

June 2, 2026

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

PROCLAMATIONS AND PRESENTATIONS

A) PROCLAMATIONS AND PRESENTATIONS

- PP 1. **Declaring the Month of June 2026 as Bike Month.**
- PP 2. **Declaring the Month of June 2026 as Pride Month.**
- PP 3. **Declaring the Month of July 2026 as Plastic Free July.**

**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 Amy Hoeven
Councilmember Anne Nelsen

ABSENT

Councilmember Melanie Potyondy
Councilmember Josh Fudge
Councilmember Chris Conway

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:

- Item No. 15, *First Reading of Ordinance No. 068, 2026, Authorizing the Transfer of Appropriated Grant Funds for the Colorado Department of Local Affairs Grant Award to Develop a New Fort Collins Housing Action Plan*, will be postponed due to the number of Councilmembers who are absent.
- Item No. 17, *Flock Retention and Data Sharing*, will be postponed until June 16th to ensure the full Council is present.
- Items 1-13 on the Consent Calendar are recommended for adoption.
- Two Discussion items.
- Two Other Business items.

F) COMMUNITY REPORTS – None.

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

Marge Norskog spoke in support of the need for a Fort Collins ordinance related to surveillance.

Janice Ort expressed concern about the length of time surveillance data is kept.

Spencer Burris spoke in support of having a dedicated technology review board to provide oversight of surveillance data and related technology.

Seyed Jordan Majdolashrafi spoke in opposition to surveillance technology and supported the elimination of FLOCK/ALPR uses.

Jeff Akkerman spoke in opposition to surveillance technology and supported the elimination of FLOCK/ALPR uses in the city, including private businesses.

Ezriah Shteir thanked Council for its willingness to engage with the Northern Colorado Privacy Coalition related to surveillance. He spoke in support of surveillance restrictions.

Ian O'Brien spoke in opposition to FLOCK/ALPR surveillance.

Tish Vulpe spoke in opposition to FLOCK/ALPR surveillance.

Ash Ibarra spoke in opposition to FLOCK/ALPR surveillance. She advocated for health care/food versus surveillance.

Daniel Ibarra spoke in opposition to FLOCK/ALPR surveillance.

Alex Carlson spoke in opposition to FLOCK/ALPR surveillance.

Roxann spoke in opposition to FLOCK/ALPR surveillance and requested the removal of the cameras.

Judy Castro thanked Council for their efforts and stated the Patriot Grandparents are praying for Council weekly. She spoke in opposition to surveillance but also expressed concern about not being able to track criminals. She also spoke in opposition to City water fluoridation.

Ryan Burns spoke about FLOCK/ALPR audit logs and supported surveillance with appropriate restrictions.

Adam Hirschhorn spoke about FLOCK being one element of surveillance and shared concerns about AI in cell phones and school issued computers.

Emma Vakili spoke in opposition to FLOCK/ALPR surveillance.

Tyler Davidson spoke in opposition to FLOCK/ALPR surveillance.

H) PUBLIC COMMENT FOLLOW-UP

Mayor Pro Tem Pignataro stated the discussion on FLOCK will be best done with the full Council in two weeks and thanked the speakers. She asked if there is a legal definition of 'sanctuary city.' City Attorney Daggett replied there is no legal definition of the term.

Councilmember Nelsen thanked the speakers for their continued advocacy and participation. She concurred the discussion on FLOCK will be best done with the full Council.

Councilmember Hoeven also thanked the speakers for their continued advocacy.

Mayor Francis thanked the speakers for their engagement.

I. COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

None.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the May 19, 2026 Regular Meeting.

The purpose of this item is to approve the minutes of the May 19, 2026 Regular Meeting.

Approved.

2. Second Reading of Ordinance No. 053, 2026, Appropriating Unanticipated Philanthropic Revenue Received Through City Give.

This Ordinance, unanimously adopted on First Reading on May 19, 2026, requests an appropriation of \$80,074 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. Second Reading of Ordinance No. 054, 2026, Appropriating Prior Year Reserves and Unanticipated Grant Revenue from the U.S. Department of Commerce Broadband Equity, Access, and Deployment Program.

