

August 18, 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 Day of August 26, 2026, as Women's Equality Day.**

**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 Melanie Potyondy
Councilmember Amy Hoeven
Councilmember Chris Conway
Councilmember Anne Nelsen

ABSENT

Councilmember Josh Fudge

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 1-25 on the Consent Calendar are recommended for adoption.
- Staff report on the Rental Housing Program.
- Consideration of two Executive Sessions.

F) COMMUNITY REPORTS – None.

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

Stacy Koeckeritz, owner of EcoThrift, expressed concern about the loss of reuse spaces in Fort Collins and stated she has been unable to locate another location for her store as it is set to be turned over to Housing Catalyst despite the fact that it does not have funding for its project.

Nicolas Rodon spoke about injustice and misappropriation of funds related to the Police Department.

Christopher Deile shared suggestions to improve public safety. He shared information about Senate Bill 26-141, the federal wildlife crossover program, and the need for more non-lethal means of defense against bears.

Jan Clodfelder spoke against the use of pigs to manage weeds at Rigden Farm and shared her disappointment with the HOA.

Rich Stave spoke about Item #12, *Second 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*, stating it appears to be a large giveaway. He also questioned whether pigs will now be allowed anywhere in the city per Item No. 13, *Second Reading of Ordinance No. 099, 2026, Approving the Addition of Permitted Uses Associated with the Rigden Farm Sixth Filing Major Amendment and Final Development Plan FDP260002*. Additionally, he suggested ethics issues related to Item Nos. 22, *First Reading of Ordinance No. 109, 2026, Amending Chapter 2, Article VII, Division 2 of the Code of the City of Fort Collins Ethics Rules Related to Councilmember Obligations to Report Contacts with City Staff about Non-Routine City Matters*, and 24, *Resolution 2026-104 Approving Amendments to the Code of Conduct Policy Recommended by the Ethics Review Board*.

Roche Fahlaneigh expressed concern about the lack of supervision, particularly as related to use by children, in the weight rooms at Northside Atzlan Center and Foothills Mall recreation facilities.

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

Adam Hirschhorn commented on several issues.

H) PUBLIC COMMENT FOLLOW-UP

Councilmember Nelsen noted the delay in funding for the project at the EcoThrift site is largely due to the extremely competitive process for affordable housing subsidies. She thanked Ms. Koeckeritz and EcoThrift for the services they have provided to the community.

Councilmember Potyondy thanked the speakers and noted Fort Collins Police Services staff are engaging in conversations with Mr. Rodon.

Councilmember Hoeven thanked the speakers and acknowledged concerns about the use of pigs for weed control at Rigden Farm.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

None.

J) CONSENT CALENDAR

1. **Consideration and Approval of the Minutes of the July 14, 2026, Special Meeting and the Minutes of the July 21, 2026, Regular Meeting.**

The purpose of this item is to approve the minutes of the July 14, 2026, Special Meeting and the minutes of the July 21, 2026, Regular Meeting.

Approved.

2. **Second Reading of Ordinance No. 081, 2026, Appropriating Unanticipated Revenue Received Through City Give.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, requests 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 Second Reading.

3. **Second 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.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, enables 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) 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.

Adopted on Second Reading.

4. **Second 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.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, appropriates \$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 Second Reading.

5. **Second 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.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, appropriates \$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 Second Reading.

6. **Second 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.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, appropriates \$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 Second Reading.

7. **Second 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.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, appropriates \$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 Second Reading.

8. Second 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.

This Ordinance, unanimously adopted on First Reading on July 21, 2026, enables 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) Appropriate \$528,275 of NAAPME Community Clean Transportation Assistance Program (CCTAP) grant funds for the Project; and*
- 2) Appropriate \$102,690 in matching funds to meet the cost-share requirement of the grant.*

Adopted on Second Reading.

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

A. Second 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. Second 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. Second 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. Second 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. Second 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. Second 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. Second 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.

These Ordinances, unanimously adopted on First Reading on July 21, 2026, 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.

Proposed changes for Second Reading to Ordinances No. 090, 2026, No. 092, 2026, No. 094, 2026, and No. 095, 2026, are to keep the language of the Code consistent throughout, to make minor corrections, and for necessary modifications identified upon further review after First Reading and public comment.

