



City Council Regular Meeting Agenda

September 2, 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 Month of September 2025 as National Preparedness Month.**
- PP 2. **Declaring the Month of September 2025 as Hunger Action Month.**

REGULAR MEETING 6:00 PM

Amended 9/1/25

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 August 12, 2025, Special Meeting and August 19, 2025, Regular meeting.**

The purpose of this item is to approve the minutes of the August 12, 2025, Special Meeting and the August 19, 2025, Regular meeting.

Approved.

2. **Second Reading of Ordinance No. 127, 2025, Appropriating Unanticipated Philanthropic Revenue Received Through City Give for Various Programs and Services as Designated by the Donors.**

This Ordinance, unanimously adopted on First Reading on August 19, 2025, recommends an appropriation of \$22,050 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. 128, 2025, Making Supplemental Appropriations and Appropriating Prior Year Reserves in the Water Utility Fund for the Lemay Water Line Replacement Project and to Supplement the 2025 Water Main Operating Budget and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on August 19, 2025, requests a supplemental appropriation of \$3,400,000 in the Water Utility Fund to fund the Lemay Water Line Replacement Project, and to supplement the 2025 water main operating budget, in addition to an appropriation of \$32,000 for Art in Public Places.

The Lemay Water Line Replacement Project is the result of unanticipated and continuous water leaks occurring since spring 2025. Based on the number and frequency of leaks, approximately \$200,000 has been spent to date on responding to leaks. Considering the condition of the water line and risk to City staff and the public, the water line needs to be replaced. The \$3,432,000 supplemental appropriation serves to: 1) supplement the 2025 water main repairs operating budget by \$200,000 for unanticipated costs incurred to respond to numerous leaks; 2) fund \$3,200,000 for design and construction of a new water line, as well as removal of the existing water line; and 3) contribute \$32,000 for Art in Public Places per Code.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 129, 2025, Appropriating Prior Year Reserves in the Wastewater Utility Fund for the Blower Replacement Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on August 19, 2025, requests additional appropriation of \$1,700,000 in the Wastewater Utility Fund to fund the Blower Replacement Project, in addition to appropriation of \$17,000 for Art in Public Places.

The Blower Replacement Project at the Drake Water Reclamation Facility (DWRF) has undergone design, up to sixty percent, for replacing two blowers. An additional \$1,700,000 from Wastewater Utility Fund reserves is needed to supplement the existing appropriated budget for preliminary design. The requested \$1,700,000 additional appropriation will fund final design and installation of both blowers, having a minor contingency to fund unanticipated costs for the blowers to be placed into service.

Adopted on Second Reading.

5. Second Reading of Ordinance No. 130, 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.

This Ordinance, unanimously adopted on First Reading on August 19, 2025, supports the Fort Collins Police Services' Property Crimes Unit by appropriating \$54,200 of unanticipated grant revenue awarded by the Colorado State Patrol Department of Public Safety.

In July 2025, the Colorado State Patrol awarded Fort Collins Police Services \$54,200 as a partner agency of the Beat Auto Theft Through Law Enforcement (BATTLE) Task Force. The \$54,200 award is under the BATTLE program's FY26 cycle. These state funds will be used for Police Services personnel overtime pay to support multiagency and multijurisdictional BATTLE operations to identify, interdict, investigate, enforce, and prosecute motor vehicle theft-related crimes.

Adopted on Second Reading.

6. Second Reading of Ordinance No. 131, 2025, Making Supplemental Appropriations of Grant Funds From Colorado Parks and Wildlife for the Soapstone Prairie Headwaters Restoration Project.

This Ordinance, unanimously adopted on First Reading on August 19, 2025, supports the Natural Areas Department ("NAD") in stream and wetland protection and restoration work at Soapstone Prairie Natural Area. The Soapstone Prairie Headwaters Stream Restoration Project aims to improve ecological function and habitat in a one-mile reach of stream and wetland complex at Soapstone Prairie Natural Area. Specifically, the project will:

- Improve hydrological function and biodiversity for a one-mile reach of stream/wetland complex.
- Create seven pools using beaver dam analog wood structures to support amphibian habitat.
- Incorporate a rest cycle from livestock grazing through wildlife-friendly fencing.
- Include Native and Indigenous community members in restoration planting activities.

NAD was awarded \$25,500 through the Colorado Parks and Wildlife ("CPW") Wetlands for Wildlife grant (Attachment 1). This grant funds the final phase of the project – adaptive management and monitoring activities – and follows completion of prior work including design, construction, and community engagement.

This ordinance will enable the Natural Areas Department to complete the Soapstone Prairie Headwaters Restoration Project and fulfill final monitoring and reporting obligations under the CPW grant.

Adopted on Second Reading.

