



# City Council Regular Meeting Agenda

**September 1, 2026 at 6:00 PM**

Emily Francis, Mayor  
Julie Pignataro, District 2, Mayor Pro Tem  
Chris Conway, District 1  
Josh Fudge, District 3  
Melanie Potyondy, District 4  
Amy Hoeven, District 5  
Anne Nelsen, District 6

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

### A) PROCLAMATIONS AND PRESENTATIONS

1. Declaring the Month of September 2026 as Suicide Prevention Month.
2. Declaring the Month of September 2026 as National Preparedness Month.

## REGULAR MEETING

**6:00 PM**

### B) CALL MEETING TO ORDER

### C) PLEDGE OF ALLEGIANCE

### D) ROLL CALL

**6-1. Absent: Francis.**

### E) CITY MANAGER'S AGENDA REVIEW

### F) COMMUNITY REPORTS

### 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 18, 2026, Regular Meeting.**

The purpose of this item is to approve the minutes of the August 18, 2026, Regular Meeting.

**Approved.**

2. **Second Reading of Ordinance No. 103, 2026, Appropriating Remaining Reserves Generated From the 2016-2025 Community Capital Improvement Program Sales Tax for the Affordable Housing Capital Program.**

This Ordinance, unanimously adopted on First Reading on August 18, 2026, appropriates the remaining reserve funds from the 2016-2025 Community Capital Improvement Program ("CCIP") quarter cent capital sales tax, as directed by Council by Resolution 2025-104, which directs excess revenues to the Affordable Housing Capital Fund Program.

**Ordinance Adopted on Second Reading.**

3. **Second Reading of Ordinance No. 104, 2026, Authorizing Transfer of Previously Appropriated American Rescue Plan Act Funds for Purchase of a Property to Expand the Land Bank Program.**

This Ordinance, unanimously adopted on First Reading on August 18, 2026, transfers previously appropriated Federal American Rescue Plan Act Funding ("ARPA") funds for the expansion of the Land Bank Program to purchase a comparable parcel of land at a different location than originally planned and pay some pre-development costs.

**Ordinance Adopted on Second Reading.**

4. **Second Reading of Ordinance No. 105, 2026, Making Supplemental Appropriations and Authorizing Transfers of Appropriations for the Vine and Timberline Rail Grade Separation Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on August 18, 2026, requests a supplemental appropriation for the Vine and Timberline Rail Grade Separation project (the "Project"). The funding will be used to acquire an all-purpose easement on the southeast corner of the Timberline Road and Vine Drive intersection. The Project will elevate Timberline Road over Vine Drive and the adjacent BNSF Railway ("BNSF") rail yard, eliminating the existing at-grade crossing. The easement acquisition is needed to provide space for the overpass embankment. If approved, the item will: 1) appropriate \$113,098 in Transportation Capital Expansion Fee funds to the Project; 2) appropriate \$22 in Transportation Services Reserve funds to the Project; and 3) transfer \$1,120 (1% of new Project funding) in Capital Projects funds to the Art in Public Places program.

**Ordinance Adopted on Second Reading.**

5. **Second Reading of Ordinance No. 106, 2026, Making a Supplemental Appropriation of Grant Funds from the Colorado State Patrol for the Beat Auto Theft Through Law Enforcement Grant Program.**

This Ordinance, unanimously adopted on First Reading on August 18, 2026, appropriates \$26,860 of unanticipated grant revenue from the Colorado State Patrol ("CSP") for the Beat Auto Theft Through Law Enforcement ("BATTLE") grant program. The funding will support Police

Services personnel overtime pay to support multiagency and multijurisdictional BATTLE operations to identify, interdict, investigate, enforce, and prosecute motor vehicle theft-related crimes.

**Ordinance Adopted on Second Reading.**

6. **Second Reading of Ordinance No. 107, 2026, Making a Supplemental Appropriation of Grant Funds from the Colorado Statewide Internet Portal Authority for the Micro-Grant Program.**

This Ordinance, unanimously adopted on First Reading on August 18, 2026, appropriates \$8,122 of unanticipated grant revenue from the Colorado Statewide Internet Portal Authority (“SIPA”) for the Micro-Grant Program. This funding will support an accessibility audit for the Municipal Court’s digital services.