All Ordinances Adopted on Second Reading.

10. **Second 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.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, updates a reference in City Code Section 2-31(a)(5) to refer to the correct City Code Section.

Adopted on Second Reading.

11. **Second 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.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, approves 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 Cargill Lateral while still providing water to meet Cargill, Inc.'s needs without injury to the City or its Water Utility rate payers.

Adopted on Second Reading.

12. **Second 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.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, approves 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 Second Reading.**13. Second Reading of Ordinance No. 099, 2026, Approving the Addition of Permitted Uses Associated with the Rigden Farm Sixth Filing Major Amendment and Final Development Plan FDP260002.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, presents 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 Second Reading.

14. **Second 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.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, appropriates \$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.

This item was updated between First and Second Reading to include the transfer of \$280,121 from Fund 256 (2050 Climate Tax) and \$7,000 from Fund 100. These existing appropriations will be used for match/upfit allocations according to the updated table in the City Financial Impacts section.

Adopted on Second Reading.

15. **Second 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.**

This Ordinance, unanimously adopted on First Reading on July 21, 2026, waives 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.

Adopted on Second Reading.

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

The purpose of this item is to appropriate the remaining reserve funds from the 2016-2025 Community Capital Improvement Program ("CCIP") quarter cent capital sales tax, as directed by Council by Resolution 2025-104, which directs excess revenues to the Affordable Housing Capital Fund Program.

Adopted on First Reading.

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

The purpose of this item is to transfer previously appropriated Federal American Rescue Plan Act Funding ("ARPA") funds for the expansion of the Land Bank Program to purchase a comparable parcel of land at a different location than originally planned and pay some pre-development costs.

Adopted on First Reading.

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

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

Adopted on First Reading.

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

The purpose of this item is to appropriate \$26,860 of unanticipated grant revenue from the Colorado State Patrol ("CSP") for the Beat Auto Theft Through Law Enforcement ("BATTLE") grant program. The funding will support Police Services personnel overtime pay to support multiagency and multijurisdictional BATTLE operations to identify, interdict, investigate, enforce, and prosecute motor vehicle theft-related crimes.

Adopted on First Reading.

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

The purpose of this item is to appropriate \$8,122 of unanticipated grant revenue from the Colorado Statewide Internet Portal Authority ("SIPA") for the Micro-Grant Program. This funding will support an accessibility audit for the Municipal Court's digital services.

Adopted on First Reading.

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

The purpose of this item is to amend City Code Section 3-85 to expand the exemption for the 500-foot radius buffer beyond application to areas around Colorado State University ("CSU"), to include other schools and colleges that choose to locate within mixed-use or non-residential areas that are intended for commercial use. This proposed Code update would permit continued City liquor license issuance within these areas intended for and supporting businesses and restaurants, in accordance with all other applicable requirements, even if a school or college is present.

Adopted on First Reading.

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

The purpose of this item is to consider amendments recommended by the Ethics Review Board to a section of City Code related to Councilmember obligations to report a contact with a City officer or employee regarding a request in connection with the contacted officer's or employee's role about a non-routine City matter and not within the Councilmember's role as an officer of the City.

Adopted on First Reading.

23. Items Relating to the Linden Street Interim Parking Project.

A. Resolution 2026-103 Authorizing the Execution of an Intergovernmental Agreement Regarding a Grant from the Downtown Development Authority to the City of Fort Collins for the Linden Street Interim Parking Project.

B. First Reading of Ordinance No. 110, 2026, Making a Supplemental Appropriation for the Linden Street Interim Parking Project.

The purpose of this item is to enable the City to receive and expend Downtown Development Authority ("DDA") grant funds for the Linden Street Interim Parking project (the "Project"). The funds will be used for construction of improvements along Linden Street between the Poudre River and Buckingham Street. If approved, the item will: 1) authorize the City Manager to execute an intergovernmental agreement ("IGA") for the Project with the DDA and 2) appropriate \$112,438 of DDA grant funds to the Project.

Resolution Adopted and Ordinance Adopted on First Reading.