7. **Second Reading of Ordinance No. 132, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Power Trail and Harmony Grade Separated Crossing Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on August 19, 2025, appropriates Transportation Capital Expansion Fee (TCEF) funds to the Power Trail and Harmony Grade Separated Crossing project (Project). The funds will be used for construction services. If approved, this item will: 1) appropriate \$1,500,000 in TCEF funds to the Project; and 2) appropriate \$15,000 (1%) of the TCEF funds to the Art in Public Places (APP) program.

Adopted on Second Reading.

8. **Second Reading of Ordinance No. 133, 2025, Making Supplemental Appropriations and Appropriating Prior Year Reserves for the Epic Pool Ice Center Chiller Replacement and Rink Renovation Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on August 19, 2025, appropriates \$2,000,000 from 2050 Parks & Recreation tax reserves and \$1,000,000 from the Recreation Fund reserves to replace the EPIC Ice Chiller system and modernize key rink infrastructure, including dasher boards, tempered safety glass, protective netting, painting and rink flooring.

Adopted on Second Reading.

9. **Second Reading of Ordinance No. 134, 2025, Authorizing the City of Fort Collins to Lease Real Property Adjacent to the Overland Electric Substation to Platte River Power Authority for a Battery Storage Project.**

This Ordinance, unanimously adopted on First Reading on August 19, 2025, approves a lease agreement between the City and Platte River Power Authority (PRPA) to lease 27,351 square feet of real property at 401 South Overland Trail within the existing site parcel. The agreement, which will require only a nominal annual rental payment by Platte River, allows the parties to evaluate the feasibility of the project and, pending successful analysis, proceed with the installation and operation of a 5MW/20MWh utility-side system connected to Light & Power's distribution system. Platte River and Light & Power are collaborating on this project as part of their commitment to a non-carbon future and a reliable electric grid, with energy storage playing a crucial role in achieving those goals.

Adopted on Second Reading.

10. Second Reading of Ordinance No. 135, 2025, Authorizing the Acquisition by Eminent Domain Proceedings of Certain Lands Necessary to Construct Cordova Road – North of Duff Drive.

This Ordinance, unanimously adopted on First Reading on August 19, 2025, authorizes the use of eminent domain to acquire right-of-way needed for constructing the Cordova Road – North of Duff Drive project (Project).

Adopted on Second Reading.

11. Items Relating to Amendments and Updates to Tax Provisions in City Code.

A. Second Reading of Ordinance No. 136, 2025, Amending Article III of Chapter 3 of the Code of Fort Collins Relating to Liquor Occupation Tax.

B. Second Reading of Ordinance No. 137, 2025, Amending Articles II and III of Chapter 25 of the Code of Fort Collins Relating to Sales and Use Tax

C. Second Reading of Ordinance No. 138, 2025, Amending Article IV of Chapter 25 of the Code of the City of Fort Collins to Increase the Threshold to Require a Written Settlement Agreement for Lodging Tax.

These Ordinances, unanimously adopted on First Reading on August 19, 2025, recommend amendments to the Liquor Occupation Tax, the Sales and Use Tax, and Lodging Tax as part of the regular housekeeping and necessary updates to promote the health, safety and welfare of the community by providing for the accurate and efficient imposition, collection, and enforcement of the City's taxes.

The changes to the second reading of Ordinance No. 137, 2025 (found at the top of page 14 of the ordinance) remove an outdated statutory reference in Code Sec. 25-216 (Review of decisions of Financial Officer) by deleting the citation in that Section to Colorado Revised Statutes (C.R.S.) § 29-2-106., which was updated and relocated to C.R.S. § 29-2-203 in the omnibus 2024 housekeeping legislation, Senate Bill 24-025 (SB24-025). SB24-025 revised, modernized, and harmonized separate state statutes pertaining to sales and use tax administration.

Adopted on Second Reading.

12. Second Reading of Ordinance No. 139, 2025, Amending Section 15-383 of the Code of the City of Fort Collins Regarding the Licensing of Outdoor Vendors.

This Ordinance, unanimously adopted on First Reading on August 19, 2025, recommends amending the Outdoor Vendors Code to adopt an annual expiration date of the license issued by the City to align with the cadence of regulation by other local governments and for purposes of efficient regulation of vendors by the City.

Adopted on Second Reading.

13. Second Reading of Ordinance No. 140, 2025, Amending Article IV of Chapter 15 of the Code of the City of Fort Collins to Update the Door-to-Door Solicitation Permitting Processes.

This Ordinance, unanimously adopted on First Reading on August 19, 2025, recommends amendments and updates to the City's regulation of door-to-door solicitors.

Adopted on Second Reading.

14. **First Reading of Ordinance No. 142, 2025, Appropriating Philanthropic Revenue Received through City Give for The Gardens on Spring Creek as Designated by the Donor.**

The purpose of this item is to appropriate \$326,351 in philanthropic revenue received through City Give to benefit the Gardens on Spring Creek (the “Gardens”). These estate gifts to the Gardens align 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 appropriation of charitable gifts.

