

March 18, 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

None scheduled.

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 Kelly Ohlson

ABSENT

Councilmember Melanie Potyondy

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 1-24 on the Consent Calendar are recommended for adoption unless pulled for Discussion.
- Staff Report to provide an update on the impact of the federal landscape on the City.

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.)

Joanne Hawley supported finding ways to allow more ADUs in Fort Collins. She stated her husband just lost his job and they want to be able to convert their basement to an ADU to help ensure they would be able to stay in their home. She stated this option will not only provide additional affordable housing for others but will also help keep people in their homes and support State affordable housing laws.

Peter Erickson discussed Matthew Shepherd, a 21-year-old, who was beaten and left for dead on the side of the road in Laramie, Wyoming, and who later died after being helicoptered to Fort Collins. He stated that there were no gay bars in Wyoming leading Shepard to come to Fort Collins, which was a refuge. He commented on the importance of affordable housing in Fort Collins so it can remain a place of refuge. He questioned what it would take to fully fund affordable housing in Fort Collins.

Kristina spoke in favor of affordable housing and increased housing density. She asked that parking minimum mandates as part of development be removed and stated more support for denser housing can help shift transportation to active modes.

Matthew Behunin discussed parking in Old Town and noted the City owns about 5.5 acres of surface parking lots within about a quarter mile of Mountain and College. For comparison, he stated the pedestrian area of Old Town Square is about ¼ of an acre and undeveloped land is valued at \$3 million per acre in the downtown area. He encouraged the City to prioritize the use of that land in ways that are more beneficial than parking lots to help provide affordable housing. Behunin also requested that parking minimum mandates as part of development be removed.

Jackson Wagner noted how much he and his family love Fort Collins and stated they are lucky to be able to own a house here. However, he noted he has friends who cannot afford to live here and have been dissuaded from having children due to that. He encouraged the City to find ways to increase the stock of affordable housing and thanked Council for what it has done to enable new types of housing to be built. Wagner also concurred that utilizing downtown parking lots for housing would be beneficial as would speeding up the development process.

Debra James spoke in support of Beaver's Market and noted she has been a regular customer and an employee. She stated Beaver's is now for sale which was a surprise to staff and customers. She urged Council to find a way to keep this as a grocery store and noted in the 15-minute City vision one of the important destinations is a grocery store. She noted she had started a petition for people to sign in support of keeping the store in its location.

David Scott stated most people can agree that everyone deserves safe and stable housing, which is not something the City can provide at this point. He stated he has worked with hundreds of people in the community and housing is the primary concern for the majority of them. Scott commented on the detrimental effects of unstable housing on people's physical and mental health. He urged Fort Collins to continue to prioritize housing in the community.

Jared McGlothlin spoke about housing issues and urged Council to find ways to provide more affordable housing. He also encouraged the City to use its property downtown, especially parking lots, for affordable housing. He also spoke in support of HB-1273 which would alter the building code to legalize 5-story apartments with a single stairway. He requested more resources to be put toward building affordable housing and for making changes to processes that would speed up the development process. He noted the hardship that lack of housing creates for students and asked for the City to partner with CSU on these efforts.

Nicholas Sahwin spoke in support of the Connection Workers Coalition and spoke about the need for municipal unions. He asked for a clearly defined and fair process whereby these can be recognized by the City Manager. He stated it currently appears the City Manager has a process for refusing to recognize them and stated that the passage of PROPWA meant this conversation was bound to arise. Additionally, Sahwin stated the issue goes hand in hand with affordable housing as having a union would help its members bargain for higher wages to help people afford homes in the communities they serve. He urged Council to listen to the people who are providing suggestions related to the union and affordable housing and to put some of these items in place.

Gabrielle Friesen requested Council ask the City Manager to recognize the Connexion Workers Coalition. She stated her family was able to immigrate to the United States due to her grandmother's involvement as a union leader in her country and she can now pay for her apartment and medical bills because of her union involvement. Friesen noted she is not in a union and fears being priced out of her current home. She stated unions, housing, and labor rights are tied together and she urged Council to allow municipal workers a method to unionize and to examine additional affordable housing options.

Adam Hirschhorn stated it is his intention to run for Mayor of Fort Collins as he sees himself as a problem and a problem solver. He stated municipal workers built this city and he plays for the home team. He discussed things he would implement if elected, including a poker night to bring major players to the table to help solve the issues facing the city. Additionally, he stated he would recognize the Connexion Workers Union immediately and would ultimately allow all municipal workers to unionize. He stated there would be closer scrutiny on incentives and double dipping would cease. He stated he is the person the City needs at this point in time.

