



City Council Regular Meeting Agenda

May 6, 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

- PP 1. **Declaring the Week of May 11-17, 2025 as National Police Week.**
- PP 2. **Declaring the Week of May 12-17, 2025 as Armed Forces Week.**
- PP 3. **Declaring the Week of May 4-10, 2025 as Small Business Week.**
- PP 4. **Declaring the Month of May 2025 as Wildfire Awareness Month.**

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

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 April 15, 2025 Regular meeting.**

The purpose of this item is to approve the minutes of the April 15, 2025 Regular meeting.

Approved.

2. **Second Reading of Ordinance No. 070, 2025, Modifying Ordinance No. 023, 2025 with Regard to Fund Identification for College Avenue-Trilby Road Capital Improvements.**

This Ordinance, unanimously adopted on First Reading on April 15, 2025, modifies a previous appropriation to expense the Stormwater Utility's share of the capital project in the Storm Drainage Fund, as opposed to transferring stormwater funds to the Capital Project Fund as detailed in Ordinance No. 023, 2025.

Adopted on Second Reading.

3. **Second Reading of Ordinance No. 071, 2025, Appropriating Prior Year Reserves in the General Fund for Cultural Development and Programming Activities, Tourism Programming, and Convention and Visitor Program Services.**

This Ordinance, unanimously adopted on First Reading on April 15, 2025, appropriates \$424,224, of which \$296,957 is proposed for Convention and Visitors Bureau, \$106,056 is proposed for Cultural Development and Programming Activities (Fort Fund), and \$21,211 is proposed for Tourism Programming (Fort Fund) all from unanticipated 2024 Lodging Tax revenue collections.

Lodging taxes are annually collected by the City for Cultural Development and Tourism programming activities. Anticipated revenue is projected through each Budgeting for Outcomes (BFO) cycle and then adjusted annually as needed based on final actual collections. For 2024, total Lodging tax revenues collected came in \$424,224 above projected collections.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 072, 2025, Appropriating Prior Year Reserves in the Natural Areas Fund and the Sales and Use Tax Fund for the Purpose of Land Conservation, Visitor Amenities, Restoration and Other Related Natural Areas Stewardship Activities not included in the 2025 Adopted City Budget.**

This Ordinance, unanimously adopted on First Reading on April 15, 2025, appropriates \$6,066,078 in prior year reserves in the Natural Areas Fund and \$112,957 in prior year reserves in the Sales and Use Tax fund to be transferred to the Natural Areas Fund. These appropriations are for land conservation, visitor amenities and restoration of wildlife habitat, as well as other Natural Areas Department stewardship activities to benefit the residents of Fort Collins.

Adopted on Second Reading.

5. **Second Reading of Ordinance No. 073, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Oak Street Stormwater Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on April 15, 2025, appropriates an additional \$1,515,000 appropriation from the Stormwater Utility Reserve Fund to supplement the

existing appropriated budget, including \$15,000 for Art in Public Places. The Oak Street Stormwater Project is currently under construction and progressing as planned. The additional appropriation will fund remaining project support services as well as a minor contingency for unanticipated costs to complete the project.

An Art in Public Places contribution, per Code, has been added to the total project supplemental appropriation amount.

Adopted on Second Reading.

6. **First Reading of Ordinance No. 074, 2025, Appropriating Unanticipated Philanthropic Revenue, Appropriating Prior Year Reserves and Authorizing Transfer of Appropriations for Various Gifts Received Through City Give.**

The purpose of this item is to request an appropriation of \$42,325 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.

7. **First Reading of Ordinance No. 075, 2025, Making a Supplemental Appropriation of Colorado Department of Transportation Colorado Highway Safety Office Click It or Ticket Grant Funds for the Fort Collins Police Services Traffic Enforcement Unit.**

The purpose of this item is to appropriate \$20,000 of unplanned revenue from the Colorado Department of Transportation (CDOT) for Police Services to conduct the Click It Or Ticket program.

Adopted on First Reading.

8. **Items Relating to the Nature-Based Solutions Plan and Stormwater Park Concept Plan Project.**

A. Resolution 2025-049 Authorizing the Execution of an Intergovernmental Grant Agreement Between the City of Fort Collins and the Colorado Department of Public Safety for the Nature-Based Solutions Plan and Stormwater Park Concept Plan Project.

