



City Council Regular Meeting Agenda

November 3, 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 Day of November 8, 2025, as the 30th Anniversary of Art in Public Places.**
- PP 2. **Declaring the Day of November 10, 2025, as the United States Marine Corps' 250th Anniversary.**
- PP 3. **Declaring the Day of November 11, 2025, as Veteran's Day.**
- PP 4. **Declaring the Week of November 2-8, 2025, as Law Enforcement Records Personnel Week.**

Proclamations read.

REGULAR MEETING 6:00 PM

B) CALL MEETING TO ORDER

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

5-2. Absent: Arndt, Pignataro

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 October 21, 2025, Regular meeting.**

The purpose of this item is to approve the minutes of the October 21, 2025, Regular meeting.

Approved.

2. **Second Reading of Ordinance No. 163, 2025, Appropriating Unanticipated Philanthropic Revenue Received Through City Give and Authorizing Transfers of Appropriations.**

This Ordinance, unanimously adopted on First Reading on October 21, 2025, requests an appropriation of \$16,325 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. 164, 2025, Making a Supplemental Appropriation for 2025 Transfort Operational Expenses.**

This Ordinance, unanimously adopted on First Reading on October 21, 2025, makes a supplemental appropriation for 2025 Transfort operational expenses. The post-pandemic Transit industry has experienced unprecedented levels of cost increases resulting in estimated operating cost increases of 50%-70% across the industry for 2025. Transfort is experiencing similar expense impacts with significant cost increases across the three largest segments of its budget: personnel, vehicle repair services, and contracted transportation services. Compounding the impact of Transfort specific expense overruns are citywide fiscal pressures that require a reduction in the previously allocated General Fund support of the Transit Fund. As a result, Transfort is requesting a supplemental appropriation of \$2.8M from the 2050 Tax Parks Rec Transit OCF Fund ("2050 Transit Tax") to support Transfort's 2025 operational expenses.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 165, 2025, Declaring Certain City-Owned Property at Fossil Creek Wetlands Natural Area as Right-of-Way.**

This Ordinance, unanimously adopted on First Reading on October 21, 2025, declares approximately 0.2 acres of Fossil Creek Wetlands Natural Area as Right-of-Way for the Trilby Road Bridge Replacement project.

The Trilby Road Bridge Replacement project is one element of Utilities' comprehensive stream rehabilitation along Fossil and Stanton Creeks. This portion of the project will facilitate the installation of a replacement bridge and culvert and permit future bicycle and pedestrian infrastructure. The existing culvert is structurally deficient and blocks fish passage and stream habitat connectivity. The bridge replacement will restore passage for native fish and macroinvertebrates and connect a soon-to-be restored reach of Fossil Creek (slated for Fall

2025/early-2026) to an upstream reach slated for restoration in the next few years. This portion of the project will also support future bicycle and pedestrian infrastructure. The additional right-of-way proposed for the bridge replacement encompasses 8,890.61 square feet or 0.2 acres.

Adopted on Second Reading.

5. Items Relating to Tree Policy.

A. Second Reading of Ordinance No. 169, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Requiring a Commercial Tree Removal Permit.

B. Second Reading of Ordinance No. 170, 2025, Amending Chapter 27, Article 32 of the Code of the City of Fort Collins for the Purpose of Requiring a Commercial Tree Removal Permit.

C. Second Reading of Ordinance No. 171, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Requiring Additional Enhanced Tree Protection Measures During Construction.

D. Second Reading of Ordinance No. 173, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Updating Tree Mitigation Exemptions.

E. Second Reading of Ordinance No. 175, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins Amending Tree Planting Spacing Requirements and Tree Maintenance.

These Ordinances, unanimously adopted on First Reading on October 21, 2025, present seven ordinances that provide five tree policies for potential adoption in City Municipal and Land Use Codes, including an ordinance for tree spacing and Code maintenance. The five policies intend to update best management practices around tree preservation and mitigation, thus improving predictability and simplification of the current code.

Associated Ordinances Nos. 172 and 174 are on Discussion due to a split vote.

Moved to Discussion, combined with Item 17 under “Consideration of Items for Discussion.”

6. First Reading of Ordinance No. 176, 2025, Being the Annual Appropriation Ordinance for the Fort Collins Downtown Development Authority Relating to the Annual Appropriations for the Fiscal Year 2026 and Fixing the Mill Levy for the Downtown Development Authority for Fiscal Year 2026.

The purpose of this item is to set the Downtown Development Authority (“DDA”) Budget.

The following amounts will be appropriated:

- DDA Public/Private Investments & Programs: \$14,170,326
- DDA Operations & Maintenance: \$1,659,200
- Revolving Line of Credit Draws: \$11,000,000
- DDA Debt Service Fund: \$11,431,611

The Ordinance sets the 2026 Mill Levy for the Fort Collins DDA at five (5) mills, unchanged since tax year 2002. The approved Budget becomes the Downtown Development Authority's financial plan for 2026.

