

# Fort Collins City Council Agenda

## Regular Meeting

6:00 p.m., Tuesday, November 21, 2023

City Council Chambers at City Hall, 300 Laporte Avenue, Fort Collins, CO 80521

Zoom Webinar link: <https://zoom.us/j/98241416497>

### NOTICE:

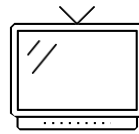
Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in Council Chambers.

City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

### How to view this Meeting:



Meetings are open to the public and can be attended in person by anyone.



Meetings are televised live on Channels 14 & 881 on cable television.



Meetings are available through the Zoom platform, electronically or by phone.



Meetings are livestreamed on the City's website, [fcgov.com/fctv](https://fcgov.com/fctv)

*Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide advance notice. Requests for interpretation at a meeting should be made by noon the day before.*

*A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione aviso previo. Las solicitudes de interpretación en una reunión deben realizarse antes del mediodía del día anterior.*



## There are in person and remote options for members of the public who would like to participate in Council meetings:

### Comment in real time:

*During the public comment portion of the meeting and discussion items:*



In person attendees can address the Council in the Chambers.  
The public can join the Zoom webinar and comment from the remote meeting, joining online or via phone.



All speakers are required to sign up to speak using the online sign up system available at [www.fcgov.com/agendas](http://www.fcgov.com/agendas).  
Staff is also available outside of Chambers prior to meetings to assist with the sign up process for in person attendees.

Full instructions for online participation are available at [fcgov.com/councilcomments](http://fcgov.com/councilcomments).

Join the online meeting using the link in this agenda to log in on an internet-enabled smartphone, laptop or computer with a speaker and microphone. Using earphones with a microphone will greatly improve audio experience.

To be recognized to speak during public participation portions of the meeting, click the 'Raise Hand' button.

Participate via phone using this call in number and meeting ID:

Call in number: 720 928 9299

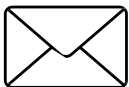
Meeting ID: 982 4141 6497

During public participation opportunities in the meeting, press \*9 to indicate a desire to speak.

### Submit written comments:



Email comments about any item on the agenda  
to [cityleaders@fcgov.com](mailto:cityleaders@fcgov.com)



Written comments can be mailed or dropped off at the City Manager's Office  
at City Hall, at 300 Laporte Ave, Fort Collins, CO 80521

***Documents to Share during public participation:*** Persons wishing to display presentation materials using the City's display equipment under the Public Participation portion of a meeting or during discussion of any Council item must provide any such materials to the City Clerk in a form or format readily usable on the City's display technology no later than two (2) hours prior to the beginning of the meeting at which the materials are to be presented.

***NOTE:*** All presentation materials for appeals, addition of permitted use applications or protests related to election matters must be provided to the City Clerk no later than noon on the day of the meeting at which the item will be considered. See Council Rules of Conduct in Meetings for details.



# City Council Regular Meeting Agenda

**November 21, 2023 at 6:00 PM**

Jeni Arndt, Mayor  
Emily Francis, District 6, Mayor Pro Tem  
Susan Gutowsky, District 1  
Julie Pignataro, District 2  
Tricia Canonico, District 3  
Shirley Peel, District 4  
Kelly Ohlson, District 5

City Council Chambers  
300 Laporte Avenue, Fort Collins  
& via Zoom at  
<https://zoom.us/j/98241416497>  
Cablecast on FCTV  
Channel 14 on Connexion  
Channel 14 and 881 on Xfinity

Carrie Daggett  
City Attorney

Kelly DiMartino  
City Manager

Anissa Hollingshead  
City Clerk

## **PROCLAMATIONS & PRESENTATIONS 5:00 PM**

### **A) PROCLAMATIONS AND PRESENTATIONS**

- PP 1. **Declaring November 4, 2023 as Fort Collins ARO Flag Football Teams State Competition Day (Special Olympics).**
- PP 2. **Declaring November 18, 2023 as National Injury Prevention Day.**
- PP 3. **Declaring November 23, 2023 as Transgender Day of Remembrance and Resiliency.**
- PP 4. **Declaring December 2, 2023 as CHSAA Championship Saturday.**
- PP 5. **Declaring November 2023 as Epilepsy Awareness Month.**

## **REGULAR MEETING 6:00 PM**

### **B) CALL MEETING TO ORDER**

### **C) PLEDGE OF ALLEGIANCE**

### **D) ROLL CALL**

### **E) CITY MANAGER'S AGENDA REVIEW**

- City Manager Review of Agenda
- Consent Calendar Review, including removal of items from Consent Calendar for individual discussion.