This Ordinance, unanimously adopted on First Reading on May 19, 2026, appropriates \$1,511,782 of unanticipated grant revenue from the U.S. Department of Commerce for the Broadband Equity, Access and Deployment (BEAD) program. This is a pass-through grant

managed by the Colorado Broadband Office with a required local match of \$531,167. This appropriation is contingent upon execution of the associated grant agreement and includes a sunset date of December 31, 2026, if such agreement is not finalized.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 055, 2026, Making a Supplemental Appropriation for Grant Revenue from the State of Colorado Office of Economic Development and International Trade Creative Industries Division for the Fort Collins Creative District.**

This Ordinance, unanimously adopted on First Reading on May 19, 2026, appropriates \$7,500 of unanticipated grant revenue from the Colorado Office of Economic Development and International Trade's (OEDIT) Colorado Creative Industries (CCI) Division for the Fort Collins Creative District.

Adopted on Second Reading.

5. **Items Related to Waste Programs.**

A. Second Reading of Ordinance No. 056, 2026, Amending Sections 12-32 and 15-413 of the Code of the City of Fort Collins to Align City Waste Hauler Requirements with the State of Colorado Extended Producer Responsibility Program.

B. Second Reading of Ordinance No. 057, 2026, Amending Section 12-30 of the Code of the City of Fort Collins to Update the Residential Waste Collection Program to Add a Multi-Housing Variance.

These Ordinances, unanimously adopted on First Reading on May 19, 2026, update City Code to modify the Hauler Licensing Program to align with the new state Extended Producer Responsibility Program and to modify the Contracted Residential Waste Collection Program to include an additional variance option for owners of small multi-unit residences.

Both Ordinances Adopted on Second Reading.

6. **Second Reading of Ordinance No. 060, 2026, Annexing the Property Known as the Peakview Annexation No. 2 to the City of Fort Collins, Colorado.**

This Ordinance, unanimously adopted on First Reading on May 19, 2026, annexes approximately 70 acres of land into the City of Fort Collins. The Peakview Annexation No. 2 is a 100% voluntary annexation located on the northeast corner of East Mulberry Street (State Highway 14) and Greenfields Drive intersection, within the East Mulberry Corridor and the Fort Collins Growth Management Area (the "GMA"). The site is made up of the Cooper Slough Hunting Club parcel along with Lots 1–5 and Outlot C of the Parkview PLD, which was recorded and approved in Larimer County (the "County") in 2022. The annexation meets all State of Colorado statutory requirements for voluntary annexation, including a contiguous perimeter of 54.50%, above the one-sixth (16.67%) minimum required by State statute. The annexation is within the East Mulberry Enclave and will be added and studied as part of the Threshold Report anticipated to be shared with City Council May 2026. The annexation is also consistent with the Intergovernmental Agreement for the GMA between the City and the County. There is a related agenda item for zoning on the property.

Adopted on Second Reading.

7. **Second Reading of Ordinance No. 061, 2026, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Peakview Annexation No. 2 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 May 19, 2026, places initial zoning on approximately 70 acres of land included in the Peakview Annexation No. 2. The proposed zoning, as recommended by staff and the Planning and Zoning Commission (Commission), places approximately 29.49 acres into the Medium Density Mixed-Use Neighborhood Zone District (MMN), approximately 26.92 acres into the General Commercial Zone District (CG), and approximately 13.35 acres into the Industrial Zone District (I). Staff also recommends placement of the property into the Residential Neighborhood Sign Zone District (RNS) and the LC2 Lighting Context Area. Approval of the CG zoning is conditional and includes two conditions agreed upon by the applicant and City staff that ensure the General Commercial area functions consistently with the neighborhood-serving commercial intent of the East Mulberry Corridor Plan. The first condition limits purely residential uses within the CG zoning for a period of five years from the date of annexation approval, or until a grocer between approximately 10,000 and 70,000 square feet is under construction within a 1.5-mile radius of the subject property, whichever occurs first. The second condition requires that future development on the CG-zoned land contribute to a cohesive, visually integrated, and functionally linked development pattern with the adjacent Mulberry and Greenfields PUD commercial core (Bloom Filing Nine) and surrounding MMN areas.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 2(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2024-148.

Adopted on Second Reading.

