

July 21, 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

1. Declaring the Month of July 2026 as Disability Pride Month.

A community reception was held at City Hall at 4 p.m.

**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 Chris Conway
Councilmember Josh Fudge
Councilmember Melanie Potyondy
Councilmember Amy Hoeven
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:

- No changes to the published agenda.
- Items 1-32 on the Consent Calendar are recommended for adoption.
- Four Discussion Items, three of which are on Discussion to allow Mayor Francis to recuse herself.

F) COMMUNITY REPORTS

1. Community Report: Youth Advisory Board.

The purpose of this item is for the Youth Advisory Board to provide a Community Report.

LeAnn Williams, Director of Parks and Recreation, introduced the item. Youth Advisory Board Members introduced themselves and provided a report about their impact projects and accomplishments for the year as well as their trip to the National League of Cities Conference.

Mayor Francis thanked the Board Members for their presentation.

Councilmember Potyondy noted she had the pleasure of meeting with the Youth Advisory Board Chairs and commended the Board on its work and development of school initiatives that will carry on into the future.

Councilmember Hoeven congratulated the Board Members on their accomplishments and highlighted their work on the E-bike initiative for teens. She expressed interest in the safety lessons that were implemented.

Councilmember Nelsen thanked the Board Members for their presentation and commented on the importance of their work and perspectives in the community.

Mayor Francis thanked the Board Members for their efforts and taking the time to serve the community.

Councilmember Conway echoed the other sentiments and thanked the Board Members for their efforts.

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

George Grossman spoke in opposition to paid on-street parking downtown.

John Sanderson opposed abandoning the Halligan Reservoir Water Supply Project in favor of participating in the Northern Integrated Water Supply Project.

LeAnn Thieman spoke in opposition to paid on-street parking downtown.

Christie Rogers spoke in opposition to paid on-street parking downtown.

Jan Clodfelder spoke in opposition to using pigs to manage weeds at Rigden Farm.

Sabrina Herrick spoke about disability marginalization and the meaningful work/action that needs to be done related to this.

Peter Bachand spoke about accessibility for the disabled and the meaningful work/action that needs to be done related to this.

Adam Mahan spoke in opposition to paid on-street parking downtown.

Barbara Krupnik-Goldman, Fort Collins Sustainability Group (FCSG), shared that FCSG is pleased that Fort Collins is able to accept the Colorado Energy Office Impact Accelerator Grant and supported funding for items that reduce greenhouse gases.

Lief Youngs shared concerns about laboratory animal testing that is occurring in the city.

Michelle Johnson spoke in support of using pigs to manage weeds at Rigden Farm. She also commended City staff for their work and partnership.

Kimberly Conner commented on the deepening threat to free speech coming from the federal government.

Angie Dixon spoke in support of using grazing methods at Rigden Farm and stated measures need to be put in place to do this correctly.

Keith Pecoraro spoke in support of using pigs to manage weeds at Rigden Farm.

Jana Archuleta spoke in opposition to paid on-street parking downtown

Rich Stave noted PRPA sent a note to people asking them to reduce electricity usage; however, he expressed concern about the fact that unplugging electric cars was not mentioned. He expressed concern about some grammatical errors in Item No. 20, *Items Relating to Municipal Court Sentencing Penalties and Other Updates to the Criminal Code*, and stated aspects of Item No. 23, *First Reading of Ordinance No. 098, 2026, Authorizing the Conveyance of City-Owned Real Property Located at 314 North Howes Street in Support of Affordable Housing Development*, did not make sense. He opposed using grazing methods in Rigden Farm and questioned who would be winners and losers regarding Item No. 25, *Resolution 2026-095 Adopting the One Water Utility Long-Term Water Rental Policy*.

Spencer Burris spoke in opposition to paid on-street parking downtown.

Barbara Wilkins spoke in opposition to paid on-street parking downtown.

Jennifer Beccard spoke in opposition to using pigs to manage weeds at Rigden Farm.

Adam Hirschhorn spoke in support of using pigs to manage weeds at Rigden Farm.

Tara Leveillee spoke in support of using pigs to manage weeds at Rigden Farm.

Nadine Jung spoke in support of using pigs to manage weeds at Rigden Farm.

Cameron Gloss spoke about the difficulties of balancing issues related to on-street paid parking and commented on the importance of the Downtown area to the local economy. He also noted his involvement in developing the Downtown Plan.

H) PUBLIC COMMENT FOLLOW-UP

Councilmember Nelsen discussed ADA accommodations and the built environment as well as associated Codes. She stated she would like to meet with concerned citizens and the Chief Building

Official regarding the topic and asked about the most effective way for accessibility issues to be reported. City Manager DiMartino replied residents should use Access Fort Collins or call the City Manager's Office to report accessibility issues.

Councilmember Potyondy thanked the speakers and encouraged everyone to keep dialogue open to ensure neighbors with disabilities are cared for and accommodated in all ways.

Mayor Pro Tem Pignataro noted the paid on-street parking issue will be coming before Council at an August work session and thanked all who provided comments. She asked about the discrepancies mentioned by Mr. Stave in Item No. 20, *Items Relating to Municipal Court Sentencing Penalties and Other Updates to the Criminal Code*, and requested staff research the issue. She also expressed appreciation for the work done by the Planning and Zoning Commission regarding pig grazing in Rigden Farm and supported the unique solution.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

Councilmember Potyondy withdrew Item No. 25, *Resolution 2026-095 Adopting the One Water Utility Long-Term Water Rental Policy*, from the Discussion Agenda.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the June 9, 2026, Special Meeting and the Minutes of the June 16, 2026, Regular Meeting.

