



# City Council Regular Meeting Agenda

**May 20, 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 18-24, 2025 as EMS Week
- PP 2. Declaring the Week of May 25-31, 2025 as Flood Awareness Week
- PP 3. Declaring the Month of May 2025 as Asian, Pacific Islander, Desi American and Native Hawaiians Heritage 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 May 6, 2025 Regular meeting.**

The purpose of this item is to approve the minutes of the May 6, 2025 Regular meeting.

**Approved.**

2. **Second 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.**

This Ordinance, unanimously adopted on First Reading on May 6, 2025, requests 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 Second Reading.**

3. **Second 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.**

This Ordinance, unanimously adopted on First Reading on May 6, 2025, appropriates \$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 Second Reading.**

4. **Second 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.**

This Ordinance, unanimously adopted on First Reading on May 6, 2025, enables 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.

**Adopted on Second Reading.**

5. **Second 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.**

This Ordinance, unanimously adopted on First Reading on May 6, 2025, approves 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 Second Reading.**

6. **First Reading of Ordinance No. 078, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for Broadband Buildout to Multi-Dwelling Units and Customer Installations and Related Art in Public Places and Modifying the Terms of Repayment for Prior Appropriations from the Light and Power Fund.**

The purpose of this item is to request appropriation of \$12 million of prior year reserves from the Light & Power Fund for use in Broadband's (herein referred to as "Connexion") efforts to continue new customer installations, including building out to multi-dwelling units (MDU's) and mobile home parks, and providing for asset management. These funds from Light & Power provide a significant portion of the total funding need over the next 4 years and will be reimbursed to the Light & Power Fund, including interest, from the cash flows generated by Connexion operations.

**Adopted on First Reading.**

7. **First Reading of Ordinance No. 079, 2025, Authorizing Transfers of Appropriations for the Shields Street Protected Infrastructure – Lake Street to Stuart Street Project and the Shields Street Separated Bike Lanes – Mulberry Street to Mountain Avenue Project.**

The purpose of this item is to transfer Active Modes Plan Implementation funding to the Shields Street Protected Infrastructure – Lake Street to Stuart Street and the Shields Street Separated Bike Lanes – Mulberry Street to Mountain Avenue capital projects.

**Adopted on First Reading.**

8. **First Reading of Ordinance No. 080, 2025, Making a Supplemental Appropriation of an Additional Award from the Colorado Auto Theft Prevention Authority Grant for the Fort Collins Police Services Property Crimes Unit.**

The purpose of this item is to appropriate \$19,011 of unanticipated revenue received from the Colorado State Patrol Department of Public Safety as a modification to the previously awarded FY 2025 BATTLE (Beat Auto Theft Through Law Enforcement) grant.

**Adopted on First Reading.**

9. **Items Relating to Civic Center Master Plan: Municipal Court Renovation & Parking Services Move.**

A. First Reading of Ordinance No. 081, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Parking Services Department Relocation Project and Related Art in Public Places

B. First Reading of Ordinance No. 082, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Municipal Court Expansion Project and Related Art in Public Places

The purpose of these items is to provide context for two related requested appropriations for projects in the Civic Center Master Plan. The first will expand City service capacity by moving Parking Services to the Civic Center Parking Structure in order to vacate space in the 215 North Mason Street building to allow for the expansion of the City Municipal Court. The second recommended appropriation provides initial construction costs for the expansion of the Municipal Court in the 215 North Mason Street building.

Appropriation recommendations:

- \$450,000 from reserves in the Parking Fund to the Capital Projects Fund for the relocation of Parking Services to the Civic Center Parking Structure
- \$400,000 from General Government Capital Expansion Fee reserves within the Capital Expansion Fund for the relocation of Parking Services as a condition precedent to the Municipal Court construction and expansion
- \$8,500 transfer from the Capital Projects Fund to the Art in Public Places Program in the Cultural Services & Facilities Fund for the relocation of Parking Services.
- \$4,300,000 from General Governmental Capital Expansion Fee reserves within the Capital Expansion Fund for the Municipal Court construction and expansion project
- \$43,000 transfer from the Capital Projects Fund to the Art in Public Places Program in the Cultural Services & Facilities Fund for the Municipal Court construction and expansion project.

