

February 3, 2026

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

PROCLAMATIONS AND PRESENTATIONS – None scheduled

A) PROCLAMATIONS AND PRESENTATIONS

PP 1. **Declaring the Week of January 25 - February 1, 2026 as National Catholic Schools Week.**

**REGULAR MEETING
6:00 PM**

B) CALL MEETING TO ORDER

Mayor Emily Francis called the regular meeting to order at 6:00 p.m. in the City Council Chambers at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City's Zoom platform.

C) PLEDGE OF ALLEGIANCE

Mayor Emily Francis led the Pledge of Allegiance to the American Flag.

D) ROLL CALL

PRESENT

Mayor Emily Francis
Mayor Pro Tem Julie Pignataro
Councilmember Chris Conway
Councilmember Josh Fudge
Councilmember Melanie Potyondy
Councilmember Amy Hoeven
Councilmember Anne Nelsen

ABSENT

None

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:

- Two amendments to the agenda resulting from the Council retreat: the addition of an item to the Consent Calendar appointing a staff member to the Boxelder Basin Regional Stormwater Authority Board and updates to Resolution 2026-019, which is now Item No. 12.
- Items 1-11 on the Consent Calendar are recommended for adoption.

F) COMMUNITY REPORTS – None.

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

Karen Balog commented on a private prison in Hudson that will likely be opening for ICE detainees. She opposed ICE efforts and urged Council to support banning non-medical face coverings for agents.

Brooke Anderson spoke in favor of adding a cannabis hospitality license and provided information related to the industry.

Jill Forest thanked Council for their courage in eliminating the retail sale of dogs and urged Council to prohibit their use in research facilities. She provided additional information related to what is occurring in the region.

Rebekah Robinson stated labs in Fort Collins are buying beagles from a puppy mill in Wisconsin and urged Council to prohibit testing on dogs and cats.

Tylor Starr spoke about a lab in Fort Collins that has been issued violations of the Animal Welfare Act and urged Council to prohibit testing on dogs and cats.

Jessica Diaz urged Council to prohibit testing on dogs and cats and provided information related to animal mistreatment at a lab in Fort Collins.

Maria Perimay urged Council to prohibit testing on dogs and cats and provided information related to what is legal under the Animal Welfare Act.

Dr. Mickey Pardo urged Council to prohibit testing on dogs and cats and provided a presentation regarding why testing is unnecessary and unethical.

Scott Carman urged Council to prohibit testing on dogs and cats and provided information related to alternative means of research.

Dr. Danielle Demateis urged Council to prohibit testing on dogs and cats and provided information related to alternative means of research.

Sarah Swanty, Co-Founder and Executive Director of Animal Friends Alliance, discussed the new State pet adoption law which allows lab animals to be adopted, though she noted that is only an option and stated the law will not change anything. She urged Council to prohibit testing on dogs and cats.

Cara Thorsen supported Council's banning of the retail sale of dogs and cats and urged Council to prohibit testing on dogs and cats.

John James spoke against ICE efforts and urged Council to support requiring body-worn cameras, requiring agents to show proper identification, and prohibiting agents from wearing masks.

Ryan Burns spoke in opposition to Flock Safety cameras and provided information regarding how the collected data is used. He questioned the scale of checks and balances in this regard and stated the use of the data is a violation of 4th Amendment rights.

Neil McDonough spoke in opposition to Flock Safety cameras. He stated there are 50 installed throughout Fort Collins and noted they are not red-light/speed cameras or security cameras that you might find at a gas station. He described the data that is collected by Flock Safety cameras and shared how that information might be used. He stated the data can change hands without approval from the voters or oversight. He expressed concerns about ethics and accountability.

Ezriah Shteir spoke in opposition to Flock Safety cameras and provided examples of the type of data that is being collected. He stated residents are being tracked wherever they go whether or not they have committed any crimes and questioned why it is okay to track people quietly and without people's knowledge by camera. He provided additional information about the data stored from Flock Safety cameras and the lack of accountability and oversight for how the data is managed and distributed.

Kat Steele commented on Vision Zero and related goals. She suggested Vision Zero should be its own strategic objective as part of Council's review of the Strategic Plan and formation of priorities. She stated elevating Vision Zero to a stand-alone strategic goal creates opportunities for dedicating resources to making it safer to travel in Fort Collins.