B. First Reading of Ordinance No. 076, 2025, Making a Supplemental Appropriation of Federal Emergency Management Administration's Building Resilient Infrastructure and Communities Program Grant Funds and Authorizing Transfers for the Nature-Based Solutions Plan and Stormwater Park Concept Plan Project.

The purpose of these items is to enable the City to receive and expend federal funds for the Nature-Based Solutions Plan and Stormwater Park Concept Plan Project (Project). The Colorado Division of Homeland Security and Emergency Management, through the Colorado Department of Public Safety (CDPS), awarded the City of Fort Collins \$398,431 of unanticipated revenue to develop the Project. This award is part of the Federal Emergency Management Administration's (FEMA's) Building Resilient Infrastructure and Communities (BRIC) 2023 program, with the \$398,431 awarded to the City being federal funds. The City has a required cost share of \$245,641 that will be met through City staff time. City staff time will be used through the life of the grant funded Project, from 2025 through October 23, 2027. Based on City staff time being part of annual

ongoing fund budgets, the City will utilize budgets as appropriated by City Council each annual fiscal year associated with such City staff time to meet the required cost share requirement of this grant.

Grant funds will enable the City in developing plans to support developers who seek to utilize nature-based solutions and natural habitat design standards in their neighborhood developments in Fort Collins. The purpose of this item is to support development of the Project by:

- Appropriating \$398,431 of unanticipated revenue awarded through FEMA's BRIC program;
- Utilizing matching funds in the amount of \$85,378 from existing 2025 appropriations in the Community Development and Neighborhood Services operating budget in the General fund into this grant Project for staff time;
- Utilizing matching funds in the amount of \$11,841 from existing 2025 appropriations in the Stormwater Engineering operating budget in the Stormwater fund into this grant Project for staff time.
- Utilizing matching funds in the amount of \$5,957 from existing 2025 appropriations in the Communications and Public Involvement operating budget in the General Fund into this grant Project for staff time.

This item authorizes the Mayor to accept the grant funds and to commit the City to comply with the terms and conditions of the intergovernmental grant agreement.

Resolution Adopted.

Ordinance Adopted on First Reading.

9. **First Reading of Ordinance No. 077, 2025, Replacing Ordinance No. 040, 2025, and Approving the Intergovernmental Agreement Between the City of Fort Collins and the Fort Collins, Colorado, Downtown Development Authority Governing the Use of a Line of Credit for the Financing of Downtown Development Authority Projects and Programs and Delegating to the Downtown Development Authority Thereunder the Power to Incur Debt in Relation Thereto as Authorized by State Law.**

The purpose of this item is to approve an ordinance to authorize the Mayor to sign an intergovernmental agreement between the City and Downtown Development Authority (DDA) that will govern the processes for administering a line of credit for financing DDA projects and programs for a six-year term from 2025 through 2030 and a maximum pre-draw limit of \$5 million. **This item was previously approved by Ordinance No. 040, 2025; however, the Exhibits A, B, and C-1 to C-5 attached to and part of the intergovernmental agreement were not included in the meeting packet on March 18, 2025, for the second reading of the Ordinance. The only changes on this item for its approval and replacement of Ordinance No. 040, 2025, other than updating the dates, are the inclusion of the intergovernmental agreement attachments.**

The current Line of Credit (LOC) established in 2012 and renewed in 2018 by the City on behalf of the DDA expired at the end of 2024. The City and DDA began taking steps in early 2024 to renew this debt instrument with First National Bank of Omaha (FNBO) for another six-year term, as it will be needed by the DDA to execute its projects and programs beginning in budget year 2025 and continuing through 2030. The renewal of the bank authorized Line of Credit is needed by the DDA to satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II).

On November 6, 2024, the Council Finance Committee reviewed the purpose and approach for bringing forth a third IGA to accommodate the DDA's authorization to use a Line of Credit and

satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II). The Council Finance Committee was supportive of advancement of the IGA to Council.

On February 13, 2025, the DDA Board adopted Resolution 2025-02 authorizing the DDA's approval of the IGA and the line of credit promissory note from First National Bank of Omaha. The IGA is now advanced to Council and pursuant to the DDA Act requires adoption by ordinance.

Adopted on First Reading.

10. **Resolution 2025-050 Authorizing the Mayor to Execute a License Agreement with BNSF Railway Company for Railroad Crossing Signal Equipment within the Public Right-of-Way for North Timberline Road.**

The purpose of this item is to authorize the execution of a License Agreement (the "License Agreement") for Railroad Signal Equipment covering 600 square feet (the "License Area") located within the boundaries of North Timberline Road at the intersection of Timberline and Vine for BNSF Railway Company to install and operate railroad crossing signal equipment, controls, and related infrastructure.