The purpose of this item is to approve the minutes of the June 9, 2026, Special Meeting and the minutes of the June 16, 2026, Regular Meeting.

Approved.

2. Second Reading of Ordinance No. 069, 2026, Appropriating Unanticipated Revenue Received Through City Give.

This Ordinance, unanimously adopted on First Reading on June 16, 2026, requests an appropriation of \$7,420.50 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. 070, 2026, Making Supplemental Appropriations, Appropriating Prior Year Reserves, and Authorizing Transfers of Appropriations for the Construction of the Southeast Community Center.

This Ordinance, unanimously adopted on First Reading on June 16, 2026, appropriates \$72,539,000 in anticipated revenues from debt issuance and Poudre Public Library District, unanticipated grant revenue from the Department of Local Affairs (DOLA) Energy & Mineral Impact Assistance Program (EIAF) and prior year reserves in the 2050 Parks and Recreation Fund. 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 Second Reading.

4. **Second Reading of Ordinance No. 071, 2026, Authorizing Transfers of Appropriations Between Lapsing and Non-Lapsing Accounts in the Transit Services Fund For Federal Transit Administration Section 5307 Awards.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, transfers the associated local match between lapsing and non-lapsing accounts resulting from the exchange of project activities between two existing Federal Transit Administration ("FTA") Section 5307 grants, and to adjust prior appropriations to reflect final award amounts.

Since this Ordinance was adopted on First Reading, staff has identified the need to reduce the amount of funds being transferred to a lapsing account from \$2,236,764 to \$2,201,514. The Ordinance as presented on Second Reading reflects the revised amount.

Adopted on Second Reading.

5. **Second Reading of Ordinance No. 072, 2026, Appropriating Unanticipated Grant Revenue and Local Matching Funds for the Purchase and Installation of Battery Electric On-Route Bus Chargers.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, appropriates \$250,000 in unanticipated grant revenue awarded by the Denver Regional Council of Governments (DRCOG) for the purchase and installation of on-route battery electric bus chargers at the South Transit Center. This item also appropriates \$51,969 in local match as required by the grant agreement. This appropriation is contingent upon execution of the associated grant agreement and includes a sunset date of December 31, 2026, if such agreements are not finalized.

Adopted on Second Reading.

6. **Second Reading of Ordinance No. 073, 2026, Making a Supplemental Appropriation of Grant Funds from the Colorado Energy Office for the IMPACT Accelerator Grant Program.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, appropriates \$3,838,615 of unanticipated grant revenue from the Colorado Energy Office for the IMPACT Accelerator Grant Program. The funding will support transportation safety improvements and evaluation of building performance strategies, including community engagement, technical assistance, and implementation support.

Adopted on Second Reading.

7. **Second Reading of Ordinance No. 074, 2026, Making a Supplemental Appropriation from the Colorado Department of Transportation Office of Transportation Safety and Risk Management for Police Services High Visibility Enforcement Grant Award.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, appropriates \$28,000 of unanticipated grant revenue from the Colorado Department of Transportation Office of Transportation Safety and Risk Management ("OTSRM") High Visibility Enforcement Grant Program (the "Grant"). Funding will support officer overtime for enforcement activities and personnel costs during community education and outreach events.

Adopted on Second Reading.

8. **Second Reading of Ordinance No. 075, 2026, Appropriating Prior Year Reserves for Negotiations to Acquire Property in Midtown for Economic Development Purposes.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, appropriates \$500,000 from General Fund Reserves for earnest money necessary to secure a Purchase and Sale Agreement, for the acquisition of a commercial property in midtown Fort Collins for purposes of economic development.

Adopted on Second Reading.

9. **Second Reading of Ordinance No. 076, 2026, Reappropriating Grant Revenue from the Multimodal Transportation and Mitigation Options Fund and Authorizing Transfers of Appropriations for the Foothills Transit Station Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, reappropriates \$317,669 in existing Multimodal Transportation and Mitigation Options Fund (MMOF) grant revenue awarded by the North Front Range Metropolitan Planning Organization (NFRMPO) and appropriates \$105,890 in local match as required by the grant agreement for the Foothills Transit Station project. This item also appropriates \$1,059 for the Art in Public Places Program.

Adopted on Second Reading.

10. **Second Reading of Ordinance No. 077, 2026, Repealing Ordinance No. 021, 2026, and Adding a New Section 1419 of the Fort Collins Traffic Code Relating to Driving Without a Current Driver's License.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, repeals Ordinance No. 021, 2026, due to a typographical error in the Section number being added to the Traffic Code and adopts a new ordinance with the correct Section number.

Adopted on Second Reading.

11. **Second Reading of Ordinance No. 078, 2026, Amending Section 26-149(b) of the Code of the City of Fort Collins to Correct a Land Use Code Section Citation Pertaining to Water Supply Requirement.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, corrects a Land Use Code citation contained in Section 26-149(b) of the City Code.

Adopted on Second Reading.

12. **Second Reading of Ordinance No. 079, 2026, Approving the Conveyance and Exchange of Real Property and Easement Interests Related to Meadow Springs Ranch.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, authorizes property and easement exchange between the City and Scott and Christine Fortenberry (the "Fortenberrys") related to Meadow Springs Ranch (the "Ranch"). The exchange is intended to resolve longstanding access and boundary issues, provide the Fortenberry's property with direct access to County Road 92, and improve the City's operational control, security, and management of the primary access road serving the Ranch. The transaction includes the exchange of certain real property interests, easement interests, and quitclaim interests, together with a cash equalization payment based on appraised values. The exchange is subject to the terms of the Exchange Agreement attached to the Ordinance.

