

November 4, 2024

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

PROCLAMATIONS AND PRESENTATIONS

5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

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 Tricia Canonico
Councilmember Melanie Potyondy
Councilmember Kelly Ohlson

ABSENT

Councilmember Julie Pignataro

STAFF PRESENT

City Manager Kelly DiMartino
City Attorney Carrie Daggett
City Clerk Delynn Coldiron

E) CITY MANAGER'S AGENDA REVIEW

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

- 25 items on the Consent Agenda that staff is recommending for approval.
- Discussion Items included:
 - 2025 Budget.
 - 2025 Utility Rates and Fees.

- Additional board meetings for:
 - General Improvement District No. 1
 - Skyview South General Improvement District No. 15.

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.)

Kendall Stephenson, Women and Gender Equity Advisory Board, read a statement in support of Amendment 79 which would enshrine the right to reproductive healthcare in the state constitution.

Bill Walton discussed Lincoln Center accessibility concerns, specifically that many of the seats for those with disabilities are taken by able-bodied family members, that the accessible seating is located in the hallway leading into the auditorium making the line of sight below grade, that there is only one wheelchair accessible exit, and that the number of accessible parking spaces is only about a quarter of what should be provided. Walton requested the City look at these issues.

Alex Scott spoke about the ongoing genocide in Gaza and the City Council's vulnerability to war crime tribunals. Scott provided some related handouts.

Julie Trone, Women and Gender Equity Advisory Board Member, but not speaking on its behalf. Trone spoke as an active member of Zonta International and the Zonta Club of Fort Collins, whose mission is to protect women's human rights. Trone spoke in favor of Amendment 79 which would enshrine the right to reproductive healthcare in the state constitution.

Adam Hirschhorn showed a video from attorney Saul Goodman related to the Aviv System and its tie to the Hewlett Packard Enterprise. Hirschhorn stated revenues from this system filter into the City's funding stream and create issues due to the immoral acts associated with the system.

Rich Stave commented on the budget stating it appears the City is asking to increase the budget by 10.9% and noted friends of his on social security are receiving an increase of only 2.5%. Additionally, Stave commented on the two ballot questions that would increase taxes for streets and asked where that funding, if passed, would be placed in the budget. Stave also commented on the utility rate increases and the effects of those on individuals on fixed incomes.

Kimberly Connor spoke in favor of a cease fire resolution related to Gaza and stated our government continues to fund weapons and war operations. Connor stated it is the moral responsibility of the City to act. Additionally, Connor recognized a Palestinian individual who had been killed who had ties with Fort Collins and requested a moment of silence.

Public comment concluded at 6:25 p.m.

H) PUBLIC COMMENT FOLLOW-UP

Councilmember Potyondy asked if a review had been done at the Lincoln Center related to accessibility. City Manager DiMartino replied in the affirmative and stated related work is underway.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

Councilmember Ohlson withdrew Item No. 22, *Resolution 2024-128 Adopting the City's 2025-2026 Legislative Policy Agenda*, due to language around "waste-to-energy".

J) CONSENT CALENDAR

1. **Consideration and Approval of the Minutes of the October 1, 2024 and October 15, 2024, Regular Meetings.**

The purpose of this item is to approve the minutes of the October 1, 2024 and October 15, 2024, regular meetings.

Approved.

2. **Second Reading of Ordinance No. 142, 2024, Appropriating Philanthropic Revenue Received by City Give in 2024 and Prior Year Reserves for Various Programs and Services as Designated by the Donors.**

This Ordinance, unanimously adopted on First Reading on October 15, 2024, appropriates \$53,890 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 Second Reading.

3. **Second Reading of Ordinance No. 143, 2024, Making Supplemental Appropriations and Authorizing Transfers of Appropriations for Various Transit Services Grants and Revenue.**

This Ordinance, unanimously adopted on First Reading on October 15, 2024, appropriates grant revenue and the corresponding local match for Transfort.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 144, 2024, Making a Supplemental Appropriation of Grant Funds from the Edward Byrne Memorial Justice Grant Program for Fort Collins Police Services.**

This Ordinance, unanimously adopted on First Reading on October 15, 2024, supports Fort Collins Police Services in work performed as a member of the Northern Colorado Drug Task Force.