**Ordinance Adopted on Second Reading.**

7. **Second Reading of Ordinance No. 108, 2026, Amending Section 3-85 of the Code of the City of Fort Collins for the Purpose of Expanding the Distance Exemption for Liquor Licenses for Schools and Colleges.**

This Ordinance, unanimously adopted on First Reading on August 18, 2026, amends City Code Section 3-85 to expand the exemption for the 500-foot radius buffer beyond application to areas around Colorado State University (“CSU”), to include other schools and colleges that choose to locate within mixed-use or non-residential areas that are intended for commercial use. This proposed Code update would permit continued City liquor license issuance within these areas intended for and supporting businesses and restaurants, in accordance with all other applicable requirements, even if a school or college is present.

**Ordinance Adopted on Second Reading.**

8. **Second Reading of Ordinance No. 109, 2026, Amending Chapter 2, Article VII, Division 2 of the Code of the City of Fort Collins Ethics Rules Related to Councilmember Obligations to Report Contacts with City Staff about Non-Routine City Matters.**

This Ordinance, unanimously adopted on First Reading on August 18, 2026, considers amendments recommended by the Ethics Review Board to a section of City Code related to Councilmember obligations to report a contact with a City officer or employee regarding a request in connection with the contacted officer’s or employee’s role about a non-routine City matter and not within the Councilmember’s role as an officer of the City.

**Ordinance Adopted on Second Reading.**

9. **Second Reading of Ordinance No. 110, 2026, Making a Supplemental Appropriation for the Linden Street Interim Parking Project.**

This Ordinance, unanimously adopted on First Reading on August 18, 2026, enables the City to receive and expend Downtown Development Authority (“DDA”) grant funds for the Linden Street Interim Parking project (the “Project”). The funds will be used for construction of improvements along Linden Street between the Poudre River and Buckingham Street. If approved, the item will appropriate \$112,438 of DDA grant funds to the Project.

**Ordinance Adopted on Second Reading.**

**10. First Reading of Ordinance No. 111, 2026, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations in Support of the Utilities Customer Information Systems Project and Integrated Maximo Asset Management System Project.**

The purpose of this item is to appropriate supplemental funding within the respective Utilities Fund for an extension of the Utilities Customer Information Systems (“CIS”) Project and integrated Maximo Asset Management System Project.

Fort Collins Utilities is evaluating extending the software go-live date for the implementation of the new Utilities CIS. While replanning efforts are underway to determine an exact date, the project is recommended to be extended into the spring of 2027 for full system readiness and allow for comprehensive product development and testing. Consequently, this project requires additional budget appropriations to cover the extended project duration through 2026.

**Ordinance Adopted on First Reading.**

**11. Items Relating to the Appropriation of Federal Funds in the Community Development Block Grant and HOME Investment Partnership Program Funds.**

A. First Reading of Ordinance No. 112, 2026, Making Supplemental Appropriations of Department of Housing and Urban Development Grant Funds in the Community Development Block Grant Fund.

B. First Reading of Ordinance No. 113, 2026, Making Supplemental Appropriations of Department of Housing and Urban Development Grant Funds in the HOME Investment Partnerships Grant Fund.

The purpose of this item is to appropriate the City's FY2026 Community Development Block Grant (“CDBG”) Entitlement Grant and FY2026 Home Investment Partnerships Program (“HOME”) Participating Jurisdiction Grant from the Department of Housing and Urban Development (“HUD”), CDBG program income from FY2024 & FY2025 and HOME Program Income from FY2024 & FY2025.

**Both Ordinances Adopted on First Reading.**

**12. First Reading of Ordinance No. 114, 2026, Appropriating Art in Public Places Reserves for a Community Arts and Art in Public Places Master Plan.**

The purpose of this item is to appropriate \$103,500 from Art in Public Places (“APP”) reserves to fund a Community Arts and Art in Public Places Master Plan (the “Master Plan”). The appropriation includes \$90,000 for consultant services and a 15% contingency of \$13,500. The planning process will build on the FoCo Creates Master Plan and prior APP and community arts work to evaluate programs, governance, funding and reserve strategies, staffing and operational capacity, community engagement, partnerships, and public art policies. The final plan will provide actionable priorities, implementation strategies, and measures of success to guide the future of Community Arts and APP and will be referred to as the Community Arts and Art in Public Places Master Plan.

