



City Council Regular Meeting Agenda

October 7, 2025 at 6:00 PM

Jeni Arndt, Mayor
Emily Francis, District 6, Mayor Pro Tem
Susan Gutowsky, District 1
Julie Pignataro, District 2
Tricia Canonico, District 3
Melanie Potyondy, District 4
Kelly Ohlson, District 5

City Council Chambers
300 Laporte Avenue, Fort Collins
& via Zoom at
<https://zoom.us/j/98241416497>
Cablecast on FCTV
Channel 14 on Connexion
Channel 14 and 881 on Xfinity

Carrie Daggett
City Attorney

Kelly DiMartino
City Manager

Delynn Coldiron
City Clerk

The action agenda provides a brief overview of actions taken by Council shortly after a Council meeting. Council minutes are the official record of the meeting and are prepared to be approved by Council generally at its next meeting. Following approval, minutes are posted at this link: [Council Minutes](#).

PROCLAMATIONS & PRESENTATIONS 5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

- PP 1. **Declaring the Week of October 5-11, 2025, as Fire Prevention Week.**
- PP 2. **Declaring the Month of October, 2025, as Conflict Resolution Month.**
- PP 3. **Declaring the Month of October, 2025, as American Archives Month.**
- PP 4. **Declaring the Month of October, 2025, as Cybersecurity 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

Approved.

Adopted on Second Reading.

Adopted on First Reading.

Resolution Adopted.

Motion Approved.

1. Consideration and Approval of the Minutes of the September 16, 2025, Regular meeting.

The purpose of this item is to approve the minutes of the September 16, 2025, Regular meeting.

Approved.

2. Second Reading of Ordinance No. 146, 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 September 16, 2025, requests an appropriation of \$152,669.11 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. 147, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the William Neal and Ziegler Intersection Improvements Project and Related Art in Public Places.

This Ordinance, unanimously adopted on First Reading on September 16, 2025, appropriates and transfer additional funds for the William Neal and Ziegler Intersection Improvements project (Project). The funds will be used for construction services. If approved, this item will: 1) appropriate \$388,773 in Transportation Capital Expansion Fee (TCEF) funds to the Project; 2) appropriate \$77 in Transportation Services funds to the Project; 3) transfer \$85,000 in Conservation Trust funds to the Project; 4) transfer \$45,000 in Community Capital Improvement Program (CCIP) Pedestrian Sidewalk funds to the Project; and transfer \$3,850 of Project funds to the Art in Public Places (APP) program.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 148, 2025, Making Supplemental Appropriation of Colorado Office of Economic Development and International Trade for the Colorado CHIPS Community Support Program Marketing Grant Funds in the General Fund.**

This Ordinance, unanimously adopted on First Reading on September 16, 2025, appropriates \$25,000 of unanticipated revenue from the Colorado Office of Economic Development and International Trade for the Colorado Creating Helpful Incentives to Produce Semiconductors (CHIPS) Community Support Program Marketing grant. This grant provides funding to the Economic Health Office for marketing and promotional activities targeted at semiconductor ecosystem companies and advanced industries.

Adopted on Second Reading.

5. **Items Related to Appropriating Additional Funds for 2025.**

A. Second Reading of Ordinance No. 149, 2025, Making Supplemental Appropriations in Various City Funds.

B. Second Reading of Ordinance No. 150, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations in Various City Funds.

These Ordinances, unanimously adopted on First Reading on September 16, 2025, combine dedicated and unanticipated revenues or reserves that need to be appropriated before the end of the year to cover the related expenses that were not anticipated and therefore not included in the 2025 annual budget appropriation. The unanticipated revenue is primarily from fees, charges, rents, contributions and grants that have been paid to City departments to offset specific expenses.

Adopted on Second Reading.