Resolution Adopted.

11. **Resolution 2025-051 Supporting the City's Renewal as a Certified Bird City.**

The purpose of this item is to renew Fort Collins' designation as a Bird City. Renewal requires a Council resolution, a public celebration of World Migratory Bird Day, and a submission of an updated application documenting the City's actions to support bird populations.

Resolution Adopted.

12. **Resolution 2025-052 Concerning the Fort Collins Urban Renewal Authority and its Tax Increment Revenue Refunding and Improvement Bonds (North College Tax Increment Urban Renewal Area), Series 2025; Declaring the City Council's Present Intent to Appropriate Funds to Replenish the Reserve Fund Securing Such Bonds, if Necessary; and Authorizing a Cooperation Agreement and Other Actions Taken in Connection Therewith.**

The purpose of this item is for the Council to consider a Replenishment Resolution, which both provides a "Moral Obligation Pledge" to the Fort Collins Urban Renewal Authority (the "Authority") and approves a Cooperation Agreement between the City and Authority in connection with the revenue bond issuance approved by the URA Board at its April 24, 2025, meeting.

The Authority will be issuing additional bonds against the North College projected tax increment revenues. The bond proceeds will be used to fund the acquisition of blighted properties, support blight remediation through redevelopment of the same properties, and invest in additional public infrastructure. All proceeds will be expended by direction and with the approval of the Authority board. As part of this bond issuance, the Authority is seeking a "Moral Obligation Pledge" from the City of Fort Collins (the "City"). The pledge would result in improved bond ratings and reduced debt service costs to the Authority.

Resolution Adopted.

13. Items Relating to Phase 2 of the Michigan Ditch Pre-Fire Mitigation Project (Grant Award and Services Agreement).

A. Resolution 2025-053 Authorizing the City Manager to Accept Grant Funds for Phase 2 of the Michigan Ditch Pre-Fire Mitigation Project.

B. Resolution 2025-054 Authorizing the City Manager to Enter into an Agreement with the Colorado State Forest Service for Phase 2 of the Michigan Ditch Pre-Fire Mitigation Project.

The purpose of these items is for Council to authorize the City Manager to: 1) accept grant funds awarded in a grant award letter from the State of Colorado, Department of Natural Resources, through Colorado Department of Natural Resource's Colorado Strategic Wildfire Action Program ("COSWAP") ("Grant Award Letter") and; 2) enter into an agreement with the Colorado State Forest Service ("CSFS") to perform certain forest health and pre-fire mitigation work ("Services Agreement").

Both Resolutions Adopted.

14. Resolution 2025-055 Supporting the Grant Application for Funding for Front Range Passenger Rail Project Planning.

The purpose of this item is to obtain support for the City in applying for funding under the Colorado Department of Local Affairs Energy and Mineral Impact Assistance Fund program.

Resolution Adopted.

15. Resolution 2025-056 Making an Appointment to the Board of Directors of Housing Catalyst.

The purpose of this item is to fill one vacancy on the Board of Directors of Housing Catalyst that has existed since December 31, 2024.

Resolution Adopted.

END OF CONSENT CALENDAR

J) ADOPTION OF CONSENT CALENDAR

Adopted.

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 for individual consideration.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION - None Planned.

P) RESUMED PUBLIC COMMENT (if applicable)

Q) OTHER BUSINESS

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

OB 2. **Consideration of a motion to go into Executive Session:**

"I move that City Council go into executive session:

1. to consider matters pertaining to issues of competition in providing telecommunication facilities and services, including matters subject to negotiation, strategic plan, price, sales and marketing, development phasing and any other related matters allowed under Colorado Law, as permitted under Article Twelve, Section 7(d) of the City Charter and Section 2-31(a)(5) of the City Code; and

~~2. to discuss with the City's attorneys and appropriate management staff specific legal questions related to the Comcast franchise and the manner in which the Comcast franchise may be affected by existing or proposed provisions of federal, state or local law, as permitted under Article Two, Section 11(2) of the City Charter, Section 2-31(a)(2) of the City Code and Colorado Revised Statutes Section 24-6-402(4)(b)."~~

Motion Approved.

R) ADJOURNMENT – 6:45 p.m.