### **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.)

*Individuals may comment regarding any topics of concern, whether or not included on this agenda. Comments regarding land use projects for which a development application has been filed should be submitted in the development review process\*\* and not to Council.*

- *Those who wish to speak are required to sign up using the online sign-up system available at [www.fcgov.com/council-meeting-participation-signup/](http://www.fcgov.com/council-meeting-participation-signup/)*
- *Each speaker will be allowed to speak one time during public comment. If a speaker comments on a particular agenda item during general public comment, that speaker will not also be entitled to speak during discussion on the same agenda item.*
- *All speakers will be called to speak by the presiding officer from the list of those signed up. After everyone signed up is called on, the presiding officer may ask others wishing to speak to identify themselves by raising their hand (in person or using the Raise Hand option on Zoom), and if in person then will be asked to move to one of the two lines of speakers (or to a seat nearby, for those who are not able to stand while waiting).*
- *The presiding officer will determine and announce the length of time allowed for each speaker.*
- *Each speaker will be asked to state their name and general address for the record, and, if their comments relate to a particular agenda item, to identify the agenda item number. Any written comments or materials intended for the Council should be provided to the City Clerk.*
- *A timer will beep one time and turn yellow to indicate that 30 seconds of speaking time remain and will beep again and turn red when a speaker's time has ended.*

*[\*\*For questions about the development review process or the status of any particular development, consult the City's Development Review Center page at <https://www.fcgov.com/developmentreview>, or contact the Development Review Center at 970.221.6760.]*

**H) PUBLIC COMMENT FOLLOW-UP**

**I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION**

**CONSENT CALENDAR**

*The Consent Calendar is intended to allow Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Agenda items pulled from the Consent Calendar by either Council or the City Manager will be considered separately under their own Section, titled "Consideration of Items Removed from Consent Calendar for Individual Discussion." Items remaining on the Consent Calendar will be approved by Council with one vote. The Consent Calendar consists of:*

- *Ordinances on First Reading that are routine;*
- *Ordinances on Second Reading that are routine;*
- *Those of no perceived controversy;*
- *Routine administrative actions.*

**1. Consideration and Approval of the Minutes of the October 17, 2023 Regular Meeting.**

The purpose of this item is to approve the minutes of the October 17, 2023 regular meeting.

2. **Second Reading of Ordinance No. 139, 2023, Approving the Fiscal Year 2024 Budget, and Being the Annual Appropriation Ordinance for the Fort Collins Downtown Development Authority, and Fixing the Mill Levy for the Downtown Development Authority for Property Taxes Payable Fiscal Year 2024.**

This Ordinance, unanimously adopted on First Reading on October 17, 2023, sets the Downtown Development Authority (DDA) Budget.

The following amounts will be appropriated:

DDA Public/Private Investments & Programs	\$6,435,066
DDA Operations & Maintenance	\$1,477,626
Revolving Line of Credit Draws	\$9,000,000
DDA Debt Service Fund	\$9,431,611

The Ordinance sets the 2024 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 2024.

3. **Second Reading of Ordinance No. 140, 2023, Adopting the 2024 Budget and Appropriating the Fort Collins Share of the 2024 Fiscal Year Operating and Capital Improvements Funds for the Northern Colorado Regional Airport.**

This Ordinance, unanimously adopted on First Reading on October 17, 2023, adopts the 2024 budget for the Northern Colorado Regional Airport and appropriates Fort Collins's share of the 2024 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.

4. **Second Reading of Ordinance No. 141, 2023, Appropriating Philanthropic Revenue Received by City Give for the 2023 Parks Independence Day Celebration.**

This Ordinance, unanimously adopted on First Reading on October 17, 2023, appropriates philanthropic revenue designated for the 2023 Parks Independence Day Celebration.

5. **Second Reading of Ordinance No. 142, 2023, Appropriating Philanthropic Revenue Received Through City Give for the Art in Public Places Program, Pianos About Town Project.**

This Ordinance, unanimously adopted on First Reading on October 17, 2023, appropriates \$45,221 in philanthropic revenue received by City Give for the Art in Public Places (APP) program. This grant award was received from Bohemian Foundation for the designated purpose of Pianos About Town, a collaborative effort among the City's Art in Public Places program, the Fort Collins Downtown Development Authority (DDA), and the donor, Bohemian Foundation.