Tyler Bigler stated he is a fan of Beaver's grocery store and encouraged the City to become a housing-ready city by adopting specific policies to remove barriers that prevent additional housing from being built. He stated Fort Collins historically embodied these housing principles which are visible in Old Town's walkable streets, diverse housing types, and human-scale mixed-use neighborhoods. He suggested allowing single-family homes to be converted to duplexes or triplexes, simplifying the zoning codes to allow for additional housing to be constructed, permitting backyard cottages in all residential zones, legalizing starter homes in all residential areas, eliminating lot size requirements, repealing parking mandates, and streamlining the development review process.

Charles Shobe thanked the City for following State law by removing the City's parking mandates for new multi-family housing and requested it consider doing so for commercial and mixed-use buildings as well. He stated requiring dedicated parking in excess of what businesses and mixed-use developments might need bundles the cost of that excess parking into the price of the goods and services those businesses provide and incentivizes car dependency. He stated removing the parking mandates will reduce the price of goods and services and will reduce the cost of housing by enabling the conversion of land from parking to housing.

Joe Rowan encouraged Council to think boldly about housing as part of the renewal of the capital improvement tax and stated something radically different needs to be done to address housing. He questioned how the cost curve for all housing in the community could be bent and noted the Fort Collins Chamber had its initial working group meet today to discuss a proposal it will bring forward to Council.

Kimberly Conner noted the cease fire in Gaza came to an end yesterday and the genocide resumed. She stated there has been a block of food and water to the Palestinian people over the past two weeks. She stated President Trump has discussed removing Palestinians from the area to create a riviera resort and stated that this is the definition of ethnic cleansing. Conner commented on a student activist and others who are being removed from the United States and stated supporting Israel makes us all guilty. She urged Council to take action to help our community and resist the federal government by supporting a ceasefire resolution and arms embargo.

Public comment concluded at 6:36 p.m.

H) PUBLIC COMMENT FOLLOW-UP

Mayor Arndt thanked Debra James for her comments and concurred Beaver's Market does exemplify a component of the 15-minute city. Additionally, she thanked Matthew Behunin for his comments.

Councilmember Pignataro thanked those who spoke and noted housing is the topic of next week's work session.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

Councilmember Ohlson withdrew Item No. 19, *First Reading of Ordinance No. 052, 2025, Amending the Boundary of the Willard and Gladys Eddy House and Shared Barn, 509 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins*, from the Consent Calendar to ask about the movement of the barn to one lot given historic context.

Mayor Arndt withdrew Item Nos. 17, *First Reading of Ordinance No. 050, 2025, Amending Section 9-4 of the Code of the City of Fort Collins for the Purpose of Clarifying Enforcement of Open Fire and Burning Restrictions*, and 18, *First Reading of Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments*, from the Consent Calendar due to a request from community members and to ask follow-up questions of Poudre Fire Authority.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the March 4, 2025 Regular meeting.

The purpose of this item is to approve the minutes of the March 4, 2025 Regular meeting.

Approved.

2. Second Reading of Ordinance No. 026, 2025, Declaring a Portion of City-Owned Property at Pelican Marsh Natural Area as Public Right-of-Way.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, declares approximately 0.073 acres of Pelican Marsh Natural Area as Right-of-Way (ROW) for the US 287 and Triangle Drive Signal Installation (Project).

The Project would install a new traffic signal, perform utility relocations, and make active modes improvements at the intersection of US 287 and Triangle Drive. The Project would also stripe existing pavement for a northbound left and southbound right turn lanes onto Triangle Drive from US 287. All active modes improvements will meet Americans with Disabilities Act (ADA) requirements and provide pedestrian and bicycle connections between the Ridgewood Hills and Shenandoah neighborhoods west of US 287 to the Lakeview on the Rise Subdivision east of US 287. Pursuant to the Natural Areas Easement Policy (adopted by Council in 2012), adjustments were made to the proposal to minimize impacts to the natural resources, and Engineering will compensate Natural Areas for the property rights (including right of way) needed for the Project.

Adopted on Second Reading.

3. Items Relating to Development Contributions to Construction from The Landing at Lemay Development.

A. Second Reading of Ordinance No. 034, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Cordova Road Corridor Project and Related Art in Public Places.

B. Second Reading of Ordinance No. 035, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Vine and Lemay BNSF Overpass Project and Related Art in Public Places.

