

September 16, 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 Day of October 9, 2025, as The Hand That Feeds Day.
- PP 2. Declaring the Week of September 17-23, 2025, as Constitution Week.
- PP 3. Declaring September 15 - October 15, 2025, as Hispanic/Latiné Heritage Month.
- PP 4. Declaring the Month of September 2025 as Suicide Prevention and Awareness Month.

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
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 1-17 on the Consent Calendar are recommended for adoption.
- Consideration of a motion to adjourn the meeting until after the completion of the Electric Utility Enterprise Board business.

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.)*

Tom Griggs, candidate for the Poudre School District School Board, stated he has received several questions regarding the Board's response to State and Federal budget cuts. He suggested the answer relates to community partnerships and he applauded those groups and projects, giving special recognition to the liaison committee that brings the City, County, and School District together. He stated he is encouraged that there will be success in partnerships and in support of the schools despite the current political climate.

Rick Casey, Fort Collins Sustainability Group, spoke about the proposed Platte River Power Authority contract and provided various points with which the group disagrees, including the contract duration, proper and transparent compensation for 'pro-summers,' and the limitation of the amount of non-carbon energy goals.

Joe Rowan commented on the presentation made at the last work session on impact fees. He specifically cited the statement that the cost of replacing assets has exceeded inflation. He stated the City is discussing what it wants to buy rather than what it needs to buy, which he stated should be adjusted. He suggested staff is bringing forward a proposal for maximum fees because that is what they want to spend rather than what needs to be spent.

Barbara Krupnik-Goldman noted Council received a letter from the Fort Collins Sustainability Group regarding the proposed changes to the Platte River Power Authority contract. However, she stated she is speaking for herself this evening. She urged Council to oppose the contract as written so that changes can be made that will allow Fort Collins to pursue a better path of more renewable energy. She also stated urgent action is needed to address environmental and climate issues. She announced a celebration this weekend called Sun Day and provided some related information.

Kimberly Connor spoke about the Gaza conflict and genocide occurring by Israel. She discussed various ways the City could get involved to show its opposition to the conflict and genocide.

Public comment concluded at 6:17 p.m.

H) PUBLIC COMMENT FOLLOW-UP

Councilmember Ohlson stated he will be withdrawing the Platte River Power Authority contract item from the Consent Calendar.

Mayor Arndt noted the Colorado State Constitution states the Public Utilities Commission cannot have oversight over a joint action agency, which is how Platte River Power Authority is structured. She also

noted the PRPA Board consists of the four Utility heads from each of the member cities which provide technical expertise, as well as the four Mayors which provide the public oversight.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

Councilmember Ohlson withdrew Item No. 14, *Items Relating to Platte River Power Authority Organic Contract and Power Supply Contract*, from the Consent Agenda.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the September 2, 2025, Regular meeting.

The purpose of this item is to approve the minutes of the September 2, 2025, Regular meeting.

Approved.

2. Second Reading of Ordinance No. 142, 2025, Appropriating Philanthropic Revenue Received through City Give for The Gardens on Spring Creek as Designated by the Donor.

This Ordinance, unanimously adopted on First Reading on September 2, 2025, appropriates \$326,351 in philanthropic revenue received through City Give to benefit the Gardens on Spring Creek (the "Gardens"). These estate gifts to the Gardens align 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 appropriation of charitable gifts.

Adopted on Second Reading.

3. Second Reading of Ordinance No. 143, 2025, Vacating a Portion of the Right-of-Way of Giddings Road.

This Ordinance, unanimously adopted on First Reading on September 2, 2025, vacates a portion of the public right-of-way (ROW) at Giddings Road between Mountain Vista Drive and Richards Lake Road. The outside 8-ft of ROW on either side of the existing road can be vacated, and the road will still meet the minimum Larimer County Urban Area Street Standards for a 2-lane arterial street.

Adopted on Second Reading.

