

May 5, 2026

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

PROCLAMATIONS AND PRESENTATIONS

A) PROCLAMATIONS AND PRESENTATIONS

- PP 1. **Declaring the Week of May 3-9, 2026 as National Travel and Tourism Week.**
- PP 2. **Declaring the Week of May 4-10, 2026 as Economic Development Week.**
- PP 3. **Declaring the Week of May 10-16, 2026 as National Police Week.**
- PP 4. **Declaring the Month of May 2026 as Historic Preservation Month.**

**REGULAR MEETING
6:00 PM**

B) CALL MEETING TO ORDER

Mayor Emily Francis called the regular meeting to order at 6:00 p.m. in the City Council Chambers at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City's Zoom platform.

C) PLEDGE OF ALLEGIANCE

Mayor Emily Francis led the Pledge of Allegiance to the American Flag.

D) ROLL CALL

PRESENT

Mayor Emily Francis
Mayor Pro Tem Julie Pignataro
Councilmember Josh Fudge
Councilmember Melanie Potyondy
Councilmember Amy Hoeven
Councilmember Chris Conway
Councilmember Anne Nelsen

ABSENT

None

STAFF PRESENT

City Manager Kelly DiMartino

City Attorney Carrie Daggett

City Clerk Delynn Coldiron

E) CITY MANAGER'S AGENDA REVIEW

City Manager Kelly DiMartino provided an overview of the agenda, including:

- The published agenda has been amended to address an update to the language in Item No. 15, *Resolution 2026-070 Accepting and Adopting Ethics Opinion No. 2026-01 of the Ethics Review Board Advising Councilmember Anne Nelsen in Response to her Request for an Advisory Opinion.*
- Items 1-13 on the Consent Calendar are recommended for adoption.
- Two Discussion Agenda items, both of which are on Discussion to allow Councilmembers to recuse themselves due to conflicts of interest.

F) COMMUNITY REPORTS – None.

G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS

Marge Norskog, member of the League of Women Voters but speaking for herself, commented on previous information she had shared with Council regarding requests for FLOCK data. She also spoke about the results of a CORA request related to the FLOCK contract. She stated staff and the Police are addressing citizen concerns as well as they can without involving Council; however, she stated it is important that Council get involved at the policy level and urged the passage of an ordinance that protects privacy.

Terri Paschetag, member of the League of Women Voters but speaking for herself, shared concerns about FLOCK cameras and how they impact civil liberties. She stated it is improbable that surveillance would be stopped and hoped Council would ask pertinent questions at next week's work session related to the surveillance and FLOCK data. She questioned whether other companies who provide these services would be more reliable than FLOCK.

Ezriah Shteir stated there would likely have been a great deal of public outcry over the initial FLOCK contract and suggested it is a deliberate strategy on FLOCK's part to have contracts occur without needing approval by elected officials. He stated FLOCK is offering a webinar for law enforcement on how to speak with City Councils and has posted information about how to fund ALPR programs, and none of the suggested funding sources require approval by elected officials. He stated FLOCK has no decency and is doing all it can to exploit the City and take its data.

Walid Rahman spoke in support of public safety approaches that protect the community and uphold the trust residents place in elected officials. He stated mass surveillance systems are dangerous and turn abuse into a predictable outcome, not a preventable exception. He provided examples of officers and FLOCK employees using ALPR systems to stalk and harass women. He urged Council to put a structure in place to protect the community.

Jeff Akkerman commented on civil rights and constitutional rights. He provided examples about following the letter of the law versus the spirit of the law and stated that applies to FLOCK cameras as well. He questioned whether FLOCK surveillance is in keeping with the spirit of the fourth amendment.