6. **Second Reading of Ordinance No. 143, 2023, Making a Supplemental Appropriation, Appropriating Prior Year Reserves, Authorizing Transfers and Authorizing Intergovernmental Agreements for the Air Toxics Community Monitoring Project.**

This Ordinance, unanimously adopted on First Reading on October 17, 2023, appropriates an award the City received in the amount of \$499,139 for an Air Toxics Community Monitoring Project Grant from the Environmental Protection Agency (EPA) to provide air toxic monitoring that responds to concerns of residents in underserved communities, builds a broader understanding of air quality issues through innovative approaches including storytelling and art and empowers residents to engage in policy and regulatory discussions. This three-year project will be conducted in partnership with Colorado State University and the Larimer County Department of Health and Environment, with support from the Colorado Department of Public Health and Environment and various community organizations.

The purpose of this item is to support the *Air Toxics Community Monitoring project* by:

- Appropriating \$499,139 of unanticipated grant revenue awarded by the EPA
- Appropriating \$70,178 from the General Fund reserves
- Utilizing matching funds in the amount of \$3,230 from existing 2023 appropriations into this new grant project

This item would authorize the City to accept the grant award and comply with the terms and conditions. This item would also authorize the City to enter into an agreement with Colorado State University to conduct the work contemplated by the grant agreement.

7. **Second Reading of Ordinance No. 144, 2023, Appropriating Unanticipated Revenue From a CDOT Safe Routes to School Grant and Authorizing Transfers for the Zach Elementary School Crossings Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on October 17, 2023, enables the City to receive and expend federal, Colorado Department of Transportation (CDOT), and local funds for the Zach Elementary School Crossings Project (the Project). The funds will be used to design and construct improvements at the intersection of Kechter Road and Jupiter Drive and at the intersection of Kechter Road and Cinquefoil Lane. These improvements will create safer conditions for bicyclists, pedestrians, and motorists traveling in this location. If approved, the item will: 1) authorize the Mayor to execute an intergovernmental agreement (IGA) for the Project with CDOT; 2) appropriate \$745,587 of Safe Routes to School (SRTS) grant funds for the Project; 3) appropriate matching funds from the SRTS School Transportation Safety Studies; 4) appropriate matching funds from the Bicycle Community Capital Improvement Program (Bicycle CCIP); 5) appropriate matching funds from the Pedestrian Community Capital Improvement Program (Pedestrian CCIP); 6) acknowledge anticipated funds contributed by the Poudre School District (PSD); and 7) appropriate funds to the Art in Public Places Program.

8. **Second Reading of Ordinance No. 145, 2023, Being the Annual Appropriation Ordinance Relating to the Annual Appropriations for the Fiscal Year 2024; Amending the Budget for the Fiscal Year Beginning January 1, 2024, and Ending December 31, 2024; and Fixing the Mill Levy for Property Taxes Payable Fiscal Year 2024.**

This Ordinance, unanimously adopted on First Reading on October 17, 2023, amends the adopted 2024 Budget. This Ordinance sets the amount of \$802,507,950 to be appropriated for fiscal year 2024. This appropriated amount does not include what is also being appropriated by separate Council/Board of Director actions to adopt the 2024 budgets for the General



Improvement District (GID) No. 1 of \$318,275, the 2024 budget for GID No. 15 (Skyview) of \$1,000, the Urban Renewal Authority (URA) 2024 budget of \$6,121,898 and the Downtown Development Authority 2024 budget of \$26,344,303. The sum of these ordinances results in City-related total appropriations of \$835,293,426 for 2024. This Ordinance also sets the 2024 City mill levy at 9.797 mills, unchanged since 1991.

On Second Reading, some minor additional edits have been made to the recitals and Section 4 of the Ordinance to identify that budgeted grant funds for Transfort are designated as a non-lapsing appropriation, and that other grants and donations will be separately appropriated when necessary.

**9. Items Relating to 2024 Utility Rates, Fees, and Charges.**

A. Second Reading of Ordinance No. 146, 2023, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Electric Rates, Fees, and Charges and Updating the Related Income-Qualified Assistance Program.

B. Second Reading of Ordinance No. 147, 2023, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Water Rates, Fees, and Charges.

C. Second Reading of Ordinance No. 148, 2023, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Wastewater Rates, Fees, and Charges.

D. Second Reading of Ordinance No. 149, 2023, Amending Chapter 26 of the Code of the City of Fort Collins to Revise Stormwater Rates, Fees, and Charges.

