

August 19, 2025

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 the Year of 2025 as the Year of Philanthropy.

Mayor Jeni Arndt presented the above proclamation 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 6:00 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 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

STAFF PRESENT

City Manager Kelly DiMartino
City Attorney Carrie Daggett
Sr. Deputy City Clerk Cecilia Good

E) CITY MANAGER'S AGENDA REVIEW

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

- Updated resolutions for Item Nos. 26 and 27.
- Items 1-24 on the Consent Calendar are recommended for adoption.
- Foothills Metro District public hearing on the service plan and related public benefits agreement has been withdrawn by the applicant.
- Three discussion items.

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.)*

Sue Ballou stated she has spent 11 years volunteering regarding housing issues and commended the builders of affordable housing in the community. She encouraged greater collaboration between the affordable housing organizations and the City to help tackle housing issues.

Jeffrey Shumway requested Council take emergency action to stop all Permethrin/PBO blanket mosquito spraying. He presented information from studies on the impacts spraying has on people, pets, and the environment.

Joy Sullivan, United Way of Larimer County President/CEO, thanked Council for its work in evaluating the community's priorities. She urged Council to prioritize "needs" over "nice to haves" and allocate more of the CCIP funding toward affordable housing.

Mara Johnson, Habitat for Humanity Chief Development Officer, stated the \$10 million CCIP allocation for housing falls short of community needs and requested a reallocation of all excess tax dollars from the expiring CCIP, approximately \$14 million, be dedicated to affordable housing.

Kelly Evans, Neighbor to Neighbor, stressed the need for government action to support affordable housing, stating that her organization cannot keep up with the overwhelming need for affordable housing units.

Melissa Abrams stated the Civic Assembly question should not be placed on the ballot and urged Council to honor the community's desire to designate the Hughes property as a natural area.

Linda Stanley, Yes to Natural Areas, discussed the history of the Natural Areas tax and spoke in support of placing the permanent extension on the ballot. She thanked City staff for their work in supporting natural areas in the community and the Clerk's Office for their work reviewing the petition.

Ezriah Shteir cited Section 15-108 of the Municipal Code and raised concern that "No Soliciting" signs posted by apartment complexes prevent individual tenants from making that decision independently.

Paul Patterson asked questions about the voter education document being developed by the City Clerk's Office, including how pro and con statements will be obtained and how competing ballot measures will be explained.

Rorey King, United Way of Larimer County and One Voice for Housing Coalition, advocated for \$25 million to be allocated from the upcoming CCIP and remaining CCIP funds to address affordable housing needs. She stated one in four households in Larimer County are struggling to afford basic needs and noted addressing housing is critical for taking care of the community.

Rich Stave questioned whether the battery storage project referenced in Item No. 17 is a PRPA need and inquired about the balance between usage and cost as well as about various sections of the lease agreement. He also asked whether CSU would be responsible for paying taxes to the City per Item No. 19. Additionally, he questioned who is collecting taxes on items sold at airport buildings and asked how cost sharing arrangements would be handled with other entities per Item No. 22.

Carin Avila, Hughes for Everyone, expressed support for Ordinance No. 141, 2025. She thanked Council for honoring the 2021 voter initiative and the Civic Assembly's recommendations. She stated the site offers a rare opportunity to create a collaborative space dedicated to parks, recreation, open lands, natural areas, wildlife rehabilitation, and restoration.

Dannielle North-King expressed support for the Civic Assembly's recommendations regarding the Hughes property stating they reflect a strong community desire to live in a positive relationship with the land. Additionally, the participants emphasized the need for Indigenous consultation.

Andre Joseph Dunn expressed concern that recent decisions about the Hughes property do not reflect the Civic Assembly recommendations or meaningful tribal consultation. He urged the City to take time to engage in proper consultation with Indigenous communities.

Mary (no last name given) requested that the City create an outlet for legalized graffiti stating she currently does not have the ability to practice her art. She identified unsightly underpass areas that would be ideal locations for a pilot program.

Patricia Babbitt referenced the previous evening's mayoral forum noting that most candidates focused on themselves rather than on substantive issues and that only one addressed how Fort Collins decisions affect broader crises such as climate change. She urged Council to not add a ballot measure that could confuse voters and to just allow the straightforward yes-or-no vote on designating the Hughes property as a natural area.

John Gascoyne stated he was a representative on the 1992 petition for the Natural Areas Tax and expressed his support for its extension.

Kimberly Conner urged Council to advocate for a ceasefire and arms embargo to support ending the atrocities in Gaza.

Sid Phadke commented on the chronic nuisance property at the Fort Collins Mennonite Fellowship, citing incidents of arson, weapons violations, and nuisance activity associated with the property, which is currently under an abatement agreement. He urged the City to enforce the abatement agreement and pursue stronger enforcement.

Adam Hirschhorn, Mayoral candidate, presented his vision for a resilience and sustainability campus in North Fort Collins, including affordable housing, cooperative ownership, stormwater infrastructure, green design, educational facilities, and more.

Ellie Sooter encouraged Council to prioritize funding for a large bike park, stating it would build skills and provide a safe space for youth.

Mac Sooter expressed support for the bike park, noting Fort Collins lacks a large bike facility.

Poppy Sooter stated a bike park would provide a safe space to ride and build skills away from traffic.

Andrea Sooter urged Council to keep the full proposed 35 acres and funding for a bike park at the Hughes site. She stated shrinking the acreage would limit its impact on the community. The bike park will be a safe, positive space for children and adults alike.

Kevin Krause thanked Council for listening to all the voices in the community and requested that Council honor the Civic Assembly recommendation to retain 35 acres of the Hughes property for a bike park, stating it is the right scale for the community.