Michael Young noted he passed at least three FLOCK cameras as drove to City Hall and will pass them again on the way home. He stated the cameras will take between 36 and 72 pictures of his car during those six passages. He discussed a recent memo from Fort Collins Police Services regarding the path forward for FLOCK cameras in the city. He questioned whether it is appropriate to give up

the civil liberties guaranteed by the fourth amendment in exchange for a few arrests and citations, which may have been solved by traditional police work. He noted Fort Collins residents were never asked to consent to the intrusive technology and stated this is an unprecedented breach of public trust. He stated all ALPR cameras need to be removed from the city in order for residents to regain trust of the police.

Richard Kitchen, Fort Collins Immigration Partnership Team, stated the organization advocates for cities throughout Colorado to stop doing business with companies that profit from ICE enforcement, detention, and deportation actions. He provided examples of ICE's human rights abuses and stated he has shared a draft of a resolution with Councilmember Hoeven and Mayor Francis that addresses this issue and requested Council review and consider passing it. He stated the time is right for Fort Collins to take a strong stand against ICE having any presence in the city.

Andrea Dean noted she has spent time building systems that hold data and stated there is a tradeoff between privacy and safety. She stated surveillance does not make everyone safer and expressed concern about the use of FLOCK cameras and data. She stated people will change their behaviors when they know they are being tracked which hurts democracy.

Casey Lipok stated he understands the perception of the attributes of mass surveillance for law enforcement purposes; however, it is a dangerous proposition when not all variables are considered. He expressed concern about surveillance being used for nefarious purposes over time and urged Council to make an informed decision.

Alexander Woody, Ludega Facility Services founder, explained the work his company does cleaning Transfort buses. He stated an incumbent company has invoiced the City for 60 consecutive months of work it never performed and paid Ludega 40% of the contract amount to do 100% of the work. He stated this is a false claim subject to Federal Transit Administration oversight and submitted a protest of fraudulent activity document.

Karen Schwartz commented on an insult she experienced when leaving an event at FoCoMX and showed a photo of a man wearing a jacket with a swastika on the back. She stated antisemitism is a global issue and a Fort Collins issue that has been worsened by a lack of condemnation of the practice.

Rich Stave stated he is having trouble searching the City's new website and stated he no longer gets meeting notices via email. He questioned who gets notified about FLOCK data and how. He commented on the art installation at Harmony and College stating it is a hazard for pedestrians, cyclists, and drivers. He stated it seems that some of the installation is broken.

Almoni addressed the claims made at the last meeting from CSU students related to Israel and doxxing. She stated allegations like these are serious and that the inflammatory statements made at a CSU senate meeting were found to be false. She encouraged Council to request the full recording of the meeting and played part of the audio.

Spencer Burris, Northern Colorado Privacy Coalition, discussed how technology can be trusted and cited FLOCK's poor reputation. He spoke about the four options that were provided in the recent Police Services memo and noted problems with validation of protections in the options. He also expressed concern about the data being copied with no trail.

Ryan Burns, member of the Disability Advisory Board but speaking for himself, commented on a recent news article that described multiple Coloradans' experiences being approached and detained by police officers for suspected criminal activity due to license plates being matched to a list that was incorrectly input of officers in different parts of the state. He noted Fort Collins has active sharing agreements with the agencies mentioned in the article through the FLOCK system. He expressed concern about Fort Collins continuing to use the technology.

Greg Zoda noted his role as a legislative aide for a house member but stated he was speaking on his own behalf. He noted that community concerns of ALPR technology have increased and stated he has heard Council has some interest in the Protecting Everyone from Excessive Police Surveillance

Act as a way to balance community safety with individual liberty. He opposed the Act and shared related details.

Fred Kirsch, Community for Sustainable Energy, thanked Council for the direct questions asked at the Work Session regarding the Our Climate Future Strategic Funding Plan and stated Council needs to provide clear direction to staff and follow up. He commented on some areas that need additional clarification.