Adopted on Second Reading.

13. First Reading of Ordinance No. 081, 2026, Appropriating Unanticipated Revenue Received Through City Give.

The purpose of this item is to request an appropriation of \$124,482.46 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 First Reading.

14. Items Relating to the North Mason Stormwater Project and Acquisition of Required Right-of-Way.

A. Resolution 2026-092 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and the Fort Collins Urban Renewal Authority for the North Mason Stormwater Project.

B. First Reading of Ordinance No. 082, 2026, Making a Supplemental Appropriation and Authorizing Transfers of Appropriations for the North Mason Stormwater Project and Associated Right-of-Way Acquisitions for North Mason Street and Related Art in Public Places.

The purpose of this item is to enable the City to receive and expend Fort Collins Urban Renewal Authority ("FCURA") funds and appropriate matching funds for the North Mason Stormwater project (the "Project"). The funds will be used to acquire right-of-way for North Mason Street between Hickory Street and Alpine Street as well as to design and construct a stormwater outfall system to serve the area. The right-of-way will provide for the installation of the stormwater outfall as well as provide access to the adjacent properties along North Mason. If approved, the item will: 1) authorize the City Manager to execute an intergovernmental agreement (the "IGA") for the Project with the URA; 2) appropriate \$550,000 of FCURA funds for the Project for right-of-way acquisition; 3) appropriate \$838,475 of Transportation Capital Expansion Fee (TCEF) funds to the Project for right-of-way acquisition; 4) appropriate \$275 of Transportation Services Reserve Fund (TSRF) to the Project for right-of-way acquisition; and 5) transfer \$13,750 (1% of new right-of-way Project funding) in capital project funds to the Art in Public Places (APP) program.

Resolution Adopted and Ordinance Adopted on First Reading.

15. First Reading of Ordinance No. 083, 2026, Approving an Intergovernmental Agreement and Appropriating Unanticipated Grant Revenue from the Colorado Department of Public Health and Environment for the Indoor Radon Grant Program.

The purpose of this item is to appropriate \$7,793.18 of unanticipated grant revenue from the Colorado Department of Public Health and Environment (CDPHE) for the Indoor Radon Grant Program. The funding will support outreach and educational campaigns to increase radon awareness and provide radon test kits to residents.

Adopted on First Reading.

16. **First Reading of Ordinance No. 084, 2026, Approving an Intergovernmental Agreement for Grant Funding and Making a Supplemental Appropriation of Grant Funds from the Colorado Department of Local Affairs and Authorizing Transfers of Appropriations for the Best and Brightest Undergrad Internship Pilot Program.**

The purpose of this item is to appropriate \$3,000 of unanticipated grant revenue from the Colorado Department of Local Affairs (DOLA) for the Best and Brightest Undergrad Internship Pilot Program. The funding will support three Colorado State University undergraduate internships. This Ordinance also appropriates \$3,000 from fund 100 and 605 to meet the local match requirements of the grant.

Adopted on First Reading.

17. **First Reading of Ordinance No. 086, 2026, Appropriating Unanticipated Grant Revenue from the Colorado Department of Public Safety Division of Homeland Security and Emergency Management for the Homeland Security Grant Program and Authorizing Related Agreements.**

The purpose of this item is to appropriate \$51,450 of unanticipated grant revenue from the Colorado Department of Public Safety Division of Homeland Security and Emergency Management (DHSEM) for the Homeland Security Grant Program. The funding will support a digital fire extinguisher training system for Community Emergency Response Teams (CERT) and specialized cybersecurity training for Poudre Fire Authority.

Adopted on First Reading.

18. **First Reading of Ordinance No. 087, 2026, Appropriating Unanticipated Grant Revenue from the Colorado Department of Transportation – Office of Transportation Safety and Risk Management for the Law Enforcement Assistance Fund Grant Program.**

The purpose of this item is to appropriate \$11,015.78 of unanticipated grant revenue from the Colorado Department of Transportation (“CDOT”) Office of Transportation Safety and Risk Management for the Law Enforcement Assistance Fund (“LEAF”) grant program. The funding will support the purchase of materials and equipment to support high visibility enforcement and impaired driving efforts.

Adopted on First Reading.

19. **Items Relating to the Connecting North College Project.**

A. Resolution 2026-093 Authorizing the Execution of an Intergovernmental Grant Agreement Between the City of Fort Collins and the State of Colorado Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME) for the Connecting North College Project.

B. Resolution 2026-094 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and the Colorado Department of Transportation for the Connecting North College Project.

C. First Reading of Ordinance No. 088, 2026, Appropriating Unanticipated Grant Revenue from the Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME) for the Community Clean Transportation Assistance Program (CCTAP) Grant and Authorizing Transfers of Appropriations.

The purpose of this item is to enable the City to receive and expend State of Colorado Nonattainment Air Pollution Mitigation Enterprise (“NAAPME”), Colorado Department of Transportation (“CDOT”), and local funds for the Connecting North College project (the “Project”). The funding will support the feasibility and preliminary design of bicycle, pedestrian, and

connectivity improvements adjacent to North College Avenue as well as bicycle and pedestrian improvements along West Vine Drive.