24. Resolution 2026-104 Approving Amendments to the Code of Conduct Policy Recommended by the Ethics Review Board.

The purpose of this item is to consider the Ethics Review Board's (the "Board") recommended revisions to the City's Code of Conduct policy. The recommended changes clarify board and commission members' duty to the community, prohibit using board and commission membership to benefit other organizations, protect confidential City information and promote active meeting participation.

Adopted.

25. Resolution 2026-105 Supporting an Application for a Great Outdoors Colorado Land Acquisition Grant.

The purpose of this item is to obtain Council support for Natural Areas to apply for the Great Outdoors Colorado ("GOCO") Land Acquisition Grant.

Adopted.

END OF CONSENT CALENDAR

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

The motion carried 6-0.

K) CONSENT CALENDAR FOLLOW-UP

Mayor Pro Tem Pignataro thanked the Ethics Review Board for its work on Item Nos. 22, *First Reading of Ordinance No. 109, 2026, Amending Chapter 2, Article VII, Division 2 of the Code of the City of Fort Collins Ethics Rules Related to Councilmember Obligations to Report Contacts with City Staff about Non-Routine City Matters*, and 24, *Resolution 2026-104 Approving Amendments to the Code of Conduct Policy Recommended by the Ethics Review Board*, and noted staff liaisons will be providing additional information to their Boards at upcoming meetings.

L) STAFF REPORTS**Staff Report: Rental Housing Program Update**

The purpose of this item is to provide an update on the Rental Housing Program.

Jacob Castillo, Assistant City Manager, noted the Rental Housing Program was launched in 2024 as a product of the Housing Strategic Plan that was adopted in 2021 with the intention of creating safety, habitability and security in the city's housing stock.

Marcy Yoder, Senior Manager, noted about half of Fort Collins properties are renter occupied and noted there are five full-time City positions related to rental housing management. She stated the premise behind the program is voluntary compliance, though the Code is written to allow for enforcement if needed. She noted the Program includes a registration platform which is the foundation for how information is collected and gathered to do the other components of the Program. Yoder also noted mobile home parks and owner-occupied units are exempt from the Program, and she provided information about the Program fees.

Vanessa Fenley, Senior Housing Manager, stated the Program operates with a number of collaborative partnerships both internally and externally. She stated more than 9,000 properties have been registered and self-certified to date, which comprises approximately 80% of the city's rental units. Additionally, the Program has invested over \$200,000 in different rental properties in the form of incentives and grants. Fenley noted only five properties have been cited for failing to register.

Fenley outlined common issues seen in rental inspections and noted there has been a great deal of success in bringing properties into compliance when issues have been identified. She noted some frustration has been expressed in terms of navigating the current registration system; however, it is being upgraded soon and should be more user friendly. Fenley outlined upcoming items associated with the Program, which includes examining the fee structure, supporting the development and implementation of FC Clear, the new registration system, enhancing data collection, and expanding programs and incentives to property owners, property managers, and tenants.

Mayor Pro Tem Pignataro asked if the four illegal dwellings mentioned were brought into compliance. Marcus Coldiron, Chief Building Official, replied he could follow up with additional details regarding those specific cases; however, staff does its best to work with property owners to bring illegal dwelling units into substantial compliance with the Building Code, which frequently means converting a single-family dwelling into a duplex.

Mayor Pro Tem Pignataro asked if the grant funds are available to fund any needed improvements. Yoder replied the dollars are typically earmarked ahead of time based on the funding source; some have been focused on safety and others on upgrades and energy efficiency.

Mayor Pro Tem Pignataro requested follow-up on whether rentals are being removed from the market because of non-compliance.

Mayor Francis concurred with Mayor Pro Tem Pignataro's comment and asked if there is a program in place to grandfather what were illegal dwelling units as part of the recent Land Use Code changes. Coldiron replied there was previously a program approved by Council that was to bring illegal dwelling units into compliance, and many units came into compliance as part of that program, which required units to meet minimum life and safety codes but waived development review fees. He replied he would follow-up regarding the new Land Use Code changes.

Mayor Francis asked if metrics were set for the Rental Program when it started. Yoder replied there are some operational benchmarks being analyzed, though the Program is not quite far enough along to look at some of the larger outcomes that may have community-wide impacts.

Mayor Francis suggested program metrics should be available after two years.

Councilmember Hoeven asked if the number of unregistered units is available. Yoder replied that is something staff is planning to examine.