8. **First Reading of Ordinance No. 062, 2026, Appropriating Prior Year Reserves from the Conservation Trust Fund and Authorizing Transfers for Planning Efforts to Create a Conceptual Framework Plan for the Foothills Multi-Use Site, Formerly Known as the "Hughes Stadium Site."**

The purpose of this item is to request an appropriation of \$250,000 from the Conservation Trust Fund ("CTF") Reserves to Park Planning & Development for planning efforts to create a Conceptual Framework Plan (the "Plan") for the Foothills Multi-Use Site (the "Site"), which will build upon the community's priorities for the Site as identified in the November 2025 ballot initiative. This plan will inform future design and construction of the Site's uses and features. The scope of work will include preparation of an existing conditions report, a comprehensive programming list, and a near-term management plan, with a final deliverable of a Plan that will guide future development of the Site.

Adopted on First Reading.

9. **First Reading of Ordinance No. 063, 2026, Approving an Intergovernmental Agreement and Appropriating Prior Year Reserves and Unanticipated Grant Revenue from the Colorado Energy Office for the Fleet Zero Grant Program.**

The purpose of this item is to appropriate \$245,000 of unanticipated grant revenue from the Colorado Energy Office (CEO) Fleet Zero grant program to install fleet Electric Vehicle (EV) charging stations at specific City of Fort Collins facilities. This item also appropriates \$295,300 to meet required match under the grant program and to fund total costs for installation of the EV charging stations.

Adopted on First Reading.

10. **First Reading of Ordinance No. 064, 2026, Appropriating Unanticipated Grant Revenue from the Colorado Division of Criminal Justice for Restorative Justice Services.**

The purpose of this item is to appropriate \$35,120 of unanticipated grant revenue from the Colorado Division of Criminal Justice Juvenile Diversion fund awarded for the period of July 1, 2026 – June 30, 2027, to support the Restorative Justice programming provided by Conflict Transformation Works (CTW). This appropriation is contingent upon execution of the associated grant agreement and includes a sunset date of December 31, 2026, if the agreement is not finalized.

Adopted on First Reading.

11. **First Reading of Ordinance No. 065, 2026, Authorizing the Conveyance of One Permanent Easement on Meadow Springs Ranch.**

The purpose of this item is to authorize the conveyance of one easement of approximately 2.37 acres (the "Easement"), being a portion of City property presently known as Meadow Springs Ranch, for the construction and installation of a wind gen-tie (generation-tie) corridor. The proposed alignment minimizes impacts to ongoing wastewater operations and reduces disturbance to Meadow Springs Ranch by utilizing the shortest feasible crossing across City-owned property.

Adopted on First Reading.

12. **First Reading of Ordinance No. 066, 2026, Amending the Code of the City of Fort Collins Regarding Organizational Structure, Service Areas, and Related Definitions.**

The purpose of this item is to amend City Code to update and modernize the organizational structure of the City, including the creation of Transportation Services as a new service area, consolidation of Sustainability and Planning and Development functions, renaming of the Financial Services, clarification of City Manager authority over organizational structure, and other related Code revisions to align terminology and reporting relationships with current operations.

Adopted on First Reading.

13. **Items Relating to the I-25 Interchange and Harmony Road/Weld County Road 74 Regional Corridor and Traffic Study.**

A. Resolution 2026-075 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and the Town of Timnath for the I-25 Interchange and Harmony Road/Weld County Road 74 Regional Corridor and Traffic Study.

B. First Reading of Ordinance No. 067, 2026, Appropriating Prior Year Reserves and Unanticipated Revenue and Authorizing Transfer of Appropriations for the I-25 Interchange and Harmony Road/Weld County Road 74 Regional Corridor and Traffic Study.

The purpose of this item is to enable the City to receive and expend local funds for the I-25 Interchange and Harmony Road/Weld County Road 74 Regional Corridor and Traffic Study (Study). The funds will be used to study traffic in the Harmony Road/Weld County Road 74 corridor and to commence a preliminary planning effort to manage traffic along the corridor. If approved, the item will: 1) authorize the City Manager to execute an intergovernmental agreement (IGA) for the Study with the Town of Timnath; 2) appropriate \$201,960 of Transportation Capital Expansion Fee (TCEF) reserve funds to the Study; 3) appropriate \$200,000 of Town of Timnath

contribution to the Study; and 4) transfer \$2,000 of Study funds to the Art in Public Places (APP) program.

Resolution Adopted and Ordinance Adopted on First Reading.