4. Second Reading of Ordinance No. 144, 2025, Annexing the Property Known as the Moor Annexation to the City of Fort Collins, Colorado.

This Ordinance, unanimously adopted on First Reading on September 2, 2025, annexes a 3.368-acre property located northeast of the intersection of North Taft Hill Road and Laporte Avenue. The Initiating Resolution was adopted July 15, 2025. A related item to zone the annexed property is presented on this Agenda.

This annexation request is in conformance with the State of Colorado Revised Statutes as they relate to annexations, the City of Fort Collins City Plan, and the Larimer County and City of Fort Collins Intergovernmental Agreement Regarding Growth Management.

Adopted on Second Reading.

5. **Second Reading of Ordinance No. 145, 2025, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Moor Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and Lighting Context Area Map.**

This Ordinance, unanimously adopted on First Reading on September 2, 2025, zones the property included in the Moor Annexation into the Low Density Mixed-Use Neighborhood District (LMN) and place the property into the Residential Sign District and the LC1 Lighting Context Area.

Adopted on Second Reading.

6. **First Reading of Ordinance No. 146, 2025, 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 request an appropriation of \$152,669.11 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.

7. **First Reading of Ordinance No. 147, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the William Neal and Ziegler Intersection Improvements Project and Related Art in Public Places.**

The purpose of this item is to appropriate and transfer additional funds for the William Neal and Ziegler Intersection Improvements project (Project). The funds will be used for construction services. If approved, this item will: 1) appropriate \$388,773 in Transportation Capital Expansion Fee (TCEF) funds to the Project; 2) appropriate \$77 in Transportation Services funds to the Project; 3) transfer \$85,000 in Conservation Trust funds to the Project; 4) transfer \$45,000 in Community Capital Improvement Program (CCIP) Pedestrian Sidewalk funds to the Project; and transfer \$3,850 of Project funds to the Art in Public Places (APP) program.

Adopted on First Reading.

8. **First Reading of Ordinance No. 148, 2025, Making Supplemental Appropriation of Colorado Office of Economic Development and International Trade for the Colorado CHIPS Community Support Program Marketing Grant Funds in the General Fund.**

The purpose of this item is to appropriate \$25,000 of unanticipated revenue from the Colorado Office of Economic Development and International Trade for the Colorado Creating Helpful Incentives to Produce Semiconductors (CHIPS) Community Support Program Marketing grant. This grant provides funding to the Economic Health Office for marketing and promotional activities targeted at semiconductor ecosystem companies and advanced industries.

Adopted on First Reading.

9. Items Related to Appropriating Additional Funds for 2025.

A. First Reading of Ordinance No. 149, 2025, Making Supplemental Appropriations in Various City Funds.

B. First Reading of Ordinance No. 150, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations in Various City Funds.

The purpose of these items is to combine dedicated and unanticipated revenues or reserves that need to be appropriated before the end of the year to cover the related expenses that were not anticipated and therefore not included in the 2025 annual budget appropriation. The unanticipated revenue is primarily from fees, charges, rents, contributions and grants that have been paid to City departments to offset specific expenses.

Both Ordinances Adopted on First Reading.

10. First Reading of Ordinance No. 151, 2025, Amending Sections 26-148 and 26-149 of the Code of the City of Fort Collins Regarding Water Supply Requirement Credits for Water Services.

The purpose of this item is to ensure that City Code (Code) more comprehensively addresses how Fort Collins Utilities (Utilities) credits existing water services when they are changed, typically during redevelopment. Code currently addresses how Utilities credits nonresidential services when they are redeveloped and replaced with a new nonresidential service. However, Code does not currently address how Utilities should credit residential services that are redeveloped into nonresidential services, or when nonresidential services are redeveloped into residential services. This item would fill those gaps.

Adopted on First Reading.

11. First Reading of Ordinance No. 152, 2025, Amending Chapter 24 Article IV of the Code of the City of Fort Collins Relating to Portable Signs.