If approved, the item will:

- 1) Authorize the City Manager to execute an intergovernmental agreement for the Project with NAAPME;
- 2) Authorize the City Manager to execute an intergovernmental agreement for the Project with CDOT;
- 3) Appropriate \$528,275 of NAAPME Community Clean Transportation Assistance Program (CCTAP) grant funds for the Project; and
- 4) Appropriate \$102,690 in matching funds to meet the cost-share requirement of the grant.

Both Resolutions Adopted and Ordinance Adopted on First Reading.

20. Items Relating to Municipal Court Sentencing Penalties and Other Updates to the Criminal Code.

A. First Reading of Ordinance No. 089, 2026, Amending Portions of Chapter 1 of the Code of the City of Fort Collins to Align with State Law and Making Other Related Updates and Corrections.

B. First Reading of Ordinance No. 090, 2026, Amending Portions of Chapter 4 of the Code of the City of Fort Collins to Align with State Law and Making Other Related Updates and Corrections.

C. First Reading of Ordinance No. 091, 2026, Amending Portions of Chapter 9 of the Code of the City of Fort Collins to Align with State Law and Making Other Related Updates and Corrections.

D. First Reading of Ordinance No. 092, 2026, Amending Portions of Chapter 17 of the Code of the City of Fort Collins to Align with State Law and Making Other Related Updates and Corrections.

E. First Reading of Ordinance No. 093, 2026, Amending Section 20-42 of the Code of the City of Fort Collins to Align with State Law and Making Other Related Updates and Corrections.

F. First Reading of Ordinance No. 094, 2026, Amending Sections 23-193 and 23-203 of the Code of the City of Fort Collins to Align with State Law and Making Other Related Updates and Corrections.

G. First Reading of Ordinance No. 095, 2026, Amending Sections of the Fort Collins Traffic Code to Align with State Law and Making Other Related Updates and Corrections.

The purpose of these items is to amend provisions of the City Code and Traffic Code to align the City's penalty framework and related procedures with recent Colorado Supreme Court decisions in In re People v. Camp and In re People v. Simons as phase 2 of the Municipal Court sentencing Code update.

There are additional amendments being made to a few of the Code sections to track state law updates that have been made to those charges over time. The proposed amendments formalize current practice, improve clarity, provide clear notice to the public, law enforcement and the court, and will ensure consistency in charging and sentencing.

All Ordinances Adopted on First Reading.

21. **First Reading of Ordinance No. 096, 2026, Amending Section 2-31(a)(5) of the Code of the City of Fort Collins to Update the Cross Reference to Telecommunication Facilities and Services.**

The purpose of this item is to update a reference in City Code Section 2-31(a)(5) to refer to the correct City Code Section.

Adopted on First Reading.

22. **First Reading of Ordinance No. 097, 2026, Authorizing the City Manager to Execute an Agreement With Cargill, Inc., Regarding Exchanging 11.5 Arthur Irrigation Company Shares for Water Supply Requirement Credit.**

The purpose of this item is for Council to approve the Agreement Between Cargill, Inc. and the City of Fort Collins Regarding Exchanging 11.5 Arthur Irrigation Company shares for Water Supply Requirement Credit. The exchange of Arthur Irrigation Company shares for Water Supply Requirement credit proposed in the agreement will eliminate the need for expensive repair and maintenance issues on the Cargil Lateral while still providing water to meet Cargill, Inc.'s needs without injury to the City or its Water Utility rate payers.

Adopted on First Reading.

23. **First Reading of Ordinance No. 098, 2026, Authorizing the Conveyance of City-Owned Real Property Located at 314 North Howes Street in Support of Affordable Housing Development.**

The purpose of this item is to approve the conveyance of City property to Housing Catalyst to develop affordable housing. City staff has identified a site for potential partnership with Housing Catalyst to produce a plan for redevelopment of 314 North Howes Street (the "Property"), focusing on affordable housing. On April 21, 2026, Resolution 2026-060 to approve an Option Agreement for the potential sale of the property was adopted by Council. The Property is currently owned by the City and supports EcoThrift, which is a private tenant, and has been evaluated for possible disposition to Housing Catalyst. The current tenant's lease expires on September 30, 2026. City staff negotiated an Option Agreement with Housing Catalyst with the intention to convey 314 North Howes to Housing Catalyst at nominal consideration in support of affordable housing. On June 9, 2026, Housing Catalyst delivered Notice of Exercise of Option to Purchase Real Property to the City. The proposed Ordinance approves the execution of an agreement to facilitate disposition of 314 N. Howes Street to Housing Catalyst. The rationale for this proposal is outlined in the background and discussion section. The original Resolution is also attached to this Agenda Item Summary.

Adopted on First Reading.

24. **First Reading of Ordinance No. 099, 2026, Approving the Addition of Permitted Uses Associated with the Rigden Farms Sixth Filing Major Amendment and Final Development Plan FDP260002.**

The purpose of this item is to present an Addition of Permitted Uses (APU) and combined Major Amendment and Final Development Plan (FDP) which proposes to have pigs graze part of a tract owned by the Rigden Farm Homeowners Association (HOA). The applicant (AloTerra Restoration Services) proposes to use up to 15 pigs to eat the extensive seedbank of the troublesome weed, Kochia scoparia (kochia) in 0.8 acres of this 3.96-acre park space during the growing seasons for a two to five-year period. A Modification of Standard was requested to permit an electric fence associated with the pigs.