Ethan Billingsley expressed support for the bike park and commented on its educational and environmental benefits.

June Porter said there have been efforts to construct a bike park since 2011 and emphasized the benefit of safety and year-round access for youth.

Michelle Hastings spoke in support of the 35-acre bike park and commented on the benefits for children and families.

Brad Piepenbrink called the bike park a “crown jewel” project that will have a strong return on investment.

Krista Piepenbrink expressed support for the bike park as part of Fort Collins’ world-class biking infrastructure, stressing the need for local facilities to avoid traveling to other towns.

Patterson Hastings stated biking is fun and healthy, and he prefers it over screen time.

Asad Aziz commented on safety issues near Library Park and Oak Street, including assaults and disturbances. He requested stronger enforcement and asked for further discussion on the availability of Code Compliance Officers due to their current schedule.

Terri Clark shared her personal story of acquiring affordable housing through Habitat for Humanity and urged Council to increase the CCIP housing allocation to \$25 million.

Forrest Merithew spoke in support of the bike park, noting that psychological studies show activities such as rock climbing and mountain biking promote both physical and mental skills development. He emphasized the positive impact of physical activities on cognitive growth and well-being across all ages and added that it also includes emotional growth with gaining confidence through skills development.

Public comment concluded at 7:10 p.m.

H) PUBLIC COMMENT FOLLOW-UP

Councilmember Potyondy thanked the speakers, particularly the youth who attended the meeting. She asked the City Clerk to provide an update on the City Clerk’s voter guide. City Clerk Coldiron replied it is currently in development and will include pro and con statements. She stated she would welcome feedback from the community and encouraged people to send emails with pros and cons for the upcoming ballot items. She noted the language will be sent to the citizens who have initiatives, giving them a chance to weigh in, and added that staff are working with the City Attorney’s Office and outside counsel to prepare the factual summaries.

Mayor Pro Tem Francis requested a follow-up memo on enforcement related to the Mennonite Fellowship building. City Manager DiMartino replied staff will provide a memo to help explain the extent of the enforcement work.

Councilmember Canonico requested follow-up information on mosquito spraying. Matt Parker, Ecological Stewardship Manager, explained that this has been a challenging year for addressing West

Nile Virus and noted needs change over time. He concurred that toxicity is a concern, but noted they are diligent in how pesticides are used in terms of application timing and environmental impacts.

Councilmember Gutowsky expressed concern about organic gardens and businesses selling their products. Parker stated there are opt-out options for those who have health or business impacts due to the spraying.

Councilmember Canonico requested follow-up on the no solicitation issue.

Councilmember Pignataro addressed comments regarding the Mennonite Fellowship property. Assistant City Manager Rupa Venkatesh replied staff has been working with neighbors and the property owners for quite some time. She confirmed the site is a chronic public nuisance property and it is currently under an abatement agreement. She stated there have been improvements per Police Services and Code Compliance; however, there are still ongoing issues. She stated work is being done to investigate alleged violations to determine what enforcement actions can be taken.

Councilmember Pignataro noted residents could call the police non-emergency line to report suspected illegal activity.

Councilmember Ohlson stated code enforcement has been too lenient on problem properties and called for a firmer approach. He also stated current mosquito spraying methods are outdated and encouraged Council to consider changes in the future.

Councilmember Gutowsky reminded the public that the Natural Areas tax is a continuation of an existing tax, not a new tax, and the purpose is to care for the community's Natural Areas in perpetuity. She also commended the idea of using underpasses for graffiti or other artwork and described a similar idea executed in another city. Additionally, she commented on Council's silence regarding Gaza, explaining that Council works as a group but that each person has their own thoughts on issues.

Mayor Arndt clarified that item #17, *First Reading of Ordinance No. 134, 2025, Authorizing the City of Fort Collins to Lease Real Property Adjacent to the Overland Electric Substation to Platte River Power Authority for a Battery Storage Project*, is a good news item that will support a clean energy future. She also explained that the City has an intergovernmental agreement with Loveland for the airport, as it is jointly owned, and only existing funds are being used per Item No. 22, *Resolution 2025-074 Authorizing the City Manager to Execute a Grant Agreement (AIP Project No. 3-08-0023-047-2025) Between the City of Fort Collins, the City of Loveland, and the Federal Aviation Administration for the Runway 15-33 Widening Project at Northern Colorado Regional Airport*.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

None.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the July 15, 2025 Regular meeting.

The purpose of this item is to approve the minutes of the July 15, 2025 Regular meeting.

Approved.

2. Second Reading of Ordinance No. 117, 2025, Making Supplemental Appropriations from the Colorado Division of Criminal Justice for Restorative Justice Services and Approving the Intergovernmental Grant Agreement with the Colorado Division of Criminal Justice.

This Ordinance, unanimously adopted on First Reading on July 15, 2025, appropriates \$35,637 of unanticipated revenue from the Colorado Division of Criminal Justice Juvenile Diversion fund awarded for the period July 1, 2025 – June 30, 2026, to support the Restorative Justice programs in the Neighborhood Services Department in Sustainability Services. Restorative Justice Programs are part of the City's Conflict Transformation Works team, which also provide mediation services. The program will provide restorative justice services as an accountability option for 35 youth referred from the 8th Judicial District Attorney's Office.

Adopted on Second Reading.