These Ordinances, unanimously adopted on First Reading on March 4, 2025, appropriate development contributions from The Landing at Lemay development project to the Cordova Road Corridor (Cordova) and Vine and Lemay BNSF Overpass (Vine/Lemay) capital projects. If approved, this item will: 1) appropriate \$226,564 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Cordova project; 2) appropriate \$2,266 (1%) of the development contribution to construction to the Art in Public Places (APP) program; 3) appropriate \$290,163 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Vine/Lemay project; and 4) appropriate \$2,902 (1%) of the development contribution to construction to the Art in Public Places (APP) program. This item also apprises Council of the transfer of \$7,941 (3% of \$264,708) to the Transportation Capital Expansion Fee (TCEF) reserves fund for administering a Landing at Lemay payment to Capstone Cottages, Capstone Collegiate Communities – Fort Collins LLC.

Both Ordinances Adopted on Second Reading.

4. Second Reading of Ordinance No. 036, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the College Avenue-Drake Road Intersection Improvements Project and Related Art in Public Places.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, appropriates a development contribution for construction from the King Soopers 146 – Midtown Gardens Marketplace Development to the College Avenue-Drake Road Intersection Improvements project (Project). The funds will be used for design services. If approved, this item will: 1) appropriate \$100,265 received in 2025 as a development contribution to construction by an adjacent development and 2) appropriate \$1,003 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

Adopted on Second Reading.

5. Second Reading of Ordinance No. 037, 2025, Making a Supplemental Appropriation and Authorizing Transfer of Appropriations for the Gardens on Spring Creek Internship Program.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, supports the Gardens on Spring Creek internship program by:

- Appropriating \$9,800 of unanticipated grant revenue awarded by the Colorado Department of Agriculture (CDA) and*
- Utilizing matching funds in the amount of \$9,800 from existing 2025 appropriations into these new grant projects.*

In January 2025 the CDA awarded the City a total of \$9,800 under the CDA's Agricultural Workforce Development Grant Program (AWDP). The Garden's Internship Program aligns with the objective of the AWDP in addressing the shortage of skilled agricultural workers in Colorado by providing training and support through internships. The City will be providing an additional \$9,800 in required matching funds. The award funds and City's matching funds will support hiring two interns for the Garden's' summer 2025 internship program.

The \$9,800 in funds through the CDA's Agricultural Workforce Development Grant Program are state funds and are pursuant to two separate State of Colorado purchase orders, with corresponding terms and conditions. Each award/purchase order provides up to \$4,900 for each paid internship provided through the Garden's summer 2025 internship program. There is no requirement that the City sign an agreement for either award. Rather, upon the City submitting the first request for reimbursement under each award/purchase order to CDA, the City agrees to all terms and conditions of the award.

Adopted on Second Reading.

6. Items Relating to the Fort Collins Police Services Victim Services Unit.

A. Second Reading of Ordinance No. 038, 2025, Making a Supplemental Appropriation of Funds Received from the Eighth Judicial District Victim Assistance and Law Enforcement Board in the General Fund for the Fort Collins Police Services Victim Services Unit.

B. Second Reading of Ordinance No. 039, 2025, Making a Supplemental Appropriation of Funds Received from the Colorado Division of Criminal Justice Under the Federal Victim of Crime Act in the General Fund for the Fort Collins Police Services Victim Services Unit.

These Ordinances, unanimously adopted on First Reading on March 4, 2025, help fund the Victim Services Unit of Fort Collins Police Services for victim advocacy services which are required under the Colorado Victim Rights Amendment for victims of crime and their family members.

The Victim Services Unit has been awarded a \$70,000 VALE grant for the period from January 1, 2025, to December 31, 2025. The VALE grant is awarded through the Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Board to help fund services provided by the Victim Services team. This grant will fund 75% of the salary for a full-time contractual 40-hour per week victim advocate.

The Victim Services Unit has also been awarded a 12-month grant in the amount of \$17,505 for the period from January 1, 2025, to December 31, 2025, by the Colorado Division of Criminal Justice under the Federal Victim of Crime Act (VOCA). This grant will help fund services provided by the Victim Services Unit. These funds will be used to pay 25% of the salary for the victim advocate who provides crisis intervention services for sexual assault victims between the school ages of kindergarten through 12th grade.

Both Ordinances Adopted on Second Reading.

7. Second Reading of Ordinance No. 040, 2025, Approving an Intergovernmental Agreement Between the City of Fort Collins and the Fort Collins, Colorado, Downtown Development Authority Governing the Use of a Line of Credit for the Financing of Downtown Development Authority Projects and Programs and Delegating to the Downtown Development Authority Thereunder the Power to Incur Debt in Relation Thereto as Authorized by State Law.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, approves an ordinance to approve and authorize the Mayor to sign an intergovernmental agreement between the City

and Downtown Development Authority (DDA) that will govern the processes for administering a line of credit for financing DDA projects and programs for a six-year term from 2025 through 2030 and a maximum per-draw limit of \$5 million.