Jonesy Winchell spoke in opposition to ICE activities and urged Council to pass legislation similar to what Aurora has done and to go further by not complying with ICE agents and banning non-medical masks.

Gabrielle Friesen spoke about the condemnation of the Mennonite Church and the disruption this has caused in community care for the unhoused population. She stated she is proud of the way the community has supported these individuals; however, noted that now that the Church has been shut down people have dispersed and it is difficult for them to find the services they need. She encouraged Council to increase support for unhoused individuals. She also spoke in opposition to ICE activities and stated agents should not be able to wear masks. She urged Council to do what is necessary to protect residents.

Jessi Harper-Bischof spoke in opposition to Flock Safety cameras and stated she is uncomfortable with the way the collected data can be used. She questioned how the cameras were placed in Fort Collins without a vote of the public, asked how long Flock keeps the data, and questioned who else is accessing the data.

Amber Wright spoke in opposition to ICE activities and urged Council to direct local Police not to cooperate with ICE. She also requested Council prohibit ICE agents from wearing masks. She cautioned that what is happening to Palestinians in Gaza could happen here.

Levi Vaughn spoke in opposition to ICE activities and urged Council to prohibit agents from wearing masks. He provided related information and examples of crimes committed.

Dori Mann spoke in opposition to Flock Safety cameras. She commented on the scary situation in Minneapolis and expressed concern about how Flock camera data could be used by ICE agents.

H) PUBLIC COMMENT FOLLOW-UP

Mayor Francis noted there is a work session item on February 24th related to Flock Cameras and encouraged people to tune in.

Councilmember Potyondy thanked the speakers and addressed potential ICE activities in the community. She noted we have to be thoughtful about the way we address the issue and commented on a training through the ACLU regarding supporting local neighbors.

Police Chief Swoboda noted there is a clear separation between local law enforcement and ICE in Colorado. He encouraged people to call Police Services with any concerns and noted officers will respond with body cameras on. He stated Police Services will focus on de-escalation and the protection of life. Additionally, he stated Police Services are open to having meetings with anyone at any time.

Councilmember Potyondy noted Chief Swoboda recently put out a video message to the community. She asked about limitations under Colorado law related to information sharing with federal agents. Chief Swoboda stated local Police cannot cooperate with federal agents regarding immigration issues; however, they will coordinate with any federal law enforcement agency in criminal investigations.

Councilmember Hoeven noted she has served as an immigration advocate in the community for the past ten years and commented on the positive relationships many local organizations have built with Chief Swoboda and Police Services. She stated what is currently happening at the federal level is not normal and noted there are local and State organizations that can provide training and assistance, including the Colorado Immigration Rights Coalition, the Colorado Rapid Response Network, and the ACLU. She encouraged the community to reach out to her if they additional assistance is needed.

Councilmember Conway asked about the protocol for Fort Collins officers if someone claiming to be an ICE agent came in wearing a mask arrested someone. Chief Swoboda encouraged people to call 911 if they see something like that happening and officers will respond with body-worn cameras on and will work to coordinate a response.

Councilmember Conway thanked all in the community who have been supporting our immigrant community.

Mayor Pro Tem Pignataro thanked the speakers and discussed research she has conducted on animal testing. She stated most of the laws that prohibit animal research are found at the State level and stated she hopes to have the opportunity to add this item to the Legislative Review Committee's list to work with the State to prohibit the facilities. She also noted Council has selected Vision Zero as one of its priorities and stated work will be done to look at marijuana laws likely starting in 2027.

Mayor Pro Tem Pignataro requested an update on work with the unhoused community. Vanessa Finley, Housing and Community Vitality Senior Housing Manager, discussed the community shelter situation during inclement weather and noted no one was turned away. She added that the Rescue Mission is continuing to work to get back into its Jefferson Street location and is working on construction of its new location.

Mayor Francis thanked those who spoke.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

None.

J) CONSENT CALENDAR

- 1. Consideration and Approval of the Minutes of the January 13, 2026 Special Meeting, January 14, 2026 Special Meeting and January 20, 2026 Regular meeting.**

The purpose of this item is to approve the minutes of the January 13, 2026 Special Meeting, January 14, 2026 Special Meeting and January 20, 2026 Regular meeting.

Approved.

2. Second Reading of Ordinance No. 002, 2026, Appropriating Prior Years Reserves of Unanticipated Revenue Received Through City Give.