**Ordinance Adopted on First Reading.**

13. **First Reading of Ordinance No. 115, 2026, Appropriating Unanticipated Grant Revenue from the Colorado Department of Natural Resources for the Fishing is Fun Grant Program and Authorizing a Transfer of Appropriations.**

The purpose of this item is to appropriate \$72,700 of unanticipated grant revenue from the Colorado Department of Natural Resources, Colorado Parks and Wildlife Division, for the Fishing is Fun Grant Program. The funding will support improved angling opportunities, accessibility, and angler satisfaction in Northern Colorado by enhancing infrastructure and aquatic habitat at Arapaho Bend Natural Area. This item also appropriates \$44,700 from within fund 272 to meet the cost-share requirement of the grant.

**Ordinance Adopted on First Reading.**

14. **First Reading of Ordinance No. 116, 2026 Appropriating Unanticipated Revenue From the Extended Producer Responsibility Program for Recycling Education and Outreach and Curbside Recycling Collection.**

The purpose of this item is to appropriate \$5,525,525 in funds from the statewide Extended Producer Responsibility Program to conduct recycling and outreach education activities and offset the cost of residential recycling service.

**Ordinance Adopted on First Reading.**

15. **First Reading of Ordinance No. 117, 2026, Amending Section 12-32 of the Code of the City of Fort Collins to Update the Residential Waste Collection Program.**

The purpose of this item is to update City Code to modify the Contracted Residential Waste Collection Program to clarify the City Manager's authority to approve necessary and appropriate contract amendments with the intent of streamlining administrative processes.

**Ordinance Adopted on First Reading.**

16. **First Reading of Ordinance No. 118, 2026, Amending the Land Use Code of the City of Fort Collins to Change the Type of Review for Certain Residential Uses.**

At the Ad Hoc Committee on Affordable and Sustainable Growth meetings on July 8, 2026, and August 5, 2026, the Committee directed Staff to bring an amendment to the Land Use Code that moves the level of review for single-unit dwelling, single-unit attached dwelling, two-unit dwelling, multi-unit dwelling, and mixed-use dwelling units to Basic Development Review. The Committee requested staff make these amendments to the Land Use Code in alignment with the Council priority related to affordable, sustainable growth. City Council also discussed potential changes to permitted uses at the July 14, 2026, work session. **Staff recommends that Council adopt an alternative to what the Ad Hoc Committee requested and this recommended alternative is included in the Ordinance.**

The recommended alternative changes the Land Use Code level of review for single-unit dwelling, single-unit attached dwelling, two-unit dwelling, multi-unit dwelling, and mixed-use dwelling units to Basic Development Review ("BDR") in most zone districts that currently permit these uses. However, different from what the Ad Hoc Committee directed, staff recommends not changing the level of review for single-unit dwelling, single-unit attached dwelling, and two-unit dwelling in commercial and employment districts since City Plan envisions denser development in these corridors. The Planning & Zoning Commission voted 5-0 to recommend that Council adopt staff's recommended Land Use Code changes with comments.

If Council wishes to adopt the staff recommended Land Use Code changes, the Ordinance as presented should be adopted. This option does not change the level of review to BDR for single-unit dwelling, single-unit attached dwelling, two-unit dwelling, multi-unit dwelling, and mixed-use dwelling units in the commercial and employment zone districts.

If Council wishes to adopt the version the Ad Hoc Committee requested which would change the level of review for single-unit dwelling, single-unit attached dwelling, two-unit dwelling, multi-unit dwelling, and mixed-use dwelling units to BDR in all zone districts as shown in Attachment 2, Council will need to remove this item from the consent agenda and adopt the Ordinance with Attachment 2 substituted for the table currently in the Ordinance.

**Moved to Discussion.**

17. **First Reading of Ordinance No. 119, 2026, Authorizing the Purchasing Agent to Enter into a Contract with HDR, Inc., for Professional Services for a Period Longer Than Five Years for the Design and Construction Support of the North Mason Stormwater Project.**

The purpose of this item is to authorize the Purchasing Agent, pursuant to City Code Section 8-186(a), to enter into a contract with HDR, Inc., for a period longer than five years in length, for professional services for the design and construction support of the proposed North Mason Stormwater Project. Contracts authorized under the Ordinance would be extended up to the completion of the project. Design for the project began in 2019 and is expected to be completed in 2029, with pauses to better formulate the project. Under the current scenario, without the Ordinance, the existing contract would expire before the design could be completed, a situation that would result in logistical and cost ramifications for the project.