The Northern Colorado Drug Task Force is managed by the Larimer County Sheriff'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 applied for and was awarded \$50,647 through the Edward Byrne Memorial Justice Assistance Grant (JAG) program in support of operating the Northern Colorado Drug Task Force (Attachment 3). The City of Fort Collins, City of Loveland and Larimer County entered an intergovernmental agreement (Attachment 2), demonstrating the allocation of the \$50,647 awarded under JAG in support of the Northern Colorado Drug Task Force. Fort Collins Police Services received \$15,807 to support personnel costs and other operating costs directly attributed to the Northern Colorado Drug Task Force.

Adopted on Second Reading.

5. **Second Reading of Ordinance No. 145, 2024, Making Supplemental Appropriations for Projects Funded Through the Safe Streets and Roads for All Grant Program.**

This Ordinance, unanimously adopted on First Reading on October 15, 2024, supports FC Moves in expanding on the City's current Active Modes Plan and Vision Zero Plan, specifically through a:

- Bikeway study that serves to identify specific safety concerns and potential countermeasures, and to understand feasibility and network impacts of lane reductions on the arterial network.*
- Demonstration activity that tests the effectiveness of temporary vertical protection along Centre Avenue, between Centre Drive/Bay Drive and Worthington Circle, to inform future projects citywide.*

FC Moves in collaboration with Traffic Operations, Engineering, and Streets applied to the Federal Highway Administration's Fiscal Year 2023 (FY23) Safe Streets and Roads for All (SS4A) grant program, seeking funds in support of the bikeway study that includes (1) public and stakeholder engagement to understand barriers to active transportation on the corridors bounded by College Avenue, Horsetooth Road, Overland Trail and Laporte Avenue; (2) corridor safety audits to identify crash patterns and infrastructure that reduce the risk of bike and pedestrian crashes; and (3) data analysis and countermeasure selection. In addition, funds in support of the demonstration activity that include installation of temporary flexible posts and curbing along Centre Avenue, and associated data collection were requested under the FY23 SS4A grant program.

In support of funding the required 20% match under the FY23 SS4A grant program, FC Moves requested matching funds under the Colorado Department of Local Affairs Local Match (LOMA) grant program.

Both the Federal Highway Administration and Colorado Department of Local Affairs (DOLA) responded favorably to the requests for funds, with \$964,480 being awarded under the FY23 SS4A grant program and \$241,120 being awarded under DOLA's LOMA grant program. Total project costs for both the bike study and demonstration activity, totaling \$1,205,600, are funded in full through these grant awards from the FY23 SS4A grant program and DOLA's LOMA grant program.

The Resolution for consideration will authorize the Mayor to sign the Intergovernmental Agreement (IGA) with the Federal Highway Administration to receive grant funding to support the bike study and the demonstration activity.

As demonstrated by the LOMA grant agreement (Attachment 3) by accepting the LOMA funding from DOLA, the City agrees to all terms and conditions, including use of the \$241,120 as non-federal match to the FY23 SS4A grant.

The Ordinance for consideration will appropriate the \$964,480 in federal funds from the FY23 SS4A grant program and \$241,120 in state funds from the LOMA grant program.

Adopted on Second Reading.

6. **Second Reading of Ordinance No. 146, 2024, Making a Supplemental Appropriation of Colorado Division of Criminal Justice Grant Revenues for Various Restorative Justice Services Programs.**

This Ordinance, unanimously adopted on First Reading on October 15, 2024, appropriates grant revenue to fund Restorative Justice programs within Community Development and Neighborhood Services ("CDNS"). Additional grant funds in the amount of \$13,000 have been awarded from the Colorado Division of Criminal Justice ("DCJ") Juvenile Diversion fund for the continued operation of City Restorative Justice programs, including RESTORE for shoplifting offenses and Restorative Justice Conferencing for other offenses. The grant funds are in addition to a grant awarded to Restorative Justice Services earlier this year from DCJ in the amount of \$40,428, for a total award of \$53,428. The first \$40,428 award was included in the Annual Adjustment

Ordinance No. 134, 2024, was passed on Second Reading on October 1, 2024. No match is required and the grant period is July 1, 2024, to June 30, 2025.