These Ordinances, unanimously adopted on First Reading on October 17, 2023, proposed the 2024 Utility Rates for Council consideration, which align with the 2024 City Manager's Recommended Budget. Monthly utility charges are proposed to increase 5% for electric customers, 4% for water customers, 4% for wastewater customers, and 3% for stormwater customers.

**10. First Reading of Ordinance No. 150, 2023, Making a Supplemental Appropriation for the Oak Street Stormwater Improvements Project.**

The purpose of this item is to request appropriation to cover the expenses related to the recent bond issuance for the Oak Street Stormwater Improvements Project.

The Stormwater Utility Enterprise Board unanimously adopted Ordinance No. 011 on October 3, 2023, authorizing a bond issuance in the Stormwater Fund for the construction of the Oak Street Stormwater Improvements project. Following the sale and closing of the bonds' gross proceeds, the amount of \$40.4M have been paid into the Stormwater Fund on October 31, 2023.

This first appropriation request is being brought for your consideration to cover expenses for the recent bond issuance, including closing costs and underwriter's fees associated with closing of the bond. Payment for expenses will be made by the end of 2023.

The total amount being requested for appropriation is: \$375,931.

A second appropriation request will be brought forth once the construction contractor selection process is complete and the construction contract value has been finalized. The anticipated schedule is late December 2023 or January 2024.

**11. First Reading of Ordinance No. 151, 2023, Appropriating Prior Year Reserves in the General Fund and 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 2023 budget. Overspend in the snow budget is driven by severe snowstorms that present cold temperatures, ice, and higher volumes of snow.

**12. First Reading of Ordinance No. 152, 2023, Appropriating Philanthropic Revenue Received by City Give for the 9/11 Memorial, Park Planning and Design for the Construction of the 9/11 Memorial at Spring Park.**

The purpose of this item is to request appropriation of \$24,870.70 for the designated purpose toward the park planning and design for the construction of the 9/11 Memorial at Spring Park, 2100 Mathews Street, Fort Collins, Colorado.

A partnership between the City of Fort Collins and Poudre Fire Authority (PFA), the 9/11 Memorial will be located in midtown Fort Collins, and will honor firefighters, emergency medical technicians, law enforcement officers, and nearly 3,000 others who lost their lives on September 11, 2001.

**13. First Reading of Ordinance No. 153, 2023, Appropriating Philanthropic Revenue by City Give for Fort Collins Police Services for the 2024 Police Leaders' Summit.**

The purpose of this item is to request appropriation of \$5,850 in philanthropic revenue received by City Give for Fort Collins Police Services for the 2024 Police Leaders' Summit as designated by the donor.

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.

**14. First Reading of Ordinance No. 154, 2023, Making Supplemental Appropriations of Unanticipated Grant Revenue and Authorizing Transfers for Transfort and Ebus Charging Equipment.**

The purpose of this item is to appropriate unanticipated grant funding for Transfort operational and capital needs.

**15. First Reading of Ordinance No. 155, 2023, Appropriating Unanticipated Revenue and Authorizing Transfers for Replacement of Bicycle Racks in Downtown Fort Collins.**

The purpose of this item is to support replacement of aged and corroded bike racks with new bike racks that provide improved accessibility along downtown sidewalks by:

- Appropriating \$15,050 of unanticipated grant revenue awarded by Colorado Department of Transportation (CDOT); and
- Utilizing matching funds in the amount of \$1,672 from existing 2023 appropriations for this new grant project.

Pursuant to the State of Colorado Small Dollar Grant Terms and Conditions (Attachment 3), and in accordance with Section 1-22 of the City Code, the City Manager has accepted this grant agreement.



**16. First Reading of Ordinance No. 156, 2023, Making a Supplemental Appropriation from the Colorado Division of Criminal Justice of Unanticipated Grant Revenue for Various Restorative Justice Services Programs.**

The purpose of this item is to appropriate grant revenue to fund Restorative Justice Services within Community Development and Neighborhood Services.

Additional grant funds in the amount of \$12,000 have been awarded from the Colorado Division of Criminal Justice (DCJ) Juvenile Diversion fund for the continued operation of Restorative Justice Services, which includes the RESTORE program for shoplifting offenses, and the Restorative Justice Conferencing Program (RJCP) and Reflect Program for all other offenses. The \$12,000 in grant funds are in addition to a grant awarded to Restorative Justice Services earlier this year from DCJ in the amount of \$57,356, bringing the total amount of the awarded grant to \$69,356. No match is required and the grant period is July 1, 2023, to June 30, 2024.