**Both Ordinances Adopted on First Reading.**

**10. First Reading of Ordinance No. 083, 2025, Amending Sections 20-21 and 20-25 of the Code of the City of Fort Collins for the Purpose of Clarifying Exceptions to the Noise Ordinance for Agricultural Activities.**

The purpose of this item is to further clarify the alignment of the municipal noise ordinance with Colorado statutes relating to exceptions for agricultural operations.

**Adopted on First Reading.**

**11. First Reading of Ordinance No. 084, 2025, Designating as Non-Lapsing and Transferring the Prior Appropriation of Philanthropic Revenue Received Through City Give by Ordinance No. 055, 2025, for the Payment Assistance Fund.**

The purpose of this item is to request that the lapsing appropriation approved by Council on its passage of Ordinance No. 055, 2025, of \$443,600 in philanthropic revenue received through City Give, be designated by this Ordinance as non-lapsing. 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.**

**12. Items Relating to the Vine Drive and Jerome Street Intersection Improvements Project.**

A. Resolution 2025-057 Authorizing the Execution of an Intergovernmental Agreement Regarding a Grant of Funds for Improvements to the Intersection of Vine Drive and Jerome Street Between the City of Fort Collins and the Downtown Development Authority.

B. First Reading of Ordinance No. 085, 2025, Making Supplemental Appropriations and Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Vine Drive and Jerome Street Intersection Improvements Project and Related Art in Public Places.

The purpose of these items is to enable the City to receive and expend Downtown Development Authority (DDA) grant funds and Urban Renewal Authority (URA) funds for the Vine Drive and Jerome Street Intersection Improvements project (Project). The funds will be used for outreach, design, right-of-way acquisition, and construction for improvements at the intersection of Vine

Drive and Jerome Street. If approved, the items will: 1) authorize the Mayor to execute an Intergovernmental Agreement (IGA) for the Project with the DDA; 2) transfer \$135,200 of Community Capital Improvement Program (CCIP) Bicycle Program funds to the Project; 3) transfer \$67,756.77 of Community Capital Improvement Program (CCIP) Pedestrian Program funds to the Project; 4) appropriate \$293,076 in URA funds to the Project; 5) transfer \$146,472.87 in remaining 2050 Tax – Our Climate Future funds from previous appropriations to the Project; 6) appropriate \$144,000 of DDA grant funds to the Project; 7) appropriate \$4,283.34 in Transportation Capital Expansion Fee (TCEF) funds to the Project; 8) appropriate \$87.42 of Transportation Services Fund reserves to the Project; and 9) appropriate \$4,370.76 (1%) of the DDA grant and URA funds to the Art in Public Places (APP) program. The Conservation Trust Fund will contribute \$165,000 towards the Project as part of the 2026 annual budget process.

**Ordinance and Resolution Postponed to June 3 Council Meeting.**

**13. Resolution 2025-058 Approving Fort Fund 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 Program Support Grant – March Deadline category, based upon the recommendations of the Cultural Resources Board.

**Resolution Adopted.**

**END OF CONSENT CALENDAR**

**J) ADOPTION OF CONSENT CALENDAR**

**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**

**14. Second Reading of Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments.**

This Ordinance, unanimously adopted on First Reading on March 18, 2025, repeals the 2021 International Fire Code and adopts the 2024 International Fire Code (IFC) with local amendments. The International Code Council (ICC) publishes code updates every three years. The Poudre Fire Authority (PFA) Board of Directors has reviewed and approved this code package and is requesting the code be adopted as amended. **Staff is requesting that Council make the following motion to postpone Second Reading of this Ordinance to June 17, 2025, to allow**



**further time for the Building Review Commission to consider the proposed Code changes, as well as the proposed amendments attached to this AIS:**

**Motion:** “I move to postpone consideration of the Second Reading of Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments, to June 17, 2025.”

**Postponed to June 17 Council Meeting.**

**15. Public Hearing and Resolution 2025-059 Approving a First Amendment to the Amended and Restated Service Plan for Foothills Metropolitan District.**

Per the City’s Financial Management Policy 10 – Metro Districts (the “Policy”), authorized by Resolution 2021-045, the procedures for conducting a hearing on metropolitan district service plan or plan amendment will be in accordance with the Council’s adopted procedures and Section 3.K. of the Policy, which sets the order of the proceedings on such a public hearing as follows:

1. Announcement of item;
2. Consideration of any procedural issues;
3. Explanation of the application by City staff;
4. Presentation by the applicant;
5. Public testimony regarding the application;
6. Rebuttal testimony by the applicant;
7. Councilmember questions of City staff and the applicant; and
8. Motion, discussion and vote by City Council.