Adopted on Second Reading.

7. **Second Reading of Ordinance No. 147, 2024, Making a Supplemental Appropriation in the 2050 Tax Parks Rec Transit OCF Fund for Evaluation of the Inflation Reduction Act Tax Credits.**

This Ordinance, unanimously adopted on First Reading on October 15, 2024, appropriates \$100,000 from 2050 tax revenue to contract with external consultants to evaluate the cost/benefit of the City pursuing Inflation Reduction Act (IRA) tax credits.

Adopted on Second Reading.

8. **Second Reading of Ordinance No. 148, 2024, Updating Section 4-142 of the Code of the City of Fort Collins Regarding Sterilization of Adopted Animals to Align with State Law.**

This Ordinance, unanimously adopted on First Reading on October 15, 2024, updates the local Fort Collins Animal Code to align with Colorado Revised Statutes (C.R.S.) Section 35-80-106.4.

Adopted on Second Reading.

9. **Second Reading of Ordinance No. 149, 2024, Approving an Amended and Restated Ground Lease Agreement Between the Cities of Loveland and Fort Collins and Discovery Air, LLC, for Property at the Northern Colorado Regional Airport.**

This Ordinance, unanimously adopted on First Reading on October 15, 2024, approves an amended and restated ground lease between the City of Fort Collins, the City of Loveland, and Discovery Air LLC at the Northern Colorado Regional Airport. The parties have an existing ground lease agreement with Discovery Air, LLC, at the Northern Colorado Regional Airport. The parties desire to amend and restate the lease substantially similar to the form attached hereto. Approval of the Amended and Restated Ground Lease between the cities of Loveland and Fort Collins (the "Agreement") is reserved to the City Councils because there are non-standard lease terms in the Agreement.

Adopted on Second Reading.

10. **Second Reading of Ordinance No. 150, 2024, Authorizing the Advertisement and Future Sale of the Real Property Located at 945 East Prospect Road.**

This Ordinance, unanimously adopted on First Reading on October 15, 2024, authorizes the advertisement and future sale of the City-owned property located at 945 East Prospect Road (the "Property"). The Property was originally acquired by the City's Engineering Department for roadway widening purposes, and the City will exclude from the sale of the Property approximately 1540 square feet, being the area necessary to construct the future road improvement project (the "Reserved ROW").

Adopted on Second Reading.

11. **Items Relating to Water Supply Requirement Fee and the Excess Water Use Surcharge, and Pre-1984 Nonresidential Annual Allotments.**

A. Second Reading of Ordinance No. 151, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Review Miscellaneous Water Fees and Charges, Including the Water Supply Requirement Fee and Excess Water Use Surcharge.

B. Second Reading of Ordinance No. 152, 2024, Amending Chapter 26 of the Code of the City of Fort Collins Regarding Annual Water Allotments for Nonresidential Water Services.

This Ordinance, unanimously adopted on First Reading on October 15, 2024, seeks approval for both the adjustments to the Water Supply Requirement (WSR) fee amount and methodology and assignment of allotments to pre-1984 nonresidential accounts.

Both Ordinances adopted on Second Reading.

- 12. First Reading of Ordinance No. 153, 2024, Adopting the 2025 Budget and Appropriating the Fort Collins Share of the 2025 Fiscal Year Operating and Capital Improvements Funds for the Northern Colorado Regional Airport.**

The purpose of this item is to adopt the 2025 budget for the Northern Colorado Regional Airport and appropriate Fort Collins' share of the 2025 fiscal year operating and capital funds for the Airport. Under the Amended and Restated Intergovernmental Agreement for the Joint Operation of the Airport between Fort Collins and Loveland (the "IGA"), the Airport is operated as a joint venture with each City owning 50% of the assets and revenues and responsible for 50% of the operating and capital costs. The proposed budget does not include any financial contributions from the City's General Fund. Because each City has an ownership interest in 50% of the Airport revenues, each City must appropriate its 50% share of the annual operating and capital budget for the Airport under the IGA.