Councilmember Hoeven commented on a letter received from a constituent regarding the fee structure and his perception of its inequity as the larger multi-unit dwellings pay the same fees as a duplex or four-plex and stated she would like that examined as part of the fee structure analysis. She asked about the steps for the issuance of a citation. Coldiron replied fines up to \$3,000 per day can be the result of citations, and the fines are generally assessed by the Municipal Judge, though typically the cases are resolved prior to getting to a fine amount.

Councilmember Hoeven asked about the impacts to tenants if the City is forced to not renew a license or if a landlord does not renew a license. Fenley replied properties do not renew licenses for a variety of reasons, though there are provisions in the Code that if it is a City decision to suspend a registration or not renew a registration, the current lease cannot be impacted. However, the lease cannot be renewed, and the property cannot be leased to another tenant without issues being corrected and the registration being renewed.

Councilmember Potyondy commended staff for their work on the Program. She requested an explanation of the benefits of the City having its own registration program versus leaning on existing data sources. Yoder replied there is not one data source that could be used instead of the registration program and noted Assessor data does not provide the same information that is requested in the rental registration forms. Additionally, the Program allows property owners and managers to better connect to the City.

Councilmember Potyondy asked about safeguards that are in place if a compliant-based inspection is initiated to prevent inspectors from looking for things that are beyond health and safety, thereby potentially imperiling an affordable rental unit. Coldiron replied staff expectations are based on minimum Code requirements and nothing above and beyond that can be enforced.

Councilmember Nelsen thanked staff for their work on the Program and asked if the fee structure covers staff time. Yoder replied the Program is designed to ultimately be cost neutral so the fees cover the Program administration.

M) COUNCILMEMBER REPORTS

Councilmember Melanie Potyondy

- Attended the United Way of Larimer County's Community Impact Center block party.

- Attended the Turkish Festival at City Park.
- Attended ComicCon.
- Wished all in Poudre School District a good first day of the school year.

Councilmember Amy Hoeven

- Attended a ride along with Poudre Fire Authority.
- Attended the Adelante graduation.
- Toured the new CSU Clark Building and vet school.
- Attended the Salud Family Health Day.
- Attended a job fair.
- Toured the Museum of Discovery and its new CPR exhibit.
- Announced a Listening Session at 2000 Mathews on Saturday.
- Celebrated Women's Day of Equality today.

Mayor Emily Francis

- Attended the City employee appreciation event at City Park and thanked employees for their service to the city.

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

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

26. Second 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.

This Ordinance, unanimously adopted on First Reading on July 21, 2026, appropriates \$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 expressed reservations about ADU's and questioned whether an ADU is actually just a duplex in a single-family home, and if so, would the ADU get these special accommodations. He also questioned the criteria for how the funds will be distributed.

Adam Hirschhorn spoke in favor of tiny green homes.

COUNCIL QUESTIONS/COMMENTS

Councilmember Potyondy thanked staff for responding to her previous questions and stated she would support the item.

Councilmember Nelsen thanked the speakers and requested an overview of the Land Use Code requirements for ADU's. Clay Frickey, Planning Manager, replied an ADU is distinguished from a duplex based on the size of the second unit and utility services are separate if they are in two separate structures, sometimes apart from sewer service.

Councilmember Nelsen moved, seconded by Councilmember Potyondy, 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 Second Reading.

The motion carried 5-0. (Fudge absent, Francis recused.)

- 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.)

- OB 2. Consideration of a Motion to go into Executive Session to Discuss Potential Economic Development Incentive Negotiations Approach and Strategy:**

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

the City's negotiating position for potential business incentives for three separate Fort Collins projects, 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)(one).***

- OB 3. Consideration of a Motion to go into Executive Session on Water Storage Projects:**

Mayor Pro Tem Pignataro moved, seconded by Councilmember Nelsen, that City Council go into executive session, 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)(one)***

For the purpose of discussing with the appropriate City staff:

- The City's negotiating position on new and existing water storage project opportunities, developing strategy for those negotiations, and instructing negotiators.***

Both Executive Session motions were approved together and the motion carried 6-0.

R) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 9:14 p.m.

Mayor

ATTEST:

City Clerk

DRAFT