Kimberly Conner, member of the Human Services and Housing Funding Board, but speaking for herself, expressed support for limiting mass surveillance. She stated she previously had a home security system but removed it as it was connected to an online platform. She stated anything connected to the cloud is inherently unsecure, including surveillance used by the City, and there is no way to ensure it is protected. She stated using FLOCK camera data to help solve crimes is reactive in nature and there are always other forms of evidence. She also urged Council to speak against war crimes.

Tyler Davison spoke in opposition to FLOCK cameras and stated he has yet to hear anyone speak in favor of their use. He noted the widespread ire this has created among all political parties and provided some information about other communities that have ended their FLOCK contracts. He stated it is the duty of Council to protect Fort Collins residents' civil and constitutional rights and thanked Councilmember Conway for meeting with constituents on the issue.

Tyler Bigler stated he is a member of Strong Towns Fort Collins and wanted to follow up on a couple of road capital projects mentioned at last week's Work Session. He stated both were framed under Vision Zero, which is a specific framework with specific commitments related to reducing travel lanes, lowering design speeds, and cutting vehicle miles travelled. He stated the projects mentioned are road widening projects that create the exact conditions that produce the most severe crashes. Additionally, he expressed skepticism of the framing of the projects as being greenhouse gas emissions reduction projects.

Daniel, Northern Colorado Privacy Coalition, shared concerns about the four options provided in the Police Services memo and stated public trust needs to be rebuilt after the blatant mistake of installing the system without public comment. He stated the only appropriate way to move forward is to do so with public input.

Shannon Blasus noted he attended the Work Session regarding the Our Climate Future Strategic Funding Plan and commended Council for asking hard questions. He expressed concern about energy bills increasing and requested the City create an app to allow for the tracking of how much energy is being produced. He expressed support for forming a working group to look into the use of geothermal energy.

H) PUBLIC COMMENT FOLLOW-UP

Mayor Francis noted there is a Work Session regarding FLOCK and ALPR next Tuesday, though no decisions will be made at that meeting.

Councilmember Potyondy noted staff will be reviewing Mr. Woody's document.

Councilmember Fudge requested staff assist Mr. Stave with the meeting notice email notifications. City Manager DiMartino replied that was a custom application that existed under the old website and it did not transfer as part of the functionality with the new website.

Councilmember Fudge requested staff inspect the art installation at Harmony and College for safety issues.

Councilmember Hoeven thanked the speakers.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

None.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the April 21, 2026 Regular Meeting.

The purpose of this item is to approve the minutes of the April 21, 2026 Regular Meeting.

Approved.

2. Second Reading of Ordinance No. 043, 2026, Making a Supplemental Appropriation of Federal Transit Administration and Colorado Department of Transportation Grants to be Used Towards the Purchase of Six Compressed Natural Gas Buses.

This Ordinance, unanimously adopted on First Reading on April 21, 2026, appropriates discretionary grant revenue that Transfort has been awarded by the Federal Transit Administration (FTA) and the Colorado Department of Transportation (CDOT). Transfort applied for and was awarded \$4,838,610 by FTA, and \$882,945 by CDOT in competitive grant funding to complete the purchase of six (6) compressed natural gas (CNG) buses to replace vehicles that have exceeded their useful life. This appropriation is contingent upon execution of the associated grant agreements and includes a sunset date of December 31, 2026, if such agreements are not finalized.

Adopted on Second Reading.

3. Second Reading of Ordinance No. 044, 2026, Amending Section 26-289(5)(a) of the Code of the City of Fort Collins to Revise the Charges for Disposal at the Fort Collins Regional Sanitary Waste Transit Station for Septic Tanks, Vaults, Privies, and Portable Toilets.

This Ordinance, unanimously adopted on First Reading on April 21, 2026, increases septage receiving fees to fund operations and the construction of a new septage receiving station at the

Drake Water Reclamation Facility (DWRF). The existing station requires upgrades to ensure permit compliance, resolve safety challenges, and manage significantly increased usage. The increase would be a phased-in approach for fee increases to full cost recovery, beginning with an increase in July 2026, with subsequent increases January 1, 2027, and January 1, 2028.