Adopted on First Reading.

7. Items Related to 2026 Utility Rates & Fees.

A. First Reading of Ordinance No. 177, 2025, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Electric Rates, Fees and Charges.

B. First Reading of Ordinance No. 178, 2025, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Water Rates, Fees and Charges.

C. First Reading of Ordinance No. 179, 2025, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Wastewater Rates, Fees and Charges.

D. First Reading of Ordinance No. 180, 2025, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Stormwater Rates, Fees and Charges.

The purpose of this item is to propose 2026 Utility Rates for Council consideration, which align with the 2026 City Manager's Recommended Budget. Monthly utility rates are proposed to increase 6% for electric customers, 9% for water customers, 8% for wastewater customers, and 6% for stormwater customers.

Staff attended the October 14 Council Work Session to discuss 2026 Rates and Fees prior to bringing forward the following rate ordinances for adoption.

All Ordinances Adopted on First Reading.

8. First Reading of Ordinance No. 181, 2025, Adopting the 2026 Classified Employee Pay Plan.

The purpose of this item is to recommend the 2026 Classified Employee Pay Plan. Classified jobs are grouped according to job functions, a business practice commonly used by both the public and private sectors. Pay ranges are developed by career group (management, professional, administrative, operations and trades) and level for each job function. The result of this work is a Classified Employee Pay Plan which sets the minimum, midpoint and maximum pay ranges for the level within each career group and function. Actual employee pay increases are awarded through a separate administrative process in accordance with the budgeted amount approved by Council.

Adopted on First Reading.

9. First Reading of Ordinance No. 182, 2025, Adopting the 2026 Larimer County Regional Transportation Capital Expansion Fee Schedule.

The purpose of this item is to adopt the 2026 Larimer County Regional Transportation Capital Expansion Fee Schedule.

Adopted on First Reading.

10. First Reading of Ordinance No. 183, 2025, Amending Section 26-149 of the Code of the City of Fort Collins Regarding Annual Water Allotments for Nonresidential Water Services with Permits Issued Before March 1, 1984.

The purpose of this item is to seek approval for revising the methodology for how annual water allotments for nonresidential customers with permits issued before March 1, 1984, are calculated prior to applying excess water use surcharges (surcharges) for these customers on December 1,

2025. Annual water allotments (allotments) are a volume of water measured from December 1 to November 30 each year.

Nonresidential customers that received a tap prior to March 1, 1984, were not initially assigned an allotment, even after the City began assigning new nonresidential customers with allotments on March 1, 1984. Per Ordinance 152, 2024, allotments were assigned to these customers on December 1, 2024, using a hybrid methodology that assigned the greater of either the tap credit or average annual water use (based on historical use from years 2019 through 2023). Surcharges were not to be applied until December 1, 2025, allowing affected customers time to adjust water use to their allotment, if needed. It also allowed time for customers to ask questions and provide input to staff. After receiving and discussing feedback, staff is recommending revising the hybrid methodology in City Code Section 26-149 (e) to assign allotments based on the greater of the tap credit or average historical use *increased by one-half of a standard deviation* to account for variability in weather, patronage, revolving tenants, or other factors.

Adopted on First Reading.

11. Items Relating to E-Ticket and E-Crash Systems Projects Grant.

A. First Reading of Ordinance No. 184, 2025, Making Supplemental Appropriations and Authorizing the Transfer of Appropriations for the Colorado Department of Transportation E-Ticket and E-Crash Systems Projects Grant.

B. Resolution 2025-091 Approving an Exception to the Competitive Process for the Purchase of an Enhanced E-Ticket and E-Crash System from Tyler Technologies.

The purpose of this item is to appropriate \$171,613 of unanticipated grant revenue from the Colorado Department of Transportation's Section 405C Grant Program and \$45,737 from Police Admin General Funds for the Enhancing E-Ticket and E-Crash Systems Project.

This item also requests an exception to the competitive bid process for the purchase of an enhanced E-ticket and E-crash system from Tyler Technologies. Approval of this exception may be used as authorized in City Code Section 8-161(d)(4) as the basis for the City Manager and the Purchasing Agent to negotiate and agree to the additional purchase of Software as a Service (SaaS) and related services from Tyler Technologies without further Council approval. This additional work would be added to an existing contract and would expand on an existing system, using compatible technology available from the current vendor.

Exception to Competitive Bidding Rationale: Code Section 8-161(d)(1)(c). A particular material or service is required to maintain interchangeability or compatibility as part of an existing integrated system.

Ordinance Adopted.

Resolution Adopted.

12. Items Relating to the Front Range Passenger Rail Planning Study.

A. Resolution 2025-092 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and the City of Loveland for the Front Range Passenger Rail Planning Study.