3. **Second Reading of Ordinance No. 118, 2025, Making Supplemental Appropriations, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for Transit Replacement, Enhancement and Maintenance of Assets.**

This Ordinance, unanimously adopted on First Reading on July 15, 2025, appropriates unanticipated grant funds.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 119, 2025, Making Supplemental Appropriations, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for Transit Operations and Services and Bus Replacement.**

This Ordinance, unanimously adopted on First Reading on July 15, 2025, appropriates unanticipated grant funds and transfers previously appropriated grant funds per updated Federal Transit Authority Grant Award Amounts.

Adopted on Second Reading.

5. **Second Reading of Ordinance No. 120, 2025, Making a Supplemental Appropriation, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for Transport Maintenance Facility Upgrades and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on July 15, 2025, appropriates unanticipated grant funds.

Adopted on Second Reading.

6. **Items Relating to the Edward Byrne Memorial Justice Assistant Grants.**

A. Second Reading of Ordinance No. 121, 2025, Making a Supplemental Appropriation of Grant Funds from the Colorado Office of Justice Programs 2023 Edward Byrne Memorial Justice Assistance Grant Program Grant Award for Fort Collins Police Services.

B. Second Reading of Ordinance No. 122, 2025, Making a Supplemental Appropriation of Grant Funds from the Colorado Office of Justice Programs 2024 Edward Byrne Memorial Justice Assistance Grant Program Grant Award for Fort Collins Police Services.

These Ordinances, unanimously adopted on First Reading on July 15, 2025, support Fort Collins Police Services in work performed as a member of the Northern Colorado Drug Task Force, which is managed by the Larimer County Sheriff's 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.

Larimer County was awarded two grants, for 2023 and 2024 respectively, through the Edward Byrne Memorial Justice Assistance Grant (JAG) program in support of operating the Northern Colorado Drug Task Force.

The award for 2023 is \$60,434 in total, and Fort Collins Police Services, as a subrecipient of the grant, receives \$18,058 of this 2023 award to support personnel costs and other operating costs directly attributed to the Northern Colorado Drug Task Force. The award for 2024 is \$50,489 in total, and Fort Collins Police Services, again as a subrecipient, receives \$15,025 of this 2024 JAG grant award also to support personnel costs and other operating costs directly attributable to the Northern Colorado Drug Task Force.

Both Ordinances Adopted on Second Reading.

7. **Second Reading of Ordinance No. 123, 2025, Making a Supplemental Appropriation of Grant Funds from the Colorado Department of Transportation Highway Safety Office for Police Services High Visibility Impaired Driving Enforcement FY26 Grant Award.**

This Ordinance, unanimously adopted on First Reading on July 15, 2025, supports Fort Collins Police Services in work performed enforcing Colorado's impaired driving laws for specific enforcement periods outlined by the Colorado Department of Transportation. Enforcement periods typically occur over holidays or periods of increased tourism and travel in the state.

Fort Collins Police Services was awarded \$25,474 through the High Visibility Impaired Driving Enforcement (HVE) grant to support personnel costs and other operating costs directly attributed to HVE grant activities. Police Services will provide enhanced impaired driving enforcement during specific time periods and engage in community education and outreach.

Adopted on Second Reading.

8. **Second Reading of Ordinance No. 124, 2025, Adopting the 2025 Natural Areas Strategic Framework as an Element of City Plan and as an Update to the 2014 Natural Areas Master Plan.**

This Ordinance, unanimously adopted on First Reading on July 15, 2025, adopts the 2025 Natural Areas Strategic Framework, attached as Exhibit A to the Ordinance, which updates the City's 2014 Natural Areas Master Plan and serves as a systemwide guide for the planning and management of the Natural Areas Department (NAD) over the coming decade. Rooted in ballot language, extensive community engagement, and broader City policies, the Framework articulates an updated vision, set of values, and strategic goals for the Department. It provides the foundation for action-oriented planning that will be implemented through zone-level management planning. Adoption of the Framework constitutes an amendment to City Plan under its provisions for incorporating new elements into the City's comprehensive plan.

Adopted on Second Reading.

9. **Second Reading of Ordinance No. 125, 2025, Authorizing the Conveyance of an Emergency Access Easement on a Portion of the Larimer County Landfill to Poudre Fire Authority.**

This Ordinance, unanimously adopted on First Reading on July 15, 2025, authorizes the conveyance of one Emergency Access Easement (the "Easement") on a portion of co-owned City property presently known as Larimer County Landfill to Poudre Fire Authority.

Adopted on Second Reading.

10. First Reading of Ordinance No. 127, Appropriating Unanticipated Philanthropic Revenue Received Through City Give for Various Programs and Services as Designated by the Donors.

The purpose of this item is to recommend an appropriation of \$22,050 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.

11. First Reading of Ordinance No. 128, 2025, Making Supplemental Appropriations and Appropriating Prior Year Reserves in the Water Utility Fund for the Lemay Water Line Replacement Project and to Supplement the 2025 Water Main Operating Budget and Related Art in Public Places.

The purpose of this item is to request a supplemental appropriation of \$3,400,000 in the Water Utility Fund to fund the Lemay Water Line Replacement Project, and to supplement the 2025 water main operating budget, in addition to an appropriation of \$32,000 for Art in Public Places.

The Lemay Water Line Replacement Project is the result of unanticipated and continuous water leaks occurring since spring 2025. Based on the number and frequency of leaks, approximately \$200,000 has been spent to date on responding to leaks. Considering the condition of the water line and risk to City staff and the public, the water line needs to be replaced. The \$3,432,000 supplemental appropriation serves to: 1) supplement the 2025 water main repairs operating budget by \$200,000 for unanticipated costs incurred to respond to numerous leaks; 2) fund \$3,200,000 for design and construction of a new water line, as well as removal of the existing water line; and 3) contribute \$32,000 for Art in Public Places per Code.

Adopted on First Reading.