END OF CONSENT CALENDAR

Mayor Pro Tem Pignataro moved, seconded by Councilmember Hoeven to approve the recommended actions on items 1-13 on the Consent Calendar.

Councilmember Hoeven commented on Item No. 8, *First Reading of Ordinance No. 062, 2026, Appropriating Prior Year Reserves from the Conservation Trust Fund and Authorizing Transfers for Planning Efforts to Create a Conceptual Framework Plan for the Foothills Multi-Use Site, Formerly Known as the "Hughes Stadium Site,"* stating she is looking forward to the project moving forward. She suggested specifically naming 'adaptive riders' as part of the external partners.

The motion carried 4-0.

K) CONSENT CALENDAR FOLLOW-UP

None.

L) STAFF REPORTS – None.

M) COUNCILMEMBER REPORTS

Councilmember Amy Hoeven

- Attended the Memorial Day celebration and commended the Veteran's Plaza volunteers.
- Attended the Boys and Girls Club of Larimer County fundraiser during which \$200,000 was raised. Congratulated Jose and Emily who were recognized as senior and junior Youth of the Year.
- Thanked Parks and Natural Areas, specifically the Trails team who have been proactive with spring wildlife.

Mayor Emily Francis

- Noted the Pride Festival and EcoFest are this weekend.

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

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

14. Items Relating to Municipal Court Sentencing and Default Code Updates.

A. Second Reading of Ordinance No. 058, 2026, Amending Certain Provisions of the Code of the City of Fort Collins Concerning Default Judgments to Extend the Time to File a Motion to Set Aside a Default Judgment.

B. Second Reading of Ordinance No. 059, 2026, Repealing and Reenacting as Amended Section 1-15 of the Code of the City of Fort Collins Concerning General Penalties to Align with State Law Following In re People v. Camp and In re People v. Simons.

These Ordinances, unanimously adopted on First Reading on May 19, 2026, amend provisions of the City Code to align the City's penalty framework and related procedures with recent Colorado Supreme Court decisions in In re People v. Camp and In re People v. Simons as phase 1 of the Municipal Court sentencing Code update.

These decisions clarify that municipalities may not impose penalties that exceed those authorized under state law for substantially similar conduct. The proposed amendments establish a sentencing structure consistent with state law, ensure that municipal penalties do not exceed applicable state limits, and improve clarity within the Code.

The Municipal Court and City Prosecutor's Office have been operating in compliance with these decisions since they were published. The proposed amendments formalize current practice and provide clear guidance moving forward.

Additionally, the two sections of the Code will be updated to increase the time period a defendant has to file a request to set aside a default judgment from seven to fourteen days.

This item has been placed on discussion for second reading for Council to consider amended language to Ordinance No. 059, 2026, Section 1-15(e)(4) to add petty offense in addition to misdemeanor offenses as possible escalation levels for infractions.

Mayor Pro Tem Pignataro moved, seconded by Councilmember Nelsen, to adopt Ordinance No. 058, 2026, Amending Certain Provisions of the Code of the City of Fort Collins Concerning Default Judgments to Extend the Time to File a Motion to Set Aside a Default Judgment, on Second Reading.

The motion carried 4-0.

Mayor Pro Tem Pignataro moved, seconded by Councilmember Nelsen, to adopt Ordinance No. 059, 2026, Repealing and Reenacting as Amended Section 1-15 of the Code of the City of Fort Collins Concerning General Penalties to Align with State Law Following In re People v. Camp and In re People v. Simons, amending Section 1-15 to modify the language in subsection (e)(4) starting with the clause that reads 'the new alleged violation may be charged' so that the remainder of the section reads 'as a petty or misdemeanor criminal offense as specifically provided for such designated level of violation in addition to any costs which may be assessed, or if no specific level of violation is designated, then is an unclassified misdemeanor that is subject to a penalty or imprisonment, cost fees and, and any other orders imposed in accordance with this section,' on Second Reading.

The motion carried 4-0.

- 15. First Reading of Ordinance No. 068, 2026, Authorizing the Transfer of Appropriated Grant Funds for the Colorado Department of Local Affairs Grant Award to Develop a New Fort Collins Housing Action Plan.**

The purpose of this item is to transfer appropriated matching grant funds for the Colorado Department of Local Affairs Housing Planning Program grant award from a lapsing budget to a non-lapsing budget within the same fund.