The current Line of Credit (LOC) established in 2012 and renewed in 2018 by the City on behalf of the DDA expired at the end of 2024. The City and DDA began taking steps in early 2024 to renew this debt instrument with First National Bank of Omaha (FNBO) for another six-year term, as it will be needed by the DDA to execute its projects and programs beginning in budget year 2025 and continuing through 2030. The renewal of the bank authorized Line of Credit is needed by the DDA to satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II).

On November 6, 2024, the Council Finance Committee reviewed the purpose and approach for bringing forth a third IGA to accommodate the DDA’s authorization to use a Line of Credit and satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II). The Council Finance Committee was supportive of advancement of the IGA to the City Council.

On February 13, 2025, the DDA Board adopted Resolution 2025-02 authorizing the DDA’s approval of the IGA and the line of credit promissory note from First National Bank of Omaha. The IGA is now advanced to the City Council and pursuant to the DDA Act requires adoption by ordinance.

Adopted on Second Reading.

8. First Reading of Ordinance No. 041, 2025, Reappropriating Funds Previously Appropriated in 2024 But Not Expended and Not Encumbered in 2024.

The purpose of this item is to reappropriate monies in 2025 that were previously authorized by City Council for expenditures in 2024 for various purposes. The authorized expenditures were not spent or could not be encumbered in 2024 because:

- There was not sufficient time to complete bidding in 2024 and therefore, there was no known vendor or binding contract as required to expend or encumber the monies; or
- The project for which the dollars were originally appropriated by Council could not be completed during 2024 and reappropriation of those dollars is necessary for completion of the project in 2025.

Additionally, there may have been sufficient unspent dollars previously appropriated in 2024 to carry on programs, services, and facility improvements in 2025 for those specific purposes.

In the above circumstances, the unexpended and/or unencumbered monies lapsed into individual fund balances at the end of 2024 and reflect no change in Council policies.

Adopted on First Reading.

9. First Reading of Ordinance No. 042, 2025, Appropriating Prior Year Reserves and Authorizing Transfers Related to 49 U.S.C. § 5339(b) Program Funding for Accessibility Enhancements to the Transit System.

The purpose of this item is to support Transfort in enhancing accessibility throughout the Transfort system by:

- Appropriating \$2,411,550 in unanticipated grant revenue awarded to Transfort by the Federal Transit Administration (FTA);

- *Transferring \$222,450 from the Community Capital Improvement Program (CCIP) Bus Stop Improvements to the Transit Service Fund where it will serve as local match for federal grant funding; and*
- *Appropriating a development contribution to construction of \$193,000 from CSU's Alternative Transportation Fee Advisory Board (ATFAB) to serve as local match for federal grant funding.*

Transfort secured \$2,411,550 in competitive grant funding from the FTA to enhance accessibility and improve transit infrastructure, ensuring compliance with the Americans with Disabilities Act of 1990 (ADA) throughout the Transfort system. These improvements align with the City's commitment to providing equitable, accessible, and inclusive transit services for all community members.

Adopted on First Reading.

10. **First Reading of Ordinance No. 043, 2025, Appropriating Prior Year Reserves and Unanticipated Philanthropic Revenue Received Through City Give for Various Programs and Services as Designated by the Donors.**

The purpose of this item is to request an appropriation of \$26,632 in philanthropic revenue received by 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. 044, 2025, Appropriating Prior Year Reserves in the General Fund for Electric Vehicle Infrastructure Cost-sharing Fee Credits for Affordable Housing.**

The purpose of this item is to continue funding for the pilot program providing Electrical Vehicle (EV) Infrastructure Offset Fee Credits for qualifying affordable housing projects. Originally, Council appropriated \$238,000 in 2022 and the balance of the funds were reappropriated in the 2023 and 2024 Reappropriation Ordinances. This item requests a supplemental appropriation for the remaining balance of \$200,000 to continue the pilot program.

Adopted on First Reading.

12. **First Reading of Ordinance No. 045, 2025, Making Supplemental Appropriation and Authorizing Transfer of Appropriation Related to FASTER Transit Program Funding for the FLEX Regional Route Operating Costs.**

The purpose of this item is to support operating expenses for Transfort's commuter FLEX Regional Routes by:

1) *Appropriating \$300,000 in unanticipated grant revenue awarded to Transfort by the Colorado Department of Transportation (CDOT) through its Fiscal Year 2024 (FY24) Funding Advancements for Surface Transportation and Economic Recovery Act of 2009 (FASTER) Transit Grant Program; and*

2) *Transferring \$300,000 of previously appropriated Transfort operational funds to meet the local match requirement for the FY24 FASTER grant.*

Adopted on First Reading.

