

December 3, 2024

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

**PROCLAMATIONS AND PRESENTATIONS
5:00 PM**

A) PROCLAMATIONS AND PRESENTATIONS

PP 1. **Declaring December 10, 2024 as Human Rights Day.**

PP 2. **Declaring December 7, 2024 as CHSAA Championship Saturday.**

Mayor Jeni Arndt presented the above proclamations at 5:00 p.m.

**REGULAR MEETING
6:00 PM**

B) CALL MEETING TO ORDER

Mayor Jeni Arndt called the regular meeting to order at 6:01 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 Jeni Arndt led the Pledge of Allegiance to the American Flag.

D) ROLL CALL

PRESENT

Mayor Jeni Arndt
Mayor Pro Tem Emily Francis
Councilmember Susan Gutowsky
Councilmember Julie Pignataro
Councilmember Tricia Canonico
Councilmember Melanie Potyondy
Councilmember Kelly Ohlson
Councilmember Julie Pignataro

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.
- Recommending approval of the Consent Agenda as presented.
- Five items on Discussion Agenda.

F) COMMUNITY REPORTS

None.

G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS *(Including requests for removal of items from Consent Calendar for individual discussion.)*

Jonah Salehi, DSA Fort Collins, spoke in support of the City Manager recognizing the Connexion Workers Coalition and spoke about a related petition which has gathered 300 signatures. Salehi read quotes from community members in support of the union.

Christina Swope, DSA Fort Collins, spoke in support of the City Manager recognizing the Connexion Workers Coalition and shared frustration about the City Manager not doing this despite the wage that she receives. Swope stated small, local governments must remain trustworthy and democracy must be strengthened through worker empowerment.

Trevor Rothanzl, CSU union steward, spoke in support of the City Manager recognizing the Connexion Workers Coalition and shared the benefits of being part of a union.

Nicholas Sahwin, Connexion worker and organizer of the Connexion Workers Coalition, read from the City's mission and vision, and stated Connexion Managers are not operating according to City values. Sahwin shared frustration about the lack of a work-life balance and requested Council consider the demands in the union petition and to agree to them so Connexion can continue to provide exceptional service to the community.

Alex Scott spoke in favor of a ceasefire related to the Gaza conflict. He shared information from various sources related to the mistreatment of detainees.

Kimberly Conner shared support for the Connexion Workers Coalition. Conner urged Council to adopt a ceasefire resolution related to the Gaza conflict and provided information about a recent court ruling related to war crimes. Conner provided a video from a special committee report related to an investigation of Israeli practices.

Casey Johns spoke in support of the Connexion Workers Coalition and expressed frustration that the City would not recognize it stating that goes against the City's values of partnership and integrity.

Donnie Buchanan, CSU student, urged Council to require the City Manager to recognize the Connexion Workers Coalition. Buchanan referred to City priorities related to improving the employee experience at the City.

Evan Stafford stated the City owns and operates a diversion dam near Gateway Park and stated it is dangerous and has blocked aquatic connectivity and water recreation. Stafford stated the City is currently involved in a project that would allow for fish passage at the diversion dam as a mitigation for the Halligan Reservoir expansion and encouraged the City to increase the scope of this project to enable boat passage.

Kaori Keyser noted she is a Connexion customer and is disappointed that the City Manager would not recognize the Workers Coalition which does not fit with the City's goals of attracting diverse and top

talent. Keyser spoke about Connexion employees not being empowered and stated they want to have their voices heard. She questioned why the City recognizes the Police union but not this union.

Kyle Johnson, owner of a local rafting company, spoke about the Gateway Diversion Dam project and encouraged increasing the project's scope to include recreational bypass as part of the mitigation plan for the Halligan project. Johnson requested Council and staff follow up on work that has already been done and urged Council to move forward with a policy decision related to this.

Jeremiah (no last name given) spoke in support of recognizing the Connexion Workers Coalition stating it is important for the City to lead the way when it comes to labor, which is even more important now given the uncertainty that exists at the federal level.

Michael May expressed frustration with the City Manager's choice not to recognize the Connexion Workers Coalition. May discussed consultant fees spent by the City related to providing an alternative to unions and suggested the funds could have been better spent on addressing worker concerns.