The Council's decision on the proposed APU is a quasi-judicial decision governed by the standards in the Land Use Code. If considered on the consent agenda, a public hearing is deemed to have been open and closed, with the only evidence considered being that set forth in the agenda item summary and the attachments thereto, including the staff report and public comment. If the APU is pulled from the consent calendar, Council will conduct a public hearing pursuant to the Council Rules of Procedure. If Council votes down the Ordinance, a second motion formally stating denial of the application for the addition of a permitted use would be appropriate.

The site is located in the Low-Density Mixed-Use Neighborhood (LMN) zone district. The proposed land use, Farm Animals, is not a permitted use in the LMN district, so this proposal is subject to an Addition of Permitted Uses and Major Amendment with a Type 2 (Planning and Zoning Commission) hearing for a recommendation to City Council for a decision.

Staff has heard significant public comment on this proposal. While much of the feedback has been supportive of the pigs, some neighbors have grievances, citing previous problems with odor and noise, and a general lack of trust of the applicant team's abilities and intentions. In order to address these concerns, staff worked closely with the applicant to ensure robust noise and odor mitigation strategies in the Site and Management Plan. Staff and the applicant also worked to ensure the Site and Management Plan included animal husbandry procedures in alignment with recommendations from the Larimer Public Health Department and NOCO Humane.

On June 18, 2026, the Planning and Zoning Commission voted 5-1 to approve the Site and Management Plan (FDP260002) and 5-1 to approve the Modification of Standard for the electric fence. The Commission also voted 5-1 to recommend Council approval of the Addition of Permitted Use for the Farm Animals.

If this item is pulled from the Consent Calendar for individual discussion, under Section 2.d. of the Council Rules of Procedure, the hearing procedure for Addition of Permitted Uses applications would be as follows:

- (1) Announcement of item;*
- (2) Consideration of any procedural issues;*
- (3) Explanation of the application by City staff;*
- (4) Presentation by the applicant and/or by the affected property owner (if not the applicant);*
- (5) Public testimony regarding the application;*
- (6) Rebuttal testimony by the applicant/property owner;*
- (7) Councilmember questions of City staff, the applicant/property owner and other comments; and*
- (8) Motion, discussion and vote by City Council.*

Adopted on First Reading.

25. Resolution 2026-095 Adopting the One Water Utility Long-Term Water Rental Policy.

The purpose of this item is for Council to adopt the One Water Utility Long-Term Water Rental Policy that provides guidance for the consideration, evaluation, and approval of long-term (greater than one-year) water rental agreements. Currently, the Utility follows the long-standing practice of executing one-year rental agreements through City Council authorization when there are excess supplies. Under this Long-Term Water Rental Policy, long-term water rental requests could be considered, and if determined viable by the Utility Water Resources Manager, proposed agreements would require review and approval by Council.

Moved to Discussion.

26. Resolution 2026-096 Approving FoCo Creates Grant Disbursements

The purpose of this item is to approve FoCo Creates (formerly Fort Fund) grants from the Cultural Development and Programming Account and the Tourism Programming Account for the randomly-selected recipients of the Artist Opportunity Grant category.

Adopted.

27. Resolution 2026-097 Approving an Intergovernmental Agreement with Platte River Power Authority and Other Owner Communities for Distributed Energy Resources Programs and Projects.

The purpose of this item is to update an Intergovernmental Agreement (IGA) with Platte River Power Authority and owner communities to support programs and projects for community wide distributed energy resources. This IGA modernizes the partnership by updating governance and funding mechanisms, identifies programs and projects as components of an integrated Distributed Energy Resources (DER) strategy, and outlines the data sharing necessary to support the next generation of community electricity management and energy transition.

Adopted.

28. Resolution 2026-098 Approving Two Intergovernmental Agreements with the State of Colorado Relating to Conflict Transformation Works.

The purpose of this item is to approve two agreements with the State of Colorado relating to Conflict Transformation Works.

If approved, the Resolution will authorize the City Manager to execute an intergovernmental agreement with the Colorado Division of Criminal Justice for Restorative Justice Services provided by Conflict Transformation Works. The grant will support personnel costs for the Restorative Justice Specialist and the Conflict Transformation Works Program Assistant for their work directly related to the grant funded activities. Council previously appropriated \$35,120 to allow expenditure of these grant funds, through Ordinance No. 064, 2026.

The Resolution also authorizes the City Manager to sign a services agreement with the Colorado Judicial Department Office of the State Court Administrator to provide restorative justice services for adults on probation in the 8th Judicial District. The services will be provided by Conflict Transformation Works. The services agreement establishes per hour and per case rates that the State will pay to the City for the restorative justice services.

Adopted.

29. Resolution 2026-099 Approving Expenditures to Commission an Artist to Create a Mural for the Poudre River Whitewater Park Pursuant to the Art in Public Places Program and Approving the Mural.

The purpose of this item is to approve the Poudre River Whitewater Mural Art in Public Places Whitewater Mural Project, based upon the recommendations of the Arts and Culture Board.

Adopted.

30. Resolution 2026-100 Supporting Fort Collins Police Services' Grant Application for the 2026-27 Peace Officers Behavioral Health Support Funding.

The purpose of this item is to obtain Council support for Police Services to apply for the Colorado Department of Local Affairs Peace Officers Behavioral Health Support and Community Partnerships Grant.

Adopted.

31. Resolution 2026-101 Making an Appointment to the Energy Board.

The purpose of this item is to fill one vacancy on the Energy Board.

Adopted.

32. Items Relating to Clean Fleet Vehicle and Technology Grant Program.

A. Resolution 2026-102 Approving an Intergovernmental Agreement for the Clean Fleet Vehicle and Technology Grant Program.