13. First Reading of Ordinance No. 046, 2025, Making a Supplemental Appropriation of Multimodal Transportation and Mitigations Options Fund Grant Revenue for the Foothills Transit Station Project.

The purpose of this item is to appropriate unanticipated grant revenue awarded to Transfort by the North Front Range Metropolitan Planning Organization (NFRMPO). Transfort secured \$317,669 in discretionary state grant funding to construct the Foothills Transit Station and Roundabout, including design, electrical, right-of-way (ROW) acquisition costs, and related expenses, at the intersection of Overland Trail and West Elizabeth Street adjacent to Colorado State University's (CSU) Foothills Campus. The Foothills Transit Station will serve as the western terminus for multiple local and regional routes as well as the future West Elizabeth Bus Rapid Transit (BRT) line.

Adopted on First Reading.

14. First Reading of Ordinance No. 047, 2025, Appropriating Prior Year Reserves in the Parking Fund for Hourly Expenses.

The purpose of this item is to appropriate prior year reserves from the Parking Fund to support 2025 hourly salaries.

Adopted on First Reading.

15. Items Relating to the Carpenter and Timberline Intersection Project.

A. First Reading of Ordinance No. 048, 2025, Making a Supplemental Appropriation for the Carpenter and Timberline Intersection Project.

B. Resolution 2025-015 Authorizing the Execution of an Amendment to an Existing Intergovernmental Agreement Between the City of Fort Collins and the Colorado Department of Transportation for the Carpenter and Timberline Intersection Project.

The purpose of these items is to enable the City to receive and expend Federal funds for the Carpenter and Timberline Intersection project (Project). The funds will be used for design and construction of improvements at the intersection of Carpenter Road and Timberline Road. If approved, the items will: 1) appropriate \$2,082,608 of Highway Safety Improvement Program (HSIP) grant funds to the Project; 2) authorize the Mayor to execute an amendment to the Intergovernmental Agreement (IGA) for the Project with Colorado Department of Transportation (CDOT).

The Project will not appropriate any money to the Art in Public Places Program as the Project is 100% grant funded at this time.

Ordinance Adopted on First Reading.

Resolution Adopted.

16. Items Relating to a State Carbon Reduction Program Grant to Fund ADA Bus Stop Improvements along Regionally Significant Corridors.

A. First Reading of Ordinance No. 049, 2025, Appropriating Prior Year Reserves and Authorizing Transfers to be Used as Local Match for Carbon Reduction Program Funding for ADA Bus Stop Improvements Projects.

B. Resolution 2025-016 Authorizing the Execution of an Intergovernmental Agreement Between the City and Colorado Department of Transportation to Fund Bus Stop Improvements Along Regionally Significant Corridors through the State Carbon Reduction Program.

The purpose of these items is to support Transfort in enhancing accessibility at bus stops in Transfort's service area.

The City was awarded \$538,447 in Carbon Reduction Program (CRP) grant funds from the Colorado Department of Transportation (CDOT) in support of Transfort performing bus stop improvements along Regionally Significant Corridors. The awarded funds and required local match of \$111,930 will support design, right-of-way (ROW) acquisition, the construction of concrete pads, and the installation of amenities such as shelters, benches, bike racks, and trash cans.

Approval of these items would support the City in enhancing accessibility at Transfort bus stops by:

- Authorizing the Mayor, by Resolution, to execute an Intergovernmental Agreement (IGA) with CDOT. This IGA will result in the receipt by Transfort of \$538,447 in CRP grant funds for fiscal year (FY) 2025.*
- Transferring \$100,000 from the Community Capital Improvement Program Fund (CCIP) to the Transit Services Fund for ADA Bus Stop Improvements Projects where it will serve as local match for previously appropriated CRP Grant Funds.*

Ordinance Adopted on First Reading.

Resolution Adopted.

17. **First Reading of Ordinance No. 050, 2025, Amending Section 9-4 of the Code of the City of Fort Collins for the Purpose of Clarifying Enforcement of Open Fire and Burning Restrictions.**

The purpose of this item is to amend the enforcement and penalty provision under City Code Section 9-4 to clarify that it applies to all violations under Chapter 9, including violations of the Open Fire and Burning Restrictions.

Withdrawn from Consent. Adopted on First Reading.