12. First Reading of Ordinance No. 129, 2025, Appropriating Prior Year Reserves in the Wastewater Utility Fund for the Blower Replacement Project and Related Art in Public Places.

The purpose of this item is to request additional appropriation of \$1,700,000 in the Wastewater Utility Fund to fund the Blower Replacement Project, in addition to appropriation of \$17,000 for Art in Public Places.

The Blower Replacement Project at the Drake Water Reclamation Facility (DWRf) has undergone design, up to sixty percent, for replacing two blowers. An additional \$1,700,000 from Wastewater Utility Fund reserves is needed to supplement the existing appropriated budget for preliminary design. The requested \$1,700,000 additional appropriation will fund final design and installation of both blowers, having a minor contingency to fund unanticipated costs for the blowers to be placed into service.

Adopted on First Reading.

13. First Reading of Ordinance No. 130, 2025, Making a Supplemental Appropriation of an Additional Award from the Colorado Auto Theft Prevention Authority Grant for the Fort Collins Police Services Property Crimes Unit.

The purpose of this item is to support the Fort Collins Police Services' Property Crimes Unit by appropriating \$54,200 of unanticipated grant revenue awarded by the Colorado State Patrol Department of Public Safety.

In July 2025, the Colorado State Patrol awarded Fort Collins Police Services \$54,200 as a partner agency of the Beat Auto Theft Through Law Enforcement (BATTLE) Task Force. The \$54,200 award is under the BATTLE program's FY26 cycle. These state funds will be used for 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.

14. First Reading Ordinance No. 131, 2025, Making Supplemental Appropriations of Grant Funds From Colorado Parks and Wildlife for the Soapstone Prairie Headwaters Restoration Project.

The purpose of this item is to support the Natural Areas Department ("NAD") in stream and wetland protection and restoration work at Soapstone Prairie Natural Area. The Soapstone Prairie Headwaters Stream Restoration Project aims to improve ecological function and habitat in a one-mile reach of stream and wetland complex at Soapstone Prairie Natural Area. Specifically, the project will:

- Improve hydrological function and biodiversity for a one-mile reach of stream/wetland complex.*
- Create seven pools using beaver dam analog wood structures to support amphibian habitat.*
- Incorporate a rest cycle from livestock grazing through wildlife-friendly fencing.*
- Include Native and Indigenous community members in restoration planting activities.*

NAD was awarded \$25,500 through the Colorado Parks and Wildlife ("CPW") Wetlands for Wildlife grant (Attachment 1). This grant funds the final phase of the project – adaptive management and monitoring activities – and follows completion of prior work including design, construction, and community engagement.

This ordinance will enable the Natural Areas Department to complete the Soapstone Prairie Headwaters Restoration Project and fulfill final monitoring and reporting obligations under the CPW grant.

Adopted on First Reading.

15. First Reading of Ordinance No. 132, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Power Trail and Harmony Grade Separated Crossing Project and Related Art in Public Places.

The purpose of this item is to appropriate Transportation Capital Expansion Fee (TCEF) funds to the Power Trail and Harmony Grade Separated Crossing project (Project). The funds will be used for construction services. If approved, this item will: 1) appropriate \$1,500,000 in TCEF funds to the Project; and 2) appropriate \$15,000 (1%) of the TCEF funds to the Art in Public Places (APP) program.

Adopted on First Reading.

16. **First Reading of Ordinance No. 133, 2025, Making Supplemental Appropriations and Appropriating Prior Year Reserves for the Epic Pool Ice Center Chiller Replacement and Rink Renovation Project and Related Art in Public Places.**

The purpose of this item is to appropriate \$2,000,000 from 2050 Parks & Recreation tax reserves and \$1,000,000 from the Recreation Fund reserves to replace the EPIC Ice Chiller system and modernize key rink infrastructure, including dasher boards, tempered safety glass, protective netting, painting and rink flooring.

Adopted on First Reading.

17. **First Reading of Ordinance No. 134, 2025, Authorizing the City of Fort Collins to Lease Real Property Adjacent to the Overland Electric Substation to Platte River Power Authority for a Battery Storage Project.**

The purpose of this item is to approve a lease agreement between the City and Platte River Power Authority (PRPA) to lease 27,351 square feet of real property at 401 South Overland Trail within the existing site parcel. The agreement, which will require only a nominal annual rental payment by Platte River, allows the parties to evaluate the feasibility of the project and, pending successful analysis, proceed with the installation and operation of a 5MW/20MWh utility-side system connected to Light & Power's distribution system. Platte River and Light & Power are collaborating on this project as part of their commitment to a non-carbon future and a reliable electric grid, with energy storage playing a crucial role in achieving those goals.

Adopted on First Reading.

18. **First Reading of Ordinance No. 135, 2025, Authorizing the Acquisition by Eminent Domain Proceedings of Certain Lands Necessary to Construct Cordova Road – North of Duff Drive.**

The purpose of this item is to authorize the use of eminent domain to acquire right-of-way needed for constructing the Cordova Road – North of Duff Drive project (Project).

Adopted on First Reading.

19. **Items Relating to Amendments and Updates to Tax Provisions in City Code.**

A. First Reading of Ordinance No. 136, 2025, Amending Article III of Chapter 3 of the Code of Fort Collins Relating to Liquor Occupation Tax.

B. First Reading of Ordinance No. 137, 2025, Amending Articles II and III of Chapter 25 of the Code of Fort Collins Relating to Sales and Use Tax

C. First Reading of Ordinance No. 138, 2025, Amending Article IV of Chapter 25 of the Code of the City of Fort Collins to Increase the Threshold to Require a Written Settlement Agreement for Lodging Tax.