Adopted on First Reading.

- 13. First Reading of Ordinance No. 154, 2024, Approving the Fiscal Year 2025 Budget, and Being the Annual Appropriation Ordinance for the Fort Collins Downtown Development Authority Relating to the Annual Appropriations for Fiscal Year 2025, and Fixing the Mill Levy for the Downtown Development Authority for Property Taxes Payable Fiscal Year 2025.**

The purpose of this item is to set the Downtown Development Authority ("DDA") Budget.

The following amounts will be appropriated:

<i>DDA Public/Private Investments & Programs</i>	<i>\$11,634,753</i>
<i>DDA Operations & Maintenance</i>	<i>\$1,556,393</i>
<i>Revolving Line of Credit Draws</i>	<i>\$9,000,000</i>
<i>DDA Debt Service Fund</i>	<i>\$9,431,611</i>

The Ordinance sets the 2025 Mill Levy for the Fort Collins DDA at five (5) mills, unchanged since tax year 2002. The approved Budget becomes the Downtown Development Authority's financial plan for 2025.

Adopted on First Reading.

- 14. First Reading of Ordinance No. 155, 2024, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Various Programs and Services as Designated by the Donors.**

The purpose of this item is to request an appropriation of \$36,605.83 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.

15. **First Reading of Ordinance No. 156, 2024, Appropriating Prior Year Reserves in the Transportation Services Fund for Snow Removal.**

The purpose of this item is to appropriate prior year reserves to cover snow removal costs that have exceeded the 2024 budget. Overspend in the snow budget is driven by severe snowstorms that present unanticipated cold temperatures, ice, and higher volumes of snow.

Adopted on First Reading.

16. **First Reading of Ordinance No. 157, 2024, Authorizing Transfers of Appropriations for the Transfort West Elizabeth Enhanced Travel Corridor Project.**

The purpose of this item is to transfer grant revenue and the corresponding local match for Transfort into the Capital Projects fund and to clarify the use of funds.

Adopted on First Reading.

17. **First Reading of Ordinance No. 158, 2024 Appropriating Prior Year Reserves in the Natural Areas Fund for the Purpose of Land Conservation Not Included in the 2024 Adopted City Budget.**

The purpose of this item is to appropriate \$2,000,000 in prior year reserves in the Natural Areas Fund. These appropriations are for additional land conservation, for the Natural Areas Department.

Adopted on First Reading.

18. **First Reading of Ordinance No. 159, 2024, Making a Supplemental Appropriation and Authorizing Transfer of Appropriation for the Southeast Community Center Land Acquisition in Compliance with Approved Intergovernmental Agreement Between the City of Fort Collins, Poudre School District and Poudre Libraries.**

The purpose of this item is to consider an appropriation of \$3,180,000 to execute the potential land acquisition as defined in the approved Intergovernmental Agreement with Poudre School District and Poudre Libraries related to the construction of a new Southeast Community Center.

Adopted on First Reading.

19. **Items Relating to the Fort Collins Traffic Code Regarding Parking of Certain Vehicles.**

A. First Reading of Ordinance No. 160, 2024, Amending Fort Collins Traffic Code Section 1214 Regarding Parking of Certain Vehicles.

B. First Reading of Ordinance No. 161, 2024, Amending Fort Collins Traffic Code Section 2002 Regarding Definitions.

The purpose of this item is to expand the scope of Fort Collins Traffic Code (FCTC) Section 1214 to allow for City-wide enforcement. Currently FCTC Section 1214 is only enforceable in certain designated residential zones. Additionally, this item will also ensure the language in FCTC Section 2002 is consistent across both sections.

Adopted on First Reading.