- B. Resolution 2025-093, Authorizing Acceptance of an Intergovernmental Grant Agreement Between the City of Fort Collins and the Colorado Department of Local Affairs for the Front Range Passenger Rail Planning Study.
- C. First Reading of Ordinance No. 185, 2025, Making Supplemental Appropriations and Appropriating Prior Year Reserves for the Colorado Department of Local Affairs Energy and Mineral Impact Assistance Fund to Support the Front Range Passenger Rail Planning Study.

The purpose of this item is to enable the City to receive and expend Energy/Mineral Impact Assistance Fund (EIAF) Grant funds through the Colorado Department of Local Affairs (DOLA) for the Front Range Passenger Rail Planning Study.

The funds will be used to conduct a planning study for a proposed Front Range Passenger Rail system in alignment with the Service Plan Development work being conducted by the Front Range Passenger Rail District. If approved, the two resolutions and ordinance will: 1) authorize the City Manager to execute an intergovernmental agreement for the planning study with the City of Loveland, 2) authorize City staff to accept an intergovernmental grant agreement from the State of Colorado Department of Local Affairs, and 3) appropriate \$200,000 in EIAF grant funds, \$125,000 in City of Fort Collins match, and \$75,000 in City of Loveland match for a total of \$400,000 to the project.

Both Resolutions Adopted.

Ordinance Adopted.

13. Resolution 2025-094 Approving Revised Fees for Fort Collins Police Services' Criminal Justice Records.

The purpose of this item is to request an increase in fees for criminal justice records for Police Services. The current fee schedule has been in effect since 2017, and the proposed adjustments are necessary to keep up with the change in technology and staff expenses. Pursuant to C.R.S. Section 24-72-306(1), fees proposed by the criminal justice agency shall be established by the governing body of the municipality.

Resolution Adopted.

14. Resolution 2025-095 Authorizing the Mayor to Execute City-Sponsored 401(a) and 457(b) Restated Adoption Agreements.

The purpose of this item is to authorize the Mayor to execute restated adoption agreements for City-sponsored 401(a), Police 401(a) and 457(b) plans inclusive of the changes detailed below.

Resolution Adopted.

15. Items Relating to Appointments to Various Boards and Commissions.

A. Resolution 2025-096 Making Appointments to the Historic Preservation Commission.

B. Resolution 2025-097 Making an Appointment to the Land Conservation and Stewardship Board.

C. Resolution 2025-098 Making Appointments to the Senior Advisory Board.

D. Resolution 2025-099 Making an Appointment to the Women and Gender Equity Advisory Board.

The purpose of this item is to fill vacancies on various Boards and Commissions.

All Resolutions Adopted.

END OF CONSENT CALENDAR

J) ADOPTION OF CONSENT CALENDAR

Adopted 5-0.

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

16. Second Reading of Ordinance No. 168, 2025, Amending Chapter 7.5 of the Code of the City of Fort Collins to Update the Capital Expansion Fees and the Transportation Expansion Fees.

This Ordinance, adopted on First Reading on October 21, 2025, by 5-1 (Nay: Francis), proposes revisions to the methodologies of calculating the capital expansion fees for updated fees that are set in better alignment with City land use laws and policy, phasing in fee increases over a two-year period. This implements an updated study based on studies conducted in 2023. (Inflationary-only fee adjustments were implemented in 2024 and 2025.)

At Council's request, staff brought forward for consideration on First Reading four options for adoption of the revised fees to be effective January 1, 2026:

1. Fees with continued, inflation-only adjustments ("Status Quo Option" or "Option #1");
2. Fees as proposed September 9, 2025 ("Proposed Option" or "Option #2");
3. Fees that are a phased-in implementation of the Proposed Option – two versions ("Phased-In Option" or "Option #3"); and
4. Fees that are a fractional implementation of the Proposed Option – three versions ("Fractional Option" or "Option #4").

One additional change has been made to Ordinance No. 168, 2025, for Second Reading:

Recital "I" has been updated to provide Council determinations relating to the two-year phase-in. In the clean copy of the second reading ordinance, recital "I." is highlighted to indicate this change.

Adopted on Second Reading.

17. Items Relating to Tree Policy.

A. Second Reading of Ordinance No. 172, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Establishing a Three-Year Establishment Period for Street Trees.

B. Second Reading of Ordinance No. 174, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Enhancing Tree Mitigation.

These Ordinances, adopted on First Reading on October 21, 2025, by 4-2 (Nays: Arndt, Francis), amend Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the purpose of establishing a three-year establishment period for street trees, and amend Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Enhancing Tree Mitigation

Associated Ordinance Nos. 169-171, 173 and 175 are on Consent.