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates \$110,476.42 in philanthropic revenue received through City Give. These miscellaneous gifts to various City departments support a variety of programs and services and are aligned with both the City's strategic priorities and the respective donors' designation.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

Adopted on Second Reading.

3. Items Relating to the Fort Collins Police Services Unit.

A. Second Reading of Ordinance No. 003, 2026, Making a Supplemental Appropriation of Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Grant Funds Received in the General Fund, for the Fort Collins Police Services Victim Services Unit.

B. Second Reading of Ordinance No. 004, 2026, Making a Supplemental Appropriation of Colorado Division of Criminal Justice Grant Funds Under the Federal Victim of Crime Act (VOCA) Received in the General Fund, for the Fort Collins Police Services Victim Services Unit.

These Ordinances, unanimously adopted on First Reading on January 20, 2026, contribute to funding 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, 2026, to December 31, 2026. 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, mileage reimbursement for volunteer advocates, and a small training budget.

The Victim Services Unit has also been awarded a 12-month grant in the amount of \$22,024 for the period from January 1, 2026, to December 31, 2026, 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 26% of the salary and benefits 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.

4. Second Reading of Ordinance No. 005, 2026, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Oak Street Stormwater Project and related Art in Public Places.

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates additional funding in the amount of \$1,340,000 in the Stormwater Utility Fund to supplement the

existing appropriated budget of approximately \$44,400,000 for the Oak Street Stormwater Improvement Project. The additional appropriation requested adds approximately 3% of the total project budget and will fund remaining project support services, pending change order items, and a minor contingency for any unanticipated costs to complete the project.

This item also requests \$2,948 from existing 2026 appropriations be transferred to the Cultural Services Fund to support the Art in Public Places program. These funds are to be used for operations and maintenance per Code. An additional \$10,452 will remain in the Stormwater Utility Fund for Art in Public Places artwork. This supports a total \$13,400 contribution to the Art in Public Places program.

Adopted on Second Reading.

5. Second Reading of Ordinance No. 006, 2026, Adopting Nonsubstantive Relettering of the Landscape and Tree Protection Section of the Land Use Code.

This Ordinance, unanimously adopted on First Reading on January 20, 2026, reorganizes the subsections of the Landscape and Tree Protection section (5.10.1) of the Land Use Code (LUC) to further clarify and create better flow of the Code section. This item is the final step in improving the Landscape and Tree Protection section of the LUC following the recently adopted tree policies in October and December 2025.

Adopted on Second Reading.

6. Second Reading of Ordinance No. 007, 2026, Amending Section 26-721 of the Code of the City of Fort Collins to Adjust Timelines to Correct Billing Errors.

This Ordinance, unanimously adopted on First Reading on January 20, 2026, provides a more equitable and efficient process for correcting utility billing errors. The adjusted timelines, which align with those of the Colorado Public Utilities Commission (the "PUC") improve administrative efficiency and reduce customer impact.

Adopted on Second Reading.

7. Second Reading of Ordinance No. 008, 2026, Making Supplemental Appropriations of Grants and Authorizing Transfers of Appropriations for the Irish Elementary School Safe Routes to School Project and Related Art in Public Places.

This Ordinance, unanimously adopted on First Reading on January 20, 2026, enables the City to receive and expend federal, Colorado Department of Transportation (CDOT), and local funds for the Irish Elementary School Safe Routes to School (SRTS) project (Project). The funds will be used to design and construct improvements along West Vine Drive and along Irish Drive to benefit Irish Elementary School students. These improvements will create safer conditions for pedestrians, cyclists, and motorists traveling near the school and appropriate: 1) \$835,000 of CDOT Safe Routes to School (SRTS) grant funds for the Project; 2) \$28,333 of Highway Safety Improvement Program (HSIP) grant funds for the Project; 3) \$75,000 of Poudre School District grant funds to the Project; 4) \$25,000 of Larimer County grant funds to the Project; 5) transfer matching funds from the Community Capital Improvement Program – Pedestrian Sidewalk (CCIP-PS); 6) transfer matching funds from the Community Capital Improvement Program – Bicycle Infrastructure Improvements (CCIP-BII); and 7) transfer \$1,000 (1% of the Poudre School District and Larimer County contributions) in capital project funds to the Art in Public Places (APP) program.

Resolutions authorizing intergovernmental agreements with Colorado Department of Transportation, Poudre School District and Larimer County were adopted on January 20, 2026.

Adopted on Second Reading.