Greg Zoda, DSA Fort Collins, stated working class voters are dropping out of the political process and stated there are robust statistics that unions strengthen the likelihood of workers to believe in important democratic institutions. Zoda urged Council to approve the Connexion Workers Union.

Beth (no last name given) commented on the importance of having City-owned internet and stated that recognizing the Workers Coalition provides an opportunity for the City to support these workers. Beth commented on the disparity between the City Manager's compensation and that of Connexion employees and spoke about the importance of integrity, respect, and transparency.

Hillary Ping thanked Council for all it does and urged the City to approve the Connexion Workers Coalition. Ping commented on funds being spent on anti-union legal counsel and commented on studies showing unionized workplaces are more efficient, safer, and experience lower turnover. Ping urged the City to recognize the union and be better stewards of taxpayer dollars.

Adam Hirschhorn provided a video of a federal press conference in Berlin related to the Gaza conflict and urged Council to adopt a ceasefire resolution.

Richard Viktorin noted he was before Council a couple of months ago related to his assault case and stated he has since received information from the Police Department. Viktorin stated the person who assaulted him was not charged and was hardly investigated. He stated he was not trespassing, and his daughter should be interviewed to verify that. He expressed frustration about biases in the Police report and stated he has been issued a summons for trespassing.

Kevin Caffrey spoke in support of the Connexion Workers Coalition and commented on the importance of paying livable wages to workers who do excellent work. Caffrey commented on the Police union which he stated shows the City understands unions.

August-Carter Nelson, DSA Fort Collins, expressed frustration with the City's failure to recognize the Connexion Workers Coalition and commented on the City believing in investing in Connexion.

Julie Hartung expressed frustration with the City not supporting the Connexion Workers Coalition and urged Council to work with the City Manager to recognize the union.

Public comment concluded at 6:58 p.m.

H) PUBLIC COMMENT FOLLOW-UP

Councilmember Potyondy thanked those who spoke and stated she is looking forward to receiving additional information regarding the Gateway recreational bypass. She noted she is a public educator and has always been a union member. She stated she is taking in good faith that the City is not engaging in explicit union busting activities but is rather navigating the newly adopted PROPWA law. She stated she would like to see the referenced petition and requested information on how union efforts have evolved in other municipalities.

Councilmember Pignataro noted she had discussed the Gateway project with Deputy City Manager Marr and stated the City sees the value in the recreational bypass; however, there are concerns that changing the structure of the diversion dam could compromise the forward momentum of the Halligan project.

Deputy City Manager Marr confirmed Councilmember Pignataro's statement and noted the fish passage is part of the state-approved fish and wildlife mitigation and enhancement plan and modifying that to include boat passage places some uncertainty into the Halligan schedule, in part because there is not fully identified funding. He stated it is not currently staff's recommendation to pursue a modification to the mitigation plan but noted staff could confirm whether a recreation bypass modification would compromise the project schedule.

Councilmember Pignataro suggested it could be helpful for staff to put together a memo that addresses the questions regarding the Connexion Workers Coalition. She noted the topic is still being discussed.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

None.

J) CONSENT CALENDAR

1. **Consideration and Approval of the Minutes of the November 6, 2024 Special Meeting, November 19, 2024, Regular Meeting and November 26, 2024 Adjourned Meeting.**

The purpose of this item is to approve the minutes of the November 6, 2024 Special meeting, November 19, 2024, Regular meeting and November 26, 2024 Adjourned meeting.

Approved.

2. **Second Reading of Ordinance No. 169, 2024, Appropriating Unanticipated 2024 Revenue in the Recreation Fund to Support Increased Recreation Expenses.**

This Ordinance, unanimously adopted on First Reading on November 19, 2024, appropriates \$600,000 of unanticipated revenue in 2024 from the Recreation Fund to support expenses related to higher participation rates than anticipated during the 2023-2024 Budgeting for Outcomes cycle.

Adopted on Second Reading.