The purpose of this item is to recommend amendments to the Liquor Occupation Tax, the Sales and Use Tax, and Lodging Tax as part of the regular housekeeping and necessary updates to promote the health, safety and welfare of the community by providing for the accurate and efficient imposition, collection, and enforcement of the City's taxes.

Both Ordinances Adopted on First Reading.

20. First Reading of Ordinance No. 139, 2025, Amending Section 15-383 of the Code of the City of Fort Collins Regarding the Licensing of Outdoor Vendors.

The purpose of this item is to recommend amending the Outdoor Vendors Code to adopt an annual expiration date of the license issued by the City to align with the cadence of regulation by other local governments and for purposes of efficient regulation of vendors by the City.

Adopted on First Reading.

21. First Reading of Ordinance No. 140, 2025, Amending Article IV of Chapter 15 of the Code of the City of Fort Collins to Update the Door-to-Door Solicitation Permitting Processes.

The purpose of this item is to recommend amendments and updates to the City's regulation of door-to-door solicitors.

Adopted on First Reading.

22. Resolution 2025-074 Authorizing the City Manager to Execute a Grant Agreement (AIP Project No. 3-08-0023-047-2025) Between the City of Fort Collins, the City of Loveland, and the Federal Aviation Administration for the Runway 15-33 Widening Project at Northern Colorado Regional Airport.

The purpose of this item is to authorize the Fort Collins City Manager to execute a grant agreement with the Federal Aviation Administration (FAA) and the City of Loveland to secure federal funding for the Runway 15-33 Widening Project at Northern Colorado Regional Airport (FNL). This critical infrastructure project, identified in the Airport's 2020 Master Plan and Capital Improvement Plan (CIP), is necessary to bring the primary runway into compliance with FAA design standards for aircraft such as the Airbus A319/A320 and Boeing 737, which are commonly used in commercial aviation.

The FAA Airport Improvement Program (AIP) grant is expected to provide \$16,730,725 in fiscal year 2025 funding toward the total project cost of \$19,385,103. This amount is pending final FAA review and approval. A draft grant agreement has been provided, and the FAA anticipates issuing the final grant during the first or second week of September. To secure the funding and preserve the project's eligibility under the FAA's fiscal year 2025, the grant must be accepted no later than September 18, 2025. The Colorado Department of Transportation's Division of Aeronautics will contribute \$250,000 in matching funds, with the remaining local match of \$630,564 to be covered by Airport reserves.

The remaining project funding will be secured through a \$1,690,254 Infrastructure Investment and Jobs Act (IIJA) grant in fiscal year 2026, supplemented by matching contributions of \$44,480 each from CDOT and local Airport reserves. This will bring the total local funding contribution for the project to \$675,045.

The project will be delivered in two construction phases in 2026 to minimize disruption to general aviation operations. This phased approach was developed in response to stakeholder input and allows continued limited use of the runway during construction. Along with the new terminal facility and the Airport's inclusion in the Federal Contract Tower Program—which provides air traffic control services through private contractors rather than FAA employees—this project will strengthen the Airport's ability to attract and retain commercial airline service.

Resolution Adopted.

23. Resolution 2025-075 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins, Colorado and Larimer County for the Maintenance of Jointly Owned Roadways.

The City shares many roadway maintenance responsibilities with Larimer County. Shared maintenance responsibilities between our respective boundaries can include roadside mowing, snow removal, pavement marking, sign maintenance and roadway surface maintenance. The attached Intergovernmental Agreement (IGA) details two areas where both the City and County share common boundaries and wish to jointly perform surface maintenance on the roadway.

Resolution Adopted.

24. Resolution 2025-076 Making Appointments to the Youth Advisory Board.

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

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

Resolution Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-24 on the Consent Calendar.

Councilmember Potyondy commented on Item No. 24, *Resolution 2025-076 Making Appointments to the Youth Advisory Board*, and commended the applicants and new appointees.

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.)*

Mayor Pro Tem Francis requested a follow-up memo regarding Item No. 21, *First Reading of Ordinance No. 140, 2025, Amending Article IV of Chapter 15 of the Code of the City of Fort Collins to Update the Door-to-Door Solicitation Permitting Processes*, prior to Second Reading.

Councilmember Ohlson commented on Item No. 17, *First Reading of Ordinance No. 134, 2025, Authorizing the City of Fort Collins to Lease Real Property Adjacent to the Overland Electric Substation to Platte River Power Authority for a Battery Storage Project*, noting the item is going through the SPAR process. He stated he hopes all involved give close attention to the foothills Night Skies. Additionally, he requested a follow-up regarding Item No. 18, *First Reading of Ordinance No. 135, 2025, Authorizing the Acquisition by Eminent Domain Proceedings of Certain Lands Necessary to Construct Cordova Road – North of Duff Drive*, in terms of why eminent domain is being used by the City as the developer could not acquire the land at a certain price.

L) STAFF REPORTS

M) COUNCILMEMBER REPORTS

Councilmember Tricia Canonico

- Thanked Parks and Energy staff at the East Park facility for the tour.

Councilmember Melanie Potyondy

- Attended Fort Collins Comic Con.
- Met a family whose daughter had emailed her about NBA jerseys being used for the youth girls' basketball league. She requested WNBA teams be used for the girls' teams.

Councilmember Kelly Ohlson

- Attended seven Neighborhood Night Out events over four nights – people in District 5 commended increased speed and red-light enforcement, commended Natural Areas and desire more, and opposed CSU's plan for LED billboards.