20. First Reading of Ordinance No. 162, 2024, Adopting the 2025 Classified Employee Pay Plan.

The purpose of this item is to recommend the 2025 City Classified Employee Pay Plan. Classified jobs are grouped according to job functions, a business practice commonly used by both the public and private sectors. Pay ranges are developed by career group (management, professional, administrative, operations and trades) and level for each job function. The result of this work is a City Classified Employee Pay Plan which sets the minimum, midpoint, and maximum pay ranges for the level within each career group and function. Actual employee pay increases are awarded through a separate administrative process in accordance with the budgeted amount approved by Council.

Adopted on First Reading.

21. Resolution 2024-127 Supporting a Grant Application for Peace Officers Behavioral Health Support Funding for Fort Collins Police Services.

The purpose of this item is to obtain support to apply for grant funds for the Police Services' Office of Human Services.

Adopted.

22. Resolution 2024-128 Adopting the City's 2025-2026 Legislative Policy Agenda.

The purpose of this item is to consider the City's 2025-2026 Legislative Policy Agenda. Each year the Legislative Review Committee develops a legislative agenda to assist in the formation, analysis, and advocacy of pending legislation and regulation. The Legislative Policy Agenda is used as a guide by Council and staff to determine positions on legislation and regulation under consideration at the state and federal levels and as a general reference for state legislators and the City's congressional delegation.

Creating a 2-year policy agenda is intended to better align with the state representative terms and selection of Legislative Review Committee members.

Withdrawn by Councilmember Ohlson.

23. Resolution 2024-129 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and the Colorado Department of Transportation for Funding of Transfort FLEX Service.

The purpose of this item is to authorize the City Manager to execute an Intergovernmental Agreement (the "IGA") with the Colorado Department of Transportation ("CDOT"). This IGA will result in the receipt by Transfort of \$300,000 in grant funds through the Statewide Competitive Pool of the FASTER ("Funding Advancement for Surface Transportation and Economic Recovery Act of 2009") Transit program for fiscal year ("FY") 2024.

Adopted.

24. Resolution 2024-130 Adopting Findings of Fact in Support of the City Council's Decision on Appeal to Uphold the Hearing Officer Approval of the Sanctuary on the Green Project Development Plan PDP2100018.

The purpose of this item is to make findings of fact and conclusions regarding Council's decision at the October 15, 2024, Sanctuary on the Green Project Development Plan appeal hearing, concluding the Hearing Officer: 1) held a fair hearing, and 2) properly interpreted and applied the

Code provisions and subarea plan related to the project, and thereby upholding the Hearing Officer's approval of the Sanctuary on the Green Project Development Plan.

Adopted.

25. Resolution 2024-131 Approving an Intergovernmental Agreement Between the City of Fort Collins and Larimer County to Expand NOCOBiz Connect Across Larimer County.

The purpose of this item is to approve an Intergovernmental Agreement (the "Agreement") that allows the City of Fort Collins and Larimer County to collaboratively offer a sustainable business program.

The City funded the development of a new sustainable business program in the 2023-2024 budget cycle. Funding was used to establish a free, voluntary, and regional sustainable business program called NOCOBiz Connect (NBC). From 2009-2019 ClimateWise filled this role. However, in 2021-2022 an in-depth engagement process led to the reimagining, redevelopment and modernization of ClimateWise.

NBC is open to every business in Fort Collins. It educates businesses about sustainable business practices, provides personalized resource navigation services and recognizes businesses for their sustainability efforts. The program is administered through local contractor, Monarca Group. NBC was designed from the start to establish a regional presence, and the Agreement formalizes its first regional funding and operational partnership.

The Agreement will create a City-County partnership, allowing Larimer County access to the NBC administrative platform. This will let businesses outside of Fort Collins but within Larimer County join the growing NBC network. NBC will be a single, consistent presence in our region for businesses interested in sustainable business programming.

Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-25, minus Item 22, 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 Gutowsky thanked Anheuser Busch for providing funding that has been used towards the 9/11 Memorial at Spring Park.