18. **First Reading of Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments.**

The purpose of this item is to repeal the 2021 International Fire Code and adopt the 2024 International Fire Code (IFC) with local amendments. The International Code Council (ICC) publishes code updates every three years. The Poudre Fire Authority (PFA) Board of Directors has reviewed and approved this code package and is requesting the code be adopted as amended.

Since the City's adoption of and amendments to the 2021 IFC are being repealed in their entirety and replaced with adoption of and amendments to the 2024 IFC, all highlights and strikethrough formatting in the Ordinance show changes from the way the language appears in the 2024 IFC, as published by the ICC, not changes to the current provisions under City Code.

Withdrawn from Consent. Adopted on First Reading.

19. **First Reading of Ordinance No. 052, 2025, Amending the Boundary of the Willard and Gladys Eddy House and Shared Barn, 509 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.**

The purpose of this item is to seek an amendment, as requested by the property owners of 509 Remington Street, to the Landmark boundary listed in the designation ordinance of the property to more accurately reflect its legal description. The lot line modification was recorded with Larimer County in 2024. After review and consideration of the proposal at their February 19, 2025 hearing, the Historic Preservation Commission (HPC) recommended through HPC Resolution 1, 2025, that Council approve the Ordinance amending the Landmark boundary.

Withdrawn from Consent. Adopted on First Reading.

20. **First Reading of Ordinance No. 053, 2025, Amending the Boundary and Landmark Name of the Fred W. Stover House and Garage, 515 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.**

The purpose of this item is to seek an amendment, as requested by the property owners of 515 Remington Street, a City Landmark designated in 1997, to the Landmark boundary and title listed in the designation ordinance of their property to more accurately reflect its legal description. The lot line modification was recorded with Larimer County in 2024, and the barn that was shared between 515 and 509 Remington Street was relocated entirely within the 509 Remington Street parcel. After review and consideration of the proposal at their February 19, 2025, hearing, the Historic Preservation Commission (HPC) recommended through HPC Resolution 1, 2025, that Council approve the Ordinance amending the boundary and the name of the Landmark.

Adopted on First Reading.

21. **Resolution 2025-017 Approving an Intergovernmental Agreement and Grant Agreement with Larimer County for a Grant From the City’s Digital Inclusion Program.**

The purpose of this item is to authorize the approval of an Intergovernmental Agreement and Grant Agreement with Larimer County for a Digital Inclusion grant made to the Larimer County Economic and Workforce Development to support the “Digital Roots” bilingual program.

Resolution Adopted.

22. **Resolution 2025-018 Approving an Intergovernmental Agreement and Grant Agreement with Poudre School District for a Grant from the City’s Digital Inclusion Program.**

The purpose of this item is to authorize the approval of an Intergovernmental Agreement and Grant Agreement with Poudre School District (PSD) for a grant from the City’s Digital Inclusion Program for the PSD Digital Literacy Liaison, who will support the technological literacy of PSD Family Liaisons, as well as the families and students that they serve.

Resolution Adopted.

23. **Resolution 2025-019 Approving the First Amendment to the “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6.”**

The purpose of this item is to consider the First Amendment to the “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6” (the “First Amendment”). The “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos.1

Through 6” (the “Public Benefits Agreement” or “PBA”) requires alley access to the garages of at least 40% of the total dwelling units. This First Amendment would require 45% of the total dwelling units to have non-street facing garages rather than the current requirement of 40% of total dwelling units being served by alley loaded garages. Alleys limit design flexibility for multi-unit buildings, and this First Amendment would meet the intent of the Public Benefits Agreement by ensuring garages do not dominate the streetscape within the Mulberry Metropolitan Districts 1 through 6 (the “Metro District”).

Clarifying this PBA requirement has become critical to reviewing development plans for the many phases of the planned unit development (“Bloom PUD”), while working to achieve the overall intent of providing more active and engaging streetscapes that are dominated by homes and front porches instead of driveways and garage doors.

Resolution Adopted.