6. **Second Reading of Ordinance No. 151, 2025, Amending Sections 26-148 and 26-149 of the Code of the City of Fort Collins Regarding Water Supply Requirement Credits for Water Services.**

This Ordinance, unanimously adopted on First Reading on September 16, 2025, ensures that City Code (Code) more comprehensively addresses how Fort Collins Utilities (Utilities) credits existing water services when they are changed, typically during redevelopment. Code currently addresses how Utilities credits nonresidential services when they are redeveloped and replaced with a new nonresidential service. However, Code does not currently address how Utilities should credit residential services that are redeveloped into nonresidential services, or when nonresidential services are redeveloped into residential services. This item would fill those gaps.

Adopted on Second Reading.

7. **Second Reading of Ordinance No. 152, 2025, Amending Chapter 24 Article IV of the Code of the City of Fort Collins Relating to Portable Signs.**

This Ordinance, unanimously adopted on First Reading on September 16, 2025, updates the City Code (Code) pertaining to portable signs. This ordinance updates the areas where portable signs are allowed to more accurately reflect the designated downtown areas as well as the timeframe of when a portable sign permit is valid and the requirements to obtain a permit.

Adopted on Second Reading.

8. **Second Reading of Ordinance No. 153, 2025, Creating a New Article VI in Chapter 24 of the Code of the City of Fort Collins Relating to Electric Vehicle Charging by Temporary Cord Draping.**

This Ordinance, unanimously adopted on First Reading on September 16, 2025, secures and promotes the public health, safety, and general welfare of persons using City sidewalks by regulating the placement, covering over, use, and removal of electric vehicle charging cords located upon certain public sidewalks within the City. To expand charging opportunities for electric vehicles for persons without dedicated off-street parking at their residence, this proposed new City Code (Code) regulates the safe draping of an electric vehicle charging cord across a sidewalk or other public right-of-way at the person's residence for the purpose of providing a charge to a curbside vehicle at the person's residence.

Adopted on Second Reading.

9. **Second Reading of Ordinance No. 154, 2025, Expanding the Boundaries of the Fort Collins, Colorado Downtown Development Authority and Amending the Plan of Development of the Authority.**

This Ordinance, unanimously adopted on First Reading on September 16, 2025, expands the boundaries of the Fort Collins Downtown Development Authority (the "DDA") and amends the Plan of Development of the Authority to include a property at 313 North Meldrum Street and adjacent street right-of-way on North Meldrum Street. The property is a commercially zoned lot in the Old Town District and is the location of the historic Emma Malaby Grocery building. The right-of-way is being added as a housekeeping step to more efficiently describe the overall DDA boundary. There is no impact to the City from the inclusion of this right-of-way.

Adopted on Second Reading.

10. **Items Relating to Platte River Power Authority Organic Contract and Power Supply Contract.**

A. Second Reading of Ordinance No. 155, 2025, Authorizing an Amended and Restated Organic Contract for Platte River Power Authority.

B. Second Reading of Ordinance No. 156, 2025, Authorizing an Amended and Restated Contract with Platte River Power Authority for the Supply of Electric Power and Energy.

These Ordinances, unanimously adopted on First Reading on September 16, 2025, extend and amend the Organic Contract between Estes Park, Longmont and Loveland (the member cities) that is the basis for Platte River Power Authority's ("Platte River") existence and purposes and to extend and make modifications to the Power Supply Agreement ("PSA") with Platte River.

Both Ordinances adopted on Second Reading.

11. **Second Reading of Ordinance No. 157, 2025, Amending Chapter 2, Article VII, Division 2 of the Code of the City of Fort Collins Relating to the Gift Acceptance Restrictions and the Definitions Section of the City's Ethics Rules.**

This Ordinance, unanimously adopted on First Reading on September 16, 2025, considers amendments to the City's ethics rules related to gift acceptance restrictions recommended by the Ethics Review Board. Corresponding changes to the definitions section of the ethics rules will also be considered.

Adopted on Second Reading.

12. **Second Reading of Ordinance No. 158, 2025, Amending Chapter 2, Article VIII, Division 2 of the Code of the City of Fort Collins Relating to Financial Disclosure Requirements.**

This Ordinance, unanimously adopted on First Reading on September 16, 2025, considers amendments to the City's ethics rules related to financial disclosure requirements recommended by the Ethics Review Board.

Adopted on Second Reading.