L) STAFF REPORTS

None.

M) COUNCILMEMBER REPORTS

Councilmember Susan Gutowsky:

- Attended the national Safe Routes to School conference which was held in Fort Collins.
- Attended fire operation exercises with Poudre Fire Authority and observed the love that the fire fighters have for their work and each other.
- Noted the downtown lights are on and thanked the DDA and City for this.

Councilmember Melanie Potyondy:

- Attended the fire operation exercises and stated it was a great way to learn more about the activities done by our firefighting community.

Mayor Jeni Arndt:

- Noted that tomorrow is Election Day, read a related quote from Thomas Jefferson, and encouraged people to vote.

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

22. Resolution 2024-128 Adopting the City's 2025-2026 Legislative Policy Agenda

Councilmember Ohlson expressed concern with the use of the word 'only' in front of 'supports utilizing clean waste-to-energy technology.' He stated he did not believe that wording matches the intent of the Committee.

Jacob Castillo, Chief Sustainability Officer, stated the intention was to lean into the waste hierarchy by recognizing that reduction is the best strategy to reduce waste, with recycling and composting providing higher and better uses than putting those materials directly into a waste-to-energy stream; however, the language leaves the opportunity to take advantage of very fast-moving technological advancements in the field.

Councilmember Ohlson suggested using the language 'may consider' or 'may support.'

Mayor Pro Tem Francis agreed that there is some confusion related to this and is in support of replacing 'only' with 'may consider.'

Mayor Arndt concurred as well.

Mayor Pro Tem Francis made a motion, seconded by Councilmember Ohlson, adopting Resolution 2024-128, Adopting the City's 2025 Legislative Policy Agenda, with the following language change: 'opposes mixed waste processing for municipal solid waste and may consider supporting utilizing clean waste-to-energy technology for processing materials that are not reusable, recyclable, or compostable.'

The item passed as amended unanimously 6-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Ohlson, and Potyondy. Nays: none.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

26. **First Reading of Ordinance No. 163, 2024, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for Fiscal Year 2025; Adopting the Budget for the Fiscal Years Beginning January 1, 2025, and Ending December 31, 2026; and Fixing the Mill Levy for Property Taxes Payable in 2025.**

The purpose of this item is to present the Annual Appropriation and Budget Ordinance for First Reading. This Ordinance sets the City Budget for the two-year period (2025-2026) which becomes the City's financial plan for the next two fiscal years. This Ordinance sets the amount of \$893,553,000 to be appropriated for fiscal year 2025. However, this appropriated amount does not include what is being budgeted and appropriated by separate Council/Board of Director actions to adopt the 2025 budget for the General Improvement District (GID) No. 1 of \$319,731, the 2025 budget for General Improvement District (GID) No. 15 (Skyview) of \$1,000, the Urban Renewal Authority (URA) 2025 budget of \$5,185,096 and the Downtown Development Authority 2025 budget of \$31,622,757. This results in the City-related total operating appropriation of \$930,681,584 in 2025.

Also included for Council consideration are two possible amendments.

This Ordinance also sets the 2025 City mill levy at 9.797 mills, unchanged since 1991.

Travis Storin, Chief Financial Officer, discussed the seven outcome areas around which the budget is focused: Economic Health, Neighborhood and Community Vitality, Environmental Health, Safe Community, Culture and Recreation, Transportation and Mobility, and High-Performing Government, and highlighted certain budget offers in each outcome area.

Lawrence Pollack, Budget Director, discussed additional offers included to be recommended for funding.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Mayor Pro Tem Francis thanked staff for the presentation and their work on the budget. She asked about the affordable housing capital fund and fee relief and stated she was not intending to move CCIP dollars as the budget offer was under the general fund. Pollack stated it is based on available funding and the Council Finance Committee is looking at recommending funding for some additional items using the savings from the reduction of the HVAC project.