24. Items Relating to Appointments to Various Boards and Commissions.

- A. Resolution 2025-020 Making an Appointment to the Active Modes Advisory Board.*
- B. Resolution 2025-021 Making an Appointment to the Affordable Housing Board.*
- C. Resolution 2025-022 Making Appointments to the Air Quality Advisory Board.*
- D. Resolution 2025-023 Making Appointments to the Art in Public Places Board.*
- E. Resolution 2025-024 Making Appointments to the Citizen Review Board.*
- F. Resolution 2025-025 Making Appointments to the Cultural Resources Board.*
- G. Resolution 2025-026 Making Appointments to the Disability Advisory Board.*
- H. Resolution 2025-027 Making Appointments to the Economic Advisory Board.*
- I. Resolution 2025-028 Making Appointments to the Energy Board.*
- J. Resolution 2025-029 Making an Appointment to the General Employees Retirement Committee.*
- K. Resolution 2025-030 Making Appointments to the Historic Preservation Commission.*
- L. Resolution 2025-031 Making Appointments to the Human Relations Commission.*
- M. Resolution 2025-032 Making Appointments to the Human Services and Housing Funding Board.*
- N. Resolution 2025-033 Making Appointments to the Land Conservation and Stewardship Board.*
- O. Resolution 2025-034 Making Appointments to the Land Use Review Commission.*
- P. Resolution 2025-035 Making Appointments to the Natural Resources Advisory Board.*
- Q. Resolution 2025-036 Making Appointments to the Parks and Recreation Board.*
- R. Resolution 2025-037 Making an Appointment to the Planning and Zoning Commission.*
- S. Resolution 2025-038 Making Appointments to the Senior Advisory Board.*

T. Resolution 2025-039 Making Appointments to the Transportation Board.

U. Resolution 2025-040 Making Appointments to the Water Commission.

V. Resolution 2025-041 Making an Appointment to the Women and Gender Equity Advisory Board.

The purpose of this item is to fill vacancies on various Boards and Commissions.

All Resolutions Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to approve the recommended actions on items 1-24, minus 17, 18, and 19 on the Consent Calendar.

The motion carried 6-0.

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

Councilmember Pignataro thanked those who applied for Boards and Commissions and noted there were over a hundred applicants. She encouraged those who were not appointed to reapply.

Councilmember Pignataro asked when the pilot program referenced in Item #11, *First Reading of Ordinance No. 044, 2025, Appropriating Prior Year Reserves in the General Fund for Electric Vehicle Infrastructure Cost-sharing Fee Credits for Affordable Housing*, will be complete and asked about next steps. City Manager DiMartino replied that information will be provided prior to Second Reading.

Mayor Arndt thanked those who applied for Boards and Commissions and commended those who were selected and would be providing hours working for the City.

L) STAFF REPORTS

A. Federal Funding Update.

The purpose of this item is to share information regarding both direct and indirect impacts of federal funding shifts and executive orders on the City of Fort Collins and the community.

Deputy City Manager Tyler Marr stated the goal of this presentation is to provide information on direct impacts or potential impacts to the City organization, broader community impacts, and to address perceptions and concerns moving forward. He noted a City contingent met with the Colorado Congressional delegation in Washington, D.C. last week.

Deputy City Manager Marr noted the City has just shy of \$100 million in active federal funding which spans the breadth of the City organization. He stated 13 of the grants are at risk due to a variety of factors, including a lack of authorization to spend the funds and the change in priorities at the federal level. He noted new programs under the Inflation Reduction Act or the Infrastructure law could be targets, and those items flagged to be at risk add up to \$41 million. He noted there are also potential changes to formula funding, for example about 25% of Transfort's operating budget comes from federal formula funds.

Deputy City Manager Marr stated it is also likely the City will see direct impacts on things such as revenue given it is a hub for federal workers, federal investment, and federal leases on buildings.

He also noted there will be impacts to CSU and the County. Additionally, higher tariffs will lead to increased costs for capital projects and other basic expenses for community members.

Deputy City Manager Marr stated the City remains committed to its mission and values regardless of the change at the federal level.

Mayor Arndt thanked staff for the update and noted that community members have been requesting this information. She encouraged staff to continue to inform the community as things change.

M) COUNCILMEMBER REPORTS

None.

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

17. First Reading of Ordinance No. 050, 2025, Amending Section 9-4 of the Code of the City of Fort Collins for the Purpose of Clarifying Enforcement of Open Fire and Burning Restrictions.

The purpose of this item is to amend the enforcement and penalty provision under City Code Section 9-4 to clarify that it applies to all violations under Chapter 9, including violations of the Open Fire and Burning Restrictions.

Fire Marshall Shawn McGaffin stated this item is simply a wording change to allow for the same enforcement rights for open burning.

PUBLIC COMMENT

Joe Rowan stated that while this item is not controversial, it is an indication of the disconnect between the Poudre Fire Authority's and City's processes. He suggested anything that directly impacts Fort Collins should go through the City's process.

Adam Hirschhorn stated the City will support Poudre Fire Authority in whatever it needs.

COUNCIL DISCUSSION

Councilmember Pignataro noted there are two Councilmembers on the Fire Code Review Committee and asked if this went through that Committee. McGaffin replied in the affirmative and stated it also went through the Poudre Fire Authority Board, on which Councilmembers sit, then the City Attorney's Office, and finally to Council.