The purpose of this item is to update the City Code (Code) pertaining to portable signs. This ordinance updates the areas where portable signs are allowed to more accurately reflect the designated downtown areas as well as the timeframe of when a portable sign permit is valid and the requirements to obtain a permit.

Adopted on First Reading.

12. First Reading of Ordinance No. 153, 2025, Creating a New Article VI in Chapter 24 of the Code of the City of Fort Collins Relating to Electric Vehicle Charging by Temporary Cord Draping.

The purpose of this item is to secure and promote the public health, safety, and general welfare of persons using City sidewalks by regulating the placement, covering over, use, and removal of electric vehicle charging cords located upon certain public sidewalks within the City. To expand charging opportunities for electric vehicles for persons without dedicated off-street parking at their residence, this proposed new City Code (Code) regulates the safe draping of an electric vehicle charging cord across a sidewalk or other public right-of-way at the person's residence for the purpose of providing a charge to a curbside vehicle at the person's residence.

Adopted on First Reading.

13. First Reading of Ordinance No. 154, 2025, Expanding the Boundaries of the Fort Collins, Colorado Downtown Development Authority and Amending the Plan of Development of the Authority.

The purpose of this item is to expand the boundaries of the Fort Collins Downtown Development Authority (the “DDA”) and amend the Plan of Development of the Authority to include a property at 313 North Meldrum Street and adjacent street right-of-way on North Meldrum Street. The property is a commercially zoned lot in the Old Town District and is the location of the historic Emma Malaby Grocery building. The right-of-way is being added as a housekeeping step to more efficiently describe the overall DDA boundary. There is no impact to the City from the inclusion of this right-of-way.

Adopted on First Reading.

14. Items Relating to Platte River Power Authority Organic Contract and Power Supply Contract.

A. First Reading of Ordinance No. 155, 2025, Authorizing an Amended and Restated Organic Contract for Platte River Power Authority.

B. First Reading of Ordinance No. 156, 2025, Authorizing an Amended and Restated Contract with Platte River Power Authority for the Supply of Electric Power and Energy.

The purpose of this item is to extend and amend the Organic Contract between Estes Park, Longmont and Loveland (the member cities) that is the basis for Platte River Power Authority’s (“Platte River”) existence and purpose and to extend and make modifications to the Power Supply Agreement (“PSA”) with Platte River.

Withdrawn from Consent.

15. Resolution 2025-083 Authorizing the City Manager to Execute an Agreement with the Colorado Water Conservation Board for Protected Mitigation Releases from the Halligan Water Supply Project.

The purpose of this item is to seek authorization for the City Manager to execute an agreement with the Colorado Water Conservation Board. Pursuant to the Halligan Water Supply Project: Fish and Wildlife Mitigation and Enhancement Plan, the City will seek a Water Court decree to protect the City’s reservoir releases from diversion by others. These are called “protected mitigation releases” under the applicable statute. Once completed and operational, this will create legally protected stream flows in the approximately 22 miles of the North Fork of the Cache la Poudre River between Halligan Dam and Milton Seaman Reservoir. An agreement with the Colorado Water Conservation Board is required to begin this effort.

Adopted.

16. Resolution 2025-084 Approving an Exception to the Competitive Purchasing Process for the Purchase of Animal Control Services from NOCO County Humane for 2025.

The purpose of this item is to request an exception to the competitive bid process for the purchase of services for a one-year term beginning January 1, 2026, from NOCO Humane for the operation and management of the animal shelter. Approval of this exception may be used as authorized in City Code Section 8-161(d)(4) as the basis for the City Manager and the Purchasing Agent to negotiate and agree to the additional purchase of animal control services from NOCO Humane through December 2030 without further Council approval.

Exception to Competitive Bidding Rationale: Code Section 8-161(d)(1)(a). There exists only one (1) responsible source.

Adopted.