B. First Reading of Ordinance No. 100, 2026, Appropriating Unanticipated Grant Revenue from the Colorado Department of Public Health and Environment and Authorizing Transfers for the Clean Fleet Vehicle and Technology Grant Program.

The purpose of this item is to appropriate \$1,806,281 of unanticipated grant revenue from the Colorado Department of Public Health and Environment for the Clean Fleet Vehicle and Technology (CFVT) grant program. The funding will support the replacement of 13 end of life vehicles across various city operations. This item also appropriates \$921,914 in matching funds to meet the cost-share requirement of the grant.

Resolution Adopted and Ordinance Adopted on First Reading.

END OF CONSENT CALENDAR

Mayor Pro Tem Pignataro moved, seconded by Councilmember Nelsen, to approve the recommended actions on items 1-32, minus Item 25, on the Consent Calendar.

The motion carried 7-0.

K) CONSENT CALENDAR FOLLOW-UP

Councilmember Nelsen spoke regarding Item No. 23, *First Reading of Ordinance No. 098, 2026, Authorizing the Conveyance of City-Owned Real Property Located at 314 North Howes Street in Support of Affordable Housing Development*, noting EcoThrift serves a waste diversion function not provided by other commercial thrift stores. She stated it is exactly the type of business model needed to reach the City's climate goals.

Councilmember Hoeven stated she hopes the community will continue to work together regarding the Rigden Farm grazing issue. She also congratulated the three interns that were selected as part of Item No. 16, *First Reading of Ordinance No. 084, 2026, Approving an Intergovernmental Agreement for Grant Funding and Making a Supplemental Appropriation of Grant Funds from the Colorado Department of Local Affairs and Authorizing Transfers of Appropriations for the Best and Brightest Undergrad Internship Pilot Program*.

L) STAFF REPORTS – None.

M) COUNCILMEMBER REPORTS

Councilmember Melanie Potyondy

- Spoke with the latest cohort of Adelante Youth Fellowship who are provided opportunities to be paired with various employers and agencies in the community to build leadership skills.
- Reported on a CBS News article regarding improved and more consistent flows in the Poudre River and thanked those involved from the City.

Councilmember Josh Fudge

- Attended the Front Range Passenger Rail brand launch in Denver.
- Reminder of the Kids in the Park event on July 31st at Twin Silo Park.

Mayor Emily Francis

- Thanked the City for hosting the 4th of July festivities.
- Noted there will not be a meeting on August 4th due to Neighborhood Night Out.

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

25. Resolution 2026-095 Adopting the One Water Utility Long-Term Water Rental Policy.

The purpose of this item is for Council to adopt the One Water Utility Long-Term Water Rental Policy that provides guidance for the consideration, evaluation, and approval of long-term (greater than one-year) water rental agreements. Currently, the Utility follows the long-standing practice of executing one-year rental agreements through City Council authorization when there are excess supplies. Under this Long-Term Water Rental Policy, long-term water rental requests could be considered, and if determined viable by the Utility Water Resources Manager, proposed agreements would require review and approval by Council.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/COMMENTS

Councilmember Potyondy questioned whether the framework is seeking to solve a problem that does not exist. She acknowledged the importance of regional partnerships but requested assurance that expectations with other entities that might compromise Fort Collins' duties to its ratepayers are not being established. She questioned the level of objectivity in the plan and about what circumstances would make a multi-year lease worth considering. She also asked if there are concrete ways that surplus water would be defined upon which the referral for a five-year commitment would be considered over the annual commitment that is currently being used. Jen Dial, One Water Water Resources Manager, replied supply and demand is projected on a monthly basis based on hydrologic conditions, and the same factors are considered when looking at a five-year commitment, though there would be a more conservative approach given dryer recent years.

Councilmember Potyondy asked if there are specific numerical thresholds. Dial replied actual yields and demand data are considered.

Councilmember Potyondy asked if historical data is less reliable given climate change. Dial replied greater variability and a change of timing of peak stream flow has been seen, which is why

various scenarios are considered. She stated updated climate and demand modeling and projections are being developed.

Councilmember Potyondy asked if there is a specific percentage of the City's water portfolio that could be committed to leases without reducing resilience. Dial replied conservative estimates of the surplus are made annually based on hydrology, and there is no exact percentage of what could be made available each year.

Councilmember Potyondy asked how the plan would react if the City was in the middle of a five-year commitment to another municipality and water supplies are tight but not quite meeting the threshold for a shortage. Dial replied all customers' demands are being met if a shortage has not been declared; therefore, there is no risk in continuing to meet an obligation.

Councilmember Potyondy noted the plan would allow Fort Collins to rescind a water lease if conditions change and asked how that would be navigated. Dial replied the entire region would likely be facing a difficult time should that situation arise, and there would be a need to communicate having more water efficiency regionally. Additionally, Fort Collins is responsible for meeting its customers' needs prior to meeting the needs of another service area.

Councilmember Potyondy asked about possible revenue implications of extending a lease from year-to-year to a five-year lease. Dial replied those terms are not detailed in the framework as each agreement is negotiated on several different variables. She stated the Town of Windsor has existing agreements with the Cities of Loveland and Greeley for guaranteed annual payments and additional payments per acre-foot of water used.

Councilmember Potyondy asked if Windsor is under resourced for its population. Dial replied Windsor is dependent on Glade Reservoir, which has now been delayed, so it is attempting to gain as much certainty as possible with agreements with other municipalities.