3. **Second Reading of Ordinance No. 170, 2024, Making a Supplemental Appropriation of Additional Revenue Received by the Forestry Division to be used for Various Programs and Services.**

This Ordinance, unanimously adopted on First Reading on November 19, 2024, appropriates \$73,902 in unanticipated revenue in 2024 received via various programs and services by the Forestry Division, Community Services.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 171, 2024, Authorizing the Extension of the Contract Term with Otak, Inc. for the Power Trail and Harmony Road Grade Separated Crossing Project for Not More Than Ten Years.**

This Ordinance, unanimously adopted on First Reading on November 19, 2024, extends the contract term with Otak, Inc. for the Power Trail and Harmony Road Grade Separated Crossing Project (the "Project") for a period greater than five years not to exceed a total of ten years.

Adopted on Second Reading.

5. **First Reading of Ordinance No. 175, 2024, Appropriating Philanthropic Revenue Received by City Give for the Lincoln Center's Various Programs and Services as Designated by the Donors.**

The purpose of this item is to request an appropriation of \$33,266.00 for the Lincoln Center in philanthropic revenue received by City Give. These charitable gifts 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.

6. **First Reading of Ordinance No. 176, 2024, Making a Supplemental Appropriation of Additional Revenue and Appropriating Prior Year Reserves in the Self Insurance Fund for Unanticipated Insurance Expenses.**

The purpose of this item is to request additional appropriation of \$462,711 in the City's Self Insurance Fund to be used for unanticipated increases in fourth quarter insurance premiums and various forecasted claim payments.

Adopted on First Reading.

7. **First Reading of Ordinance No. 177, 2024, Making a Supplemental Appropriation of Additional Revenue Received in the Benefits Fund for the City's Medical, Dental, and Life Insurance Plans.**

The purpose of this item is to appropriate \$1,137,041 from unanticipated revenue collected in the Benefits Fund to cover Medical/Dental claims and various Life Insurance premium expenses that could potentially exceed 2024 budgeted appropriations.

The City's Benefits Plan is a self-funded health plan in which premiums collected from both employees and employers are recorded as revenue in the Benefits Fund to pay for plan administration, medical/dental claims, and insurance premiums. As such, this is a self-funded appropriation request requiring no use of reserves.

Adopted on First Reading.

8. **First Reading of Ordinance No. 178, 2024, Making a Supplemental Appropriation of Funds Received from the Edward Byrne Memorial Justice Assistance Grant Program for Fort Collins Police Services.**

The purpose of this item is to support Fort Collins Police Services in work performed as a member of the Northern Colorado Drug Task Force.

The Northern Colorado Drug Task Force is managed by the Larimer County Sheriff Department, with both Fort Collins Police Services and Loveland Police being members. These member agencies support a broad range of activities to prevent and control drug-related crimes.

In 2022, Larimer County applied for and was awarded \$53,616 through the Edward Byrne Memorial Justice Assistance Grant (JAG) program in support of operating the Northern Colorado Drug Task Force (Attachment 3). In 2024, the City of Fort Collins, City of Loveland and Larimer County entered an intergovernmental agreement (Attachment 2), demonstrating the allocation of the \$53,616 awarded under JAG in support of the Northern Colorado Drug Task Force. Fort Collins Police Services received \$16,313. to support personnel costs and other operating costs directly attributed to the Northern Colorado Drug Task Force.

Adopted on First Reading.

9. **First Reading of Ordinance No. 179, 2024, Making Supplemental Appropriations of Prior Year Reserves and Unanticipated Revenue and Authorizing Transfers of Appropriations for the Licensing Permitting and Code Enforcement System.**

An appropriation ordinance is being brought for Council consideration by Planning, Development, and Transportation Services to implement and modernize a new licensing, permitting, and code enforcement system. The existing funding for this project was originally allocated as part of the 2023/2024 Budget Cycle's 'Digital Transformation' initiative.

After an almost two-year procurement process, the City has selected Tyler Technologies (Tyler) as the 'Vendor of Choice' (VOC) and is currently in contract negotiation. This appropriation request will provide the anticipated funding needed for software deployment, testing, training, temporary staffing backfill and organizational change management.

The total amount being requested is approximately \$4M. This includes:

- Software as a Service 19-month Implementation
- Software as a Service two-year Subscription Costs
- City Staff Backfill for two-year Implementation
- Third Party Professional Implementation Services
- Change Management

With this appropriation, the project implementation will begin during the first quarter of 2025 and is anticipated be fully operational by Fall of 2026.