17. **Resolution 2025-085 Approving Participation in the Settlement with Additional Opioid Defendants, Alvogen, Apotex, Amneal, Hikma, Indivior, Viatris, Sun, and Zydus, and a Related Waiver of Claims.**

The purpose of this item is to consider a resolution to allow the City to participate in the Colorado Opioids Settlement with Alvogen, Apotex, Amneal, Hikma, Indivior, Viatris, Sun, and Zydus by granting approval to sign an additional participation agreement and waiver of claims for opioid-related damages. This is in follow-up to prior approvals of settlements with multiple other opioid defendants, negotiated through national settlement efforts coordinated through the State of Colorado.

Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Francis moved, seconded by Councilmember Pignataro, to approve the recommended actions on items 1-17, minus item 14, on the Consent Calendar.

The motion carried 7-0.

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

Councilmember Pignataro commented on Item No. 7, *First Reading of Ordinance No. 147, 2025, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the William Neal and Ziegler Intersection Improvements Project and Related Art in Public Places*, which she stated is a good news item.

Councilmember Ohlson commented on Item No. 16, *Resolution 2025-084 Approving an Exception to the Competitive Purchasing Process for the Purchase of Animal Control Services from NOCO County Humane for 2025*, and asked if the \$1.2 million contract is annual. Staff replied in the affirmative.

Councilmember Ohlson stated NOCO County Humane has not been enforcing the cat leash law and noted the number one reason for the depletion of songbird species in the United States is the killing of songbirds by domestic cats. He stated he would like to see the formula for funding contributions by other Northern Colorado municipalities. City Manager DiMartino replied Lori Schwarz, Deputy Director for Planning, Development, and Transportation, has been in many conversations with NOCO County Humane regarding the fair share contribution in funding and added that staff will provide that information in a memo to Council.

Councilmember Ohlson also requested a memo related to planned educational efforts around the domestic cat leash law issue. City Manager DiMartino replied that will be included in the follow-up information.

Mayor Arndt commented on Item No. 15, *Resolution 2025-083 Authorizing the City Manager to Execute an Agreement with the Colorado Water Conservation Board for Protected Mitigation Releases from the Halligan Water Supply Project*, as being a good news item.

- L) STAFF REPORTS** – None.

M) COUNCILMEMBER REPORTS

Councilmember Tricia Canonico

- Thanked City staff for making the 10th anniversary of Open Streets a success.
- Thanked CSU for sponsoring a community breakfast focused on research partnerships.

Councilmember Susan Gutowsky

- Noted the opening of the adolescent unit at Longview Behavioral Health Center.
- Noted Transitions Pathways Academy opened at Poudre High School.
- Attended the 40th anniversary celebration at Lee Martinez Farm.

Councilmember Melanie Potyondy

- Attended the 40th anniversary celebration at Lee Martinez Farm – commended Bridgit.

Councilmember Kelly Ohlson

- Was on Council 40 years ago when Lee Martinez Farm was approved on a 4-2 vote.

Mayor Jeni Arndt

- Attended a learning exchange in Madison, Wisconsin with City Manager DiMartino.

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

14. Items Relating to Platte River Power Authority Organic Contract and Power Supply Contract.

A. First Reading of Ordinance No. 155, 2025, Authorizing an Amended and Restated Organic Contract for Platte River Power Authority.

B. First Reading of Ordinance No. 156, 2025, Authorizing an Amended and Restated Contract with Platte River Power Authority for the Supply of Electric Power and Energy.

The purpose of this item is to extend and amend the Organic Contract between Estes Park, Longmont and Loveland (the member cities) that is the basis for Platte River Power Authority's ("Platte River") existence and purpose and to extend and make modifications to the Power Supply Agreement ("PSA") with Platte River.

PUBLIC PARTICIPATION

None.

COUNCIL QUESTIONS/DISCUSSION

Councilmember Ohlson questioned whether this contract is being rushed and asked about the benefits of delaying it. Deputy City Manager Tyler Marr replied the Platte River Power Authority Board took up the initiative to update both the organic contract and the power supply agreement last December given the amount of expected spend out of the organization over the coming years in pursuit of the resource diversification policy. He stated this has been a thoughtful process including engagement with the four owner communities in the form of a joint work session.