Councilmember Potyondy noted a longer-term lease would come before Council and stated the annual leases that allow for more flexibility feel comfortable, particularly considering unpredictability in climate and water availability.

Councilmember Fudge thanked Councilmember Potyondy for her questions. He asked if the policy would require the agreements to have a provision that water rentals would not be permitted during level one through four water restrictions. Dial replied in the affirmative.

Councilmember Fudge stated having the water needed by Fort Collins customers is important and he appreciates being able to help neighbors and generate revenue when it makes sense.

Councilmember Hoeven commented on Item No. 22, *First Reading of Ordinance No. 097, 2026, Authorizing the City Manager to Execute an Agreement With Cargill, Inc., Regarding Exchanging 11.5 Arthur Irrigation Company Shares for Water Supply Requirement Credit*, which emphasized annual amounts of water. She stated she feels more comfortable with annual leases versus five-year leases. Dial noted that despite this year being extremely dry, Fort Collins still has about 2,000 acre-feet of surplus supplies. She also stated that in the next five years, the gap between the supply and demand is rather large unless there is a very worst-case scenario.

Councilmember Hoeven stated she is extremely concerned about the dry conditions.

Mayor Francis noted Fort Collins has a strong water portfolio and noted excess water cannot be stored for years; therefore, there is a need to use it, and leasing it is a good option, particularly to help out regional neighbors. Additionally, she noted there are provisions that would end a lease if the situation gets worse. She stated she is comfortable with the proposal.

Councilmember Potyondy asked if a different configuration of storage possibilities with either Glade or Halligan Reservoir would change what would be considered as excess supply. Dial replied either of those scenarios would change how much water could be retained in storage to look at future demand. She also noted the amount of surplus water will change over time and there may be a need for the policy to be revised.

Nicole Poncelet-Johnson, One Water Executive Director, added that each longer-term lease would be brought before Council with justification and additional data. Additionally, she noted the framework is built so Fort Collins would not be responsible for supplying water in a drought year.

Mayor Pro Tem Pignataro moved, seconded by Councilmember Nelsen, to adopt Resolution 2026-095 Adopting the One Water Utility Long-Term Water Rental Policy.

The motion carried 7-0.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

33. **Second Reading of Ordinance No. 068, 2026, Authorizing the Transfer of Appropriated Grant Funds for the Colorado Department of Local Affairs Grant Award to Develop a New Fort Collins Housing Action Plan.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, transfers appropriated matching grant funds for the Colorado Department of Local Affairs Housing Planning Program grant award from a lapsing budget to a non-lapsing budget within the same fund.

Mayor Francis withdrew from the discussion of this item due to a conflict of interest.

PUBLIC COMMENT

Rich Stave questioned whether a lapsing budget moving to a non-lapsing budget equates to a full-time employee and questioned where funds come from and where they go.

COUNCIL QUESTIONS/COMMENTS

None.

Councilmember Potyondy moved, seconded by Councilmember Nelsen, to adopt Ordinance No. 068, 2026, Authorizing the Transfer of Appropriated Grant Funds for the Colorado Department of Local Affairs Grant Award to Develop a New Fort Collins Housing Action Plan, on Second Reading.

The motion carried 6-0.

34. **Second Reading of Ordinance No. 080, 2026, Making a Supplemental Appropriation from the Colorado Department of Local Affairs, Authorizing a Transfer of Appropriated Funds, and Approving an Intergovernmental Agreement for the Transit Oriented Communities Infrastructure Program.**

This Ordinance, unanimously adopted on First Reading on June 16, 2026, appropriates \$792,434 of unanticipated grant revenue from the Colorado Department of Local Affairs for the Transit Oriented Communities Infrastructure Grant Program. Funding will be used to construct infrastructure to support the affordable housing development Switchgrass Crossing.

Mayor Francis withdrew from the discussion of this item due to a conflict of interest.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/COMMENTS

None.

Councilmember Potyondy moved, seconded by Councilmember Nelsen, to adopt Ordinance No. 080, 2026, Making a Supplemental Appropriation from the Colorado Department of Local Affairs, Authorizing a Transfer of Appropriated Funds, and Approving an Intergovernmental Agreement for the Transit Oriented Communities Infrastructure Program, on Second Reading.

The motion carried 6-0.

35. **First Reading of Ordinance No. 101, 2026, Making a Supplemental Appropriation of Grant Funds from the Colorado Department of Local Affairs and Authorizing Transfers of Appropriations for the Accessory Dwelling Unit Grant Program.**

The purpose of this item is to appropriate \$157,000 of unanticipated grant revenue from the Department of Local Affairs (DOLA) for the Accessory Dwelling Unit Grant Program. Funding will support the development of accessory dwelling unit (ADU) design plans and provide eligible fee waivers. This item also appropriates \$83,000 from the 2050 City Climate Tax to meet the cost-share requirement.

Mayor Francis withdrew from the discussion of this item due to a conflict of interest.

PUBLIC COMMENT

Rich Stave stated Fort Collins residents were not especially supportive of expanding accessory dwelling unit allowances and questioned why Fort Collins now must take State funds to expand the accessory dwelling unit program. He also questioned the definition of eligible fee waivers and the purpose of the item.

COUNCIL QUESTIONS/COMMENTS

Councilmember Fudge asked if there are existing criteria for fee waivers or if the fee waivers would be created as part of this. Clay Frickey, Planning Director, replied the fee waiver eligibility would be created as part of the program.