In 2012, the District was organized to redevelop the then existing Foothills Mall (approval of the formation of the District and its original Service Plan by City Council was by Resolution 2012-084). Council approved the current Amended and Restated Service Plan for the Foothills Metropolitan District (the “District”) on May 7, 2013 (Resolution 2013-044).

Since the District’s formation and redevelopment, some of the planned activation has been successful. However, several factors have affected the commercial leasing of all property, which has impacted the revenues dedicated for debt service payment. To address the underperforming aspects, MXD Fort Collins, LLC (the “Current Developer”) is currently designing a new redevelopment plan. The First Amendment supports this new approach to redevelopment by:

1. Increasing the maximum amount of debt the District can have outstanding.
2. Extending the length of the debt the District is allowed to incur and clarifying refunding.
3. Making other changes to ensure consistency with the new redevelopment plan.

The First Amendment expands the list of eligible improvements but does not expand the list of eligible improvements for which the City or the Fort Collins Urban Renewal Authority (the “Authority”) are obligated to participate in or contribute revenues to finance. This item is related to another item on the agenda, Resolution 2025-060, Approving a Development Agreement to Secure Public Benefits for Foothills Mall Redevelopment, which, if adopted, would approve a Public Benefits Agreement that would be effective upon the effective date of this Resolution 2025-059.

**Postponed to July 1 Council Meeting.**

**16. Resolution 2025-060 Approving the Development Agreement to Secure Public Benefits for the Foothills Mall Redevelopment.**

The purpose of this item is to seek approval of a Development Agreement to Secure Public Benefits for Foothills Mall Redevelopment. This item is related to another item on the agenda, Resolution 2025-059 Approving a First Amendment to the Amended and Restated Service Plan for Foothills Metropolitan District.

**Postponed to July 1 Council Meeting.**

**17. Items Relating to Motor Vehicle Noise.**

A. First Reading of Ordinance No. 086, 2025, Adopting Section 1418, Unreasonable Vehicle Noise Prohibited in the Fort Collins Traffic Code.

B. First Reading of Ordinance No. 087, 2025, Amending Section 17-129 of the Code of the City of Fort Collins to Remove all Reference to Traffic Noise.

C. First Reading of Ordinance No. 088, 2025, Amending Section 225 of the Fort Collins Traffic Code to Clarify the Different Types of Equipment Violations Related to Mufflers.

D. First Reading of Ordinance No. 089, 2025, Amending Section 1-15 of the Code of the City of Fort Collins to Allow Some Specified Traffic Violations to be Designated as a Misdemeanor Offense.

The purpose of these items is to present recommended changes to the City Code and Fort Collins Traffic Code to address enforcement of unreasonable noise in the city related to Motor Vehicles.

**Ordinance No. 086, 2025 Adopted on First Reading.**

**Ordinance No. 087, 2025 Adopted on First Reading.**

**Ordinance No. 088, 2025 Adopted on First Reading.**

**Ordinance No. 089, 2025 Adopted on First Reading.**

**18. First Reading of Ordinance No. 090, 2025 Amending Section 9-23 of the Code of the City of Fort Collins Regarding the Use of Fireworks.**

The purpose of this item is to present recommended changes to the Fort Collins City Code Section 9-23 to address enforcement for violations related to fireworks.

**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.**

OB 2. **Consideration of Motion for Executive Session for Legal Advice related to public employee associations:**

"I move that the City Council go into executive session pursuant to:

-City Charter Article Roman Numeral Two, Section 11(2),



-City Code Section 2-31(a)(2), and

-Colorado Revised Statutes Section 24-6-402 subsection (4)(b),

for the purpose of discussing with the City's attorneys and appropriate management staff specific legal questions related to public employee associations and the manner in which particular policies, practices or regulations of the City related to public employee associations may be affected by existing or proposed provisions of federal, state or local law."

**Motion Approved.**

**R) ADJOURNMENT – 10:23 p.m.**