Adopted on Second Reading.

- 4. Second Reading of Ordinance No. 046, 2026, Authorizing the Leasing of City Property and Approving a Site Lease, a Lease Agreement, and Other Documents for the Financing of the Southeast Community Center and Other Capital Improvement Projects.**

This Ordinance, unanimously adopted on First Reading on April 21, 2026, authorizes the issuance of Certificates of Participation (COPs) to finance the construction of the Southeast Community Center (SECC), a key community investment serving a growing area of the city.

Adopted on Second Reading.

- 5. Second Reading of Ordinance No. 047, 2026, Approving a Lease Agreement with the Poudre River Public Library District for use of a Portion of the Southeast Community Center.**

This Ordinance, unanimously adopted on First Reading on April 21, 2026, obtains Council approval of an agreement associated with the Southeast Community Center project with Poudre River Public Library District. This ordinance is related to Resolutions 2026-063 to 2026-066, adopted by Council on April 21, 2026.

Adopted on Second Reading.

- 6. First Reading of Ordinance No. 048, 2026, Appropriating Prior Year Reserves for the Broadband Infrastructure Buildout Project and Related Art in Public Places.**

The purpose of this item is to appropriate 2025 prior year reserves received in 2025 as unanticipated revenue to the non-lapsing Broadband Infrastructure Buildout project. Aspects of the project include buildout to Multi-Dwelling Units, customer installations, asset management, and related art in public places.

In August 2025, Connexion received \$2,917,016 in proceeds related to the Open International utility billing software judgment which were assigned as revenue in the Other Non-Operating account. When netted with the balance of Connexion's revenue, Connexion revenue exceeded budgeted revenue by \$2,216,181.

Therefore, this appropriation is for the total excess fund revenue budget of \$2,216,181 to Broadband Infrastructure Buildout capital project to support anticipated growth in 2026 and beyond.

Adopted on First Reading.

- 7. First Reading of Ordinance No. 049, 2026, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Vine Drive Bridge Replacement Project and Related Art in Public Places.**

The purpose of this item is to enable the City to expend local funds for the Vine Drive Bridge Replacement project (Project). The funds will be used to design and construct the replacement of the existing bridge conveying Vine Drive over Lake Canal. The replacement bridge will meet current standards, accommodate anticipated levels of traffic, and provide the bicycle and

pedestrian facilities recommended in the adopted Active Modes Plan. If approved, the item will: 1) transfer \$1,935,500 in Bridge Program funds to the Project; 2) appropriate \$1,423,010 of Transportation Capital Expansion Fee reserve funds to the Project; 3) transfer \$400,000 of Community Capital Improvement Program – Pedestrian Sidewalk (CCIP-PS) funds to the Project; 4) transfer \$100,000 of Community Capital Improvement Program – Bicycle Infrastructure Improvements (CCIP-BII) funds to the Project; 5) appropriate \$753,135 of Transportation Services Reserve Funds to the Project; 6) transfer \$22,654 (1% of the eligible funds) in capital project funds to the Art in Public Places (APP) Program.

Adopted on First Reading.

8. First Reading of Ordinance No. 050, 2026, Authorizing a Mid-year Budget Appropriation from the Airport Fund for Northern Colorado Regional Airport.

The purpose of this item is to approve a mid-year budget appropriation of \$378,057 from the Airport fund to support six priority projects and initiatives identified by Airport staff. Of this amount, \$228,057 is an appropriation of new revenue received in the Airport Fund and \$150,000 is a re-appropriation of funds previously appropriated in 2025. These efforts are focused on strengthening operational safety and real-time airfield visibility, enhancing security and regulatory compliance, maintaining critical infrastructure, aligning the Airport's budget with current operating demands, and advancing strategic initiatives to establish a clear brand and attract future commercial airline service.