13. **Second Reading of Ordinance No. 159, 2025, Amending Chapter 2, Article VIII, Division 3 of the Code of the City of Fort Collins Relating to Gift Reporting Requirements of the City's Financial Disclosure Rules.**

This Ordinance, unanimously adopted on First Reading on September 16, 2025, considers amendments to the City's ethics rules related to gift reporting requirements recommended by the Ethics Review Board.

Adopted on Second Reading.

14. **First Reading of Ordinance No. 160, 2025, Authorizing a Non-Exclusive Franchise by the City of Fort Collins to Comcast of California/Colorado/Florida/Oregon, Inc. and its Successors and Assigns for the Right to Make Reasonable Use of, and Erect, Construct, Operate and Maintain Through, the Public Rights-of-Way, Easements and other Public Property Any Equipment Necessary and Appurtenant to the Operation and Maintenance of a Cable System and the Provision of Cable Services to Residents Within the City.**

The purpose of this item is to renew the Cable Franchise Agreement from the City of Fort Collins to Comcast of California/Colorado/Florida/Oregon, Inc. LLC. The current agreement will expire on October 31, 2025. With the assistance of outside legal counsel, staff has negotiated a proposed 10-year agreement with Comcast.

Adopted on First Reading.

15. **First Reading of Ordinance No. 161, 2025, Repealing Sections 12-110 through 12-112 of the Code of the City of Fort Collins Regarding the Disclosure of Radon Information in Real Estate Transactions.**

The purpose of this item is to repeal Chapter 12, Article VI of the City Code, which requires that a seller of residential real estate in the City of Fort Collins provide radon information to the buyer of the residential real estate.

Colorado Revised Statutes Section 38-35.7-112 also requires the disclosure of radon information to buyers of residential real estate, and the repeal of Chapter 12, Article VI of the City Code will

eliminate overlapping requirements for sellers in residential real estate transactions with respect to radon disclosures.

Adopted on First Reading.

16. First Reading of Ordinance No. 162, 2025, Amending Section 23-302 of the Code of the City of Fort Collins to Amend the Definition of “Construction Project”.

The purpose of this item is to amend the definition of “Construction Project” in Code. The City’s Art in Public Places ordinance currently includes language that requires a 1% allocation from construction projects that will cost more than \$250,000 to fund the acquisition and maintenance of public art. “Construction project” is defined as “the construction, rehabilitation, renovation, remodeling or improvement of any building, structure, street, sidewalk, park, utility or other public improvement by or for the City, including all associated landscaping, parking, design, engineering, equipment or furnishings for such improvement, and all other costs, but excluding the cost of real property acquisition, vehicles, equipment not affixed to public property and any improvements made by any special improvement district.” Staff seeks to amend this definition to expressly exclude maintenance from the definition of “construction project”.

Adopted on First Reading.

17. Resolution 2025-086 Authorizing the City Manager to Execute an Agreement with Poudre School District R-1 Regarding the Connected Raw Water Irrigation Systems of Certain Parks and Schools.

The purpose of this item is to authorize the City Manager to execute an Agreement which memorializes the methods and processes the Poudre School District R-1 (“PSD”) and the Parks Department (“Parks”) operate and pay for repairs/replacement of current shared-site irrigation systems. This Agreement also transfers the use of water from two shares of water that PSD currently owns in the New Mercer Company to Parks.

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 – None.

M) COUNCILMEMBER REPORTS

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

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

No planned discussion items.

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.)

OB 2. Consideration of a motion to adjourn this meeting until after the completion of the Electric Utility Enterprise Board business:

"I move that Council adjourn this meeting until after the completion of the Electric Utility Enterprise Board business."

Motion Approved.

OB 3. Consideration of Motion for Executive Session for Legal Advice related to Capital Expansion Fees:

"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(4)(b) for the purpose of discussing with the City's attorneys and appropriate management staff the following:

1. specific legal questions related to potential litigation related to current or proposed capital expansion fees; and

2. the manner in which current or proposed capital expansion fees may be affected by existing or proposed provisions of federal, state or local law."

Motion Approved.

R) ADJOURNMENT – 7:49 p.m.