmember Ohlson stated he would not be supporting this item as his preference would be to make a Charter change first.

Councilmember Gutowsky also stated she would not be supporting this item as she would like voters to be able to choose something other than what is presented.

Councilmember Potyondy reiterated there are only 25 signatures required for someone to become an actual candidate and also noted Council could vote to make another change to the Code in the future.

Mayor Pro Tem Francis made a motion, seconded by Councilmember Pignataro, to adopt Ordinance No. 031, 2025, Amending Section 7-103 of the Code of the City of Fort Collins to Remove Write-In Candidates in City Elections, on First Reading.

The motion carried 5-2.

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

Nays: Councilmembers Ohlson and Gutowsky.

D. *First Reading of Ordinance No. 032, 2025, Amending Section 7-165 of the Code of the City of Fort Collins to Clarify and Revise the Requirements for Petition Circulators.*

Mayor Pro Tem Francis made a motion, seconded by Councilmember Pignataro, to adopt Ordinance No. 032, 2025, Amending Section 7-165 of the Code of the City of Fort Collins to Clarify and Revise the Requirements for Petition Circulators, on First Reading.

The motion carried 7-0.

E. *First Reading of Ordinance No. 033, 2025, Amending Chapter 7 of the Code of the City of Fort Collins to Update Various Sections Related to City Elections for Consistency with the City Charter and Within Chapter 7.*

Mayor Pro Tem Francis thanked the Election Code Committee for its work. Mayor Arndt concurred.

Mayor Pro Tem Francis made a motion, seconded by Councilmember Gutowsky, to adopt Ordinance No. 033, 2025, Amending Chapter 7 of the Code of the City of Fort Collins to Update Various Sections Related to City Elections for Consistency with the City Charter and Within Chapter 7, on First Reading.

The motion carried 7-0.

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.)

Councilmember Ohlson noted issues related to animal welfare, both domestic and wild, have been important to this Council. He requested and received support to ask the City Manager to explore improvements to the City's fencing policies to make them safer and more wildlife friendly.

Mayor Arndt requested and received support for further investigation into the formation of a formalized campaign oversight board.

Q) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:46 p.m.

ATTEST:

Senior Deputy City Clerk

Mayor