The proposed funding will enable the Airport to make targeted investments that align with long-term strategic goals and to improve overall performance and service levels.

Adopted on First Reading.

9. First Reading of Ordinance No. 051, 2026, Appropriating Prior Year Reserves from the Parking Fund for Permit and Citation Management Software Replacement.

The purpose of this item is to appropriate reserves from the Parking Fund to support Parking Fund Reserves for Permit and Citation Management Software Replacement.

Adopted on First Reading.

10. First Reading of Ordinance No. 052, 2026, Appropriating Prior Year Reserves and Making a Supplemental Appropriation and Authorizing Transfers of Appropriations for Taft Hill Corridor Improvements – Horsetooth Road to Brixton Road Project and Related Art in Public Places.

The purpose of this item is to appropriate federal, State of Colorado Nonattainment Air Pollution Mitigation Enterprise (NAAPME), Colorado Department of Transportation (CDOT), and local funds for the Taft Hill Corridor Improvements – Horsetooth Road to Brixton Road project (Project). The funds will be used to complete design and construct transportation improvements along Taft Hill Road, between Horsetooth Road and Brixton Road. These improvements will create safer conditions for pedestrians, cyclists, and motorists traveling the corridor.

At the second reading for this Ordinance, staff plans to bring forth two additional items relating to the Project. There will be two resolutions to authorize the City to receive and expend the funding appropriated in Ordinance No. 052, 2026. One resolution will authorize an intergovernmental grant agreement with NAAPME, and the second resolution will authorize an amendment to an intergovernmental agreement with CDOT and Larimer County.

Adopted on First Reading.

11. Resolution 2026-067 Making Appointments to the Youth Advisory Board.

The purpose of this item is to fill existing vacancies on the Youth Advisory Board.

Pursuant to Council policy, the recommended appointees have completed or will complete the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Adopted.

12. Resolution 2026-068 Making an Appointment to the Disability Advisory Board.

The purpose of this item is to fill an existing vacancy on the Disability Advisory Board due to the resignation of Daisy Montgomery.

Pursuant to Council policy, the recommended appointees have completed or will complete the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Adopted.

13. Resolution 2026-069 Making an Appointment to the Active Modes Advisory Board.

The purpose of this item is to fill an existing vacancy on the Active Modes Advisory Board due to the resignation of Jared Hanson.

Pursuant to Council policy, the recommended appointees have completed or will complete the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Pignataro moved, seconded by Councilmember Nelsen, to approve the recommended actions on items 1-13 on the Consent Calendar.

Councilmember Hoeven noted Item No. 9, *First Reading of Ordinance No. 051, 2026, Appropriating Prior Year Reserves from the Parking Fund for Permit and Citation Management Software Replacement*, is not related to the upcoming decision regarding downtown parking.

The motion carried 7-0.

K) CONSENT CALENDAR FOLLOW-UP

None.

L) STAFF REPORTS – None.

M) COUNCILMEMBER REPORTS

Mayor Emily Francis

- Noted it is Assistant City Manager Tyler Marr's last meeting with the City.

Councilmember Melanie Potyondy

- Reported on receiving two communications from residents expressing concern about the use of E-motorcycles among middle school students. She noted those vehicles require driver's licenses and insurance.
- Noted it is Teacher Appreciation Week.
- Commended Poudre Fire Authority and other agencies that quickly responded to the Ponds fire.

Councilmember Josh Fudge

- Reported on introducing a project before the Larimer County Commissioners that determines how energy and mineral impact fund grants are allocated through the State Department of Local Affairs. He commented Kerri Ismael and Mandy Rasmussen who attended and were well prepared to answer questions.

Councilmember Amy Hoeven

- Participated in a fair housing focus group and stated she is looking forward to getting an update regarding the property management certification and continuing education processes for mobile home parks.
- Offered CSU students luck with upcoming finals.
- Will be attending a FLOCK demo tomorrow with other Councilmembers.