Councilmember Fudge noted the original 25% match that Council approved to apply for the grant has now become closer to a 34% match and asked about that change. Frickey replied the increase allowed access to additional fee waivers to help better support the program and grant application.

Councilmember Fudge thanked staff for the memo that explained the use of 2050 climate tax funds.

Councilmember Potyondy stated she feels less comfortable with the use of 2050 climate tax funds despite being very supportive of infill ADU's. She stated she would feel more comfortable using affordable housing dollars as the match and maintaining the climate tax dollars for explicit climate initiatives. Frickey replied the climate tax dollars were proposed to be used as a match as it offers the opportunity to get accessory dwelling units that are meeting the energy efficiency targets. He

noted the dollars are already appropriated; therefore, no new climate tax funds would be going to the ADU program as the match.

Councilmember Potyondy requested some additional clarification prior to Second Reading regarding whether the funding source could be shifted.

Councilmember Hoeven asked if the designed 2030 project is part of parks, recreation, or transit, which are mentioned as the 2050 tax categories. Brian Tholl, Energy Services Director, replied the designed 2030 project is funded specifically from the climate portion of the 2050 tax dollars; therefore, the language may need to be reviewed. City Manager DiMartino clarified the 2050 is the Parks, Climate, and Transit tax, which is always referenced in full, though these dollars are only coming from the climate portion.

Councilmember Conway thanked Councilmember Potyondy for her questions. He stated the staff memo helped clarify the use of the climate tax funds and supported their use.

Councilmember Nelsen thanked Councilmember Potyondy for her questions. She noted the built environment is responsible for almost half of annual emissions worldwide, and about 1/3 of annual emissions is generated during the operation of buildings; therefore, any options to make buildings more energy efficient are important, and there is a strong link with climate goals for this program.

Councilmember Potyondy requested a brief follow-up in terms of quantifying the climate or emissions impacts of more efficient ADU's.

Councilmember Nelsen suggested the team that is developing the plans carefully consider flexibility in building orientation.

Councilmember Fudge stated it will be helpful to have preapproved ADU designs.

Mayor Pro Tem Pignataro expressed support for the use of the funds for this program.

Councilmember Potyondy moved, seconded by Councilmember Nelsen, to adopt Ordinance No. 101, 2026, Making a Supplemental Appropriation of Grant Funds from the Colorado Department of Local Affairs and Authorizing Transfers of Appropriations for the Accessory Dwelling Unit Grant Program, on First Reading.

The motion carried 6-0.

36. **First Reading of Ordinance No. 102, 2026, Waiving Basic Development Review and Associated Development Standards Under Land Use Code Section 4.3.4(F)(6) to Facilitate the Larimer County-Led Plugging and Abandonment of Orphaned Oil and Gas Wells in Northeast Fort Collins.**

The purpose of this item is to waive Basic Development Review requirements and associated development standards under Land Use Code (LUC) Section 4.3.4(F)(6) to facilitate the Larimer County-led plugging and abandonment of orphaned oil and gas wells within Fort Collins city limits.

STAFF PRESENTATION

Kirk Longstein, Senior Environmental Planner, discussed the history of oil and gas operations and regulation in Fort Collins. He outlined the first of its kind \$5.2 million grant and intergovernmental agreement with the Energy and Carbon Management Commission and Larimer County to plug and abandon orphaned gas wells in northeast Fort Collins. He stated this item specifically relates to waiving the Basic Development Review requirements and associated Land Use Code

development standards to facilitate the Larimer County-led plugging and abandonment of orphaned wells. He stated staff is recommending adoption of the Ordinance on First Reading.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/COMMENTS

Councilmember Conway asked why Basic Development Review was required at all for plugging the wells. Longstein replied the Code was essentially seen as providing additional oversight for developers in the community that were doing the plugging and abandonment work; however, when the Code was adopted, this type of grant structure for another government entity taking on the work was not anticipated.

Councilmember Conway commended the creative work on solving this problem which has been a large concern in the northeast Fort Collins community.

Councilmember Fudge noted he is an employee of Larimer County, though his vote does not impact anything related to his employment; therefore, he does not believe he has a conflict.

Councilmember Potyondy stated this is a good news item.

Councilmember Nelsen expressed support for the Ordinance as written. She thanked the Air Quality Advisory Board for its very thorough memo and thanked Larimer County for its partnership.

Mayor Francis concurred this is a good news item.

Mayor Pro Tem Pignataro moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 102, 2026, Waiving Basic Development Review and Associated Development Standards Under Land Use Code Section 4.3.4(F)(6) to Facilitate the Larimer County-Led Plugging and Abandonment of Orphaned Oil and Gas Wells in Northeast Fort Collins, on First Reading.

The motion carried 7-0.

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.)

Mayor Francis recognized Taryn, the City's Graduate Assistant, and noted this is her last Council meeting as she had been accepted into a PhD program at the University of Denver.

OB 2. Consideration of a Motion to go into Executive Session to Discuss Potential Incentive Negotiation Approach and Strategy:

Mayor Pro Tem Pignataro moved, seconded by Councilmember Nelsen, that Council go into executive session to discuss with appropriate City staff:

the City's negotiating position for potential business incentives for a project, and developing strategy for those negotiations, and instructing negotiators, pursuant to:

- *City Charter Article Two, Section Eleven, Subsection Five,*
- *City Code Section 2-31(a)(6), and*
- *Colorado Revised Statutes Section 24-6-402 subsection (4)(e)(I).*

The motion carried 7-0.

R) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 9:02 p.m.

Mayor

ATTEST:

City Clerk