Mayor Arndt noted that the process has been clear to her and that if an item comes to Council on Consent, it can be pulled to enable more discussion, just as was done tonight.

Mayor Pro Tem Francis requested more clarification regarding the Committee and who has voting rights. McGaffin replied this item was not reviewed by the Committee as it is such a minor change and was actually brought forward by the City Attorney's Office.

Mayor Pro Tem Francis motioned to approve Ordinance No. 050, 2025, Amending Section 9-4 of the Code of the City of Fort Collins for the Purpose of Clarifying Enforcement of Open Fire and Burning Restrictions, on First Reading. Councilmember Pignataro seconded the motion.

The motion carried 6-0.

18. First Reading of Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments.

Fire Marshall Shawn McGaffin outlined the process for International Fire Code adoption. He stated the Fire Code Review Committee consists of constituents from the community that best represent the items contained in the Fire Code, including the Fort Collins Building Department. He stated there are few changes and noted the goal was to eliminate as many amendments as possible from years past. He detailed a change to an appendix related to adding numbers to each interior door in schools and stated the definition of fire alarm was expanded. He provided additional information on proposed minor changes and discussed the ways in which PFA will provide public outreach regarding the changes once adoption has occurred.

PUBLIC COMMENT

Joe Rowan noted the Ordinance states this is a public hearing and questioned why it was on the Consent Agenda given that fact. He stated the appeals process is not clear and suggested the Building Review Commission or Planning and Zoning Commission should have provided input. Additionally, regarding the proposed changes to signage, he questioned whether they are consistent with the City's sign code. Rowan also shared frustration that the materials were not made available to the public until after they were reviewed by the PFA Board.

COUNCIL DISCUSSION

Mayor Pro Tem Francis asked if public hearings are on the Consent Agenda. City Manager DiMartino replied in the affirmative noting people can comment during general public comment.

Mayor Pro Tem Francis suggested it may be helpful to have a work session with Council for these types of Code changes moving forward.

Mayor Arndt asked if the sign letter size changes are retroactive. McGaffin replied in the negative.

Mayor Arndt asked about the process the last time Fire Codes were updated. Chief Derek Bergsten replied the last five updates went through the same process but acknowledged there is room for improvement moving forward. He noted the International Fire Code is developed by the ICC and is based on science and life safety regardless of the community size.

Mayor Arndt also encouraged work sessions on the topic in the future.

Mayor Arndt requested additional clarification regarding the appeal process. McGaffin replied the changes were brought forward to bring a level of consistency and a streamlined process for all municipalities served by PFA.

Mayor Arndt stated this item should have been placed on Discussion given the need to provide all assurances to the public.

Mayor Pro Tem Francis motioned to approve Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments, on First Reading. Councilmember Gutowsky seconded the motion.

The motion carried 6-0.

Chief Bergsten provided information on residential lithium-ion battery storage noting fully charged batteries should never be left in chargers or the devices when they are not in use.

19. First Reading of Ordinance No. 052, 2025, Amending the Boundary of the Willard and Gladys Eddy House and Shared Barn, 509 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

Councilmember Ohlson asked about the movement of the barn to one lot and why that was allowed to happen given historical context. Yani Jones, Historic Preservation Planner, replied the relocation of the barn was considered allowable under Chapter 14, Article IV of the Municipal Code because the relocation did not negatively impact the historic landmarks on which the barn is located: 509 and 515 Remington Street, as it still remains within its historic context and is now totally within the 509 Remington parcel. Additionally, this enabled the repair and rehabilitation of the historic barn, including the opportunity to place it onto a new, raised foundation which is significant to protect the structure given its location in a floodplain. The change also allowed for the adaptive reuse of the structure as a habitable space and garage. Jones noted the Historic Preservation Commission reviewed a certificate of appropriateness for the boundary amendment.

PUBLIC COMMENT

Adam Hirshhorn commended saving the barn.

COUNCIL DISCUSSION

Mayor Pro Tem Francis motioned to approve Ordinance No. 052, 2025, Amending the Boundary of the Willard and Gladys Eddy House and Shared Barn, 509 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins, on First Reading. Councilmember Pignataro seconded the motion.

The motion carried 6-0.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

None.

P) OTHER BUSINESS

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

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

Councilmember Gutowsky reported on the annual Dunn Elementary School citizenship oath ceremony, the International Women's Day rally in Old Town, and commented on the opening of the first Colorado location of Daiso, a store which originated in Tokyo.

Q) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:34 p.m.

Mayor

ATTEST:

City Clerk