Councilmember Susan Gutowsky

- Attended seven Neighborhood Night Out events – enjoyed seeing pride in neighborhoods.
- Attended Fort Collins Comic Con – Fort Collins Symphony performed.
- Attended the Heartside Hill grand opening.

Mayor Jeni Arndt

- Tour de Fat is this weekend.
- CSU students are returning – be aware of additional traffic.

Clerk's Note: Mayor Arndt called for a break at this point in the meeting.

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

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

25. First Reading of Ordinance No. 141, 2025, Expressing Support for the Recommendations of the Civic Assembly and Adopting a Conceptual Framework for the Use and Management of the Hughes Stadium Site.

The purpose of this item is to consider an Ordinance to support the Civic Assembly's recommendations presented to Council on May 27, 2025, and to add additional specification to those recommendations.

STAFF PRESENTATION

Assistant City Manager Rupa Venkatesh stated Council will be considering an ordinance to adopt a conceptual framework for the use and management of the Hughes site. She outlined the Civic Assembly process and recommendations which highlighted a multi-use property and Indigenous consultation. She noted the draft ordinance language was put together based on Council feedback from two previous work sessions and involves Natural Areas and Parks managing portions of the property.

PUBLIC PARTICIPATION

Rich Stave stated the intent of the 2021 vote was to have the City purchase the property rather than allow CSU to build housing on the site. He supported the Civic Assembly process and allowing voters to determine the specified use of the Hughes property.

Kathryn Dubiel thanked the community volunteers who spent over 60 days speaking to citizens about the opportunity to establish Hughes as a 100% Natural Area, ultimately to be decided by the voters. She also thanked the Clerk's Office for their work on reviewing the petition. She discussed the Civic Assembly ballot initiative and requested clarification on the timeline for protesting the ballot language, which would normally be Monday, September 1st, though that is a holiday. She asked about how the conflicting initiatives will be presented on the ballot so voters can differentiate between them.

Jane Hamburger explained her reconciliation with her ancestors' western points of view of how to treat and own the earth with the Indigenous or spiritual perspective of the spaces and inhabitants of the natural environment. She urged people to slow down and build a respectful relationship in consultation with Indigenous groups.

Adam Hirschhorn stated it is important to view things through many lenses regarding the environment. He compared the management of the West Nile Virus to managing the Hughes site.

COUNCIL QUESTIONS/DISCUSSION

Councilmember Pignataro expressed support for sending this item to the ballot and commented on the Civic Assembly process. She asked about the language related to the intent to garner Indigenous input.

Councilmember Ohlson asked about the language in the Ordinance. Assistant City Manager Venkatesh noted there would be a requirement that the site is developed using the City's development review process and is in compliance with all current standards, including lighting.

Councilmember Ohlson requested wildlife conservation and wildlife rescue and rehabilitation be added prior to Second Reading, and that the Natural Areas portion be a minimum of 60 acres instead of not to exceed 60 acres. Katie Donahue, Natural Areas Director, replied there was more discussion about limiting the acreage for bike park features and parallel language was used for each of the other pieces. City Attorney Daggett noted the language would need to change for the acreage to be able to be increased above 60.

Councilmember Ohlson stated he is not advocating for additional acreage, but would like the language to be less constrictive. He asked why the trail language did not include 'soft trail system.' Donahue replied it was being left open for the site planning process and noted there would likely be a combination of both paved and soft surface trails if the Civic Assembly proposal was to be implemented.

Councilmember Potyondy stated she would support placing this item on the ballot and asked what would occur if both Hughes ballot questions pass. City Attorney Daggett replied the Charter language states that the item with the most affirmative votes prevails.

Mayor Pro Tem Francis stated the language attempts to stay true to the Civic Assembly recommendation and questioned whether adding 'conservation and rescue' would change that recommendation. Assistant City Manager Venkatesh replied the multi-use recommendation that received 89% of the support does include conservation/education features, and another super majority recommendation includes wildlife rehabilitation.

Mayor Pro Tem Francis noted there are three components that include 'not to exceed' acreage language: Natural Areas, environmental education, and the bike park.

Council discussed the acreage breakout for the multiple uses of the Hughes property.

Councilmember Canonico suggested using 'anticipated' rather than 'not to exceed' as related to acreage.

Councilmember Gutowsky noted over 65% of voters passed the ballot measure to designate the property as an open space in 2021. She commended the Civic Assembly process but noted there was no super majority support for a bike park. She suggested amending the recommendations to only include the items that received a super majority of votes prior to Second Reading.

Ginny Sawyer, Lead Policy and Project Manager, discussed the acreage recommendations.

Councilmember Potyondy asked if the 60-acre Natural Areas piece was informed by a review of the property and which proportion seemed most in line with Natural Areas expectations. Donahue replied staff provided the Civic Assembly with a high-level overview of the site broken into quadrants and noted that the western side of the property had the most matching characteristics to the habitat in the Maxwell Natural Area. She stated there are no hard and fast lines between uses and stated there would likely be a great deal of interaction between Parks and Natural Areas for the site design.

Councilmember Potyondy noted that part of the reason this discussion is occurring is due to having ambiguous language on the original ballot measure; therefore, having as little ambiguity as possible in this ballot language will be valuable for voters.

Mayor Arndt expressed support for the ballot language as written.

Councilmember Pignataro noted 19 of the 20 Civic Assembly representatives included a bike park in their maps; however, the way in which the questions were ordered was confusing and the representatives verbally stated their intent to include the bike park. Mayor Arndt concurred.

Councilmember Ohlson stated he does not believe the Hughes property is an appropriate location for a bike park given potential negative environmental impacts; however, he stated he appreciates getting some of the other language inclusions he requested. He suggested the impacts of the bike park on neighboring uses could be diminished with good berming, landscaping, and buffering, and stated that work would help assuage his concerns with the 35 acres for bike park features.