Councilmember Ohlson questioned the necessity of a 50-year contract and whether it could be revised earlier if needed. Deputy City Manager Marr replied the current contract runs through 2060, and this would be an extension of 15 years beyond that. He stated he would be surprised if the documents are not updated again before 2075.

Councilmember Ohlson asked about the limits to compensation for self-generation. Deputy City Manager Marr replied net metering is not capped in this contract and is in alignment with the new State law. He noted any individual with a battery wall does reserve the right to the energy they produce; however, he noted it is in the City's and Platte River's best interest to have the right incentives and compensation for producers to join the virtual power plant so it can use the resources effectively to minimize market purchases or additional generation needs.

Travis Walker, Light and Power Executive Director, noted individuals can do anything behind the meter and it does not count toward the 1% community cap. He noted that if the virtual power plant comes online, incentives would be offered to individuals to purchase power at a competitive rate to help the community as a whole.

Councilmember Ohlson asked why the 1% community cap is not being raised. Deputy City Manager Marr replied that because net metering is not restricted, it is not in the best interest of the City as a 48% owner of Platte River Power Authority to be generating a great deal of power by itself when it is also paying for the assets that Platte River must join. He stated the City is not close to the 1% cap at the moment and there is no compelling need to change it.

Councilmember Ohlson inquired as to why the non-renewal of renewable energy certificates by PRPA was not explicitly included in the contract. Deputy City Manager Marr replied that is better served as a Board policy. He also stated the renewable energy certificates that were on the books for the last couple of decades came out of a State requirement at the time and noted there are no plans to use unbundled renewable energy certificates at this point.

Councilmember Ohlson asked about the elimination of terms such as 'environmental responsibility.' Walker replied that was discussed at a PRPA Utility Directors meeting, and that language was removed as it did not address the other two pillars of fiscal responsibility and reliability and was repetitive. He stated environmental responsibility is called out in the first paragraphs of the contract.

Councilmember Ohlson asked about not generating beyond our needs on ozone days. Deputy City Manager Marr replied PRPA addressed the issue as part of its 1041 land use application with the County Commissioners and it was determined that limiting the gas assets that PRPA owns to high ozone days would be a violation of the covenants with the market. He added that he will follow up with additional detail.

Mayor Arndt noted there has been a persistent misunderstanding of net metering noting rooftop solar is not limited.

Mayor Pro Tem Francis moved, seconded by Councilmember Pignataro, to adopt Ordinance No. 155, 2025, Authorizing an Amended and Restated Organic Contract for Platte River Power Authority, on First Reading.

The motion carried 7-0.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Ordinance No. 156, 2025, Authorizing an Amended and Restated Contract with Platte River Power Authority for the Supply of Electric Power and Energy, on First Reading.

The motion carried 7-0.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

18. First Reading of Ordinance No. 157, 2025, Amending Chapter 2, Article VII, Division 2 of the Code of the City of Fort Collins Relating to the Gift Acceptance Restrictions and the Definitions Section of the City's Ethics Rules.

The purpose of this item is to consider amendments to the City's ethics rules related to gift acceptance restrictions recommended by the Ethics Review Board. Corresponding changes to the definitions section of the ethics rules will also be considered.

STAFF PRESENTATION

Jenny Lopez-Filkins, Senior Deputy City Attorney, stated this item and the following two are related to City Code amendments for ethics rules. She noted the goals of ethics rules are to ensure impartial decision making by the members of the governing body, to uphold the public trust, to prevent corruption, and to have clear standards for those to whom the rules apply.

Lopez-Filkins commented on meetings of the Ethics Review Board between April and July considering changes to the ethics rules specifically related to the acceptance of gifts, financial disclosure requirements, and the reporting of gifts. She noted the draft amendments that are being considered do include Ethics Review Board recommendations.