These items present seven ordinances that provide five tree policies for potential adoption in City Municipal and Land Use Codes, including an ordinance for tree spacing and Code maintenance. The five policies intend to update best management practices around tree preservation and mitigation, thus improving predictability and simplification of the current code.

Staff reviewed the concern that had been raised at first reading about conflicts with fire access considerations, and to address this, language has been added to Section 3 of Ordinance No. 174, 2025, limiting the use of a double row of street trees to only situations where compatible with emergency access.

Item 5 and 17 combined for consideration.

5. Items Relating to Tree Policy.

A. Second Reading of Ordinance No. 169, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Requiring a Commercial Tree Removal Permit.

B. Second Reading of Ordinance No. 170, 2025, Amending Chapter 27, Article 32 of the Code of the City of Fort Collins for the Purpose of Requiring a Commercial Tree Removal Permit.

C. Second Reading of Ordinance No. 171, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Requiring Additional Enhanced Tree Protection Measures During Construction.

D. Second Reading of Ordinance No. 173, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins for the Purpose of Updating Tree Mitigation Exemptions.

E. Second Reading of Ordinance No. 175, 2025, Amending Article 5, Section 10 of the Land Use Code of the City of Fort Collins Amending Tree Planting Spacing Requirements and Tree Maintenance.

These Ordinances, unanimously adopted on First Reading on October 21, 2025, present seven ordinances that provide five tree policies for potential adoption in City Municipal and Land Use Codes, including an ordinance for tree spacing and Code maintenance. The five policies intend to update best management practices around tree preservation and mitigation, thus improving predictability and simplification of the current code.

Associated Ordinances Nos. 172 and 174 are on Discussion due to a split vote.

Ordinance No. 169, 2025 Adopted.

Ordinance No. 170, 2025 Adopted.

Ordinance No. 171, 2025 Adopted.

Ordinance No. 172, 2025, postponed to December 16.

Ordinance No. 173, 2025 Adopted.

Ordinance No. 174, 2025, postponed to December 16.

Ordinance No. 175, 2025 Adopted.

18. First Reading of Ordinance No. 186, 2025, Being the Annual Appropriations Ordinance Relating to the Annual Appropriations, and Amending the Budget, for the Fiscal Year Beginning January 1, 2026, and Ending December 31, 2026; and Fixing the Mill Levy for Property Taxes Payable in 2026.

The purpose of this item is to amend the adopted 2026 Budget. This Ordinance sets the amount of \$843,306,077 to be appropriated for fiscal year 2026. This appropriated amount does not include what is also being separately appropriated pursuant to Council/Board of Director actions to adopt the 2026 budgets for the General Improvement District (GID) No. 1 of \$381,296, the 2026 budget for GID No. 15 (Skyview) of \$1,000, the Urban Renewal Authority (URA) 2026 budget of \$7,166,316 and the Downtown Development Authority 2026 budget of \$38,261,137. The sum of all of these Ordinances results in City-related total appropriations of \$889,115,826 for 2026. This Ordinance also sets the property tax year 2025 City mill levy, to be collected in 2026, at 9.797 mills; this mill levy rate has not changed since 1991.

Adopted on First Reading.

19. Public Hearing and Resolution 2025-100 Approving a First Amendment to the Consolidated Service Plan for Montava Metropolitan District Nos. 1 through 7.

The purpose of this item is to consider approval of an amendment to the existing Consolidated Service Plan for the Montava Metropolitan District Nos. 1 through 7, requested by the board of the Montava Metropolitan District, after conducting a hearing on the application, pursuant to City policy (explained in the Background/Discussion section below). The amendment alters the maximum debt authorization and authorizes the District to create Special Improvement Districts to facilitate equitable and efficient financing flexibility. Neither proposed change impacts the underlying Public Benefits of the proposed project.

Resolution Adopted.

20. Resolution 2025-101, Directing Staff to Take Such Efforts and Actions which may be Required for the Funding, Financing, and Construction of the Southeast Community Center.

The purpose of this item is direct City staff to move forward with the work necessary to prepare and ultimately present to Council for approval the actions needed to fund, finance, and construct the Southeast Community Center (SECC) based on the project scope, estimated project cost, and the proposed sources of funding of Option 1.A. in the Funding Options.

Resolution Adopted.

21. First Reading of Ordinance No. 187, 2025, Making a Supplemental Appropriation and Appropriating Prior Year Reserves for the Construction of the Southeast Community Center and Related Art in Public Places.

The purpose of this item is to appropriate \$9.5M from the Community Capital Improvement Project (CCIP) Fund to the Capital Project Fund for the Southeast Community Center (SECC) Project and for the Art in Public Places (APP) Program. This appropriation provides funding to the Recreation Department for the design and construction of a LEED Gold Community Recreation Center in southeast Fort Collins.

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.**

R) ADJOURNMENT – 8:30 p.m.