Councilmember Canonico thanked those who have put so much energy into this proposal and stated it is appropriate for the item to go to voters.

Mayor Pro Tem Francis stated she would support the item and thanked those who participated in the Civic Assembly process.

Councilmember Gutowsky requested clarification as to whether the 35 acres would include parking. Assistant City Manager Venkatesh replied the 35 acres is dedicated to bike park features and would not include parking.

Councilmember Gutowsky expressed concern about the extent of the bike park noting it will likely end up being a regional draw, and given the property's location extremely far from the interstate, traffic will increase on the main east-west roadways. She expressed concern about those impacts on traffic and the environment. She also noted other regional bike parks are not contiguous to natural areas and stated the feasibility study listed a number of other possible locations for a bike park. She suggested other locations should be explored prior to automatically placing it at the Hughes site and stated she cannot support this item with the inclusion of the bike park.

Mayor Arndt thanked the Civic Assembly participants and other members of the public who were engaged.

Councilmember Potyondy commended the work of staff on the Civic Assembly.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Ordinance No. 141, 2025, Expressing Support for the Recommendations of the Civic Assembly and Adopting a Conceptual Framework for the Use and Management of the Hughes Stadium Site, on First Reading, amending section F to add conservation, with a friendly amendment from Councilmember Ohlson to expressly state “wildlife” before conservation.

The motion carried 6-1.

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

Nays: Councilmember Gutowsky.

26. **Resolution 2025-077 Submitting to a Vote of the Registered Electors of the City a Proposed Ordinance Extending the Expiring Twenty-Five Hundredths Percent (0.25%) “Community Capital Improvement Program” Capital Projects Sales and Use Tax for a Period of Ten Years for the Purpose of Obtaining Revenue for Capital Projects and Related Operation and Maintenance.**

This item has been amended to include August 18, 2025 versions of Resolution 2025-077.

The purpose of this item is to submit to the ballot a question to extend the expiring 0.25% sales and use tax (the “Community Capital Improvement Program” or “CCIP”) and to refer the operative changes to the City’s Municipal Code (the “Code”) for the consideration of voters at the November 4, 2025, election. The extension, if approved, is estimated to generate approximately \$11 million of annual revenue for the purposes established in the ballot question and ordinance, including the costs of planning, designing, and constructing specified capital projects, and to provide operation and maintenance (“O&M”) for some of those projects as designated. The existing, voter-approved CCIP tax will expire on December 31, 2025. If approved by voters in November, the renewal as presented will extend the tax for another ten-year term from January 1, 2026, to December 31, 2035.

The project list for the extension of the 0.25% sales and use tax includes:

- *Pedestrian Sidewalk/ADA Compliance*
- *Arterial Intersection and Streetscapes Improvements Fund*
- *Bicycle Infrastructure and Overpass/Underpass Program*
- *Affordable Housing Capital Fund*
- *Mulberry Pool Recreation Replacement Leveraging Fund*
- *Poudre River North – Health, Access, Parks & Trails*
- *Composting Infrastructure Advancement*
- *Downtown Parks Shop*

- *Community Bike Park*
- *Outdoor Pickleball Complex & Courts*
- *Nature in the City Program*
- *Transfort Bus Replacements & Stop Enhancements*
- *Recreational Paved Trails*
- *Construction Waste Diversion Equipment*
- *Historic Trolley Building Stabilization*
- *Gardens on Spring Creek – Children’s Garden & Infrastructure*
- *Lee Martinez Farm Renovation & Expansion*
- *Timberline Recycling Center Improvements*

The projects listed in the ballot question include estimated revenue to support each project, including estimated capital costs, five years’ O&M for certain projects, and increases from known inflationary factors. For those projects for which tax revenues may also be used for O&M, the limitation of five years of O&M was designed to allow those service areas managing those facilities and programs to collect the necessary data and experience from at least two budget cycles to determine the appropriations for ongoing O&M costs while maximizing project revenues supported by this tax (if approved).

Under Section 7-156 of the City Code, any registered elector desiring to protest a proposed ballot title or submission clause for any initiated measure must file such a protest with the City Clerk, no later than noon on Monday, August 18, 2025. If a protest is filed, a hearing on the protest will be added to the agenda item and must take place before the Council adopts the Resolution setting the ballot title and submission clause.

STAFF PRESENTATION

Ginny Sawyer, Lead Policy and Project Manager, discussed the history of projects completed as part of previous capital improvement tax packages. She noted the goal of the package is to include input from asset and management plans, advance Council priorities, and provide opportunities and amenities that appeal to everyone in the community.

Joe Wimmer, Utilities Finance Director, provided the list of the 18 projects and capital programs to be funded over the ten years of the tax. He noted the major change since the last work session was the addition of the composting infrastructure project for \$7 million, which resulted in two projects being scaled: the historic trolley building renovation and the downtown Parks shop. He noted the anticipated tax revenue over the ten years will be \$110 million, and the package total is at \$102.7 million to plan for inflation.

PUBLIC PARTICIPATION

Joe Rowan questioned why Council is deciding on this package this evening while it will be discussing community priorities at next week’s work session. Additionally, he stated long-term maintenance has been left out of budgets for asset acquisition. He commented on housing being the fundamental challenge to address in the community and stated that is not reflected in this package.

Samantha Stegner supported additional funding for affordable housing, particularly as it applies to making mobile home parks resident owned.

Rich Stave discussed overflow parking issues at an affordable housing complex near his residence and commented on the increase in taxes.