Withdrawn.

- 16. Resolution 2026-076 Adopting an Updated Business Assistance Package Incentive Policy.**

The purpose of this item is to consider approval of an updated Business Assistance Package Incentive Policy that aligns with the 2023 Economic Health Strategic Plan for the City.

STAFF PRESENTATION

SeonAh Kendall, Economic Health Director, commented on the Council priority regarding bolstering a thriving economy and noted that priority requires a virtuous cycle of primary employers who create high-quality jobs filled by local Fort Collins residents who then support the city's small businesses. She stated this policy is intended to align Council priorities and the Economic Health Strategic Plan to address the economic realities of today and the future. She noted the purpose of the updates is to ensure transparency, predictability, alignment with Council priorities and Fort Collins values, and accountability.

Michael Bussmann, Lead Business Specialist, stated Fort Collins would benefit from a proactive approach to retail incentives and stated this policy allows for targeting the right retail businesses at the right level. He stated the goal is to support reinvestment in existing spaces and attract regionally competitive retailers to reduce leakage and capture a better share of sales tax to help encourage long-term economic vitality. He noted incentives are structured to produce revenue that outlasts the incentive itself.

Bussmann stated the incentive program is designed to meet business and community needs and is not a one size fits all list that provides all incentives for every application. He outlined the proposed incentives, including sales and use tax rebates, share backs and project facilitation and cost management tools for the applicant. He noted that meeting eligibility requirements does not guarantee approval.

Kendall noted there will need to be future Council action via Code updates, though the Policy is the first step. She also noted every business assistance package will go before Council on a case by case basis and the Economic Development Fund will be discussed at an August Work Session.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS/COMMENTS

Mayor Pro Tem Pignataro asked where the Economic Advisory Board or other Boards and Commissions fit in this process. Kendall replied previous business assistance packages have been discussed with the Economic Advisory Board and other interested Boards, and that process will continue.

Councilmember Hoeven asked who evaluates applications prior to Council review. Kendall replied staff will be involved in negotiations about compliance and an economic impact or sales tax cannibalization study would need to be completed by a third party, which is funded by the applicant.

Mayor Francis thanked staff for the work and commented on the importance of bringing high-quality jobs to Fort Collins with an intentional policy.

Mayor Pro Tem Pignataro moved, seconded by Councilmember Nelsen, to adopt Resolution 2026-076 Adopting an Updated Business Assistance Package Incentive Policy.

The motion carried 4-0.

17. Flock Retention and Data Sharing.

The purpose of this item is a follow up from the Council Work Session on May 12, 2026 to present options for Council to consider related to the retention of Fort Collins Police Services (FCPS)

Flock data and restrictions on data sharing of Flock information with outside agencies. If desired, Council may make a motion directing staff of next steps they would like to see occur. The form of two motions for that purpose are provided at the end of the Background/Discussion section.

Withdrawn.

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 Cancel the July 7, 2026 and August 4, 2026 Regular Council Meetings.**

Mayor Pro Tem Pignataro moved, seconded by Councilmember Hoeven, pursuant to City Code Section 2-28(a), that Council cancel its regular meetings on Tuesday, July 7, 2026 and Tuesday, August 4, 2026.

The motion carried 4-0.

- OB 3. Consideration of a Motion to go into Executive Session to Consider a Potential Real Estate Acquisition:**

Mayor Pro Tem Pignataro moved, seconded by Councilmember Nelsen, that Council go into executive session to discuss with appropriate City staff potential acquisition and sale of real property in Fort Collins for potential economic redevelopment opportunities, as permitted under:

- City Charter Article Two, Section 11(3),*
- City Code Section 2-31(a)(3) and*
- Colorado Revised Statutes Section 24-6-402(4)(a),*

and the City's negotiating position on that acquisition and sale, with the seller and with potential cooperative project partners, and developing strategy for those negotiations, and instructing negotiators, pursuant to:

- City Charter Article Two, Section Eleven, Subsection Five, and*
- Colorado Revised Statutes Section 24-6-402 subsection (4)(e)(I).*

The motion carried 4-0.

R) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 7:59 p.m.

Mayor

ATTEST:

City Clerk

DRAFT