Councilmember Anne Nelsen

- Reported on a meeting with the Air Quality Advisory Board Chair and noted it is Air Quality Awareness Week, and as part of that, there is a wildfire smoke readiness workshop tomorrow.

Mayor Pro Tem Julie Pignataro

- Spoke to classes at Front Range Community College and CSU.
- Joined the Shepardson Elementary School bike bus.

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

None.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

14. Second Reading of Ordinance No. 045, 2026, Making a Supplemental Appropriation of Colorado Department of Local Affairs Grant Revenue to Develop a New Fort Collins Housing Action Plan.

This Ordinance, unanimously adopted on First Reading on April 21, 2026, appropriates \$33,750 from the Housing Planning Grant Program in the Colorado Department of Local Affairs (DOLA) to fund the development of a new Housing Action Plan. The Housing Action Plan will address housing needs in the city of Fort Collins.

****Clerk's Note: Mayor Francis withdrew from the discussion of this item due to a conflict of interest.**

PUBLIC PARTICIPATION

Rich Stave stated he was unsure of the purpose of the grant and stated there are no hard numbers or examples of what affordability means. He noted the population of Fort Collins continues to grow and questioned whether this expenditure is necessary.

Shannon Blasus noted affordability is an issue and shared concerns about new mobile home requirements.

COUNCIL QUESTIONS/COMMENTS

Mayor Pro Tem Pignataro noted this grant will be used to fund the writing of the Housing Action Plan, which is a State requirement making the City eligible for grant funds.

Councilmember Fudge suggested the housing ad hoc committee look at the mobile home standards mentioned.

Councilmember Fudge moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 045, 2026, Making a Supplemental Appropriation of Colorado Department of Local Affairs Grant Revenue to Develop a New Fort Collins Housing Action Plan, on Second Reading.

The motion carried 6-0.

15. **Resolution 2026-070 Accepting and Adopting Ethics Opinion No. 2026-01 of the Ethics Review Board Advising Councilmember Anne Nelsen in Response to her Request for an Advisory Opinion.**

The purpose of this item is proposed adoption by Council of Ethics Opinion No. 2026-01 of the Ethics Review Board providing an advisory opinion to Councilmember Anne Nelsen in response to her request related to possible conflicts of interest.

****Clerk's Note: Councilmember Nelsen withdrew from the discussion of this item due to a conflict of interest.**

PUBLIC PARTICIPATION

Rich Stave stated the information in this item was difficult to understand. He expressed concern about the appropriateness of a Councilmember getting paid by the City in multiple ways. He questioned the level of transparency in terms of situations that overlap Council and business leader duties.

Shannon Blasus suggested there is a conflict of interest for a Councilmember to do contract work for the City and stated money earned in that capacity should be returned.

COUNCIL QUESTIONS/COMMENTS

Councilmember Potyondy appreciated that Councilmember Nelsen requested this review and noted the Ethics Review Board held three meetings regarding the circumstances of her employment as an architect and role on Council. She stated she is comfortable with the outcome and noted Councilmember Nelsen presented some clear commitments as to how she is going to

balance both roles in a legal and ethical manner. She stated she is sure Councilmember Nelsen will recuse herself appropriately if conflicts do arise.

Councilmember Hoeven concurred and expressed appreciation for the in-depth questions and conversations that were had.

Mayor Francis thanked the members of the Ethics Review Board for their work on this issue.

Mayor Pro Tem Pignataro moved, seconded by Councilmember Potyondy, to adopt Resolution 2026-070 Accepting and Adopting Ethics Opinion No. 2026-01 of the Ethics Review Board Advising Councilmember Anne Nelsen in Response to her Request for an Advisory Opinion.

The motion carried 6-0.

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.)

None.

R) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:11 p.m.

Mayor

ATTEST:

City Clerk