**17. First Reading of Ordinance No. 157, 2023, Making A Supplemental Appropriation, Appropriating Prior Year Reserves, Authorizing Transfers and Authorizing the City Manager to Enter into an Agreement for the Zero Carbon Performance Code Project.**

The purpose of this item is to support the *Zero Carbon Performance Code Project* by:

- Appropriating \$693,595 of unanticipated revenue awarded by the Department of Energy (DOE);
- Appropriating \$152,127 from Light and Power Fund reserves;
- Transferring \$7,600 matching funds from existing 2023 appropriations in the Light & Power Fund; and
- Appropriating \$46,842 from General Fund reserves.

In July 2023, the Department of Energy (DOE) awarded the City of Fort Collins (City) \$693,595 under the Bipartisan Infrastructure Law, Resilient and Efficient Codes Implementation (RECI) funding. The award supports development of a Zero Carbon Performance Energy Code framework by 2030 to meet energy use and carbon emissions reduction targets and replace prescriptive energy code models. This framework will be developed as a Code path to include successive code update cycles focused on an end goal of zero carbon new construction in the 2030 code cycle.

This project directly aligns with Our Climate Future's Big Move 6 "Efficient, Emissions Free Buildings." It also recognizes the importance of building energy codes as an effective strategy to improve health and safety, comfort, climate resilience and lower energy costs within community buildings.

While the DOE did not provide the final grant agreement before first reading of this Ordinance, staff is seeking approval to begin spending resources toward the City's anticipated match. The City's \$206,569 match will be met principally through Energy Services and Building Services staff personnel time. Upon presentation of its final grant agreement and DOE confirmation of its \$693,595 award (anticipated to occur before or contemporaneous with second reading), the DOE grant will be applied to reimburse project partners and the City. DOE funds and the City's match support total project costs of \$900,164.

**18. First Reading of Ordinance No. 158, 2023, Amending the City's Master Street Plan.**

The purpose of this item is to request approval by Council of proposed amendments to the Master Street Plan as described below.

**19. First Reading of Ordinance No. 159, 2023, Authorizing the Purchasing Agent to Enter into a Contract for Services, Professional Services and/or Construction in Excess of Five Years for the Golf Professional and the Food and Beverage Concessionaire at City Park Nine Golf Course.**

The purpose of this item is to authorize the Purchasing Agent, pursuant to City Code Section 8-186(a), to enter into a contract greater than five years in length for the Golf Professional/Concessionaire at City Park Nine Golf Course. This contract was originally awarded by competitive purchasing processes in accordance with City Code Section 8-158, Competitive sealed proposals. The contract for the Golf Professional/Concessionaire includes a provision for the City to extend the contract for up to an additional five years, subject to Council approval. Extending the contract for the Golf Professional/Concessionaire at City Park Nine Golf Course is in the City's best interest.

**20. First Reading of Ordinance No. 160, 2023, Approving the Vacation of a Drainage Easement Located on Tract A of the Old Town North, Fifth Filing Subdivision.**

The purpose of this item is to approve an Ordinance that would vacate a 0.808 acre drainage easement (the "Easement") that was dedicated on Tract A of the Plat of the Old Town North Fifth Filing (the "Subdivision") for the benefit of the City because the Easement is no longer required by the City's Stormwater Utilities Department.

**21. First Reading of Ordinance No. 161, 2023, Authorizing the Conveyance of Three Permanent Easements and a License to Enter to Colorado State University for Installation of Fiber Optic Cables on City Property.**

The purpose of this item is to approve an Ordinance that would permit the conveyance of three (3) permanent easements (the "Easements") and one (1) license to enter (the "License") to Colorado State University ("CSU") for the installation and operation of fiber optic cables on City property to connect the Powerhouse Energy Campus (the "Powerhouse Campus") located at 430 North College Avenue to the CSU main campus and allow for future CSU fiber optic connectivity to the Powerhouse 2 facilities.

**22. Resolution 2023-094 Approving an Exemption to the Competitive Purchasing Process to Procure Cornerstone OnDemand, Inc.'s Talent Management Software.**

The purpose of this item is to request approval of an exception to the competitive purchasing process to continue to use Cornerstone as the City's Talent Management software. The City's existing five-year agreement with Cornerstone for the software will expire in December 2023 and the City seeks to enter into a new agreement with Cornerstone. Not continuing the City's contractual relationship with Cornerstone would substantially impede the City's administrative functions and would also harm the City's financial interests.