8. **Second Reading of Ordinance No. 009, 2026, Making Supplemental Appropriations of Revenue from the Quarter Cent Capital Tax and Authorizing Transfers of Appropriations.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates the first year of 2026-2035 quarter cent capital sales tax revenues for the ongoing program items and additional planning dollars. This appropriation will allow for the continuation of ongoing transportation capital programs and includes initial funding for the Affordable Housing Capital Fund and Community Bike Park.

Adopted on Second Reading.

9. **First Reading of Ordinance No. 010, 2026, Authorizing the City Manager to Transfer Ownership of up to 61 Shares of the Buckhorn Highline Ditch Company.**

The purpose of this item is to seek approval to transfer ownership of up to 61 shares of the Natural Areas Department's shares of the Buckhorn Highline Ditch Company that the City does not need and will not use. The City's continued ownership of these 61 shares would impose significant costs on the Natural Areas Department due to required infrastructure improvements for the ditch and diversion structure, with little to no benefit to the City or natural areas. The Natural Areas Department will retain 33 shares of the Ditch Company for potential irrigation of a restoration project on the Bobcat Ridge Natural Area. The water right associated with the Buckhorn Highline Ditch, being a junior right, is not suitable for in-stream flows nor conversion to municipal use. The shares would be transferred by sale, or by returning the shares to the Ditch Company.

Adopted on First Reading.

10. **Items Relating to the Allocation of Community Capital Improvement Program Funds for Affordable Housing Development.**

A. Resolution 2026-017 Authorizing the Execution of a Funding Agreement with Housing Catalyst for a Loan of 2016-2025 and 2026-2035 Community Capital Improvement Program Funds for the Village on Eastbrook.

B. Resolution 2026-018 Authorizing the Execution of a Funding Agreement with Community Affordable Residences Enterprise, Inc. for a Loan of 2026-2035 Community Capital Improvement Program Funds for Windtrail Park Rehabilitation Project.

The purpose of this item is to authorize the City to enter into funding agreements with Housing Catalyst and with CARE Communities, using funding from the Quarter Cent Capital Tax, Affordable Housing Capital Fund to support the Village on Eastbrook (developed by Housing Catalyst) and the Windtrail Park rehabilitation project (developed by CARE Communities).

Both Resolutions Adopted.

11. **Resolution 2026-020 Appointing One Board Member to the Boxelder Basin Regional Stormwater Authority Board of Directors as the City-Selected Director.**

The purpose of this item is to consider making an appointment to the Board of Directors of the Boxelder Basin Regional Stormwater Authority.

Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Pignataro moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-11 on the Consent Calendar.

The motion carried 7-0.

K) CONSENT CALENDAR FOLLOW-UP

Councilmember Nelsen commented on Item No. 7, *Second Reading of Ordinance No. 008, 2026, Making Supplemental Appropriations of Grants and Authorizing Transfers of Appropriations for the Irish Elementary School Safe Routes to School Project and Related Art in Public Places*, and work to bring equity to the area.

L) STAFF REPORTS

None.

M) COUNCILMEMBER REPORTS

Councilmember Amy Hoeven

- Attended the Fort Collins Police awards ceremony

Councilmember Melanie Potyondy

- Commended City and Visit Fort Collins staff on hosting Council's retreat days

Mayor Emily Francis

- Noted Council priorities will be reviewed at next week's work session

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

None.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

12. Resolution 2026-019 Making Board and Commission Liaison and Council Committee Assignments and Making Appointments to Various External Boards and Authorities.

The purpose of this item is to make Councilmember liaison assignments to City boards and commissions and Council committees as well as make appointments to external boards and authorities on behalf of the City.

Mayor Francis noted that every Councilmember has between four and eight appointments and thanked Council for their involvement in liaison roles.

Mayor Pro Tem Pignataro moved, seconded by Councilmember Nelsen, to adopt Resolution 2026-019 Making Board and Commission Liaison and Council Committee Assignments and Making Appointments to Various External Boards and Authorities.

The motion carried 7-0.

Q) OTHER BUSINESS

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

Mayor Francis requested and received support to form an ad-hoc committee related to the priority of streamlining development review and making it more predictable, efficient and cost effective to build in Fort Collins which was discussed at Council's retreat.

City Manager DiMartino stated staff will bring forward an associated resolution.

R) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:22 p.m.

Mayor

ATTEST:

City Clerk