The new system is expected to modernize current business processes, improve efficiency, reduce errors, enhance customer experience, and save staff and customer time.

Adopted on First Reading.

10. Items Relating to Amending Chapter 17 of City Code to Align with State Statutes.

- A. First Reading of Ordinance No. 180, 2024, Amending Section 17-1 of the Code of the City of Fort Collins to Add Definitions of “Deadly Weapon” and “Firearm”.
- B. First Reading of Ordinance No. 181, 2024, Amending Section 17-124(3) of the Code of the City of Fort Collins to Comport with State Law Regarding Disorderly Conduct.
- C. First Reading of Ordinance No. 182, 2024, Amending Section 17-126(a)(4) of the Code of the City of Fort Collins to Remove the Phrase “Intended to Harass” and Amend “He or She” to “Them”.

The purpose of this item is to update the City Code in order to align with State statute and recent case law.

Adopted on First Reading.

11. First Reading of Ordinance No. 183, 2024, Declaring a Portion of City-Owned Property at Schoolside Park as Public Right of Way.

The purpose of this item is to declare 0.141 acres (the “ROW Parcel”), more or less, being a portion of City property presently known as Schoolside Park as public right of way for South Timberline Road and related improvements, including public utilities, pedestrian, transit, and bicycle access and improvements, and landscaping.

The ROW Parcel was part of the Timberline Road Widening Project, which was completed earlier this year. It is now necessary to file formal documentation declaring the ROW Parcel as a public right of way because the approval of Schoolside Park, which is currently in the final phase of the Building Development Review process, requires that this right-of-way be declared.

Adopted on First Reading.

12. First Reading of Ordinance No. 184, 2024, Authorizing the Conveyance of a Permanent Waterline Easement on Cathy Fromme Prairie Natural Area to the Fort Collins-Loveland Water District.

The purpose of this item is to seek authorization to approve the conveyance of a permanent waterline easement to Fort Collins-Loveland Water District (FCLWD) on 0.089 acres in the southwestern corner of Cathy Fromme Prairie Natural Area. FCLWD intends to construct a six million (6,000,000) gallon tank on Larimer County’s landfill property and a 30” feeder waterline to increase reliability and resilience of FCLWD’s existing facilities. The 30” waterline will run east from the new tank and connect in with an existing 36” waterline that runs north-south along Cathy Fromme’s western boundary. The project has been processed through Fort Collins’ 1041 permit procedures and was issued a Finding of No Significant Impact (FONSI).

Adopted on First Reading.

13. First Reading of Ordinance No. 185, 2024, Adopting the 2025 Larimer County Regional Transportation Capital Expansion Fee Schedule.

The purpose of this item is to adopt the 2025 Larimer County Regional Transportation Capital Expansion Fee Schedule.

Adopted on First Reading.

14. **First Reading of Ordinance No. 186, 2024, Appropriating Prior Year Reserves in the Water Fund and the Wastewater Fund for the Transfer of Fleet Vehicles Between the Water and Wastewater Utilities.**

The purpose of this item is to appropriate prior year reserves in the Water and Wastewater Funds to purchase fleet equipment at fair market value between Operational Divisions of the Water Field Operations Department.

Adopted on First Reading.

15. **Resolution 2024-138 Authorizing the Execution of Intergovernmental Agreements Between the City of Fort Collins and the Fort Collins-Loveland Water District for the Purchase of Water Service for the Future Schoolside Park Property.**

The purpose of this item is to authorize the City Manager to sign agreements between the City and the Fort Collins-Loveland Water District (FCLWD) for the purchase of two water taps for the future Schoolside Park property. Appropriated funds from 2023 and 2024 BFO cycles have been budgeted for the purchase a 1 ½" irrigation water tap and a ¾" commercial water tap from the FCLWD for the future Schoolside Park Project on South Timberline Road. FCLWD is the only available water provider for this park site.

Adopted.

16. **Resolution 2024-139 Appointing One Board Member to the Boxelder Basin Regional Stormwater Authority Board of Directors as the City and County Jointly Selected Board Director.**

The purpose of this item is to consider making one joint appointment to the Board of Directors of the Boxelder Basin Regional Stormwater Authority.