**Ordinance Adopted on First Reading.**

18. **First Reading of Ordinance No. 120, 2026, Approving the Second Amendment to the PUD Master Plan Development Agreement for the Montava Planned Unit Development Overlay and Master Plan.**

The purpose of this item is for Council to consider the Second Amendment to Planned Unit Development (“PUD”) Master Plan Development Agreement for the Montava PUD Overlay and Master Plan. The amendment would extend the contingency for closing of the Developer’s purchase from the Anheuser-Busch Foundation for up to two additional years.

**Ordinance Adopted on First Reading.**

19. **First Reading of Ordinance No. 121, 2026, Authorizing the Conveyance of a Permanent Easement and Temporary Construction Easements on Parks Property.**

The purpose of this item is to authorize the conveyance of one Permanent Easement (the “PE”) and two Temporary Construction Easements (the “TCEs”) (the “Easements”), being a portion of City property owned by Parks, for the abandonment of a septic vault and installation of a sewer line.

**Ordinance Adopted on First Reading.**

**20. First Reading of Ordinance No. 122, 2026, Amending Section 2-76 of the Code of the City of Fort Collins to Update the Board and Commission Member Residency Requirement and Directing Amendments to the Boards and Commissions Manual.**

The purpose of this item is to amend Section 2-76 of the Code of the City of Fort Collins to allow board and commission members to temporarily relocate outside the Fort Collins Growth Management Area for up to 90 days without losing their board or commission membership. If adopted, the City Clerk will amend the Boards and Commissions Manual to reflect the revised residency requirement and incorporate recent changes to the Code of Conduct.

**Ordinance Adopted on First Reading.**

**21. Items Relating to Funding and Financing of the Construction of Improvements to the City's Wastewater System, Including the Intent to Reimburse Capital Expenditures from Bond Proceeds and the Appropriation of Grant and Fund Reserves for the Wastewater Utility Septage Receiving Facility Project.**

A. Resolution 2026-106 Expressing the Intent of the City to be Reimbursed for Certain Expenses Relating to the Construction of Improvements to the City's Wastewater System and Other Capital Assets of the City Through the Issuance of Bonds.

B. Resolution 2026-107 Authorizing the City Manager to Execute an Agreement for a Grant of the Colorado Department of Local Affairs Energy and Mineral Assistance Funds Between the City of Fort Collins and the State of Colorado for the Septage Receiving Facility Project.

C. First Reading of Ordinance No. 123, 2026, Making a Supplemental Appropriation from the Colorado Department of Local Affairs Energy and Mineral Impact Assistance Fund and Appropriating Wastewater Fund Reserves for the Septage Receiving Facility Project.

The purpose of Resolution 2026-106 is to express the City's intent to reimburse itself with bond proceeds for out-of-pocket expenses if it decides to finance projects identified in Wastewater Utility's 2027–2028 Capital Improvement Plan ("Wastewater Utility CIP"), with the issuance of bonds. Treasury Regulation Section 1.150-2 (the "Regulation") dictates whether an issuer can use proceeds from a tax-exempt issuance to reimburse prior capital expenditures. The Regulation requires the issuer to adopt a declaration of official intent to reimburse prior capital expenditures with the proceeds of a tax-exempt issuance in order to actually do so. The issuer can reimburse capital expenditures made within 60 days prior to the adoption of the official intent.

Adoption by Council of a reimbursement resolution, like Resolution 2026-106, does not obligate the City to issue bonds in the future, but rather serves as a declaration of the City's "official intent," pursuant the Regulation to reimburse itself with the proceeds of a bond issue in the future if the City should choose to finance the projects by issuing bonds. Resolution 2026-106, allows Fort Collins Utilities ("Utilities") to spend current Wastewater Utility Fund reserves on critical projects in the Wastewater Utility CIP immediately, and then later, to reimburse those amounts using proceeds from a planned future bond issuance. Any future bond issuance would still come forward to Council for consideration of actions to authorize that financing—the resolution does not authorize the issuance of bonds.