Adopted on First Reading.

15. **First Reading of Ordinance No. 143, 2025, Vacating a Portion of the Right-of-Way of Giddings Road.**

The purpose of this item is to vacate a portion of the public right-of-way (ROW) at Giddings Road between Mountain Vista Drive and Richards Lake Road. The outside 8-ft of ROW on either side of the existing road can be vacated, and the road will still meet the minimum Larimer County Urban Area Street Standards for a 2-lane arterial street.

Adopted on First Reading.

16. **Items relating to the Moor Annexation.**

A. Resolution 2025-079 Setting Forth Findings of Fact and Determinations Regarding the Moor Annexation.

B. Public Hearing and First Reading of Ordinance No. 144, 2025, Annexing the Property Known as the Moor Annexation to the City of Fort Collins, Colorado.

The purpose of these items is to annex a 3.368-acre property located northeast of the intersection of North Taft Hill Road and Laporte Avenue. The Initiating Resolution was adopted July 15, 2025. A related item to zone the annexed property is presented on this Agenda.

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.

Resolution Adopted.

Ordinance Adopted on First Reading.

17. **Public Hearing and First Reading of Ordinance No. 145, 2025, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Moor Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and Lighting Context Area Map.**

The purpose of this item is to zone the property included in the Moor Annexation into the Low Density Mixed-Use Neighborhood District (LMN) and place the property into the 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 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2024-148.

Adopted on First Reading.

18. Resolution 2025-080 Adopting the 2025 Fort Collins Utilities Water Efficiency Plan.

The purpose of this item is to adopt the 2025 Fort Collins Utilities Water Efficiency Plan.

The 2025 Fort Collins Utilities Water Efficiency Plan (WEP) sets water efficiency goals and identifies strategies (such as voluntary incentives, policy, infrastructure tools, and education) to meet the goals, with a focus on treated water use within the Fort Collins Utilities (Utilities) water service area. The WEP update followed State guidelines and involved extensive public and staff engagement, quantitative analyses, and an equity evaluation.

The State of Colorado requires that retail water providers have a State-approved water efficiency plan that is updated periodically. Following Council adoption, staff will submit the 2025 WEP to the Colorado Water Conservation Board for final approval.

Resolution Adopted.

19. Resolution 2025-081 Approving Participation in the Settlement with An Additional Opioid Defendant, Purdue, and a Related Waiver of Claims.

The purpose of this item is to consider a resolution to allow the City to participate in the Colorado Opioids Settlement with Purdue by granting approval to sign an additional participation agreement and waiver of claims for opioid-related damages. This is in follow-up to prior approvals of settlements with multiple other opioid defendants, negotiated through national settlement efforts coordinated through the State of Colorado.

Resolution Adopted.

END OF CONSENT CALENDAR

J) ADOPTION OF 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 – Access Fort Collins Demonstration.

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

20. **Second Reading of Ordinance No. 141, 2025, Expressing Support for the Recommendations of the Civic Assembly and Adopting a Conceptual Framework for the Use and Management of the Hughes Stadium Site.**

This Ordinance, adopted on First Reading on August 19th, 2025, by a vote of 6-1 (Nay: Gutowsky), supports the Civic Assembly's recommendations presented to Council on May 27, 2025, and adds additional specification to those recommendations.

Adopted on Second Reading 6-1 (Nay: Gutowsky)

21. **Resolution 2025-082 Referring Ordinance No. 141, 2025, Expressing Support for the Recommendations of the Civic Assembly and Adopting a Conceptual Framework for the Use and Management of the Hughes Stadium Site to a Vote of the Registered Electors of the City at the Next Regular General Election on November 4, 2025.**

This item has been amended to include 6 protests received on September 1, 2025, before the noon deadline.

The purpose of this item is to refer Ordinance No. 141, 2025, relating to the recommendations of the Civic Assembly for the use and management of the Hughes Stadium Site, to the November 2025 ballot.

Pursuant to Section 7-156 of the City Code, any registered elector desiring to protest the proposed ballot title or submission clause for this item, must file such protest with the City Clerk no later than noon on Monday, September 1, 2025. The form and additional information on how to file a protest is located at this link: fcgov.com/elections/ballot-title-protest.

Because this date falls on a holiday:

By Email: Protests may be emailed to cityclerk@fcgov.com by the noon deadline on September 1.

In Person: Protests intended for in-person delivery may be submitted by 5:00 p.m. on Friday, August 29 or an appointment may be scheduled for the September 1 holiday by contacting 970-221-6515 before 5:00 p.m. on August 29.

If a protest is filed, a hearing on the protest will be added to the agenda item and will take place before City Council adopts the Resolution setting the ballot title and submission clause.

Resolution Adopted 6-1 (Nay: Gutowsky)

P) RESUMED PUBLIC COMMENT (if applicable)

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 – 9:04 p.m.