Adopted.

17. **Resolution 2024-140 Adopting Findings of Fact in Support of the City Council's Decision Overturning the Historic Preservation Commission Denial of a Certificate of Appropriateness to Replace Upper Story Windows on the Fort Collins Landmark at 201 Linden Street.**

The purpose of this item is to make findings of fact and conclusions regarding City Council's decision at the November 19, 2024, 201 Linden Street appeal hearing overturning the Historic Preservation Commission ("Commission") denial of a certificate of appropriateness to allow the replacement of the upper story windows on the historic landmark at 201 Linden Street (the "Property"). The City Council concluded the Commission failed to properly interpret and apply the U.S. Secretary of the Interior's *Standards for the Treatment of Historic Properties* and the Old Town Historic District Design Standards and thereby overturned the Commission's August 21, 2024, denial of a certificate of appropriateness.

Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-17 on the Consent Calendar.

The motion carried 7-0.

- K) CONSENT CALENDAR FOLLOW-UP** *(This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.)*

Councilmember Ohlson commended the staff report for Item No. 12, *First Reading of Ordinance No. 184, 2024, Authorizing the Conveyance of a Permanent Waterline Easement on Cathy Fromme Prairie Natural Area to the Fort Collins-Loveland Water District*, but noted the environmental impacts section omitted the fact that many prairie dogs will be killed.

Councilmember Ohlson noted the number of vehicles purchased by the City during each budget session always adds up to be a large dollar amount. He commended the operational planning and efficiency related to Item No. 14, *First Reading of Ordinance No. 186, 2024, Appropriating Prior Year Reserves in the Water Fund and the Wastewater Fund for the Transfer of Fleet Vehicles Between the Water and Wastewater Utilities*.

L) STAFF REPORTS

None.

M) COUNCILMEMBER REPORTS

Councilmember Susan Gutowsky

- Clarified that she supports water fluoridation despite not commenting at the last business meeting.
- Council meeting with ASCSU members for roundtable discussions on a variety of issues of interest to the student population.

Mayor Jeni Arndt

- Commended the annual Thanksgiving Day Run event.

Clerk's Note: Mayor Arndt called for a break at 7:12 p.m., noting the meeting would resume at 7:28 p.m.

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

None.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

18. Items Related to Amending City Code to Adjust the Following Fees: Capital Expansion Fees; Transportation Expansion Fee; Electric Capacity Fee; and Stormwater Plant Investment Fee.

A. Second Reading of Ordinance No. 172, 2024, Amending Chapter 7.5 of the Code of the City of Fort Collins to revise the Capital Expansion Fees and Transportation Expansion Fee.

B. Second Reading of Ordinance No. 173, 2024, Amending Chapter 26 of the Code of the City of Fort Collins Regarding Calculation and Collection of Development Fees Imposed for the Construction of New or Modified Electric Service Connections.

C. Second Reading of Ordinance No. 174, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Stormwater Plant Investment Fees.

Ordinance No. 172 was adopted by a 6-1 (Nay: Ohlson) vote on First Reading and Ordinances No. 173 and 174, 2024 were unanimously adopted on First Reading on November 19, 2024. The Ordinances make adjustments effective January 1, 2025, associated with the City's Capital Expansion Fees, Transportation Expansion Fees, Electric Capacity Fees and Stormwater Plant

Investment Fees. Along with updating Electric Capacity Fee tables in City Code, staff is proposing language clarifications related to costs included in the fee calculation.

On First Reading, Council approved inflation-based increases (presented as Alternative #2) in Ordinance No. 172, and asked staff to present information at a future work session about exploration of ways to approach future Impact Fee calculations and the City's policies and programs regarding Impact Fees and housing affordability.

After First Reading of Ordinance No. 172, 2024, three typographical errors were discovered in Sections 7.5-28, Section 7.5-29 and Section 7.5-32 (Sections 3, 4, and 7 of the Ordinance). The corrections are shown on the Ordinance for Second Reading.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Councilmember Ohlson noted he was the one who opposed Ordinance No. 172 and stated he would have preferred to keep the standard agreed upon way of doing things until it was decided when to make changes. However, he fully supported Council's right to do things differently.