Mayor Pro Tem Francis noted there is no funding for this in 2026 as CCIP is ending and asked how consistency and reliability will be maintained for those seeking waivers. Storin replied the funds are frontloaded in 2025 and would be available in 2026; however, after that pot has been exhausted, there may not be a new funding source to replace it if the ballot initiative fails to pass.

Mayor Pro Tem Francis expressed concern that even if the ballot item passed in 2025, there would be a lag until 2026. Chief Financial Officer Storin stated that this could be addressed during the 2025 budget revision process if additional revenues needed to be authorized.

Councilmember Potyondy stated the budget in general is a reflection of the city's values and Council's requests and she was thankful for the changes that had been made. She mentioned the Sunday/holiday Transfort service returning and supported the funding of the immigration legal defense fund, the eviction legal fund, and the HOPE Program. She commented on the importance

of shoring up funding for affordable housing and appreciated all that has been done in this area to this point.

Councilmember Ohlson stated the last two budget cycles have been the best he has been a part of and commended Council and management on their work. He stated the budget is clearly built around Council's priorities and noted the lack of public input shows the success of the budget. He commended the budget process and stated the product reflects the Council and community.

Mayor Pro Tem Francis stated she has previously expressed her concerns with the complexity of the budgeting for outcomes process and stated there is a lot of opportunity to improve the budget process. She stated she would support it; however, she believes the budget has come to a point where it is difficult to respond to community needs. She stated she is looking forward to working with staff on overhauling the process to be more reflective of Council and community values. She thanked staff for their work but reiterated concerns with the process.

Mayor Arndt echoed the comments that have been made and commented on the efficiency of a two-year budget process, though she concurred it may be time to look at another budget method. She commended the body of work before Council and expressed appreciation for how much it meets Council and community values. She thanked the generous Fort Collins voters who trust Council and staff to provide City services and programs.

Councilmember Canonico expressed appreciation for the reflection of Council and community values in the budget and commented on the responsibility of the City to provide 365/24/7 services and infrastructure. She commented on the importance of cybersecurity and requested offer 10.3 be considered for funding.

Mayor Arndt expressed support for that amendment as well.

Mayor Pro Tem Francis made a motion, seconded by Councilmember Potyondy, to adopt Ordinance No. 163, 2024, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for Fiscal Year 2025; Adopting the Budget for the Fiscal Years Beginning January 1, 2025, and Ending December 31, 2026; and Fixing the Mill Levy for Property Taxes Payable in 2025, on First Reading.

Councilmember Canonico made a motion, seconded by Councilmember Gutowsky, that Section 1 of Ordinance No. 163, 2024, be amended to add offer 10.3, Contracted Cybersecurity Support, as described on page 4 of the agenda item summary, to exhibit B, the list of funded offers added to the City Manager's recommended budget, in addition to the items listed in exhibit A. She further moved that the appropriated amounts for each of the affected funds be increased to add the amount stated for that offer and all totals adjusted accordingly.

The amendment passed unanimously 6-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Ohlson, and Potyondy. Nays: none.

Councilmember Ohlson made a motion, seconded by Councilmember Gutowsky, that Section 1 of Ordinance No. 163, 2024, be amended to add offer 72.1, Poudre Flows Design and Permitting, as described on page 4 of the agenda item summary, to exhibit B, the list of funded offers added to the City Manager's recommended budget, in addition to the items listed in exhibit A. He further moved that the appropriated amounts for each of the affected funds be increased to add the amount stated for that offer and all totals adjusted accordingly.

The amendment passed unanimously 6-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Ohlson, and Potyondy. Nays: none.

The vote on the initial motion, as amended, was as follows:

The item passed unanimously 6-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Ohlson, and Potyondy. Nays: none.

27. Items Relating to 2025 Utility Rates and Programs.

A. First Reading of Ordinance No. 164, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Stormwater Rates, Fees and Charges.

B. First Reading of Ordinance No. 165, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Water Rates, Fees and Charges.

C. First Reading of Ordinance No. 166, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Wastewater Rates, Fees and Charges.

D. First Reading of Ordinance No. 167, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Discontinue Electric Renewable Energy Source Programs.