Regarding the acceptance of gifts, Lopez-Filkins stated unsolicited gifts are allowed to be accepted if the value is less than \$75 per current State law in a one-year period. She noted the amendments adjust that value for inflation. Additionally, the amendments clarify or re-word some existing prohibitions, including prohibiting payment for speeches, debates, or public appearances, and prohibiting gifts from a donor with a matter pending before City Council. Exceptions include reported campaign contributions, a plaque in recognition of public service, reasonable costs for attendance at conferences or similar events, and employment compensation. New exceptions added include financial aid or scholarships, tickets or admission to a charity event attended on behalf of the City and the cost of admission is less than the State Constitutional provision amount, a gift solicitation for a charitable purpose as determined to be appropriate by the City or its affiliated entities, a gift to benefit public safety or the community, awards or prizes given at competitions or drawings at admissions-free events, reasonable cost and frequency of City sponsored educational events, perishable or consumable gifts given to the City or a City group, gifts accepted in a person's official capacity that will become City property, and discounts that are widely available, among others.

PUBLIC PARTICIPATION

None.

COUNCIL QUESTIONS/DISCUSSION

Councilmember Potyondy requested clarification as to the awards or prizes given at competitions or drawings at admissions-free events and asked if the exception would apply to events for which tickets were purchased. Lopez-Filkins replied she did not recall any specific discussion about that by the Ethics Review Board but cited an example of a City employee winning a car at a paid event and stated the exception was written in such a way as to avoid that type of situation.

Councilmember Ohlson asked if the \$75 State limit has an inflation escalator. Lopez-Filkins replied in the affirmative and clarified that the Code amendment does not specifically say \$75 but refers to the State Constitutional provision.

Mayor Pro Tem Francis asked how the term 'relatives' is defined. Lopez-Filkins replied the Code defines relatives as a spouse or minor child of the employee or officer, or any person claimed to be a dependent on income taxes, or any person residing in or sharing in the expenses of the household. She stated there are currently no changes under consideration to update the word 'spouse.'

City Attorney Daggett noted the definition of relatives matches the definition in the City Charter.

Councilmember Potyondy asked about invitations to events that may come from a means other than Council email, but that are expected to be attended in an official capacity. Assistant City Manager Rupa Venkatesh replied Councilmembers are advised to get in touch with the City Manager's Office in those instances to work with the organizations to go through a more formal means of communication and invite all of Council as appropriate.

Councilmember Pignataro commended the work but noted there will still be questions about specific instances in the future.

Councilmember Canonico also commended the work and the attempt to eliminate as much ambiguity as possible.

Councilmember Pignataro inquired about the parties to whom these rules apply. Lopez-Filkins replied the first set of amendments pertains to employees, Board and Commission members, and elected officials.

Councilmember Ohlson asked if these changes would prohibit a gift of Lincoln Center season tickets. Lopez-Filkins replied any such gift would need to be reported on a gift reporting form.

Mayor Pro Tem Francis moved, seconded by Councilmember Gutowsky, to adopt Ordinance No. 157, 2025, Amending Chapter 2, Article VII, Division 2 of the Code of the City of Fort Collins Relating to the Gift Acceptance Restrictions and the Definitions Section of the City's Ethics Rules, on First Reading.

The motion carried 7-0.

19. First Reading of Ordinance No. 158, 2025, Amending Chapter 2, Article VIII, Division 2 of the Code of the City of Fort Collins Relating to Financial Disclosure Requirements.

The purpose of this item is to consider amendments to the City's ethics rules related to financial disclosure requirements recommended by the Ethics Review Board.