Regarding Item No. 13, *First Reading of Ordinance No. 185, 2024, Adopting the 2025 Larimer County Regional Transportation Capital Expansion Fee Schedule*, Councilmember Ohlson noted the calculated increase to the regional transportation fee considered by Larimer County was 17.2% and they ended up at 10%. He asked what percentage the City utilized. Travis Storin, Chief Financial Officer, replied that the City's transportation capital expansion fee inflation number was 1.9% and noted the County uses a 2-year rolling window. He noted the two entities will eventually become more aligned on values and that the City had already captured some of the higher inflation figures from 2021 and 2022. Councilmember Ohlson requested the City consider also using a 2-year rolling window.

Councilmember Ohlson asked approximately how much money the City lost last year by raising fees by inflation rather than by the formula passed by previous Councils, and how much will not be captured next year. Storin replied the inflation only option will result in about a \$1 million loss annually across the six fee categories.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Ordinance No. 172, 2024, Amending Chapter 7.5 of the Code of the City of Fort Collins to revise the Capital Expansion Fees and Transportation Expansion Fee, on Second Reading.

The motion carried 6-1.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Pignataro, and Potyondy.

Nays: Councilmember Ohlson.

Mayor Pro Tem Francis moved, seconded by Councilmember Ohlson, to adopt Ordinance No. 173, 2024, Amending Chapter 26 of the Code of the City of Fort Collins Regarding Calculation and Collection of Development Fees Imposed for the Construction of New or Modified Electric Service Connections, on Second Reading.

The motion carried 7-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Pignataro, Ohlson, and Potyondy.

Nays: None.

Mayor Pro Tem Francis moved, seconded by Councilmember Gutowsky, to adopt Ordinance No. 174, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Stormwater Plant Investment Fees, on Second Reading.

The motion carried 7-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Pignataro, Ohlson, and Potyondy.

Nays: None.

City Manager DiMartino recognized Travis Storin and this being his last meeting. The Mayor suspended the rules to allow for applause.

19. Resolution 2024-141, Approving a Three-Year Collective Bargaining Agreement with the Northern Colorado Lodge #3 of the Fraternal Order of Police.

The purpose of this item is to approve a bargaining agreement between the City and the Northern Colorado Lodge #3, Colorado Fraternal Order of Police (FOP), and authorize execution of such agreement. The City and the FOP, using an Interest Based Bargaining (IBB) approach, engaged in negotiations regarding the terms and conditions of a possible bargaining agreement for 2025, 2026, and 2027. City staff and the FOP have tentatively reached an agreement. Fraternal Order of Police members plan to vote to ratify the proposed contract on December 2, 2024, and staff will provide the Council with those results.

Tyler Marr, Deputy City Manager, noted voters approved collective bargaining with the bargaining unit from Police Services in 2004 and the current three-year agreement expires at the end of the year. Marr noted a tentative agreement has been reached on a contract for an additional three years, which is the maximum allowed by the voter-approved ordinance. He noted the FOP has approved the agreement with 89% approval and discussed the considerations used for developing the agreement and contract. He noted the biggest change in the contract involves market-competitive increases to the City's retirement contribution for officers and stated the overall increase for the City is \$710,000 over the three years of the contract.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Councilmember Pignataro thanked all who were involved in the negotiations.

Mayor Arndt concurred and commended the work of Police Services in the community.

Mayor Pro Tem Francis moved, seconded by Councilmember Ohlson, to adopt Resolution 2024-141, Approving a Three-Year Collective Bargaining Agreement with the Northern Colorado Lodge #3 of the Fraternal Order of Police.

The motion carried 7-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Pignataro, Ohlson, and Potyondy.

Nays: None.

20. **First Reading of Ordinance No. 187, 2024, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Salary of the City Manager.**

The purpose of this item is to amend City Code to establish the 2025 salary of the City Manager. Council met in executive session on November 26, 2024, to conduct the performance review of Kelly DiMartino, City Manager, and to consider the salary market analysis for this position.

Teresa Roche, Human Resources Executive, commented on competitive movement regionally and discussed the newly emerging practice of offering retention bonuses. Roche provided a recommendation of a 5% salary increase for the City Manager.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Mayor Pro Tem Francis thanked all the direct reports for their efforts in running the City. She thanked each for their partnership in making the organization what it is.