E. First Reading of Ordinance No. 168, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Electric Rates, Fees, and Charges and Updating Related Rate Assistance Programs.

The purpose of this item is to propose 2025 Utility Rates for Council consideration, which align with the 2025 City Manager's Recommended Budget. Monthly utility rates are proposed to increase 6.5% for electric customers, 7% for water customers, 6% for wastewater customers, and 6% for stormwater customers. Two utility programs are proposed to be eliminated at the end of 2024, including the Renewable Energy Source (Green Energy) Program and the Medical Assistance Program (MAP).

Randy Ruescher, Lead Utility Rate Analyst, stated this item includes four ordinances related to utility rates and one ordinance related to eliminating the Green Energy Program and Medical Assistance Program at the end of 2024. Ruescher outlined the proposed rate increases for each of the utilities for 2025 and discussed the drivers of each of the increases. Ruescher also provided information regarding the impact of the proposed increases on average ratepayers and the comparison of rates to other municipalities.

Ruescher discussed the City's various affordability programs to assist qualified customers. Regarding the Green Energy Program elimination, Ruescher stated it is planned to be eliminated as it has run its course and no longer has much participation. The Medical Assistance Program users are being transferred to the Income Qualified Assistance Program (IQAP).

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Councilmember Potyondy thanked staff for the presentation and asked if all individuals currently on the Medical Assistance Program will remain eligible for assistance through the IQAP. Ruescher replied in the affirmative, but noted those individuals must qualify for LEAP and re-enroll.

Councilmember Potyondy asked if there are other municipalities that allow ratepayers to invest in green infrastructure through their public utilities and stated she was surprised about the low number of participants in the Green Energy Program as there seem to be many customers who are willing to invest more to accelerate PRPA's shift to renewable energy. Ruescher replied utilities within Colorado and around the country likely do offer various buy-in programs; however, Platte River Power Authority's ending of the tariff 7 and the aggressive 2030 goals have led to the lack of need for the program. Additionally, Ruescher noted Loveland and Longmont are also ending their programs.

Mayor Arndt noted donations can be made to the Low-Income Energy Assistance Fund.

Councilmember Potyondy stated she has had some concern about raising utility rates; however, she stated a robust process has been undertaken and the rates are reasonable for current needs and also for the future. Additionally, she noted the rates are still market competitive with surrounding cities.

Mayor Pro Tem Francis asked about whether residents would receive comparable assistance moving from the Medical Assistance Program. Reuscher replied the benefit for most customers will be a bit greater.

Mayor Pro Tem Francis made a motion, seconded by Councilmember Potyondy, to adopt Ordinance No. 164, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Stormwater Rates, Fees and Charges, on First Reading.

The item passed unanimously 6-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Ohlson, and Potyondy. Nays: none.

Mayor Pro Tem Francis made a motion, seconded by Councilmember Potyondy, to adopt Ordinance No. 165, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Water Rates, Fees and Charges, on First Reading.

The item passed unanimously 6-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Ohlson, and Potyondy. Nays: none.

Mayor Pro Tem Francis made a motion, seconded by Councilmember Potyondy, to adopt Ordinance No. 166, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Wastewater Rates, Fees and Charges, on First Reading.

The item passed unanimously 6-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Ohlson, and Potyondy. Nays: none.

Mayor Pro Tem Francis made a motion, seconded by Councilmember Gutowsky, to adopt Ordinance No. 167, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Discontinue Electric Renewable Energy Source Programs, on First Reading.

The item passed unanimously 6-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Ohlson, and Potyondy. Nays: none.

Mayor Pro Tem Francis made a motion, seconded by Councilmember Canonico, to adopt Ordinance No. 168, 2024, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Electric Rates, Fees and Charges, and Updating Related Rate Assistance Programs on First Reading.

The item passed unanimously 6-0.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Canonico, Gutowsky, Ohlson, and Potyondy. Nays: none.

P) OTHER BUSINESS

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

None.

Q) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:27 p.m.

Mayor

ATTEST:

City Clerk