COUNCIL QUESTIONS/DISCUSSION

Councilmember Potyondy requested staff input regarding the unspent CCIP funds from the existing tax package. Sawyer replied Council has discussed using \$12 million of those funds for the Southeast Community Center. She also stated the remaining funds on the existing tax should not necessarily impact the decision on this ordinance or referral. She noted any unspent CCIP dollars will be allocated at a future date by Council determination.

Councilmember Pignataro asked what changes have been put in place to help better support housing in the package. Sawyer replied there was a shift away from the idea of bonding to keep from having to make debt payments. Additionally, there have been conversations about how the money can be rolled out in specific amounts; however, the \$10 million for housing has not been increased given the goal of not making this a housing tax.

City Manager DiMartino noted \$2-3 million of the excess existing CCIP tax dollars could be put toward housing per Council's decision.

Councilmember Gutowsky commended Ms. Stenger's suggestion about using the dollars for mobile home park purchasing and requested additional input regarding specific proposals for the affordable housing dollars. Wimmer replied some tools from the last ten years of the affordable housing dollars are being carried forward, and they primarily went toward fee waivers and direct equity investments into projects to quicken timelines. The next iteration of the tax contemplates adding another tool of low-interest loans to developers.

Mayor Pro Tem Francis noted this is a tax extension, not a new tax, and stated that while additional funds are needed for affordable housing, this is not a housing tax but a capital improvement tax. She stated the community needs to think more intentionally and creatively about how to fund needed affordable housing.

Mayor Arndt stated this process has involved a great deal of public involvement and outreach and she will support its placement on the ballot.

Councilmember Canonico supported ongoing conversations around support of affordable housing in the community. She expressed support for the proposed tax package and commented on the importance of partnerships with the School District and Library District for the Southeast Community Center.

Councilmember Pignataro stated she would support the placement of this item on the ballot.

Councilmember Gutowsky commended the community engagement efforts and stated she would support the placement of the item on the ballot.

Councilmember Ohlson thanked the management team and staff who worked on the package and commended the Council changes. Additionally, he stated there is more to come on affordable housing funding in the near future. He stated he would like this Council or a future Council to solidify the 80/20 split related to recreation centers and pools. City Manager DiMartino replied staff would follow up with additional information.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Resolution 2025-077 Submitting to a Vote of the Registered Electors of the City a Proposed Ordinance Extending the Expiring Twenty-Five Hundredths Percent (0.25%) “Community Capital Improvement Program” Capital Projects Sales and Use Tax for a Period of Ten Years for the Purpose of Obtaining Revenue for Capital Projects and Related Operation and Maintenance.

The motion carried 7-0.

27. Resolution 2025-078 Submitting to a Vote of the Registered Electors of the City a Citizen-Initiated Ordinance to Continue the City’s Existing Open Space Sales and Use Tax.

This item has been amended to include August 18, 2025 versions of Resolution 2025-078.

The purpose of this item is to submit to a vote of the registered electors, at the City’s Regular Election on November 4, 2025, a ballot issue question that approves a citizen-initiated ordinance that proposes the extension of the ¼ of one percent Natural Areas sales and use tax, without expiration, to continue to protect natural areas and open spaces; offer appropriate recreation; provide revenue for responsible restoration and management of protected lands; and partner with Larimer County, COGO, and others to make funding go further. The ordinance makes several modifications to Citizen-Initiated Ordinance No. 1, 2002 (Open Space, Yes!) related to Land Conservation, Operations, and Maintenance Activities to ensure that long-term operations and maintenance needs can be met within the parameters of the initiative language.

A protest hearing regarding the ballot title may be required before consideration of the Resolution. Under Section 7-156 of the City Code, any registered elector desiring to protest a proposed ballot title or submission clause for any initiated measure must file such a protest with the City Clerk, no later than noon on Monday, August 18, 2025. If a protest is filed, a hearing on the protest will be added to the agenda item and must take place before the Council adopts the Resolution setting the ballot title and submission clause.

***Clerk’s Note: Councilmember Ohlson withdrew from the discussion of this item as he was a petition gatherer, and his wife is leading the effort.*

STAFF PRESENTATION

City Clerk Delynn Coldiron stated this item is a citizen-initiated effort related to the extension of the ¼ cent Natural Areas sales tax. She noted no protests were received on the ballot title or language and stated the Charter requires this item must be referred to the ballot as it is a tax initiative. She provided the proposed ballot language which was recently revised to limit the number of words to 250.

PUBLIC PARTICIPATION

Ross Cuniff, chair of the Land Conservation and Stewardship Board, stated the Board recommends placing this issue on the ballot and stated continued funding of Natural Areas in perpetuity is necessary to maintain the character of Fort Collins.

Rich Stave expressed concern about the lack of expiration on the tax and stated the majority of Fort Collins residents cannot access many Natural Areas as part of their normal routine.

Councilmember Gutowsky stated she would support the placement of this item on the ballot and commented on the fact that the number of signatures gathered exceeded what was required.

Councilmember Potyondy stated the community has repeatedly expressed support for Natural Areas and commented on the value of obtaining and maintaining Natural Areas properties.

Mayor Arndt commended the citizens working with the Natural Areas Department given the tax perpetuity.

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to adopt Resolution 2025-078 Submitting to a Vote of the Registered Electors of the City a Citizen-Initiated Ordinance to Continue the City's Existing Open Space Sales and Use Tax.

The motion carried 6-0.

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

Recuse: Councilmember Ohlson.

P) RESUMED PUBLIC COMMENT

Q) OTHER BUSINESS

OB 1. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers.

(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)

R) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 9:25 p.m.

Mayor

ATTEST:

City Clerk