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 187, 2024, Amending Section 2-596 of the Code of the City of Fort Collins and Setting the Salary of the City Manager to \$330,736, on First Reading.

Councilmember Pignataro thanked the direct reports as well and commented on the importance of these positions in keeping the City running. She thanked the City Manager for her experience and continued commitment to growth.

Councilmember Ohlson commended the direct reports and noted the evaluations involve real discussions. He stated hiring DiMartino as City Manager was one of the best decisions he has been a part of.

Councilmember Canonico noted Fort Collins is always held in high esteem, partly due to the caliber of the direct reports.

Mayor Arndt thanked the direct reports for the work they do and the way they do it. She expressed appreciation to City Manager DiMartino for her humility and the remarkable job she does.

Councilmember Gutowsky complimented the evaluation process.

Councilmember Potyondy thanked the direct reports and stated the City is fortunate to have them.

The motion carried 7-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Pignataro, Ohlson, and Potyondy.

Nays: None.

21. **Items Relating to the Salary and Employment Agreement of the Chief Judge.**

A. First Reading of Ordinance No. 188, 2024, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Salary of the Chief Judge.

B. Resolution 2024-142 Authorizing the Third Addendum to Chief Judge Jill Hueser's Employment Agreement and Appointing Her to a New Two-Year Term.

The purpose of these items is to amend City Code to establish the 2025 compensation of the Chief Judge and to create a new two-year term for her employment. Council met in executive session on November 26, 2024, to conduct the performance review of Jill Hueser, Chief Judge, and to consider the salary market analysis for this position.

Teresa Roche, Human Resources Executive, provided a recommendation of a 9% salary increase for the Chief Judge.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

None.

Mayor Pro Tem Francis moved, seconded by Councilmember Gutowsky, to adopt Ordinance No. 188, 2024, Amending Section 2-606 of the Code of the City of Fort Collins and Setting the Salary of the Chief Judge to \$218,141, on First Reading.

Councilmember Potyondy stated the City is fortunate to have a Chief Judge who is focused on innovative alternative sentencing options and restorative practices.

Councilmember Pignataro also commended the changes that the Chief Judge has brought over the past few years.

Mayor Arndt thanked the Chief Judge for living out the values of the City through innovative municipal court practices and taking a leadership role in the organization.

The motion carried 7-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Pignataro, Ohlson, and Potyondy.

Nays: None.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Resolution 2024-142 Authorizing the Third Addendum to Chief Judge Jill Hueser's Employment Agreement and Appointing Her to a New Two-Year Term.

Councilmember Pignataro asked why this resolution is only necessary for the Chief Judge. City Attorney Daggett replied the requirement is in the Charter.

The motion carried 7-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Pignataro, Ohlson, and Potyondy.

Nays: None.

22. **First Reading of Ordinance No. 189, 2024, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Salary of the City Attorney.**

The purpose of this item is to amend City Code to establish the 2025 compensation of the City Attorney. Council met in executive session on November 26, 2024, to conduct the performance review of Carrie Daggett, City Attorney and to consider the salary market analysis for this position.

(Secretary's Note: Councilmember Potyondy recused herself from this item due to a conflict of interest.)

Teresa Roche, Human Resources Executive, provided a recommendation of a 10.3% salary increase for the City Attorney.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Councilmember Pignataro thanked City Attorney Daggett for her service and commended her growth over the years.

Councilmember Ohlson commended City Attorney Daggett's performance and stated the community is fortunate to have her as the City Attorney given her passion for municipal government.

Councilmember Gutowsky commended City Attorney Daggett on her work.

Mayor Arndt thanked City Attorney Daggett for her longstanding commitment to the City of Fort Collins.

Mayor Pro Tem Francis moved, seconded by Councilmember Pignataro, to adopt Ordinance No. 189, 2024, Amending Section 2-581 of the Code of the City of Fort Collins and Setting the Salary of the Chief Judge to \$265,369, on First Reading.

The motion carried 6-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Pignataro, Ohlson.

Nays: None.

P) 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.)

Q) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:59 p.m.

Mayor

ATTEST:

City Clerk

DRAFT