**23. Resolution 2023-095 Adopting the City's 2024 Legislative Policy Agenda.**

The purpose of this item is to consider and adopt the City's 2024 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.

The Legislative Review Committee reviewed and made changes/updates at the October 3, 2023, meeting and reviewed and recommended adoption at the November 14, 2023, meeting.

**24. Public Hearing and Resolution 2023-096 Approving \$1.2 Million in HOME Investment Partnership Act American Rescue Plan Act Funding to the Heartside Hill Affordable Housing Development.**

The purpose of this item is to approve the funding recommendations of \$1.2 Million in HOME Investment Partnership Act-American Rescue Plan Act funding (HOME-ARP) to the Heartside Hill affordable housing development.

**25. Resolution 2023-097 Approving the 2024 Operating Plan and Proposed Budget of the Fort Collins Midtown Business Improvement District.**

The purpose of this item is to consider a Resolution approving the Fort Collins Midtown Business Improvement District's 2024 Annual Budget and 2024 Operating Plan, which are attached as Exhibits A and B, respectively, to the proposed Resolution.

**26. Resolution 2023-098 Approving the 2024 Annual Plan and Proposed Budget of the Fort Collins Tourism Improvement District.**

The purpose of this item is to consider a Resolution approving the Fort Collins Tourism Improvement District's 2024 Annual Budget and 2024 Annual Plan, which are attached as Exhibits A and B, respectively, to the proposed Resolution.

**27. Resolution 2023-099 Making an Appointment to the Human Services and Housing Funding Board.**

The purpose of this item is to appoint Michael Kulisheck to the Human Services and Housing Funding Board. Michael Kulisheck was originally appointed in 2020, however, his term has expired, creating a vacancy he has applied to fill.

**END OF CONSENT CALENDAR**

**J) ADOPTION OF CONSENT CALENDAR**

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

**L) STAFF REPORTS**

**M) COUNCILMEMBER REPORTS**

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

## O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

*The method of debate for discussion items is as follows:*

- Mayor introduced the item number and subject; asks if formal presentation will be made by staff
- Staff presentation (optional)
- Mayor requests public comment on the item (three minute limit for each person)
- Council questions of staff on the item
- Council motion on the item
- Council discussion
- Final Council comments
- Council vote on the item

*Note: Time limits for individual agenda items may be revised, at the discretion of the Mayor, to ensure all have an opportunity to speak. The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.*

### **28. First Reading of Ordinance No. 162, 2023, Adopting the East Mulberry Plan as an Update of the 2002 East Mulberry Corridor Plan.**

The purpose of this item is for Council to consider adoption of the draft East Mulberry Plan and potential annexation considerations related to the plan. Staff will share a potential approach to annexation for Council to consider based on a concept referred to as "Thresholds."

### **29. Resolution 2023-100 Expressing Gratitude and Appreciation to Deputy City Attorney John Duval for his Contributions to the City and the Community.**

The purpose of this item is to express gratitude and appreciation to John Duval for his contributions to the City and the community as Deputy City Attorney.

### **30. Resolution 2023-101 Appointing Two Councilmembers to a Joint Committee with Loveland Regarding Airport Governance for the Northern Colorado Regional Airport and Authorizing Release of a Related Confidential Legal Memorandum.**

The purpose of this item is to designate two Councilmembers to represent Fort Collins as part of a joint committee with the Loveland City Council to discuss, evaluate and make recommendations regarding alternative models of governance at the Northern Colorado Regional Airport.

## P) OTHER BUSINESS

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

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

## Q) ADJOURNMENT

**Consideration of a motion to adjourn to 6:00 p.m. on November 28, 2023, for the purpose of annual performance evaluations of Council's direct-report employees:**

"I move that Council adjourn this meeting to 6:00 p.m. on Tuesday, November 28, 2023, in order to consider a motion to go into executive session to conduct annual performance reviews of the Council's direct report employees, and for such other business as may come before the Council."

*Every regular Council meeting will end no later than midnight, except that: (1) any item of business commenced before midnight may be concluded before the meeting is adjourned and (2) the Council may, at any time prior to adjournment, by majority vote, extend a meeting beyond midnight for the purpose of considering additional items of business. Any matter that has been commenced and is still pending at the conclusion of the Council meeting, and all matters for consideration at the meeting that have not yet been considered by the Council, will be deemed continued to the next regular Council meeting, unless Council determines otherwise.*

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