STAFF PRESENTATION

Jenny Lopez-Filkins, Senior Deputy City Attorney, stated the current financial disclosure obligations require the Council, City Manager, and City Attorney to file quarterly reports about their financial interests. She noted the Ethics Review Board looked at several examples related to financial disclosure requirements, including the State and other home rule cities, and stated the Board was in favor of not adding or deleting any existing financial disclosure categories. She stated the Board recommended excluding compensation from the City from the obligation to report sources of income, limiting requirements about the disclosure of property and business interests to those within the growth management area of Fort Collins, increasing the dollar threshold regarding investment or business interest and creditors to whom they owe money from

\$10,000 to \$25,000, automatically adjusting amounts for inflations, and deleting the alternative to filing a federal income tax return. Lopez-Filkins noted these amendments would go into effect on January 1, 2026.

PUBLIC PARTICIPATION

None.

COUNCIL QUESTIONS/DISCUSSION

Councilmember Ohlson asked about the thinking behind limiting the requirements about the disclosure of property and business interests to those within the growth management area. Mayor Arndt replied safety was discussed and stated being part owner in a vacation home, for example, has no impact on decisions made as a Councilmember, though property and business interests within the growth management area can impact those decisions.

Councilmember Canonico noted the change also mirrors what other cities are doing.

Councilmember Ohlson asked about having an interest in a business just outside the growth management area. Lopez-Filkins replied there was no specific discussion about that.

Councilmember Pignataro noted the amendment refers to doing business within the growth management area, regardless of where the business is located.

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 158, 2025, Amending Chapter 2, Article VIII, Division 2 of the Code of the City of Fort Collins Relating to Financial Disclosure Requirements, on First Reading.

The motion carried 7-0.

20. **First Reading of Ordinance No. 159, 2025, Amending Chapter 2, Article VIII, Division 3 of the Code of the City of Fort Collins Relating to Gift Reporting Requirements of the City's Financial Disclosure Rules.**

The purpose of this item is to consider amendments to the City's ethics rules related to gift reporting requirements recommended by the Ethics Review Board.

STAFF PRESENTATION

Jenny Lopez-Filkins, Senior Deputy City Attorney, stated the current Code requires all Councilmembers who receive gifts or other benefits to file a quarterly gift report, though no other explanation or clarification is provided. She stated the Ethics Review Board recommended adding some specific gift reporting obligations like other home rule cities, including not requiring the reporting of gifts that are given or paid by the City, an entity affiliated with or formed by the City, or an organization to which the City has appointed the Councilmember. Additionally, the Board supported adding specific gift reporting obligations for any unsolicited item or items accepted if valued at more than \$25, the costs of conferences, seminars, events, or meetings such as fees, meals, lodging, registration, and transportation, the cost of City-sponsored education events if the dollar amount is higher than the amount established in State law, and the cost of meals and event tickets given to Councilmembers and their relatives if greater than the amount established in State law. She noted these changes would go into effect on January 1, 2026.

PUBLIC PARTICIPATION

None.

COUNCIL QUESTIONS/DISCUSSION

Councilmember Ohlson asked about the limits to gifts from the City organization. Lopez-Filkins replied there is no obligation to report gifts from the City.

Councilmember Ohlson suggested including 'reasonable' in the language for Second Reading.

Lopez-Filkins noted any gift over the State limit, currently \$75, would need to be reported.

Councilmember Gutowsky asked about meals. Lopez-Filkins replied anything between \$25 and \$75 would need to be reported, and anything over \$75 would be prohibited.

Mayor Pro Tem Francis thanked the Ethics Review Board for its work.

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 159, 2025, Amending Chapter 2, Article VIII, Division 3 of the Code of the City of Fort Collins Relating to Gift Reporting Requirements of the City's Financial Disclosure Rules on First Reading.

The motion carried 7-0.

P) RESUMED PUBLIC COMMENT

None.

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.)

- OB 2. **Consideration of a motion to adjourn this meeting until after the completion of the Electric Utility Enterprise Board business:**

Mayor Pro Tem Francis moved, seconded by Councilmember Gutowsky, that Council adjourn this meeting until after the completion of the Electric Utility Enterprise Board business.

The motion carried 7-0.

R) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:38 p.m.

Mayor

ATTEST:

City Clerk

DRAFT