The Colorado Department of Local Affairs ("DOLA") made an award from the Energy/Mineral Impact Assistance Fund Grant ("EIAF") for the City's Septage Receiving Facility Project. Resolution 2026-107, if adopted by Council, is the action to accept that DOLA grant and authorize execution of the grant agreement.

Resolution 2026-106 and Resolution 2026-107 are related because the Septage Receiving Facility Project is one of the critical projects (within the Wastewater Utility CIP) for which the City plans to commence as soon as possible by applying Wastewater Utility Fund reserves and for which later financing proceeds may be used to reimburse.

Ordinance No. 123, 2026, if adopted, will appropriate the grant award revenue from DOLA, as well as amounts from the Wastewater Fund reserves, to expend for the Septage Receiving Facility Project.)

**Both Resolutions Adopted.**

**Ordinance Adopted on First Reading.**

**22. Resolution 2026-108 Approving Expenditures to Commission an Artist to Create Artwork for the Future Mariposa Park.**

The purpose of this item is to approve the Art in Public Places (“APP”) Mariposa Park Project, based upon the recommendations of the Arts & Culture Board.

**Resolution Adopted.**

**23. Resolution 2026-109 Authorizing the City Manager to Execute an Intergovernmental Agreement with the Northern Colorado Water Conservancy District for the Development, Operation, and Administration of the Regional Water Efficiency Incentives Portal.**

The purpose of this item is to seek authorization to execute an intergovernmental agreement (“IGA”) with the Northern Colorado Water Conservancy District (“Northern Water”) for participation in the Regional Water Efficiency Incentives Portal, a centralized online platform that will allow customers of participating water providers to apply for and receive water efficiency incentives.

**Resolution Adopted.**

**24. Resolution 2026-110 Approving the Second Amendment to Development Agreement to Secure Public Benefits for Montava Planned Unit Development Master Plan.**

The purpose of this item is to consider the Second Amendment to the Development Agreement to Secure Public Benefits for Montava Planned Unit Development (“PUD”) Master Plan (the “Public Benefits Agreement”). The amendment would extend the contingency for closing of the Development’s purchase from the Anheuser-Busch Foundation for up to two additional years.

**Resolution Adopted.**

**25. Resolution 2026-111 Finding Substantial Compliance and Initiating Annexation Proceedings for the Strauss Lakes Annexation.**

The purpose of this item is to determine substantial compliance and initiate annexation proceedings for the Strauss Lakes Annexation, a voluntary annexation located northeast of the intersection of Horsetooth Road and Ziegler Road. The applicant has submitted a written petition requesting annexation of 147.499 acres and zoning into the Low Density Mixed-Use Neighborhood (“LMN”) and Medium Density Mixed-Use Neighborhood (“MMN”) zone district, which is consistent with the City of Fort Collins Structure Plan Map.

This annexation request is in conformance with 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.**

**26. Resolution 2026-112 Adopting Amended Rules of Procedure Governing the Conduct of City Council Meetings and Work Sessions.**

The purpose of this item is to consider an update to the Council Meeting Rules of Procedure.

**Resolution Adopted.**

**END OF CONSENT CALENDAR**

**J) ADOPTION OF CONSENT CALENDAR**

**Adopted 6-0.**

**K) CONSENT CALENDAR FOLLOW-UP**

**L) STAFF REPORTS – None.**

**M) COUNCILMEMBER REPORTS**

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

**16. First Reading of Ordinance No. 118, 2026, Amending the Land Use Code of the City of Fort Collins to Change the Type of Review for Certain Residential Uses.**

At the Ad Hoc Committee on Affordable and Sustainable Growth meetings on July 8, 2026, and August 5, 2026, the Committee directed Staff to bring an amendment to the Land Use Code that moves the level of review for single-unit dwelling, single-unit attached dwelling, two-unit dwelling, multi-unit dwelling, and mixed-use dwelling units to Basic Development Review. The Committee requested staff make these amendments to the Land Use Code in alignment with the Council priority related to affordable, sustainable growth. City Council also discussed potential changes to permitted uses at the July 14, 2026, work session. **Staff recommends that Council adopt an alternative to what the Ad Hoc Committee requested and this recommended alternative is included in the Ordinance.**

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**First Reading Postponed to September 15. 5-1.**

**Nay: Hoeven.**

**O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION**

**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 – 8:26 p.m.**